AGENDA

GARDEN GROVE PLANNING COMMISSION

MAY 7, 2026 – 7:00 pm

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE

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

Agenda Item Descriptions: Agenda item descriptions are intended to give a brief and general description of the item. The Planning Commission may take legislative action deemed appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

Documents/Writings: Any revised or additional documents/writings related to an item on the agenda distributed to all or a majority of the Planning Commission within 72 hours of a meeting, are made available for public inspection at the same time (1) in the Planning Services Division Office at 11222 Acacia Parkway, Garden Grove, CA 92840, during normal business hours; and (2) at the Community Meeting Center at the time of the meeting.

Public Comments: Members of the public who attend the meeting in-person and would like to address the Planning Commission are requested to complete a yellow speaker card indicating their name and address, and identifying the subject matter they wish to address. This card should be given to the Recording Secretary before the meeting begins. General comments are made during "Oral Communications" and are limited to three (3) minutes and to matters the Planning Commission has jurisdiction over. Persons wishing to address the Planning Commission regarding a Public Hearing matter will be called to the podium at the time the matter is being considered. Members of the public who wish to comment on matters before the Commission, in lieu of doing so in person, may submit comments by emailing public-comment@ggcity.org no later than 3:00 p.m. the day of the meeting. The comments will be provided to the Commission as part of the meeting record.

PLEASE SILENCE YOUR CELL PHONES DURING THE MEETING.

REGULAR MEETING AGENDA

ROLL CALL: COMMISSIONERS ASHLAND, BEARD, CUEVA, FLANDERS, LARICCHIA, LINDSAY, RAMIRIZ

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

A. ORAL COMMUNICATIONS - PUBLIC

B. APPROVAL OF MINUTES – April 16, 2026

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

C.1. PLANNED UNIT DEVELOPMENT NO. PUD-141-01(A)
SITE PLAN NO. SP-107-2022 (REV. 2026)
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

APPLICANT: KAM SANG CO., INC,

LOCATION: THE NORTHWEST CORNER OF TWINTREE AVENUE AND HARBOR BOULEVARD, AT 12241 HARBOR BOULEVARD

12241 Harbor Boulevard (APN: 231-471-06), 12261 Harbor Boulevard (APN: 231-471-07), 12271 Harbor Boulevard (APN: 231-471-08), 12291 Harbor Boulevard (APN: 231-471-09), 12311 Harbor Boulevard (APN: 231-471-10), 12321 Harbor Boulevard (APN: 231-471-11), 12323 Harbor Boulevard (APN: 231-471-11), 12246 Thackery Drive (APN: 231-471-18), 12252 Thackery Drive (APN: 231-471-17), 12262 Thackery Drive (APN: 231-471-16), 12282 Thackery Drive (APN: 231-471-15), 12292 Thackery Drive (APN: 231-471-14), 12312 Thackery Drive (APN: 231-471-13), 12322 Thackery Drive (APN: 231-471-12), 12251 Thackery Drive (APN: 231-471-19), 12261 Thackery Drive (APN: 231-471-20), 12281 Thackery Drive (APN: 231-471-21), 12291 Thackery Drive (APN: 231-471-22), 12311 Thackery Drive (APN: 231-471-23), 12321 Thackery Drive (APN: 231-471-24), Vacated Thackery Drive (APN: 231-471-54), and Vacated Alley (No APN)

REQUEST: Pursuant to a Writ Of Mandate issued by the Orange County Superior Court in Marlene Perez Et Al. v. City Of Garden Grove *et al*., O.C.S.C. Case No. 30-2022-01281816-CU-WM-CXC, the Planning Commission will consider a recommendation to the City Council to: (1) certify a Supplemental Environmental Impact Report (SEIR), adopt a Supplemental Mitigation Monitoring and Reporting Program, and adopt Findings, including a Statement of Overriding Considerations; (2) approve revisions to the Conditions of Approval associated with Site Plan No. SP-107-2022; and (3) reapprove Planned Unit Development No. PUD-141-01(A) with modifications limited to the Planned Unit Development Performance Standards to incorporate the mitigation measures and project design features identified in the SEIR for the previously approved Site B2 Project on 3.72 acres (Nickelodeon Resort Hotel).

STAFF RECOMMENDATION: In compliance with the Writ of Mandate, recommend to the City Council certification of a Supplemental Environmental Impact Report (SEIR), adoption of a Supplemental Mitigation Monitoring and Reporting Program, and adoption of Findings, including a Statement of Overriding Considerations; reapproval of Planned Unit Development Subarea No. PUD-141-01(A) with modifications limited to the Planned Unit Development and Performance Standards to incorporate the mitigation measures and project design features identified in the SEIR; and approval of revisions to the Conditions of Approval associated with Site Plan No. SP-107-2022, to the City Council.

D. MATTERS FOR CONSIDERATION

E. MATTERS FROM STAFF

F. ADJOURNMENT

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

Meeting Minutes
Thursday, April 16, 2026

CALL TO ORDER: 7:01 p.m.

ROLL CALL:

Commissioner Ashland
Commissioner Beard
Commissioner Cueva
Commissioner Flanders
Commissioner Laricchia
Commissioner Lindsay
Commissioner Ramirez

PLEDGE OF ALLEGIANCE: Led by Commissioner Laricchia.

SELECTION OF CHAIR:

Action: Commissioner Lindsay nominated Commissioner Cueva for Chair. Commissioner Cueva declined the nomination.

Action: Commissioner Lindsay nominated Commissioner Laricchia for Chair.
Commissioner Laricchia declined the nomination.

Action: Commissioner Laricchia nominated Commissioner Ashland for Chair.
Commissioner Ashland accepted the nomination.

Action: Commissioner Cueva nominated Commissioner Lindsay for Chair. Commissioner Lindsay declined the nomination.

Action: Commissioner Ashland was elected Chair by a 7-0 vote as follows:

Ayes: (7) Ashland, Beard, Cueva, Flanders, Laricchia, Lindsay, Ramirez
Noes: (0)
Absent: (0)

SELECTION OF VICE CHAIR:

Action: Commissioner Lindsay nominated Commissioner Cueva for Vice-

Chair.
Commissioner Laricchia seconded nomination.

Action: Commissioner Cueva was elected Vice-Chair by a 7-0 vote as follows:

Ayes: (7) Ashland, Beard, Cueva, Flanders, Laricchia, Lindsay, Ramirez
Noes: (0)
Absent: (0)

Commissioner Ashland assumed the duties of Chair.

ORAL COMMUNICATIONS – PUBLIC – None

March 19, 2026 MINUTES:

Action: Received and filed.

Motion: Lindsay Second: Cueva

Ayes: (7) Ashland, Beard, Cueva, Flanders, Laricchia, Lindsay, Ramirez
Noes: (0)
Absent: (0)
Abstain: (0)

PUBLIC HEARING – SITE PLAN NO. SP-157-2025 (REV. 2026)

Applicant: IN-N-OUT BURGER, INC.
Date: April 16, 2026

Request: A request to modify the approved plans and conditions of approval under Site Plan No. SP-157-2025 to maintain the existing vehicular access to a driveway approach, which was previously approved to be modified for egress-only, on a site improved with an existing restaurant, In-N-Out Burger. Site Plan No. SP-157-2025 approved the construction of a freestanding outdoor dining patio structure and included demolition of an adjacent vacant restaurant to accommodate additional drive-thru vehicle queuing and parking spaces, along with approval of Lot Line Adjustment No. LLA-036-2025 to remove an existing lot line to consolidate the lots. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA).

Commissioner Ramirez announced he has a financial conflict of interest because his spouse is an employee of the applicant, recused himself,

and left the meeting before hearing or consideration of the item by the Commission.

The applicant's representatives, Alexandra Cortes and Peter Kulmaticki, addressed the Commission and answered questions. The applicant representative was asked if they had read and agreed with the Conditions of Approval, and they responded that they had.

Action: Resolution No. 6130-26 was approved.

The following two members of the Public, Mike Cottle and Dennis Vo, spoke and expressed concerns about the project.

Motion: Lindsay Second: Cueva

Ayes: (6) Ashland, Beard, Cueva, Flanders, Laricchia, Lindsay
Noes: (0)
Absent: (1) Ramirez

Commissioner Ramirez rejoined the meeting.

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-275-2025 (TE1)

Applicant: MR. CARE INC.
Date: April 16, 2026

Request: A request for a one-year time extension for the entitlement approved under Conditional Use Permit No. CUP-275-2025, to operate a new 18,183 square foot adult daycare facility for 463 adults. A CEQA determination is not required as the project was previously exempted.

The applicant's representatives, Eric Dong, addressed the Commission and answered questions.

Action: Resolution No. 6131-26 was approved.

Motion: Laricchia Second: Beard

Ayes: (7) Ashland, Beard, Cueva, Flanders, Laricchia, Lindsay, Ramirez
Noes: (0)

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-281-2026

Applicant: THOMSON DANG
Date: April 16, 2026

Request: A request for Conditional Use Permit approval to allow banquets with live entertainment and dancing as an incidental use to an existing full-service restaurant, and to operate the restaurant with a new original Alcoholic Beverage Control (ABC) Type "47" (On-Sale General) License. Also, a recommendation that the Planning Commission revoke Conditional Use Permit No. CUP-329-11, which previously governed the tenant space. In conjunction with the request, the Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA).

The applicant, Thomson Dang and Johnny Yun, addressed the Commission and answered questions. The applicant was asked if they had read and agreed with the conditions of approval, and they responded that they had.

Action: Resolution No. 6132-26 was approved.

Motion: Lindsay Second: Cueva

Ayes: (7) Ashland, Beard, Cueva, Flanders, Laricchia, Lindsay, Ramirez

Noes: (0)

MATTERS FROM COMMISSIONERS: Commission Flanders requested an update on the former 99 Cent Store on Valley View Street. Staff reported that the applicant is working on their application to submit to the city.

MATTERS FROM STAFF: Staff gave a brief description of the May 7th meeting agenda.

ADJOURNMENT: At 8:25 p.m.

_____

Carol Sebbo
Recording Secretary

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	**SITE LOCATION:** Northwest corner of Harbor Boulevard and Twintree Avenue, east of Tamerlane Drive at 12241, 12261, 12271, 12291, 12311 and 12323/12321 Harbor Boulevard, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, and 12321 Thackery Drive, and the Vacated Thackery Drive and the Vacated Alley
HEARING DATE: May 7, 2026	**GENERAL PLAN:** International West Mixed Use (IW)
CASE NOS.: Planned Unit Development No. PUD-141-01(A) and Site Plan No. SP-107-2022 (Rev. 2026)	**ZONE:** Planned Unit Development No. PUD-141-01(A) **PROPOSED:** Planned Unit Development No. PUD-141-01(A) with Modifications Limited to Planned Unit Development Provisions and Development and Performance Standards
APPLICANT: Kam Sang Company	**CEQA DETERMINATION:** Initial Study/Mitigated Negative Declaration (MND) [2022]; and Supplemental Environmental Impact Report (SEIR) [2026]
PROPERTY OWNER: Same as applicant	**APN:** 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, & 54

REQUEST:

Pursuant to a Stipulated Writ of Mandate issued by the Orange County Superior Court in *Marlene Perez, et al. v. City of Garden Grove, et al.*, O.C.S.C. Case No. 30-2022-01281816-CU-WM-CXC, the Planning Commission will consider a recommendation to the City Council to: (1) certify a Supplemental Environmental Impact Report (SEIR), adopt a Supplemental Mitigation Monitoring and Reporting Program, and adopt Findings of Fact, including a Statement of Overriding Considerations; (2) approve revisions to the Conditions of Approval for Site Plan No. SP-107-2022 (Rev. 2026) contingent upon the City Council's action on PUD-141-01(A); and (3) reapprove Planned Unit Development No. PUD-141-01(A) with modifications limited to the Planned Unit Development Provisions and Development and Performance Standards to incorporate the mitigation measures and project design features

identified in the SEIR for the previously approved Site B2 Project on 3.72 acres (Nickelodeon Hotel Resort).

BACKGROUND:

The project site consists of 3.72 acres located in the Grove District resort area, on the northwest corner of Harbor Boulevard and Twintree Avenue. In total, the site is comprised of nineteen (19) parcels, the entirety of Thackery Drive, and a public alley (Figure 1). Thackery Drive and the alley have previously been vacated by City Council, and are integrated into the project site. The project site has a General Plan Land Use designation of International West Mixed Use (IW). The IW land use designation is intended to promote the development of resorts, entertainment, retail, restaurants, and hotels along Harbor Boulevard. The entirety of the project site is currently zoned Planned Unit Development No. PUD-141-01(A) pursuant to Ordinance No. 2938 (adopted September 13, 2022). Prior to Ordinance No. 2938, thirteen (13) parcels were zoned PUD-141-01 and six (6) parcels were zoned R-1 (Single-Family Residential).

Collectively, the project is referred to as the Site B2 Project. The project site is currently largely vacant. The properties were previously developed with single-family structures that were demolished between 2004 and 2013. The entirety of the alley, and the easterly portion of Thackery Drive have also been removed.

The project site abuts Planned Unit Development No. PUD-141-01 and Multiple-Family Residential (R-3) zoned properties to the north, Single-Family Residential (R-1) zoned properties to the west, R-1 zoned properties and commercial uses in Planned Unit No. PUD-121-98 to the south, across Twintree Avenue, and Planned Unit Development Nos. PUD-128-12 and PUD-121-12(A) to the east, across Harbor Boulevard. Nearby properties are developed with single-family and multiple-family residential, retail, restaurant, and hotel uses.

The Garden Grove Agency for Community Development and Palm Court Lodging, LLC, a California limited liability company entered into a Disposition and Development Agreement (DDA) on June 26, 2001 pursuant to which Palm Court was to acquire land from the Former Agency and develop two hotels. One hotel was completed. The subject applicant is the assignee of Palm Court with regard to the development of the second hotel under the DDA. On September 13, 2022, the City Council approved a DDA to convey to the subject applicant approximately 1.5 acres of property owned by the City, including the vacated alley and Thackery Drive. As a result, the applicant now owns the entirety of the subject 3.72-acre property.

Entitlement History

In 2022, the applicant requested approval to develop the Nickelodeon Hotel Resort. Approvals requested by the applicant included: (1) an amendment to Planned Unit Development No. PUD-141-01 to create a new sub-area, PUD-141-01(A), to facilitate the development of a full-service, high-rise hotel resort; (2) Site Plan No. SP-107-2022 to authorize the construction of the proposed 500-room hotel resort;

(3) Street Vacation No. SV-002-2022 to vacate the entirety of Thackery Drive and the alley; and (4) an Initial Study / Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program to comply with the California Environmental Quality Act (CEQA).

On July 7, 2022, the Planning Commission adopted Resolution Nos. 6044-22 and 6045-22, which: (1) recommended that the City Council adopt the IS/MND and Mitigation Monitoring and Reporting Program for the Project and approve Planned Unit Development No. PUD-141-01(A); and (2) approved Site Plan No. SP-107-2022, subject to and contingent upon the effectiveness of a City Council resolution approving Street Vacation No. SV-002-2022 and an ordinance approving Planned Unit Development No. PUD-141-01(A).

On July 27, 2022, the Planning Commission's actions were appealed by Unite Here Local 11,on environmental grounds including the greenhouse gas (GHG) emissions and vehicle miles traveled (VMT) analysis in the IS/MND. The appellant specifically argued that an Environmental Impact Report (EIR) was required. The appeal was filed in accordance with the City's twenty-one (21) day appeal period.

On August 23, 2022, the City Council (1) adopted (a) Resolution No. 9767-22 denying Unite Here Local 11's appeal and upholding the Planning Commission's approvals; (b) Resolution No. 9768-22 adopting the IS/MND and Mitigation Monitoring and Reporting Program for the Project; (c) Resolution No. 9769-22 for the approval of Site Plan No. SP-107-2022; and (d) Resolution No. 9766-22 to initiate Street Vacation No. SV-002-2022; and (2) conducted the first reading of Ordinance No. 2938 to approve Planned Unit Development No. PUD-141-01(A).

On September 13, 2022, City Council adopted Resolution No. 9772-22 approving Street Vacation No. SV-002-2022 and adopted Ordinance No. 2938 to approve Planned Unit Development No. PUD-141-01(A). Pursuant to Ordinance No. 2938, the entirety of the project site is zoned Planned Unit Development No. PUD-141-01(A). Prior to that ordinance, thirteen parcels were zoned PUD-141-01 and six parcels were zoned R-1 (Single-Family Residential).

On September 22, 2022, Marlene Perez, Maria Guadalupe Ortiz, and Unite Here Local 11 (collectively, "Petitioners") filed a Petition for Writ of Mandate, Complaint for Invalidation, Injunctive and Declaratory Relief in the Superior Court for the State of California, County of Orange, challenging the City Council's actions on CEQA and other grounds (the "Petition"). Petitioner VietRise later joined the litigation. Prior to trial, the parties reached a settlement, which the Court entered as a Stipulated Writ of Mandate on February 13, 2024. Pursuant to Public Resources Code Section 21168.9(c), the Stipulated Writ left the City's 2022 approvals in place and did not direct the City to exercise its discretion in any particular way. Instead, the Stipulated Writ requires the City, if it and the Real Parties in Interest decide to proceed with the Project, to: (a) prepare a focused CEQA review of the Project's potentially significant Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) impacts; (b) assess whether modifications are needed to the prior approvals, including mitigation measures and conditions of approval, in light of that focused CEQA analysis; and (c)

approve, approve with modifications, or deny the PUD at a publicly agendized City Council meeting pursuant to Garden Grove Municipal Code Section 9.32.030. All other claims were waived, released, and dismissed with prejudice. Pending discharge of the Stipulated Writ, no physical changes to the project site may be made.

To comply with the Stipulated Writ, the City has prepared an SEIR providing the focused CEQA review of the Project's VMT and GHG impacts. The Planning Commission is now considering recommendations to the City Council on certification of the SEIR and on the action required under Paragraph 1(c) of the Stipulated Writ on PUD-141-01(A), as well as approval of corresponding revisions to the Conditions of Approval attached to Site Plan No. SP-107-2022 (now stylized as SP-107-2022 (Rev. 2026)) to incorporate the mitigation measures identified in the SEIR. .

PROJECT STATISTICS:

Standard	PUD Subarea	Provided
Lot Area	3.72-acres	3.72-acres
Required Parking[1]	480	528
Maximum Hotel Rooms	500	500
Maximum Square Footages		
Combined Ballroom & Meeting Rooms	17,715 S.F.	17,715 S.F.
Food and Beverage (Restaurants)	22,296 S.F.	22,296 S.F.
Nick Studio (Theater)	600 seats	600 seats
Entertainment Venue (Studio Hall)	6,448 S.F.	6,448 S.F.
Retail	5,480 S.F.	5,480 S.F.
Spa/Fitness	8,532 S.F.	8,532 S.F.
Maximum Building Height[2]	No Limit, Subject to a Shade and Shadow Study	335'-8"
Building Setbacks[3]		
Interior Side (North)	None, 10 feet if adjacent to residential	27'-10"
Street Side (South - Twintree Avenue)	10'-0"	16'-11"
Front (East – Harbor Boulevard)	9'-0"	9'-11"
Rear (West)	10'-0"	31'-4"

[1] A Shared Parking Study was prepared to determine the required parking for the proposed hotel resort based on the estimated peak parking demand.
[2] The proposed hotel project building height was analyzed in a Shade and Shadow Study prepared in conjunction with the Mitigated Negative Declaration.
[3] The Shade and Shadow Study also evaluates the proposed building setbacks in relation to the proposed building height to ensure that no shade and shadow impacts would be created to adjacent sensitive uses.

DISCUSSION:

PLANNED UNIT DEVELOPMENT:

A Planned Unit Development (PUD) is a precise plan, adopted by ordinance, which provides the means for the regulation of buildings, structures, and uses of land in order to facilitate the implementation of the General Plan. The regulations of the PUD are intended to provide for an innovative land plan and design. The PUD is governed by zoning regulations that are contained within the ordinance that ultimately adopts the planned unit development.

Pursuant to Ordinance No. 2938 adopted in 2022, the project site is zoned Planned Unit Development No. PUD-141-01(A), which covers the entirety of the subject site to facilitate development of the proposed hotel resort. The PUD allows for the project to be consistent and compatible with the surrounding land uses. The PUD incorporates specific development standards regulating the number of hotel rooms, building heights, building setbacks, landscaping, permitted uses, required parking, site circulation and access, signage, utilities, storage and refuse collection, and environmental mitigation measures.

The PUD is being returned to the City Council pursuant to Paragraph 1(c) of the Stipulated Writ of Mandate, which requires the Council to "approve, approve with modifications, or deny" the PUD in open session at a publicly agendized meeting after considering the focused VMT and GHG analysis set forth in the SEIR. The modifications recommended for City Council consideration are limited to revisions to the PUD Development Provisions and Development and Performance Standards to incorporate the mitigation measures and project design features identified in the SEIR. No other changes to PUD-141-01(A) are proposed.

SITE PLAN:

The envisioned build-out of the project site is based on the submitted project plan and environmental document. All construction plans for the hotel resort would be consistent with the PUD standards, the associated plans (Attachment 2), environmental documentation, and conditions of approval. A summary of the project is provided below:

- Primary vehicular access to the site would be from Harbor Boulevard, while secondary vehicular access would be from Twintree Avenue
- The hotel would include multiple entertainment areas, restaurants, a pool with water slides, and ballrooms.
- A total of 528 parking spaces would be provided across a five (5) level parking garage.

- The first six (6) stories would be reserved for programming, levels seven (7) to twenty-two (22) would include the hotel rooms, and the top floor would house a restaurant.

- The street frontages along Twintree Avenue and Harbor Boulevard would include a streetscape design consistent with the Grove District.

- The building would be designed in a unique serpentine shape, up to a maximum height of 335'-8" to the top of the parapet.

- The building façade would be primarily clad in glass.

A full discussion of the hotel development is included in the original Staff Report from July 7, 2022 (Attachment 3).

The approved project design is not changing. The building footprint, height, layout, parking configuration, and architectural design remain as previously approved under Site Plan No. SP-107-2022 in 2022, and the project plans (Attachment 2) are unchanged from those approved in 2022. The narrow scope of the current Site Plan action recommended to the City Council is to update the Conditions of Approval to incorporate the revised PUD Performance Standards reflecting the mitigation measures identified in the SEIR. The stylization "SP-107-2022 (Rev. 2026)" refers to this Conditions-of-Approval update only and does not reflect any change to the approved site plan drawings.

FUTURE ENTITLEMENTS:

The full implementation of the hotel project would require future consideration of the following entitlements:

- A Tentative Tract Map to consolidate the project site.

- A Development Agreement between the City and the applicant, in conjunction with the Tentative Tract Map.

- Conditional Use Permit(s) to allow for the sale of alcoholic beverages in various areas of the hotel.

CEQA:

In 2022, the proposed project was reviewed and an Initial Study and Mitigated Negative Declaration (IS/MND) was prepared pursuant to CEQA, Public Resources Code Section 21000 *et seq.* and the CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*).

Subsequently in 2022, an action was filed in Orange County Superior Court challenging the IS/MND's vehicle miles traveled (VMT) and greenhouse gas (GHG) impact analyses, among other claims.

As described in the Entitlement History above, the parties reached a settlement resulting in a Stipulated Writ of Mandate entered by the Court on February 13, 2024. To comply with the Stipulated Writ's requirement to prepare a focused CEQA review of the Project's VMT and GHG impacts, the City has prepared the SEIR.

The complete SEIR document, and related attachments addressing the project's VMT and GHG impacts is available for review on the City's webpage at:

https://ggcity.org/planning/environmental-documents

A 45-day public comment period on the SEIR occurred from September 22, 2025 to November 6, 2025. Three (3) comment letters were received during the public comment period. These letters were from the Law Office of Jordan R. Sisson on behalf of Unite Here Local 11, Lozeau Drury LLP on behalf of the Supporters Alliance for Environmental Responsibility ("SAFER"), and the California Department of Transportation (Caltrans). The City's responses to these letters are included in the Final SEIR for the Project. A Supplemental Mitigation Monitoring and Reporting Program has been prepared, along with proposed Findings of Fact including a Statement of Overriding Considerations. In support of the Statement of Overriding Considerations, an Updated Economic Development Report & Analysis (Attachment 9) has been prepared, which evaluates the economic, fiscal, and other benefits of the Project that may be weighed against the significant unavoidable impacts identified in the SEIR.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Adopt Resolution No. 6133-26 recommending that the City Council certify the Supplemental Environmental Impact Report (SEIR), adopt a Supplemental Mitigation Monitoring and Reporting Program, and adopt Findings of Fact, including a Statement of Overriding Considerations, pursuant to Paragraph 1(a) of the Stipulated Writ of Mandate;

2. Adopt Resolution No. 6134-26 recommending that the City Council approve revisions to the Conditions of Approval for Site Plan No. SP-107-2022, contingent upon the City Council's action on Planned Unit Development No. PUD-141-01(A) pursuant to Paragraph 1(b) of the Stipulated Writ of Mandate; and

3. Adopt Resolution No. 6135-26 recommending that the City Council reapprove Planned Unit Development No. PUD-141-01(A) with modifications limited to the Planned Unit Development Provisions and Development and Performance Standards to incorporate the mitigation measures and project design features identified in the SEIR pursuant to Paragraph 1(c) of the Stipulated Writ of Mandate.

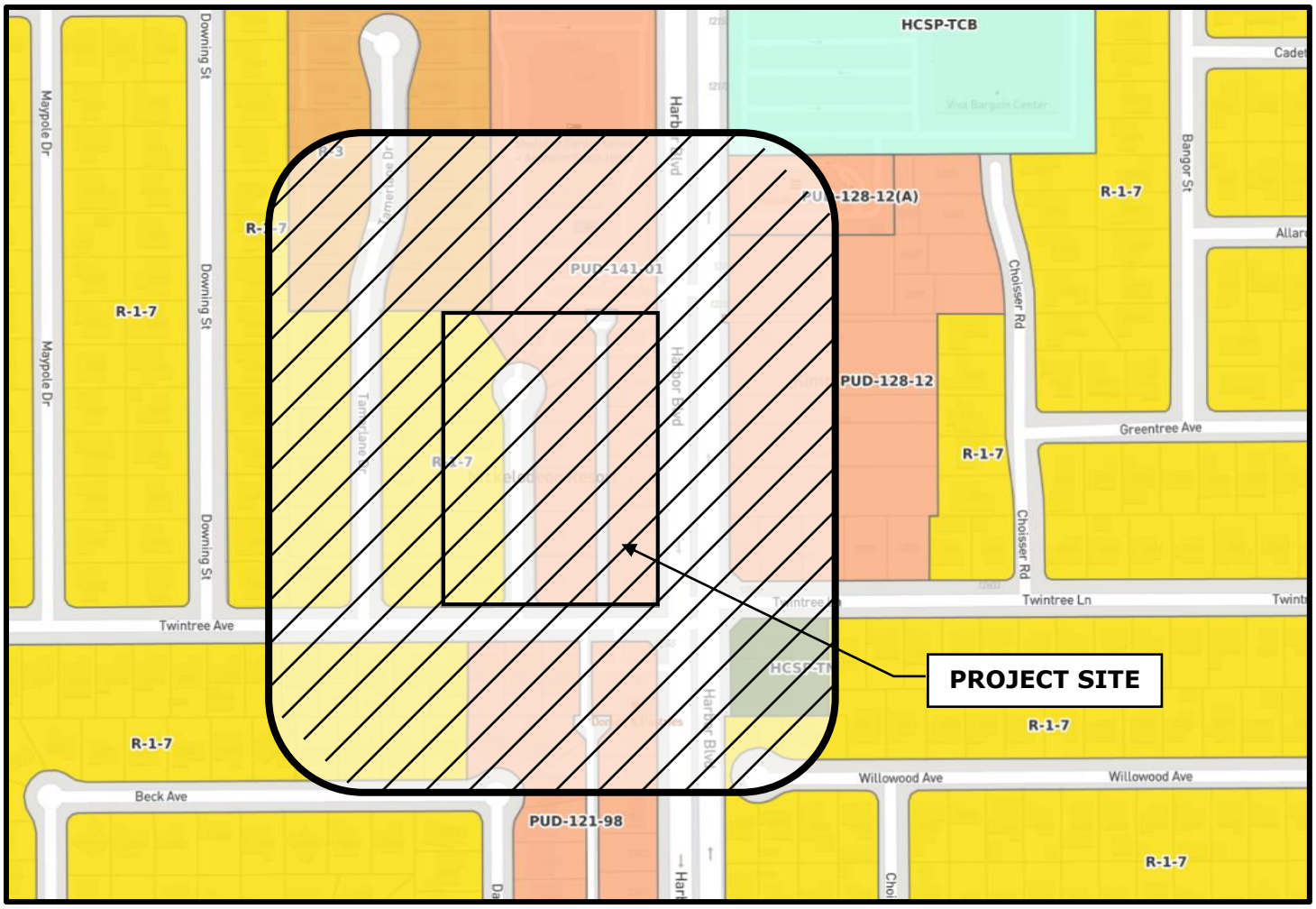
Maria Parra
Planning Services Manager

By: Priit Kaskla, AICP
Senior Planner

Attachment 1: Area Map
Attachment 2: Plans
Attachment 3: Planning Commission Staff Report dated July 7, 2022
Attachment 4: Resolution No. 6133-26 with "Exhibit A" - Final Supplemental Environmental Impact Report with Appendices and "Exhibit B" - Supplemental Mitigation Monitoring and Reporting Program and "Exhibit C" – Findings of Fact, Including Statement of Overriding Considerations
Attachment 5: Resolution No. 6134-26 with "Exhibit A" - Conditions of Approval
Attachment 6: Resolution No. 6135-26 with "Exhibit A" – Proposed City Council Ordinance
Attachment 7: Notice of Entry of Order Approving Stipulated Writ of Mandate
Attachment 8: Original Economic Development Report & Analysis (2022)
Attachment 9: Updated Economic Development Report & Analysis (2026)

ATTACHMENT 1

PLANNED UNIT DEVELOPMENT NO. PUD-141-01(A) & SITE PLAN NO. SP-107-2022 (REV. 2026)



LEGEND

Subject Site

300-Foot Radius

NOTES

1. SITE ADDRESS: 12241, 12261, 12271, 12291, 12311, 12321, and 12323 Harbor Boulevard, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, and 12321 Thackery Drive, the Vacated Thackery Drive, and the Vacated Alley
2. PROPOSED ZONING: Planned Unit Development No. PUD-141-01(A)

CITY OF GARDEN GROVE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING SERVICES DIVISION
MAY 2026

ATTACHMENT 2

KAM SANG COMPANY

411 EAST HUNTINGTON DRIVE, ARCADIA, CA



CITY OF GARDEN GROVE PRELIMINARY

PREPARED FOR:
CITY of GARDEN GROVE
GARDEN GROVE, CALIFORNIA

No.	DATE	REVISION	BY

SHEET TITLE
NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

Date 2/25/2021
Scale 1" = 20'-0"
Sheet No. 1 OF 20
File No.

ATTACHMENT 2

CITY OF GARDEN GROVE PRELIMINARY PLAN REVIEW DECEMBER 2020

HARBOR BOULEVARD & TWINTREE LANE GARDEN GROVE, CA 92840

KAM SANG COMPANY
411 E HUNTINGTON DR #305, ARCADIA, CA 91006

BUILDING CLASSIFICATIONS

LOT INFORMATION

LOT SIZE: GROSS 3.72 ACRES (APPROX 161,933 SQUARE FEET)

LANDSCAPE: GROSS APPROX 26,224 SQUARE FEET (AT STREET LEVEL)
GROSS APPROX 29,359 SQUARE FEET (AT PODIUM LEVEL)
GROSS APPROX 55,583 SQUARE FEET (34 % COVERAGE)

CIRCULATION:
GROSS APPROX 101,900 SQUARE FEET

OCCUPANT LOADS

-2.1	BALLROOM	
	BALLROOM	9,490 / 7 = 1,355 OCC LOAD
	MEETING ROOM (A)	4,194 / 7 = 599 OCC LOAD
	MEETING ROOM (B)	4,031 / 7 = 577 OCC LOAD
A-3	RESTAURANT, MEETING ROOMS LOBBY	
	FOOD and BEVERAGE	22,296 / 15 = 1,486 OCC LOAD
	HOTEL MEETING ROOMS	8,225 / 15 = 549 OCC LOAD
	HOTEL THEMED AMENITIES	13,238 / 15 = 883 OCC LOAD
	NICK STUDIO (THEATRE)	7,039 / 15 = 469 OCC LOAD
	NICK ARCADE	7,000 / 15 = 467 OCC LOAD
	SPA/ FITNESS	8,532 / 50 = 171 OCC LOAD
B	OFFICE, BACK OF HOUSE, OTHERS	
	HOTEL OFFICE (PRODUCTION)	3,173 / 100 = 32 OCC LOAD
	HOTEL SUPPORT (SUPPORT OFFICES)	11,329 / 100 = 113 OCC LOAD
	BACK OF HOUSE (SUPPORT)	16,492 / 100 = 165 OCC LOAD
M	RETAIL	
	HOTEL RETAIL	5,480 / 30 = 183 OCC LOAD
R-1	HOTEL	
	HOTEL ROOMS	289,891 / 200 = 1149 OCC LOAD
S-2	STORAGE, LOADING	
	HOTEL SUPPORT (STORAGE)	8,600 / 300 = 29 OCC LOAD
S-3	BELOW GRADE PARKING	40,656 / 250 = 163 OCC LOAD

*ALLL OCCUPANT LOAD CALULATIONS ARE APPROXIMATE FOR CONCEPTUAL DESIGN PURPOSES

TYPE OF CONSTRUCTION:

TYPE 1 FIRE RESISTIVE: SPRINKLER SYSTEM

BUILDING INFORMATION

ADDRESS:
HARBOR BOULEVARD AND TWINTREE LANE GARDEN GROVE, CA 92840

CURRENT ZONING:
C-3, COMMERCIAL

INITIAL GUESTROOM KEY COUNT

INITIAL HOTEL TOWER CONSIST OF 500 KEYS (660 MODULES @ 439 S.F. +/-

PARKING COUNTS

ALL ENTERTAINMENT, RESTAURANTS, SPA, FITNESS, NICK STUDIO, NICK AMENITIES, RETAIL, BALLROOM, MEETING SPACE ARE INTENDED FOR OCCUPIED GUEST OF THE HOTEL.

STURCTURED PARKING UNDER MAIN HOTEL TOWER

PARKING LEVEL 4 - 52,206 S.F. (TOTAL SPACES PROVIDED - 110)
STANDARD SPACES: - 100
EV SPACES: - 6
EV ADA SPACES: - 1
ADA SPACES: - 4

PARKING LEVEL 3 - 52,206 S.F. (TOTAL SPACES PROVIDED - 110)
STANDARD SPACES: - 100
EV SPACES: - 6
EV ADA SPACES: - 1
ADA SPACES: - 4

PARKING LEVEL 2 - 52,206 S.F. (TOTAL SPACES PROVIDED - 110)
STANDARD SPACES: - 100
EV SPACES: - 6
EV ADA SPACES: - 1
ADA SPACES: - 4

PARKING LEVEL 1 - 40,656 S.F. (TOTAL SPACES PROVIDED - 84)
STANDARD SPACES: - 74
EV SPACES: - 3
EV ADA SPACES: - 1
ADA SPACES: - 4

PARKING LEVEL B1 - 52,206 S.F. (TOTAL SPACES PROVIDED - 114)
STANDARD SPACES - 104
EV SPACES - 6
EV ADA SPACES - 1
ADA SPACES - 4

TOTAL PARKING SPACES PROVIDED: 528
TOTAL EV PARKING SPACES PROVIDED: 28
TOTAL ADA SPACES PROVIDED: 20

BUILDING CODE SUMMARY

CITY OF GARDEN GROVE MUNICIPAL CODE (1962 CODE 1-1.01)
(UPDATED BY ORDINANCE 13-0-2650 ON NOVEMBER 19,2016

BUILDING
C.B.C. 2016, EXCLUDING ALL APPENDICES EXCEPT G, I, AND J INCLUDING AMENDMENTS FROM G.G.M.C. SECTION 9-1-202

ELECTRICAL
C.E.C. 2016, INCLUDING ANNEXES EXCEEPT ANNEX H

MECHANICAL
C.E.C. 2016, INCLUDING ALL OF THE APPENDICES EXCEPT A AND E

PLUMBING
C.P.C. 2016, INCLUDING ALL OF THE APPENDICES EXCEPT C,F, AND L INCLUDING ALL AMENDMENTS FROM G.G.M.C. SECTION 9-1-502

POOL AND SPA
"UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE 2012" EXCEPT PART 1; I.A.P.M.O
INCLUDING AMENDMENTS FROM G.G.M.C SECTION 9-1-902

HOUSING
"INIFORM HOUSING CODE 1997" I.C.B.O. EXCEPT CHAPTER 16 AMD CHAPTERS F THE STATE HOUSING LAW UNDER WHICH LOCAL AGENCIES ACT AS THE ENFORCEMENT AUTHORITY; INCLUDING AMENTS -8'

DIVERSION
'CALIFORNIA INTEGRATED WASTE MANAGEMENT ACT' (AB939) AS REQUIREMENTS THAT WILL BE ESTABLISHED BY THE CITY

FIRE
C.F.C. 2016, INCLUDING APENDICES B, BB, C, CC, D, F, AND H INCLUDING AMENDMENTS FROM G.M.C. SECTION 9-2-2

BUILDING HEIGHT SUMMARY

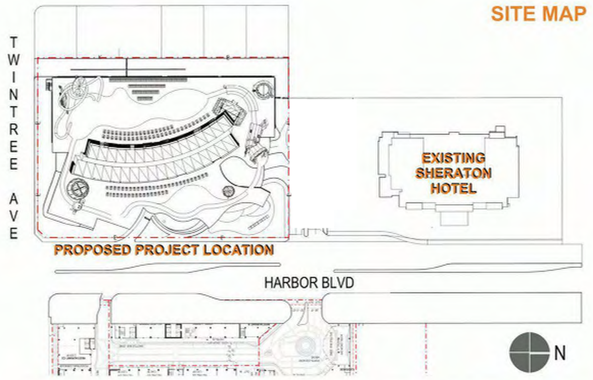
PROJECT 0'-0' BASED ON RELATIVE ELEVATION 0'-0' AT SOUTHEAST PROPERTY CORNER AND MEASURED TO HIGHEST PROJECTING SURFACE

HOTEL TOWER MAXIMUM HEIGHT +347'-7"

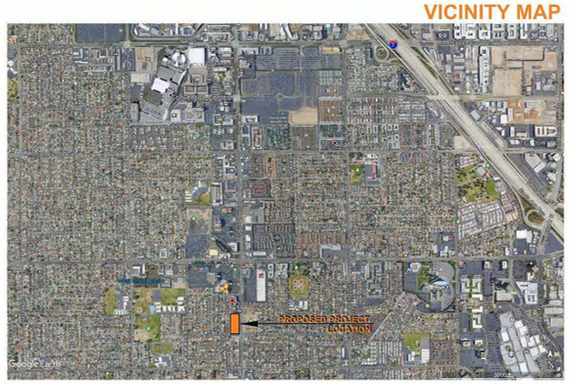
HOTEL PROGRAM ENTERTAINMENT/ POOL DECK +60'=7"

PROJECT DOES NOT ANTICIPATE AN IMPACT ON OUR NEIGHBORING SHERATON HOTEL OTHER THEN REQUESTING A SHARED ACCESS AGREEMENT

SITE MAP



VICINITY MAP



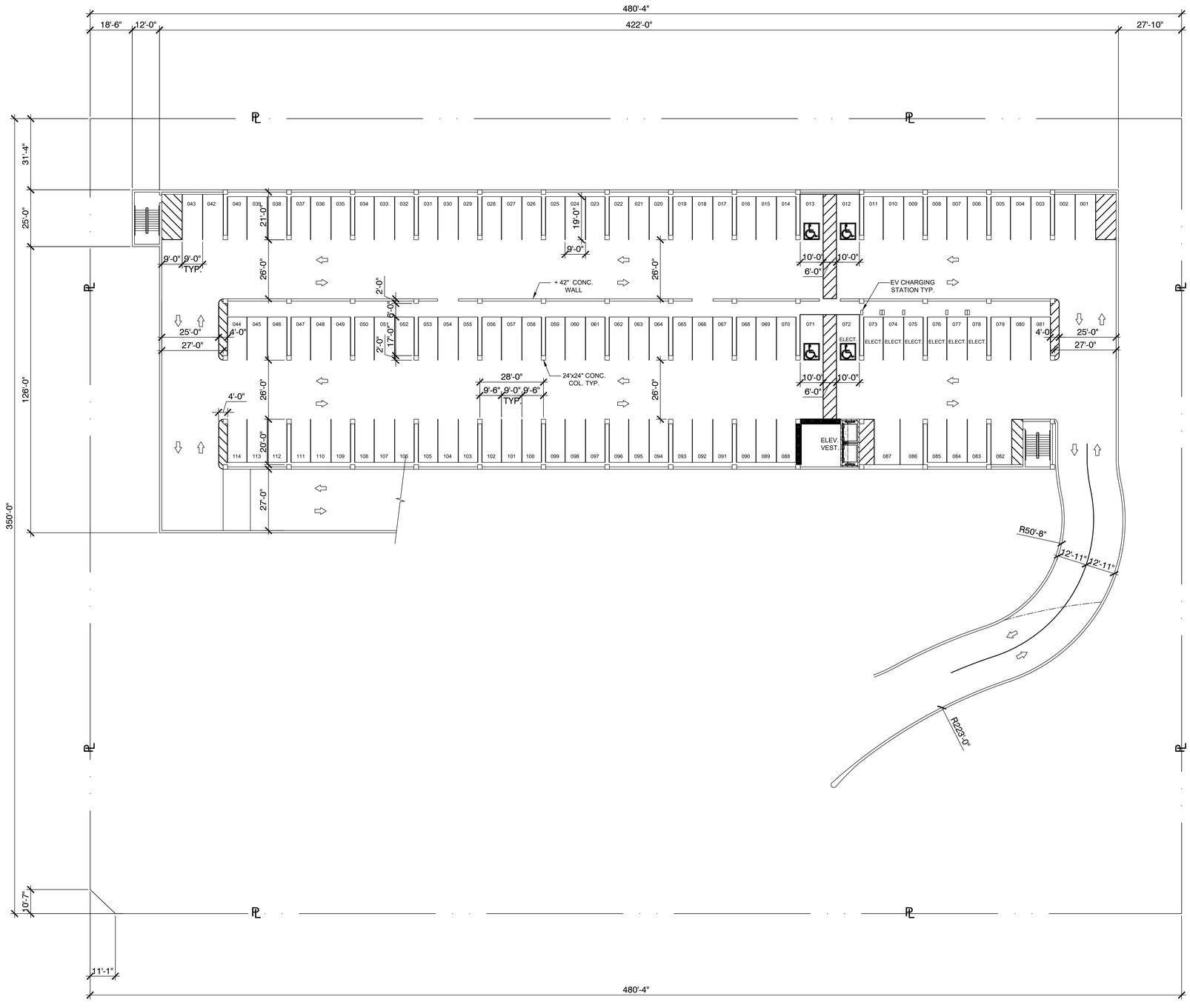
PREPARED FOR:
CITY of GARDEN GROVE
GARDEN GROVE, CALIFORNIA

NO.	DATE	REVISION	BY

SHEET TITLE
NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

Date 2/25/2021
Scale 1" = 20'-0"
Sheet No. 2 OF 20
File No.

ATTACHMENT 2



LEVEL B1- BASEMENT LEVEL GARAGE FLOOR PLAN

N

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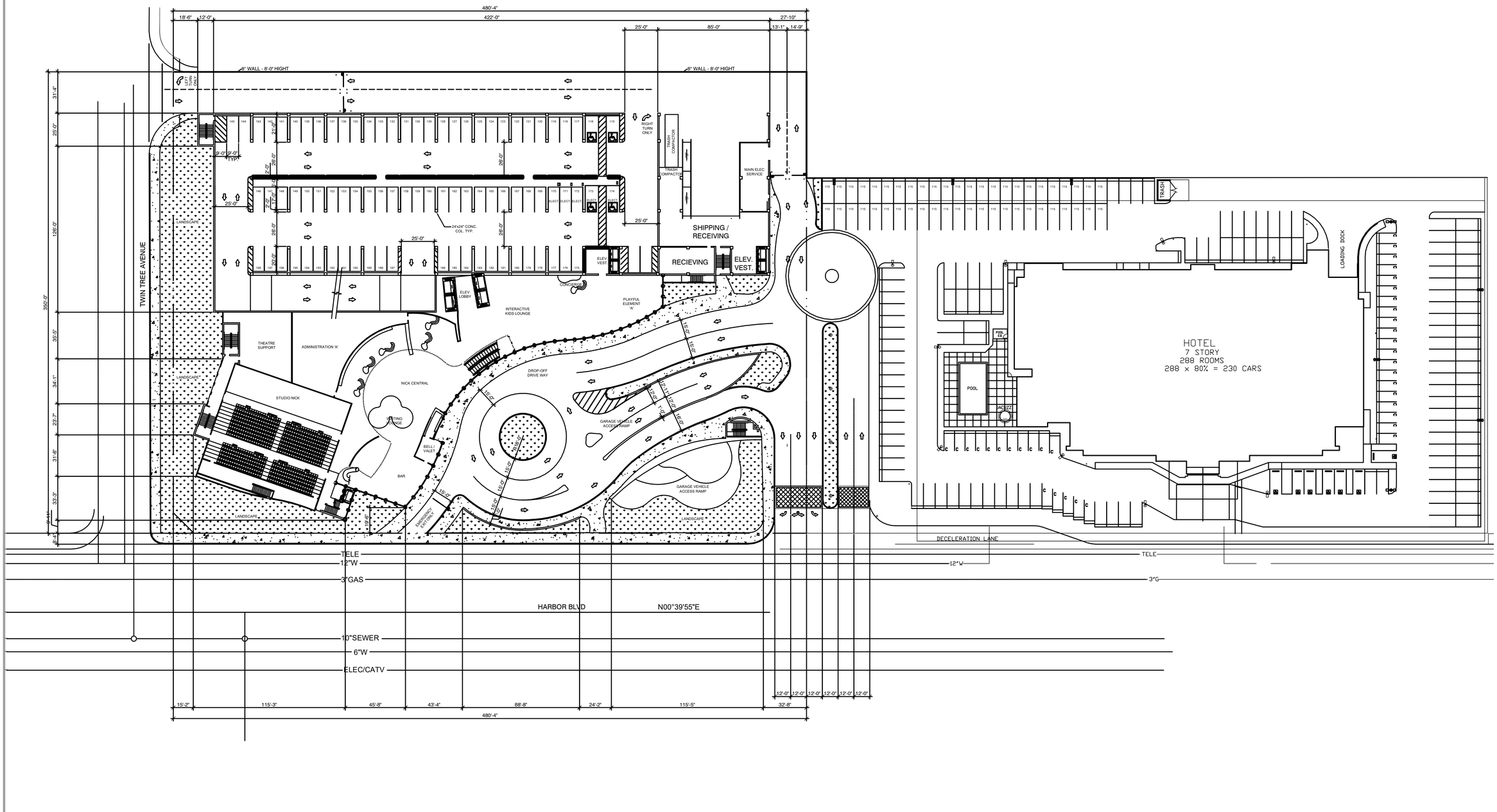
NO.	DATE	REVISION	BY

SHEET TITLE
NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

Date 2/25/2021
Scale 1" = 20'-0"
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3/24/2021 NICK_Master_Model plan_recover.dwg

ATTACHMENT 2



LEVEL 1 - GRADE LEVEL FLOOR PLAN

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CITY of GARDEN GROVE
GARDEN GROVE, CALIFORNIA

No.	DATE	REVISION
1		

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NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

Date 2/25/2021
Scale 1" = 30'-0"
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ATTACHMENT 2

480'-4"
18'-6" 12'-0" 422'-0" 27'-10"
350'-0"
31'-4" 25'-0" 126'-0" 35'-5" 34'-1" 23'-7" 31'-6" 33'-3" 9'-11"
123'-0" 5'-9" 18'-2" 34'-5" 66'-4" 51'-5" 19'-6"
240 239 238 237 236 235 234 233 232 231 230 229 228 227 226 225 224 223 222 221 220 219 218 217 216 215 214 213 212 211 210 209 208 207 206 205 204 203 202 201 200 199
21'-0" 19'-0" 9'-0" 9'-0" 9'-0" TYP. 26'-0" 2'-0" 6'-0" 10'-0" 10'-0" 6'-0"
+ 42" CONC. WALL
EV CHARGING STATION TYP.
241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278
ELECT. ELECT. ELECT. ELECT. ELECT. ELECT. ELECT. ELECT.
25'-0" 4'-0" 27'-0" 2'-0" 17'-0" 6'-0" 4'-0" 25'-0" 27'-0"
24"x24" CONC. COL. TYP.
28'-0" 9'-6" 9'-0" 9'-6" TYP. 4'-0" 20'-0"
308 307 306 305 304 303 302 301 300 299 298 297 296 295 294 293 292 291 290 289 288 287 286 285 284 283 282 281 280 279
15'-2" 8'-2" 27'-0"
ELEV. LOBBY
NICK CENTRAL SIPS
BITS AND BYTES
PLAYFUL ELEMENT 'C'
kNICK kNACKS
STUDIO NICK BELOW
OPEN TO BELOW
PLAYFUL ELEMENT 'B'
14'-4" 2'-2" 8'-4"
+ 42" CONC. WALL
BUILDING ABOVE
TELE
12"W
3"GAS
16'-11" 113'-6" 45'-7" 28'-10" 480'-4"
51'-8" 48'-0"
12"W
HARBOR BLVD N00°39'55"E
HARBOR BLVD N00°39'55"E
10"SEWER
6"W
ELEC/CATV

LEVEL 2 - FLOOR PLAN

N

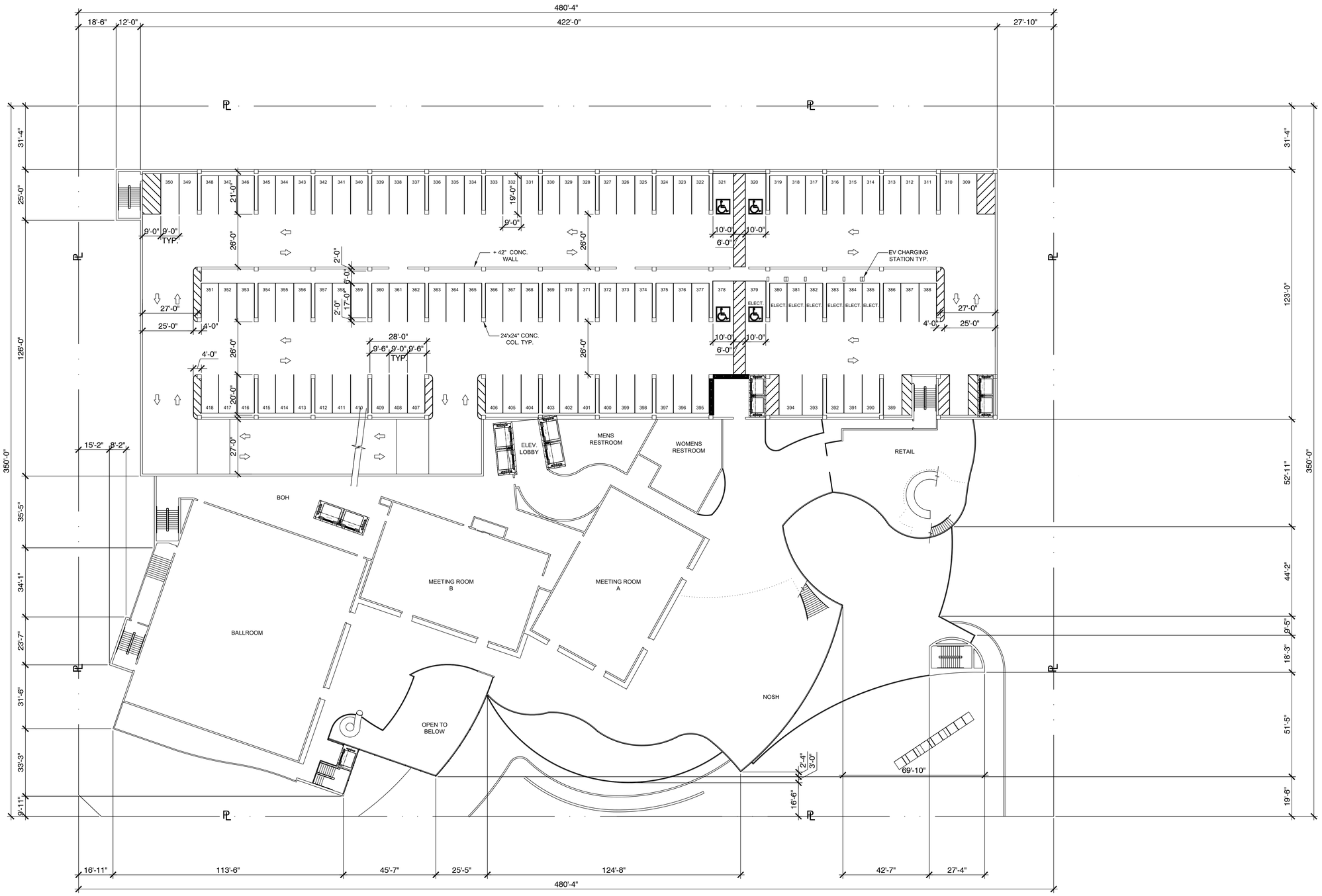
PREPARED FOR:
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No.	DATE	REVISION	BY

SHEET TITLE
NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

Date 2/25/2021
Scale 1" = 20'-0"
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ATTACHMENT 2



LEVEL 3 - MEETING LEVEL FLOOR PLAN

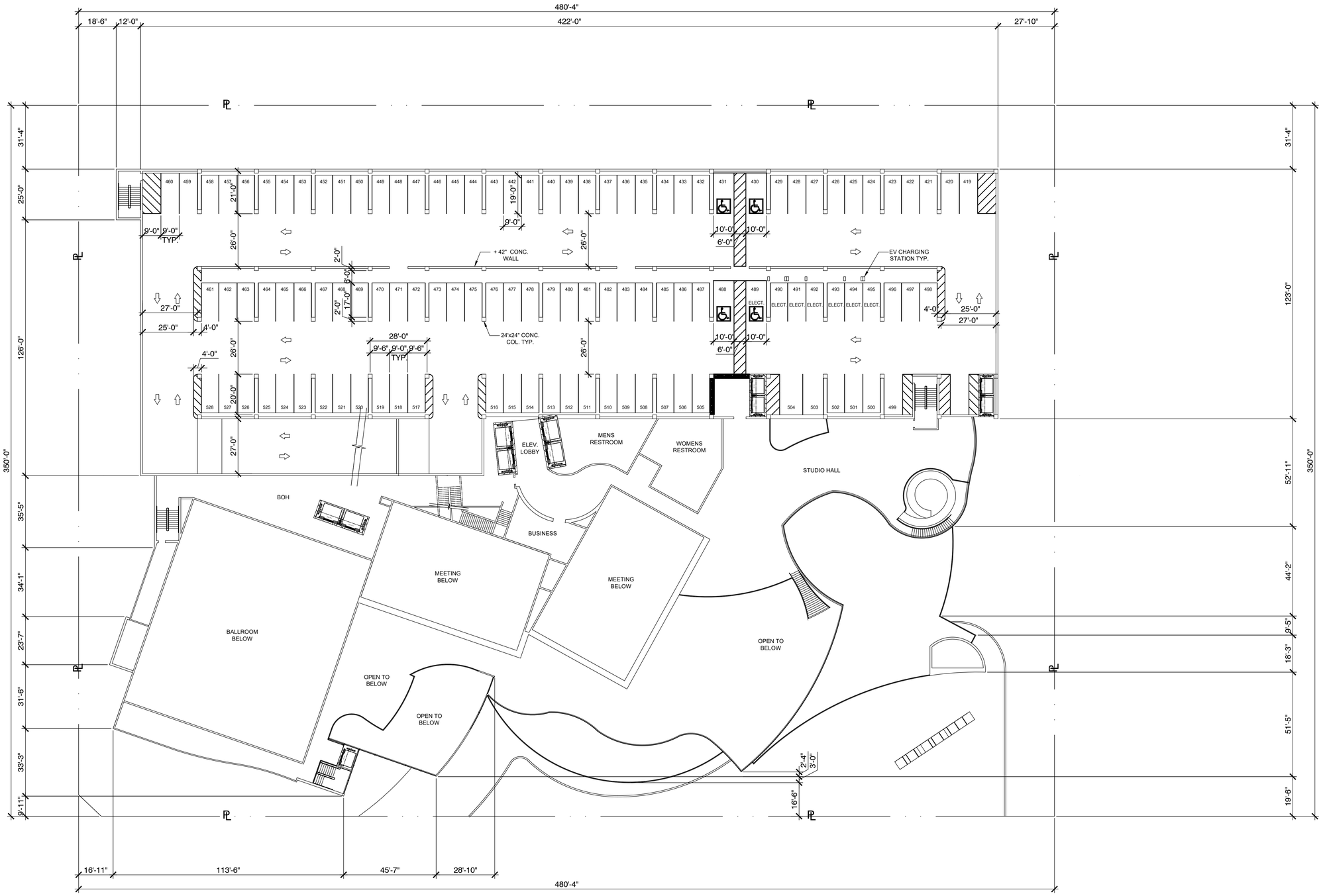
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NO.	DATE	REVISION	BY

SHEET TITLE
NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

Date 2/25/2021
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ATTACHMENT 2



LEVEL 4 - FLOOR PLAN

N

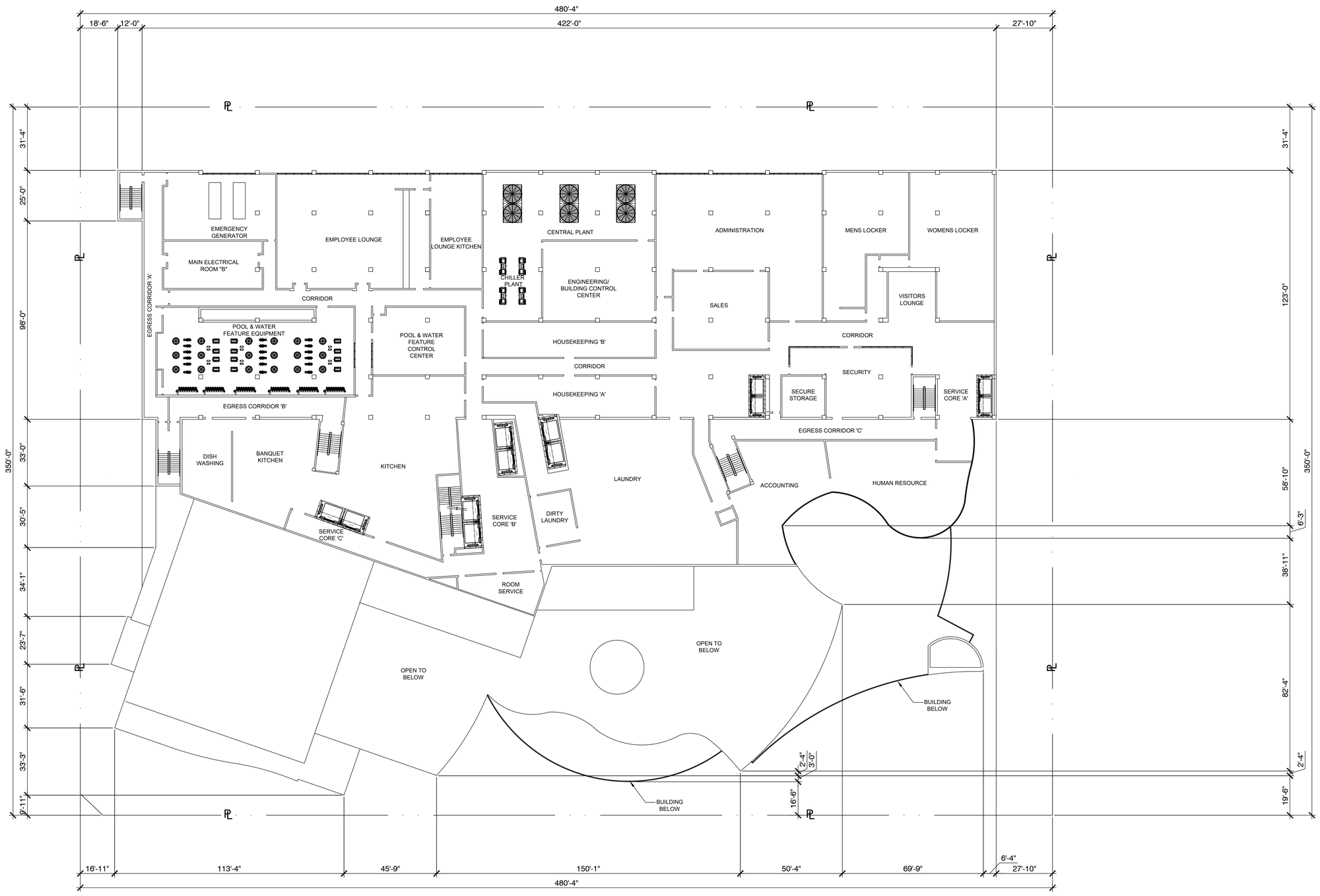
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REVISION | NO. | DATE | BY

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GARDEN GROVE, CALIFORNIA

Date 2/25/2021
Scale 1" = 20'-0"
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ATTACHMENT 2



LEVEL 5 - SERVICE LEVEL FLOOR PLAN

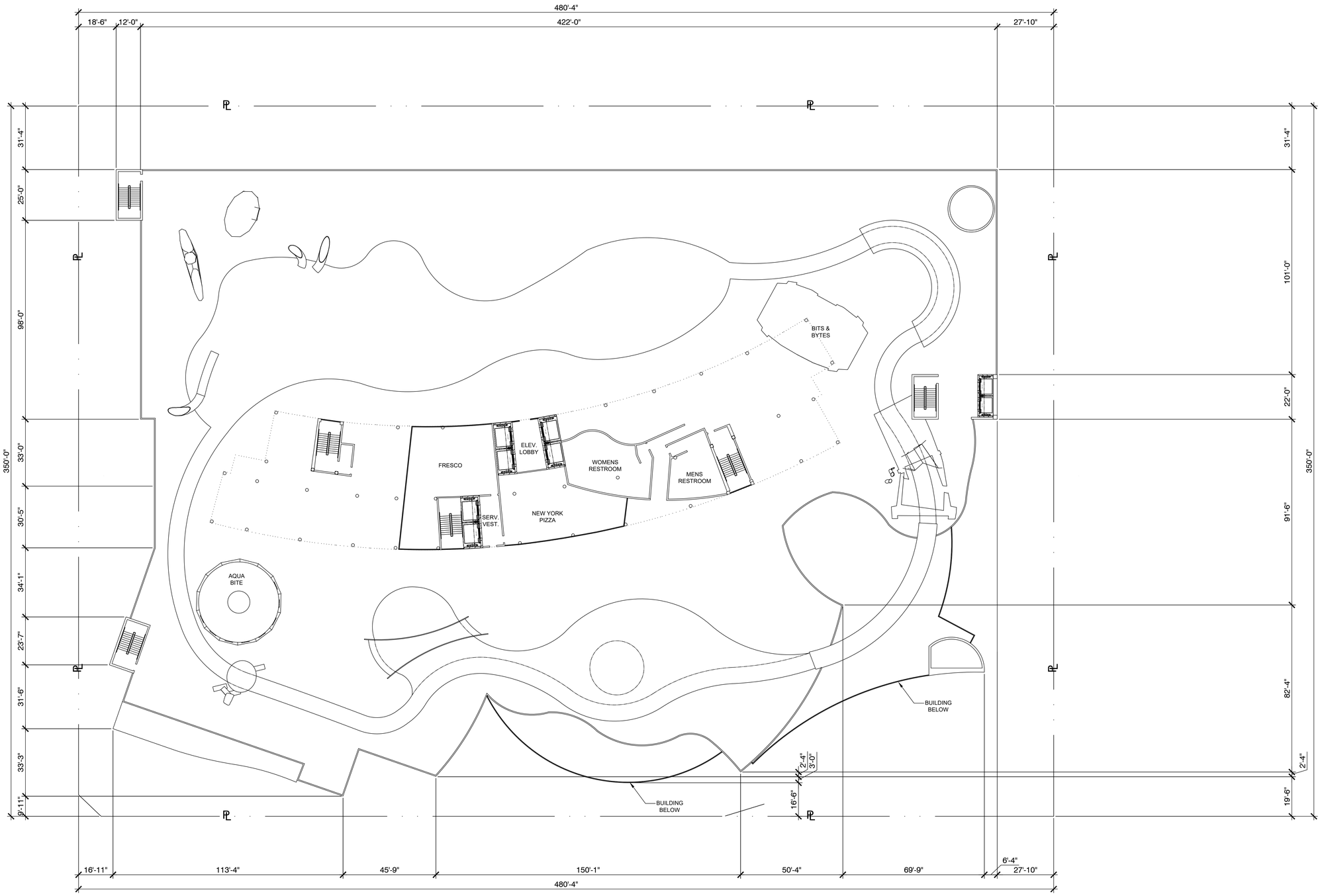
PREPARED FOR:
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GARDEN GROVE, CALIFORNIA

No.	DATE	REVISION	BY

SHEET TITLE
NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

Date 2/25/2021
Scale 1" = 20'-0"
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File No.

ATTACHMENT 2



LEVEL 6 - POOL & DINING LEVEL FLOOR PLAN

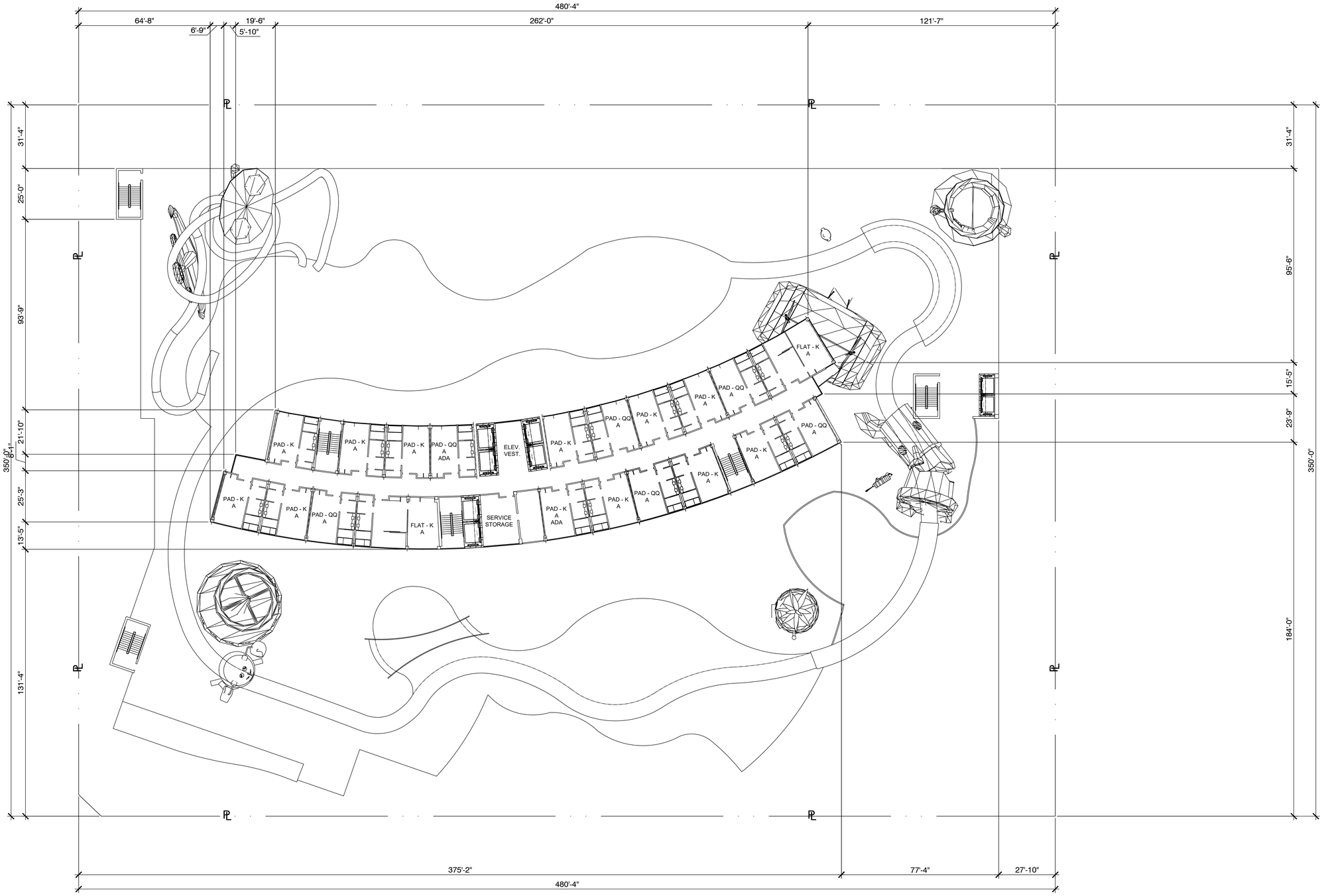
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No.	DATE	REVISION	BY

SHEET TITLE
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GARDEN GROVE, CALIFORNIA

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Scale 1" = 20'-0"
Sheet No. 9 OF 20
File No. NICK-I -I 1

ATTACHMENT 2



LEVEL 7 to 22 - GUEST ROOM LEVEL FLOOR PLAN

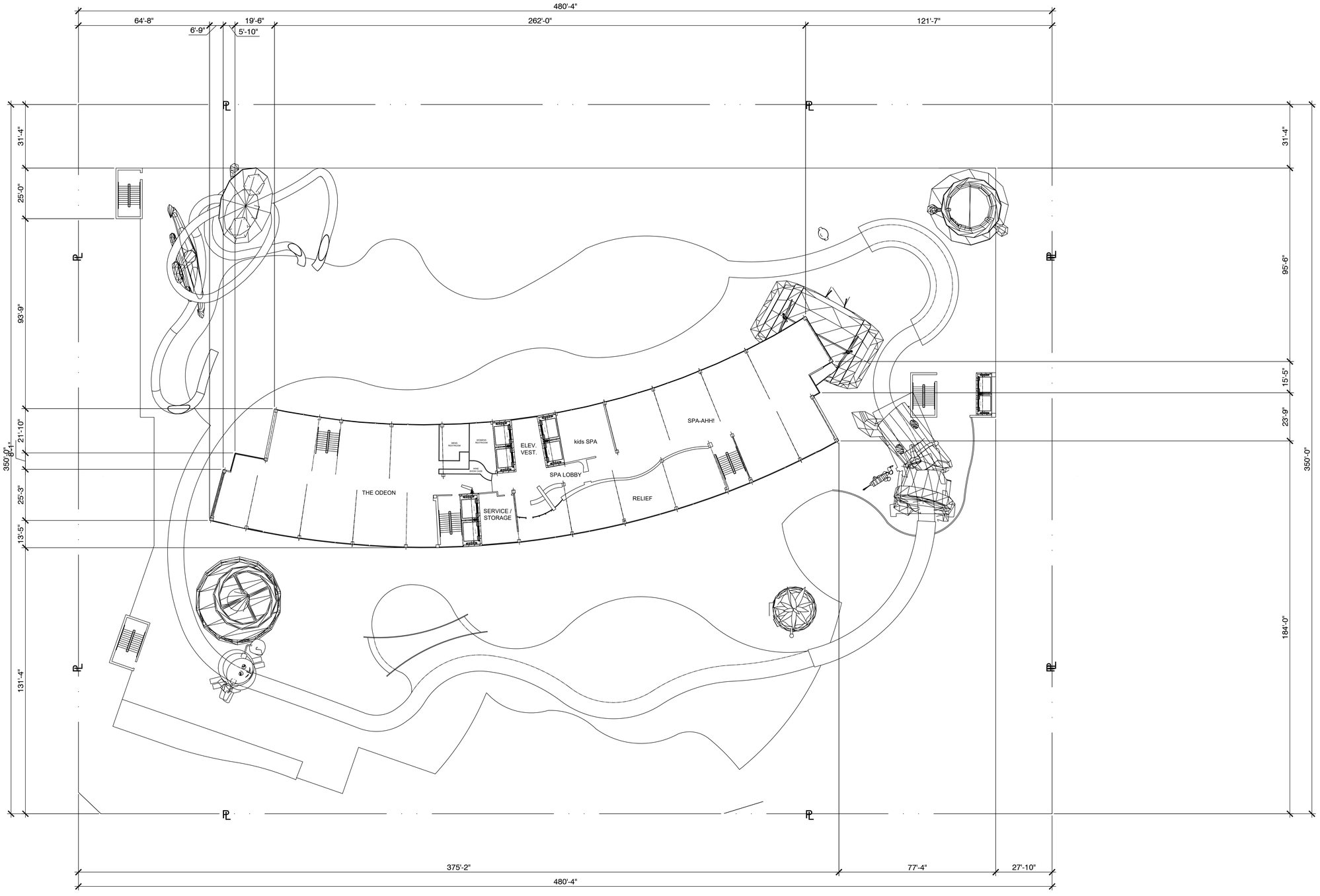
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No.	DATE	REVISION	BY

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NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

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Scale 1" = 20'-0"
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LEVEL 23 - SPA & FINE DINING LEVEL FLOOR PLAN

N

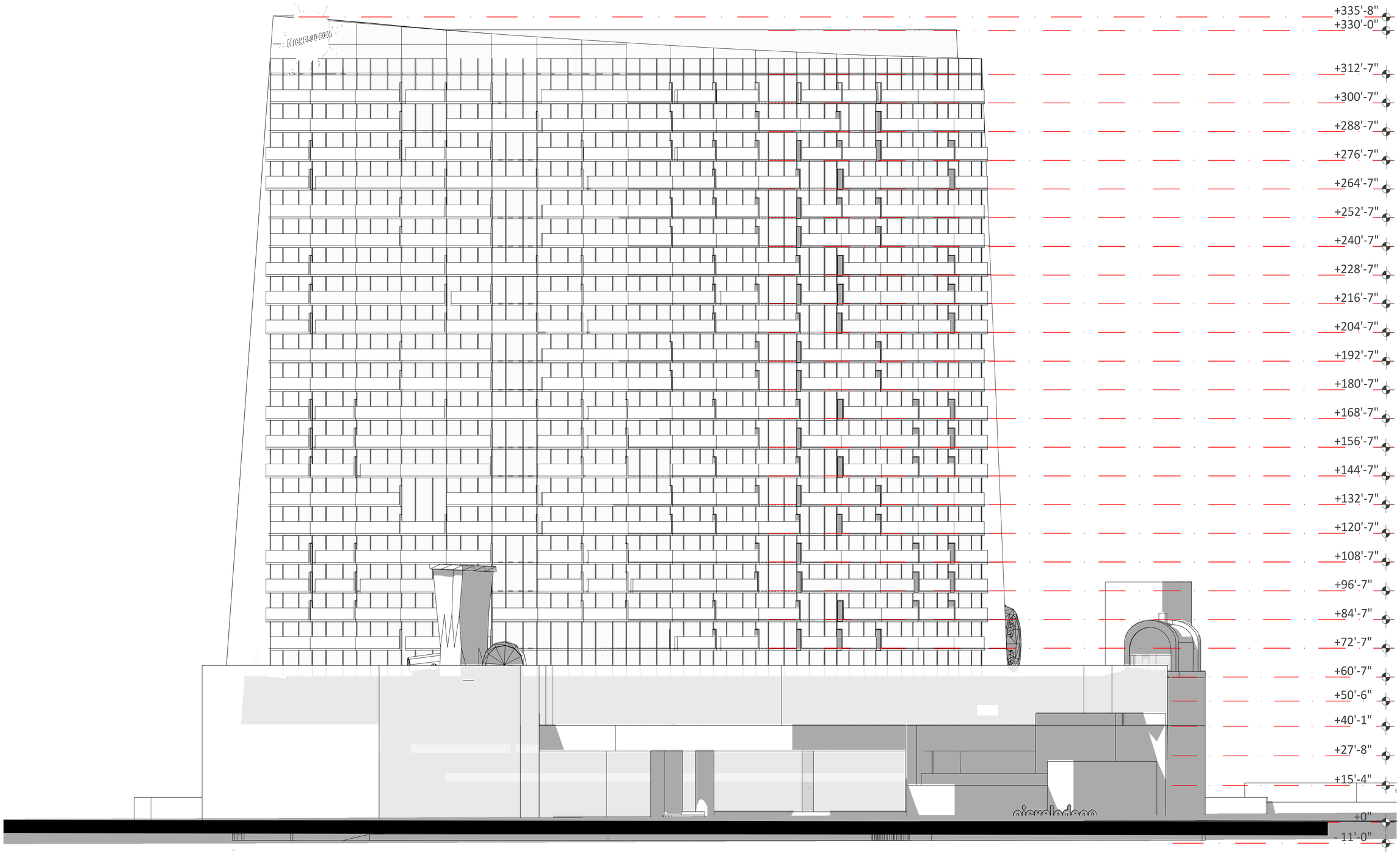
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GARDEN GROVE, CALIFORNIA

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Scale 1" = 20'-0"
Sheet No. 11 OF 20
File No. NICK-I -I 1

ATTACHMENT 2



EXTERIOR ELEVATION - EAST

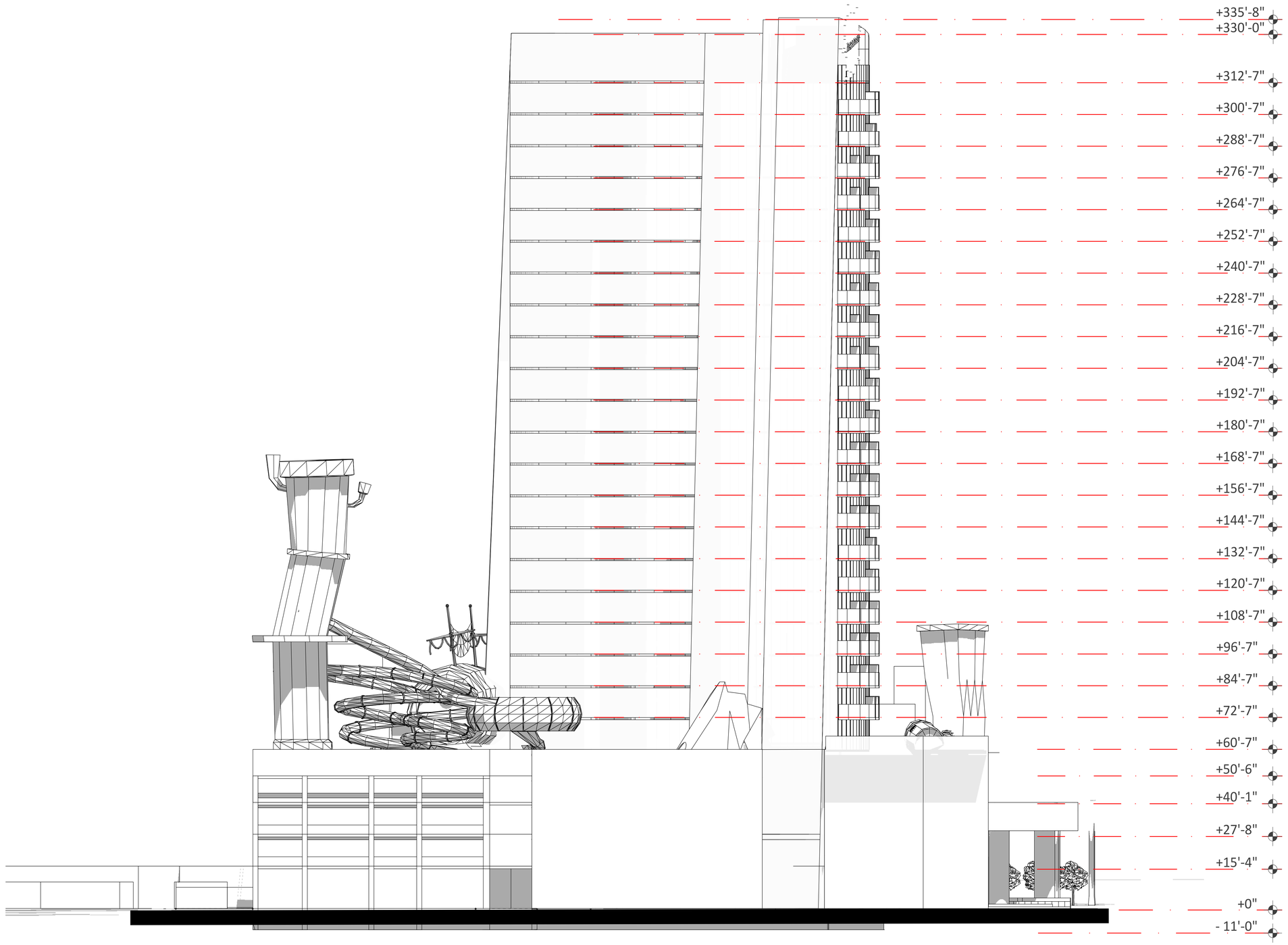
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NO.	DATE	REVISION	BY

SHEET TITLE
NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

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File No. NICK-I -I 1

ATTACHMENT 2



EXTERIOR ELEVATION - SOUTH

PREPARED FOR:
CITY of GARDEN GROVE
GARDEN GROVE, CALIFORNIA

No.	DATE	REVISION	BY

SHEET TITLE
NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

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Scale 1" = 20'-0"
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ATTACHMENT 2



EXTERIOR ELEVATION - WEST

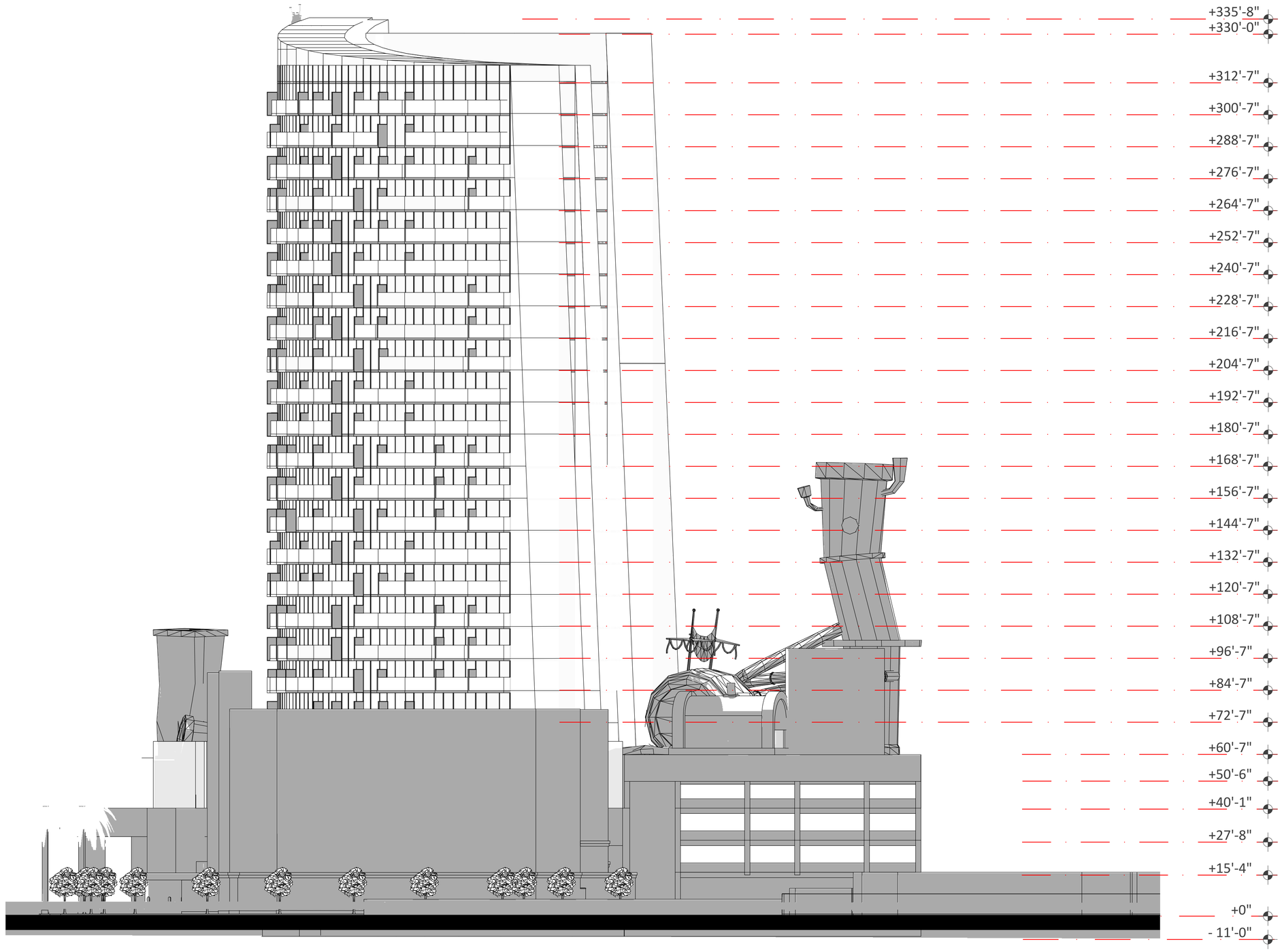
PREPARED FOR:
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GARDEN GROVE, CALIFORNIA

NO.	DATE	REVISION	BY

SHEET TITLE
NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

Date 2/25/2021
Scale 1" = 20'-0"
Sheet No. **16** OF 20
File No. NICK-I-11

ATTACHMENT 2



EXTERIOR ELEVATION - NORTH

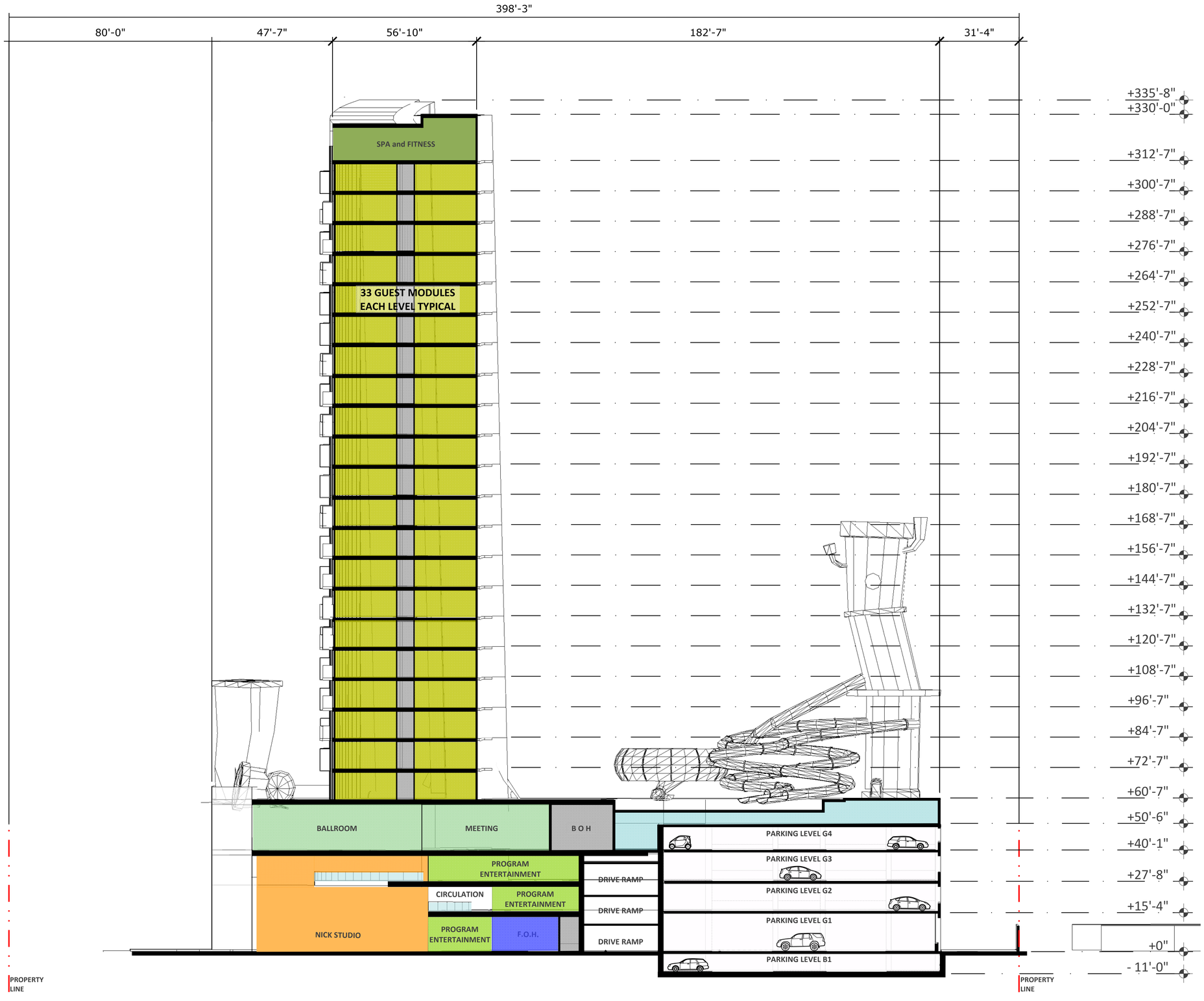
PREPARED FOR:
CITY of GARDEN GROVE
GARDEN GROVE, CALIFORNIA

NO.	DATE	REVISION	BY

SHEET TITLE
NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

Date 2/25/2021
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Sheet No. 17 OF 20
File No. NICK-I-11

ATTACHMENT 2



BUILDING SECTION

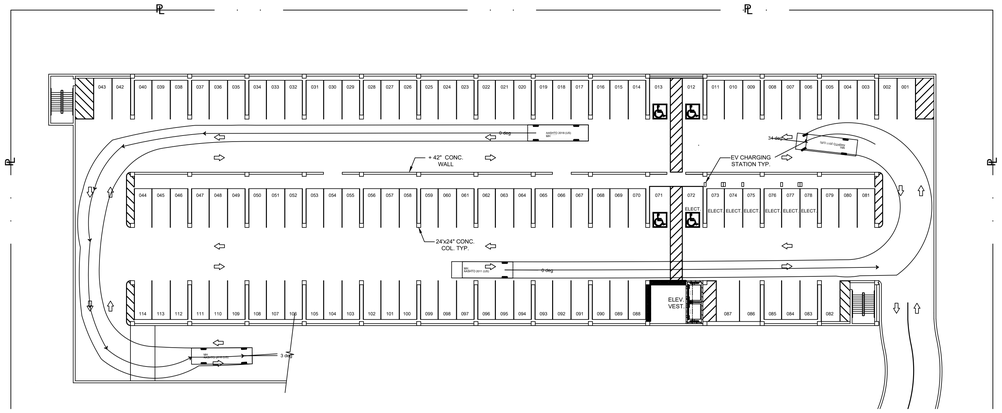
PREPARED FOR:
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GARDEN GROVE, CALIFORNIA

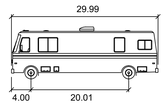
No.	DATE	REVISION	BY

SHEET TITLE
NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

Date 2/25/2021
Scale 1" = 20'-0"
Sheet No. **18** OF 20
File No. NICK-I-11

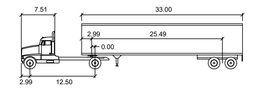
ATTACHMENT 2





MH

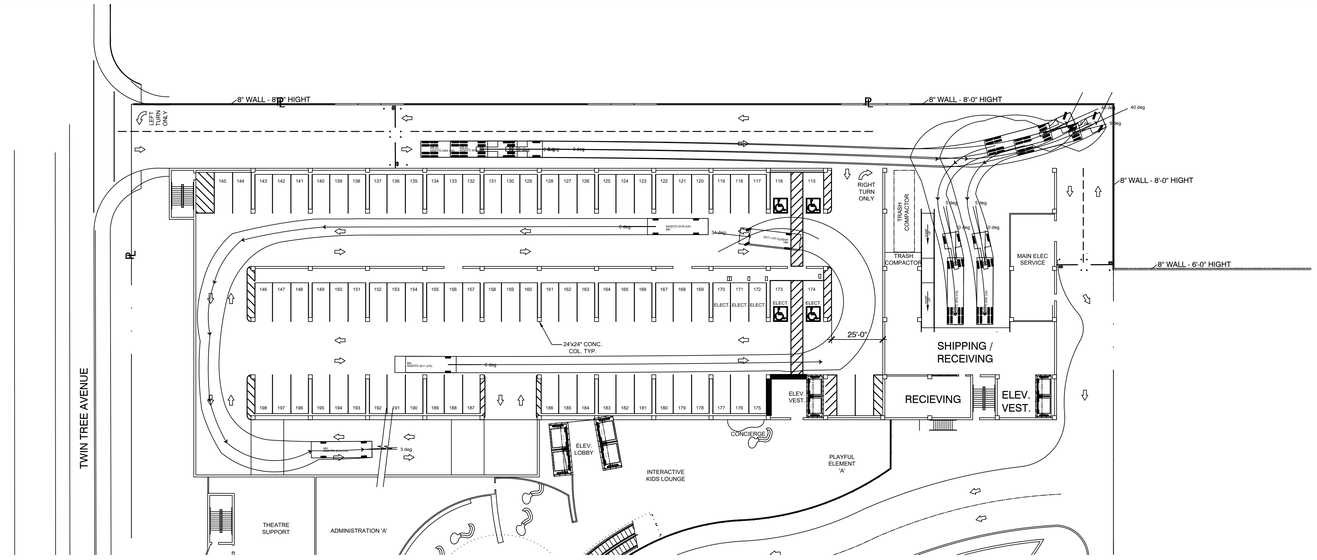
	Feet
Width	: 8.01
Track	: 8.01
Lock to Lock Time	: 6.0 s
Steering Angle	: 33.8 deg

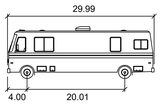


WB-40

	Feet		
Tractor Width	: 8.01	Lock to Lock Time	: 6.0 s
Trailer Width	: 8.01	Steering Angle	: 20.3 deg
Tractor Track	: 8.01	Articulating Angle	: 70.0 deg
Trailer Track	: 8.01		

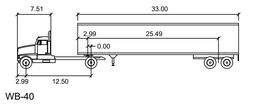
VEHICLE TURN RADIUS @ TYPICAL GARAGE PLATE





MH

	Feet
Width	: 8.01
Track	: 8.01
Lock to Lock Time	: 6.0 s
Steering Angle	: 33.8 deg



WB-40

	Feet		
Tractor Width	: 8.01	Lock to Lock Time	: 6.0 s
Trailer Width	: 8.01	Steering Angle	: 20.3 deg
Tractor Track	: 8.01	Articulating Angle	: 70.0 deg
Trailer Track	: 8.01		

VEHICLE TURN RADIUS LEVEL 1

PREPARED FOR:
CITY of GARDEN GROVE
GARDEN GROVE, CALIFORNIA

NO.	DATE	REVISION

SHEET TITLE
NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

Date 2/25/2021
Scale 1" = 30'-0"
Sheet No. **19** OF 20
File No. NICK-L-L1













PROJECT RENDERINGS

PREPARED FOR:
CITY of GARDEN GROVE
GARDEN GROVE, CALIFORNIA

NO.	DATE	REVISION

SHEET TITLE
NICKELODEON RESORT HOTEL
GARDEN GROVE, CALIFORNIA

Date
2/25/2021

Scale
1" = 30'-0"

Sheet No.

File No.
NICK-L-L1

ATTACHMENT 3

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: **C.2.**	**SITE LOCATION:** Northwest corner of Harbor Boulevard and Twintree Avenue, east of Tamerlane Drive at 12241, 12261, 12271, 12291, 12311 and 12323/12321 Harbor Boulevard, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, and 12321 Thackery Drive
HEARING DATE: July 7, 2022	**GENERAL PLAN:** International West Mixed Use
CASE NOS.: Planned Unit Development No. PUD-141-01(A) and Site Plan No. SP-107-2022	**ZONE:** Planned Unit Development No. PUD-141-01; R-1 **PROPOSED:** Planned Unit Development No. PUD-141-01(A)
APPLICANT: Kam Sang Company	**APN:** 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24.
PROPERTY OWNER: City of Garden Grove (Successor Agency)	**CEQA DETERMINATION:** Mitigated Negative Declaration

REQUEST:

The applicant is requesting approval to develop a 3.72-acre site with the Nickelodeon Hotel Resort. The Planning Commission will consider the following: (1) a recommendation that the City Council approve an amendment to Planned Unit Development No. PUD-141-01 to create a new sub-area, PUD-141-01(A), to facilitate the development of a full-service, high-rise hotel resort with hotel program entertainment, a pool deck, ballroom/meeting space, and food and beverage (restaurant) opportunities; and (ii) contingent approval of Site Plan No. SP-107-2022 to authorize the construction of the proposed hotel resort. The proposed project will consist of a 500-room hotel resort with a themed pool experience with a lazy river and a pool slide; event space with a 600-seat theater; 17,715 square feet of ballroom/meeting space; 22,296 square feet of hotel restaurant; 5,480 square feet of retail; themed amenities totaling 13,238 square feet; a 7,000 square-foot arcade; a spa and fitness center at 8,532 square feet; a five-level parking structure with 528 parking spaces; and related site improvements.

BACKGROUND:

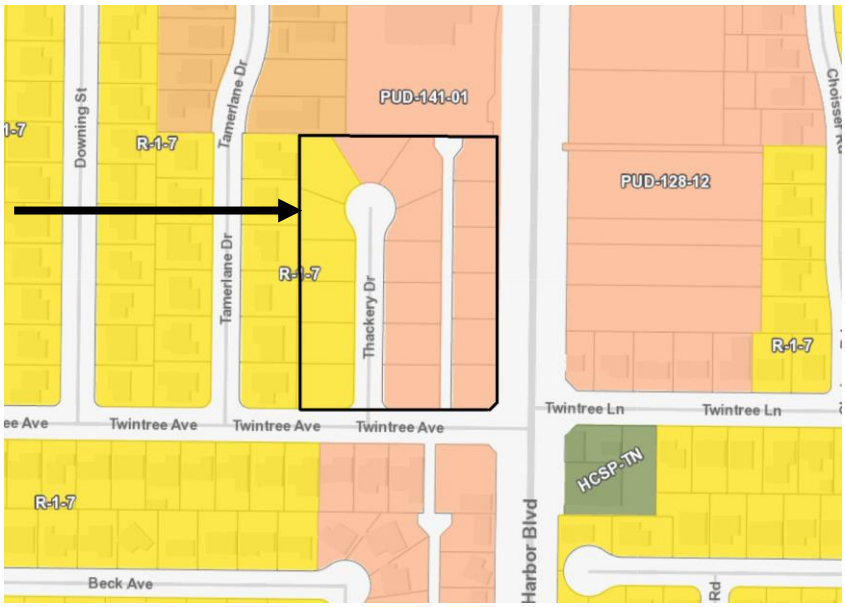
The project site consists of 3.72-acres of land located on the northwest corner of Harbor Boulevard and Twintree Avenue, east of Tamerlane Drive. The project is located in the Grove District Anaheim Resort Area, which is the City's resort tourism area that is developed with hotels, restaurants, and commercial uses.

The project site abuts a Planned Unit Development No. PUD-141-01 zoned property to the north developed with the Sheraton Hotel; Multiple-Family Residential (R-3) zoned properties to the northwest developed with two-story residential apartments; Single-Family Residential (R-1) zoned properties to the west developed with one-story, single-family homes; to the south, across Twintree Avenue, are R-1 zone properties developed with single-family homes, and PUD-121-98 zoned properties developed with single-family homes and a commercial building. Across Harbor Boulevard to the east are vacant parcels entitled for the Site C hotel resort, which are zoned PUD-128-12.

The project site is comprised of nineteen (19) parcels, including Thackery Drive, and a public alley, located on the northwest corner of Harbor Boulevard and Twintree Avenue, east of Tamerlane Drive. Thackey Drive and the public alley are proposed to be vacated by the City Council under Street Vacation No. SV-002-2002 and integrated into the project site. Figure 1 below delineates the project site and location:

FIGURE 1: PROPOSED PROJECT SITE

Project Site



The project site is vacant and secured with a perimeter chain-link fence. The properties were previously developed with single-family structures that were demolished between 2004 and 2013. In addition, the City has demolished the easterly portion of Thackery Drive from the centerline of the street, and the public alley, in preparation of the proposed development.

The project site has a General Plan Land Use designation of International West Mixed Use. The International West Mixed Use land use designation is intended to promote the development of resorts, entertainment, retail, restaurants, and hotels along Harbor Boulevard. The parcels are zoned PUD-141-01 and R-1, with thirteen (13) parcels zoned PUD-141-01 and six (6) parcels zoned R-1.

The project site is referred to as the Site B2 Project. The subject properties were acquired by the former Garden Grove Redevelopment Agency, and the City of Garden Grove, to facilitate the development of a hotel resort. The developer entered into an Exclusive Negotiation Agreement (ENA) with the City of Garden Grove to develop the project site with the Nickelodeon Hotel Resort. The City is currently negotiating a disposition and development agreement to convey the entire site, inclusive of Thackery Drive and the public alley, to the proposed developer of the Site B2 Hotel Project.

History of Entitlements

On September 22, 1998, the City Council adopted Ordinance No. 2448 to rezone 53 acres of land, including portions of the project site, from various land use designations to Planned Unit Development No. PUD-121-98 to facilitate the development of the Riverwalk Retail Complex. The Riverwalk Retail Complex consisted of 1,000,000 square feet of commercial and entertainment uses, including a cinema with up to 30-screens, a multi-story entertainment center, a 500-room hotel with subterranean parking, restaurants, live entertainment and attraction areas, specialty retail, and a major water element. The project also included three parking structures and surface parking. The project was never constructed, but the PUD-121-98 zoning remained in place.

On February 6, 2002, the City Council adopted Ordinance No. 2564 approving Planned Unit Development No. PUD-141-01 to facilitate the development of two (2) hotels with a combined total of 483 hotel rooms. Site Plan No. SP-301-01, Parcel Map-2001-227, and a Development Agreement were also approved to implement this development project. The PUD encompasses the property that is currently developed with the Sheraton Hotel and thirteen (13) parcels that comprise the proposed project site as identified in Figure 1. The Sheraton Hotel was developed with 285 hotel rooms, which would have slated the second hotel to be developed with 198 hotel rooms. With adoption of the PUD, the development site was rezoned from PUD-121-98 to PUD-141-01.

The second hotel was not developed on the remaining PUD zoned properties, since both the City and developer envisioned a hotel resort with more hotel rooms. At

the time, the former Garden Grove Redevelopment Agency and the City of Garden Grove acquired additional properties located on the west side of Thackery Drive to expand the project area.

On August 26, 2008, the City Council adopted Resolution No. 8851-08 implementing a comprehensive General Plan update that included changing the General Plan Land Use designation of all of the parcels comprising the proposed project site to International West Mixed Use. The International West Mixed Use Land Use designation is intended to provide for a mix of uses, including resort, entertainment, retail, hotel, and some higher density residential that are appropriate for a major entertainment and tourism destination.

The proposed project includes a request to amend PUD-141-01 to expand it to cover the six (6) parcels not currently encompassed within it and to create a new sub-area PUD, PUD-141-01(A), over the entire project site with specific development standards to facilitate the development of the Site B2 Project with the contemplated Nickelodeon hotel resort. Approval of a Site Plan is also requested to authorize the construction of the proposed hotel resort as depicted in the project plans. In the event the proposed Nickelodeon hotel resort project does not proceed for some reason, the proposed PUD amendment would preserve the property owner's existing development rights for the smaller project pursuant to the 2002 Development Agreement, which remains in effect.

Neighborhood Meeting:

A neighborhood meeting was held by the applicant on April 28, 2022, to provide information to surrounding residents about the proposed project, as well as to address concerns raised by those in attendance. Sixteen (16) persons were in attendance. At the meeting, the applicant presented the project and answered questions from attendees. The attendees inquired about the hotel's construction timeframe, water usage, traffic, noise, and benefits of the project to the community.

PROJECT STATISTICS:

	SUB-AREA PUD	Provided
Lot Area: [1]	3.72-acres	3.72-acres
Required Parking: [2]	480	528
Maximum Hotel Rooms:	500	500
Maximum Square Footages		
Ballroom/Meeting Rooms[3]	17,715 S.F.	17,715 S.F.
Food and Beverage (Restaurants)	22,296 S.F.	22,296 S.F.
Nick Studio (Theater)	600 seats	600 seats
Entertainment Venue (Studio Hall)	6,448 S.F.	6,448 S.F.
Retail	5,480 S.F.	5,480 S.F.
Spa/Fitness	8,532 S.F.	8,532 S.F.
Maximum Building Height: [4]	No Limit, Subject to a Shade and Shadow Study	335'-8"
Minimum Perimeter Building Setbacks:[5]		
North (interior side)	None, 10 feet if adjacent to residential	27'-10"
South (street side) - Twintree Avenue	10'-0"	16'-11"
East (front) – Harbor Boulevard	9'-0"	9'-11"
West (rear)	10'-0"	31'-4"

[1] The project site will form part of a new sub-area of PUD-141-01. PUD-141-01 currently has a lot area of approximately 5.5-acres. The proposed sub-area PUD will be expanded to incorporate new land area, and the total project site will be 3.72-acres.

[2] A Shared Parking Study was prepared to determine the required parking for the proposed hotel resort based on the estimated peak parking demand.

[3] For purposes of this report, the proposed square footages of the ballroom (9,490 square feet) and meeting rooms (8,225 square feet) have been combined to 17,715 square feet.

[4] The PUD will require that a Shade and Shadow Study be prepared to determine the allowable building heights. The proposed hotel project building height was analyzed in a Shade and Shadow Study prepared in conjunction with the Mitigated Negative Declaration.

[5] The PUD will establish minimum perimeter building setbacks; however, a Shade and Shadow Study was prepared to evaluate the proposed building setbacks in relation to the proposed building height to ensure that no shade and shadow impacts were created to adjacent sensitive uses as identified in the Shadow and Shade Study.

DISCUSSION:

PLANNED UNIT DEVELOPMENT:

The project site is currently zoned Planned Unit Development No. PUD-141-01 and R-1 (Single-Family Residential). To facilitate the proposed hotel resort, a sub-area PUD, PUD-141-01(A), will be created. The proposed PUD amendment would place the entire project site parcels into its own PUD sub-area with specific development standards established to facilitate the hotel's construction.

A Planned Unit Development (PUD) is a precise plan that provides for the regulation of buildings, structures, and uses of land to implement the General Plan. The PUD zoning designation establishes development standards and uses specific to a particular project that achieve a higher-quality project than what could be achieved with traditional zoning. The specific development standards applicable to a Planned Unit Development are set forth in the ordinance approving the PUD. Where a PUD is silent regarding operating conditions, maintenance, or other standards regulating a particular use, the appropriate Land Use Code standards apply.

PUD-141-01(A) will establish development standards for the entire development. The PUD will incorporate specific development standards regulating the number of hotel rooms, building heights, building setbacks, landscaping, permitted uses, required parking, site circulation and access, signage, utilities, storage and refuse collection, and environmental mitigation measures.

PUD-141-01(A) will facilitate the development of a hotel resort with 500 hotel rooms; 17,715 square feet of combined ballroom/meeting space; 22,296 square of combined restaurant (food and beverage) space; and 5,480 square feet of retail. The proposed PUD will allow the hotel resort to have specific hotel amenities, including a 600-seat theater; a 6,488 square foot of family entertainment (Studio Hall); an arcade; a spa and fitness center, and a themed pool deck with a lazy river and a pool slide.

SITE PLAN:

The envisioned build-out of the project site is based on the submitted project plan and environmental document that is the basis for setting the development standards for the proposed hotel resort. All construction plans for the hotel resort must be consistent with the PUD standards and the associated plans, environmental documentation, and conditions of approval that are approved through the entitlement process. The building placement of the proposed hotel, along with the proposed building setbacks and the proposed building height, have been analyzed in the Shade and Shadow Study prepared in conjunction with the environmental document.

Site Design and Circulation:

Vehicular access to the site will be provided from one (1) vehicular entrance located on Harbor Boulevard, and one (1) vehicular entrance located on Twintree Avenue. The main vehicular access to the site will be from Harbor Boulevard, and the secondary vehicular access will be from Twintree Avenue.

The proposed project will be accessed from an existing vehicular entrance located on Harbor Boulevard that currently serves the Sheraton Hotel. This vehicular entrance will be modified to accommodate the necessary lanes for vehicle ingress and egress. The Harbor Boulevard entrance will align with the proposed main entrance of the future Site C hotel resort, and will be signalized. The proposed

project site will continue to be served by an existing right-turn lane (southbound on Harbor Boulevard) and a left-turn lane (northbound on Harbor Boulevard) that currently serves the Sheraton Hotel property.

The Harbor Boulevard entrance will serve as the main entrance to the project site for all guests, visitors, and hotel employees. Tourist and shuttle buses will also access the project site from Harbor Boulevard.

The proposed project will provide a secondary vehicular entrance on Twintree Avenue that will be used as a service entrance. This service entrance will be limited for the use of emergency vehicles, maintenance vehicles, and trash and delivery trucks only. Vehicles entering and exiting the site from Twintree Avenue will be limited to left turn-out and right turn-in to minimize traffic impacts to the adjacent residential neighborhood.

The project site's internal drive-aisles are designed to circulate throughout the site and provide access to the guest drop-off area located in front of the hotel, the parking structure, and the service corridor. All drive-aisles, parking structure ramps, and the roundabouts are required to comply with the City's standards for minimum access and clearances.

Vehicles entering the site from Harbor Boulevard will circulate west along the main drive-aisle to a roundabout. From the roundabout, vehicles can access the Sheraton Hotel parking area, located to the north, vehicles can access the drive-aisle that leads to the proposed hotel, located to the south, or vehicles can circulate back onto the main drive-aisle to exit the site onto Harbor Boulevard. The roundabout also provides access to a drive-aisle that connects to the service corridor located at the rear of the hotel. Access to the service corridor will be limited to employees and service personnel.

The drive-aisle that serves the proposed hotel will lead vehicles to the hotel's guest drop-off area located along the front of the hotel. The drive-aisle includes a roundabout that circulates to the parking structure access ramp or back to the main entrance drive-aisle. An emergency access drive-aisle is located adjacent to the roundabout that will be used by emergency vehicles to exit the site directly onto Harbor Boulevard during emergencies.

The parking structure access ramp circulates below grade to the basement level of the parking structure. An internal access ramp located in the basement level will be used to access the upper levels of the parking structure (Levels 1 to 4). Visitors exiting the parking structure from the upper levels will circulate through the basement level to access the main parking structure ramp that leads to the surface level.

Level 1 of the parking structure includes an entrance that connects to the service corridor drive-aisle. This parking structure entrance will be limited to employee use only. Employees will use this entrance to enter and exit the parking structure. It

should be noted that while employees will enter the parking structure from the service corridor, all employees are required to enter and exit the site from the Harbor Boulevard entrance.

The parking structure will provide a total of 528 parking spaces. Table 1 below identifies the parking space distribution throughout each level of the parking structure. The parking is designed to serve all the hotel uses, including the hotel rooms, entertainment venues, hotel amenities, the ballroom/meeting space, and the hotel restaurants.

Table 1: On-Site Parking Distribution

Parking	Commercial Parking
Basement Level	114
1st Level Structure	84
2nd Level Structure	110
3rd Level Structure	110
4th Level Structure	110
Total	528

A Traffic Study was prepared that reviewed the project's traffic and circulation, and the study concluded that with implementation of the proposed mitigation measures and circulation recommendations, the project would not have significant impacts to existing traffic.

An eight-foot high decorative block wall will be constructed along the northwesterly and westerly property lines adjacent to the residential properties for sound attenuation purposes.

Themed Hotel Amenities and Programming:

The proposed hotel is a resort destination with amenities and programming themed to the Nickelodeon brand. The proposed hotel will include specific entertainment amenities unique to Nickelodeon Hotel Resort, including a Nick Studio, a Studio Hall, and a Kid's Lounge.

The Nick Studio is a 600-seat theater design with stadium seating. The Nick Studio is where most of the entertainment occurs within the hotel, and will be used to present character shows, Nickelodeon themed game shows, and other related productions.

Studio Hall is an entertainment space design to resemble a studio that will incorporate painted cycloramas, studio lighting, and signage to create a back-lot feel. The space is intended to be used for relaxation and play, and will feature recreational games, such as foosball, video games, and checkers. Studio Hall will also feature a gallery for the display of Nickelodeon related art and sculptures.

The Kid's Lounge will feature an interactive play experience for children and adults, which will include slides, swings, video games, and reactive video projections. Children can play in this area while parents check into the hotel.

The hotel will feature an outdoor pool deck themed to the Nickelodeon SpongeBob SquarePants animation cartoon. The pool deck will feature pools, a lazy river, and a pool slide with related themed elements to enhance the pool experience.

The hotel will also feature a fine-dining restaurant called The Odeon, located at the top level of the hotel, that will offer an intimate and upscale environment that is separated from the hotel's main entertainment areas.

As a hotel resort, all the hotel amenities will be limited to hotel guest use only, with the exception of the ballroom/meeting rooms, and 11,148 square feet of restaurant space that will be open to the public.

Parking:

The project is designed to provide a total of 528 parking spaces located within a five-level parking structure (four levels above-grade and one level below-grade). Currently, the City's Municipal Code does not include specific parking requirements for a hotel resort-type project. In the past, a Shared Parking Study has been used to establish the required parking for a hotel resort based on the estimated peak parking demand. A Shared Parking Study is an appropriate analysis to determine the required parking for a hotel resort due to the compatible and complimentary land uses that lend themselves to shared parking since patrons will utilize more than one use in the same trip, such as guests staying at the hotel can also dine at the restaurants. A Shared Parking Study was also prepared for other hotel resorts in the district, including the Site C Hotel and the Great Wolf Lodge.

The Shared Parking Study for the project was prepared using the 3rd Edition of the Urban Land Institute (ULI) Shared Parking Model. The purpose of the study is to estimate the peak parking demand for the project to ensure that sufficient on-site parking spaces are provided at all times to accommodate the hotel's uses.

The Shared Parking Study analyzed the peak parking demand for a hotel resort based on the following land uses:

- 500 hotel rooms
- 17,715 square feet of ballroom/meeting space
- 22,296 square feet of restaurant
- 5,480 square feet of retail
- A 600-seat theater (Nick Studio)

- 6,448 square feet family of entertainment (Studio Hall)
- 8,532 square foot of spa space

The Shared Parking Study determined that the peak parking demand for the project is estimated to occur in late December with an estimated peak parking demand of 471 parking spaces during the weekday at 8:00 p.m., and a peak parking demand of 480 parking spaces during the weekend at 9:00 p.m. Based on the Shared Parking Study, the project is required to provide a minimum of 480 parking spaces to accommodate the proposed hotel resort uses. The proposed Project will provide a total of 528 parking spaces, which is sufficient to accommodate the proposed peak parking demand of 480 parking spaces. The project will also implement a valet parking program that can increase the project site's parking capacity during the peak parking demand period by 40 additional parking spaces.

Furthermore, there will be no shared parking between the proposed project and the Sheraton Hotel. Both the project, and the Sheraton Hotel, will park independently. If any existing required parking for the Sheraton Hotel is removed to accommodate the proposed project improvements, the applicant is required to relocate and replace those spaces on the Sheraton Hotel site.

Proposed Hotel Floor Plan:

The proposed hotel includes a total of 23 levels. The following is an overview of the proposed uses and amenities proposed on each level. The appropriate restrooms and elevator and stairwell access will be provided on each level.

Level 1 includes the hotel lobby area that is referred to as Nick Central. The level includes a hotel bar, the Kid's Lounge area, the lower level entrance to the Nick Studio (theater), the theater support area, and an administration area. The first level also includes a separate building area for shipping and receiving.

Level 2 includes the upper level entrance to the Nick Studio and several areas for specific food and beverage service.

Levels 3 and 4 include the hotel's ballroom, meeting rooms, pre-function space, and back of house. Level 3 will also include a retail space, while Level 4 will include the Studio Hall.

It should be noted that Levels 1 to 4 of the hotel will each provide direct access to the parking structure.

Level 5 is the hotel's service level. This level will include the hotel's administrative offices, the hotel kitchen, the hotel laundry, the employee lounge area, housekeeping, the employee's locker room, and mechanical equipment rooms.

Level 6 is the hotel's outdoor pool deck area that will be themed to the Nickelodeon SpongeBob SquarePants animation cartoon. The pool deck will be available to hotel guests from 7:00 a.m. to 10:00 p.m., seven days a week. The pool deck will feature a pool, a lazy river that transverses along the pool deck, and a pool slide. This level will also include food and beverage services for guests. Several unique themed structures will be placed throughout the pool deck to house some of the food service. The lazy river will include water elements to enhance the user's experience, including an enclosed tunnel and towering character statues.

A pool slide, proposed on the western side of the pool deck, will stand 100 feet above the pool deck floor level. The pool slide is enclosed with internal stairs and enclosed tunnel slides.

As part of the Noise Study, the projected noise level of the pool deck activities were analyzed, including noise generated from the proposed pool slide. The Noise Study includes project design features to reduce noise from the pool deck activities, which have been incorporated to the conditions of approval. The project design features will require that an 8-foot tall noise-barrier shielding wall (constructed of masonry block, stucco veneer, or transparent material) be installed along the perimeter of the pool deck; that dense landscaping, at 8 feet tall, be installed within the interior of the noise-shielding wall along the north, west, and south sides; that all outdoor speakers be concealed with landscaping, and placed at a height not greater than 8 feet above the pool deck and directed toward the pool and lazy river areas.

Levels 7 to 22 will be reserved for the hotel guestrooms. The hotel guestrooms will include a mix of single, double, and suites with balconies.

Level 23 includes the Odeon restaurant, and the hotel's spa area, including a kid's space area. The Odeon will provide guests with stunning views of the City from the top level.

Landscaping:

The project is required to provide landscape treatment along Harbor Boulevard and Twintree Avenue designed to the landscape pattern established for the Harbor Boulevard resort area. The landscape treatment along Harbor Boulevard will include a double row of palm trees, canopy trees, shrubs, and ground cover to match the landscaping treatment used within the resort district. In addition, a decorative sidewalk pattern will be installed along Harbor Boulevard. The landscape treatment on Twintree Avenue is required to be similar in plant material as the landscape treatment used on Harbor Boulevard.

Building Architecture/Aesthetics:

The General Plan Community Design Element Policy CD-7.1 encourages developments to reinforce district scale, identity, and urban form. The existing hotels located in the Grove District Anaheim Resort vary in design, massing, and

building height with each hotel brand incorporating its own unique architectural design. Similarly, the proposed hotel will feature a contemporary architecture design that compliments and reflects the Nickelodeon brand. The intent of the project is to create a themed resort environment through enhanced architectural elements as depicted in the project plans.

The proposed hotel includes a total of 23 stories with the main hotel tower at a height of 335 feet. The height of the tower is allowed to extend to 350 feet, as analyzed in the Shade and Shadow Study, to accommodate unique roof structures for the use of mechanical equipment, elevator shafts or stairwells. The lower building structure, as measured from grade to the pool deck, will have a height of approximately 61 feet.

The hotel tower will feature a unique serpentine shape with a transparent glass façade. A transparent glass façade will also be included along the easterly street elevation.

The parking structure is integrated into the design of the hotel building with the parking structure openings located on the north, south, and west building elevations. The project's Noise Study analyzed potential noise generated by the parking structure and recommended project design features to minimize noise to adjacent uses. As such, the project is conditioned to incorporate 4-foot high noise shield walls along the perimeter of the parking structure on the north, south, and west building elevations as well as to incorporate louvered or perforated wall paneling in the upper parking structure openings to conceal parking structure activities and to reduce noise levels. The parking structure, including the louvered or perforated wall paneling, is required to be decorative and architecturally compatible with the design of the proposed hotel.

FUTURE ENTITLEMENTS:

Implementation of the hotel project will require future consideration of the following entitlements by the City:

- A Tentative Tract Map to consolidate the project site. Approval of a Map is an integral part of the ultimate development of the project.

- A Development Agreement between the City and the applicant, in conjunction with the Tentative Tract Map.

- Conditional Use Permit(s) to allow for the sale of alcoholic beverages in the hotel, the ballroom and meeting rooms, and the hotel restaurant.

It should be noted that Street Vacation No. SV-002-2022 for the vacation of Thackery Drive, and the public alley, will be presented to the City Council for consideration concurrently with the City Council consideration of PUD-141-01(A).

CEQA:

The proposed project was reviewed and an Initial Study and Mitigated Negative Declaration (IS/ND) was prepared pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq. and the CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq.). Based on the Initial Study and supporting technical analyses, it was determined that all potentially significant impacts can be mitigated to a level of less than significance. A copy of the Initial Study/Mitigated Negative Declaration is attached to this report along with a USB that contains a complete digital version of the environmental document with the corresponding technical studies. The complete environmental document is also available for review on the City's webpage at:

https://ggcity.org/planning/environmental-documents

The 20-day public comment period on the Mitigated Negative Declaration occurred from June 9, 2022 to June 28, 2022. Five (5) comment letters were received. These letters were from: the Orange County Fire Authority, the City of Anaheim, the Orange County Sanitation District, the California Department of Transportation, and from Mitchell M. Tsai Attorney for the Southwest Regional Council of Carpenters. These comment letters and the City's responses will be provided to the City Council for consideration with the Planning Commission's recommendation to adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Adopt Resolution No. 6044-22 recommending that the City Council adopt a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program and an Ordinance approving Planned Unit Development No. PUD-141-01(A); and,

2. Adopt Resolution No. 6045-22 approving Site Plan No. SP-107-2022, subject to the recommended Conditions of Approval and contingent upon City Council approval of Street Vacation No. SV-002-2022 and Planned Unit Development No. PUD-141-01(A).

Lee Marino
Planning Services Manager

By: Maria Parra
Senior Planner

ATTACHMENT 4

RESOLUTION NO. 6133-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL CERTIFY A SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SEIR), ADOPT A SUPPLEMENTAL MITIGATION MONITORING AND REPORTING PROGRAM, AND ADOPT FINDINGS OF FACT, INCLUDING A STATEMENT OF OVERRIDING CONSIDERATIONS, FOR THE SITE B2 PROJECT (NICKELODEON HOTEL RESORT) ON PROPERTIES LOCATED AT THE NORTHWEST CORNER OF HARBOR BOULEVARD AND TWINTREE AVENUE, EAST OF TAMERLANE DRIVE, AT 12241, 12261, 12271, 12291, 12311, 12321, AND 12323 HARBOR BOULEVARD, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, AND 12321 THACKERY DRIVE, THE VACATED THACKERY DRIVE, AND THE VACATED ALLEY, ASSESSOR'S PARCEL NOS. 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, AND 54.

WHEREAS, the Project consists of the development of a full-service, high-rise hotel resort on 3.72 acres in the Grove District resort area, on the northwest corner of Harbor Boulevard and Twintree Avenue; and

WHEREAS, in 2022, the City approved an Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program for the Project, approved Planned Unit Development No. PUD-141-01(A) pursuant to Ordinance No. 2938, approved Site Plan No. SP-107-2022, and approved Street Vacation No. SV-002-2022 (collectively, the "2022 Approvals"); and

WHEREAS, on September 22, 2022, Marlene Perez, Maria Guadalupe Ortiz, and Unite Here Local 11 filed a Petition for Writ of Mandate in the Orange County Superior Court challenging the 2022 Approvals on CEQA and other grounds, and Petitioner VietRISE later joined the litigation (OCSC Case No. 30-2022-01281816-CU-WM-CXC) (the "Petition"); and

WHEREAS, the parties reached a settlement agreement and, as a result, the Court entered a Stipulated Writ of Mandate on February 13, 2024 (the "Stipulated Writ"). Pursuant to Public Resources Code Section 21168.9(c), the Stipulated Writ left the 2022 Approvals in place. The Stipulated Writ requires the City, if it and the Real Parties in Interest decide to proceed with the Project, to: (a) prepare a focused CEQA review of the Project's potentially significant VMT and GHG impacts; (b) assess whether modifications are needed to the 2022 Approvals, including mitigation measures and conditions of approval, in light of that focused CEQA analysis; and (c) approve, approve with modifications, or deny the PUD at a publicly agendized City Council meeting. All other claims in the Petition were waived, released, and dismissed with prejudice; and

WHEREAS, in compliance with the Stipulated Writ and the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 et seq., a Supplemental Environmental Impact Report ("SEIR")

was prepared for the Project to provide a focused review of the Project's potentially significant Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) impacts; and

WHEREAS, in compliance with CEQA and the CEQA Guidelines, the City of Garden Grove distributed a Notice of Preparation (NOP) to local, county, and state agencies along with interested private organizations and individuals. The NOP was delivered to the State Clearinghouse and the CEQA-required 30-day review period began on April 18, 2025 and ended on May 18, 2025. On April 30, 2025, the City conducted a public scoping meeting to provide an opportunity to receive feedback on potential environmental issues related to the project; and

WHEREAS, in accordance with CEQA and the CEQA Guidelines, a Notice of Availability, along with the Draft SEIR, was circulated to the public, responsible agencies, and other interested persons for review and comment during the CEQA-required 45-day public review period from September 22, 2025 to November 6, 2025; and

WHEREAS, the Project's potential impacts related to Greenhouse Gas Emissions have been identified in the SEIR as significant and unavoidable. The Project's potential impacts related to Transportation have been identified as less than significant with the incorporation of mitigation. The City, therefore, must adopt a Supplemental Mitigation Monitoring and Reporting Program. Further, the City must adopt a "Statement of Overriding Considerations" per CEQA Guidelines Section 15093 describing why the economic, legal, social, technological, or other benefits of the Project outweigh its significant unavoidable impacts; and

WHEREAS, the SEIR reflects the City's independent judgment and analysis; and

WHEREAS, concurrent with its adoption of this Resolution, the Planning Commission also adopted Resolution No. 6134-26 recommending that the City Council, pursuant to Paragraph 1(b) of the Stipulated Writ of Mandate, approve revisions to the Conditions of Approval for Site Plan No. SP-107-2022, and Resolution No. 6135-26 recommending that the City Council, pursuant to Paragraph 1(c) of the Stipulated Writ of Mandate, reapprove Planned Unit Development No. PUD-141-01(A) with modifications limited to the Planned Unit Development Provisions and Development and Performance Standards to incorporate the mitigation measures and project design features identified in the SEIR; and

WHEREAS, at its regular meeting held May 7, 2026, the Planning Commission of the City of Garden Grove held a duly noticed public hearing and considered the report submitted by City staff and all oral and written testimony presented regarding the Project and the SEIR.

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

1. The Planning Commission hereby recommends that the City Council, pursuant to Paragraph 1(a) of the Stipulated Writ of Mandate: (a) certify the SEIR

attached hereto as Exhibit "A" and incorporated herein by reference; (b) adopt the Supplemental Mitigation Monitoring and Reporting Program attached hereto as Exhibit "B" and incorporated herein by reference; and (c) adopt Findings of Fact, including a Statement of Overriding Considerations, for the Project attached hereto as Exhibit "C" and incorporated herein by reference.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Garden Grove at a regular meeting held on May 7, 2026.

EXHIBIT "A"

Final Supplemental Environmental Impact Report

Site B-2 Hotel Project

STATE CLEARINGHOUSE NUMBER 2022060174

MAY 2026

Prepared for:

CITY OF GARDEN GROVE
Office of Economic Development
11222 Acacia Parkway
Garden Grove, California 92840
Contact: Monica Covarrubias, Senior Project Manager

Prepared by:

DUDEK

27271 Las Ramblas, Suite 340
Mission Viejo, California 92691
Contact: Rachel Struglia, PhD, AICP

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APPENDIX

A Employee VMT Estimation for Site B-2 Hotel Project Memorandum

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Acronyms and Abbreviations

Acronym/Abbreviation	Definition
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CEQA	California Environmental Quality Act
CNG	compressed natural gas
CTR	Commute Trip Reduction
EIR	environmental impact report
EV	electric vehicle
EVSE	Electric Vehicle Supply Equipment
GHG	greenhouse gas
ITE	Institute of Transportation Engineers
LEED	Leadership in Energy and Environmental Design
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
MND	Mitigated Negative Declaration
MT CO_2e	metric tons carbon dioxide equivalent
NOP	Notice of Preparation
OCTAM	Orange County Transportation Analysis Model
OD	Origin/Destination
PA	Production/Attraction
PDF	project design feature
PRC	California Public Resources Code
RHNA	Regional Housing Needs Assessment
SAFER	Supporters Alliance for Environmental Responsibility
SANDAG	San Diego Association of Governments
SCAG	Southern California Association of Governments
SEIR	Supplemental Environmental Impact Report
South Coast AQMD	South Coast Air Quality Management District
TAZ	traffic analysis zone
TDM	transportation demand management
TNC	Transportation Network Company
TSF	thousand square feet
VMT	vehicle miles traveled
VOC	volatile organic compound

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1 Introduction

In accordance with the California Environmental Quality Act (CEQA) Guidelines (CEQA Guidelines) Section 15088 and the Writ of Mandate (Appendix B to the Site B-2 Hotel Draft Supplemental Environmental Impact Report [SEIR]), the City of Garden Grove, as the lead agency, has evaluated the comments received regarding the Draft SEIR, dated September 2025. This Final SEIR assesses the potentially significant environmental effects of the Site B-2 Hotel Project (Project), SCH No. 2022060174.

As described in the Draft SEIR, the proposed Project would involve construction of a full-service high-rise (maximum height of 350 feet) resort hotel with hotel program entertainment/pool deck (height of approximately 61 feet) on a 3.72-acre site at the northwest corner of Harbor Boulevard and Twintree Avenue in the City of Garden Grove (City). The Project site is previously disturbed where the north-northeastern parcels of the Project site are paved and used for excess parking for the adjacent Sheraton Hotel; the remaining parcels are vacant dirt pads with limited vegetation. The proposed hotel would include 500 guest suites with balconies and guest amenities/services reserved exclusively for hotel patrons, such as a themed pool experience with lazy river; a theater; a ballroom; meeting rooms; food and beverage spaces, themed amenities and shops, and an arcade; and a spa and fitness center. The proposed Project would also include a five-level parking garage (approximately 61 feet in height, with four levels above grade and one level below grade) with a total of 528 spaces, including spaces available for valet parking. Project construction would last approximately 30 months and would be completed in a single phase.

The City will rely on the environmental impact analysis presented in this Final SEIR when issuing discretionary approvals associated with implementing the Project. In addition to City approvals, approvals from other state and local agencies may rely on the Final SEIR to the extent the Project requires discretionary approval from those agencies, including the following:

- California Department of Transportation (Caltrans) – Encroachment permit for any activity in a Caltrans right-of-way

If the Project requires other discretionary approvals from state or local agencies, those agencies may rely on the Final SEIR, pursuant to Section 21069 of the California Public Resources Code, as responsible agencies.

Before approving a project, CEQA requires the lead agency to prepare and certify a Final EIR (in this case, a Final SEIR). The contents of a Final EIR are specified in Section 15132 of the CEQA Guidelines as follows:

> The Final EIR shall consist of:
>
> A. The draft EIR or a revision of the draft.
> B. Comments and recommendations received on the draft EIR either verbatim or in summary.
> C. A list of persons, organizations, and public agencies commenting on the draft EIR.
> D. The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
> E. Any other information added by the Lead Agency.

The lead agency must provide each agency that commented on the Draft SEIR with a copy of the lead agency's proposed response at least 10 days before certifying the Final SEIR.

1.1 Contents and Organization of the Final Supplemental Environmental Impact Report

This Final SEIR will be used by the City as an informational document for the proposed Project. The Final SEIR, in compliance with Section 15132 of the CEQA Guidelines, is organized as follows:

Chapter 1, Introduction. This chapter provides a general overview of the proposed Project and the Final SEIR.

Chapter 2, Responses to Comments Received. This chapter includes a list of those who provided comments on the Draft SEIR during the public review period. This chapter also includes the comments received on environmental issues raised during the public review process for the Draft SEIR, and the City's responses to these comments. Each comment is assigned a comment number that corresponds to a response.

Chapter 3, Changes to the Draft Supplemental Environmental Impact Report. This chapter contains a summary of changes made to the document since publication of the Draft SEIR. Changes are signified by strikethrough text (i.e., ~~strikethrough~~) where text was removed, and by underlined text (i.e., underline) where text was added. As reflected in Chapter 3, these revisions make insignificant changes to the Draft SEIR and do not qualify as significant new information as described in CEQA Guidelines Section 15088.5(a).

Chapter 4, Supplemental Mitigation Monitoring and Reporting Program. This chapter of the Final SEIR provides the Supplemental Mitigation Monitoring and Reporting Program (MMRP) for the proposed Project. The Supplemental MMRP is presented in table format and identifies mitigation measures for the proposed Project, the party responsible for implementing each mitigation measure, the timing for implementing each mitigation measure, and the monitoring and reporting procedures for each mitigation measure.

Chapter 5, General Responses to Post–Public Review Comment Letters Received. This chapter includes three representative comment letters on the Draft SEIR that were received after the public review period and provides general responses to these letters, despite their having arrived outside the public review period.

Appendix A, Employee Estimation Memorandum. This appendix provides clarifying information relating to the methodology used for employee estimation in the SEIR's analysis.

1.2 Draft SEIR Comments

A Notice of Availability of the Draft SEIR was sent to agencies and interested parties on September 22, 2025, and the Draft SEIR was circulated for public review from September 22, 2025, through November 6, 2025. The City received three comment letters during the 2025 public review period from the following commenters:

- Caltrans
- Rebecca Davis, Lozeau Drury LLP, for Supporters Alliance for Environmental Responsibility (SAFER)
- Law Office of Jordan R. Sisson for Unite Here Local 11

A list of the comments received, copies of the comment letters received, and responses to comments are included in Chapter 2 of this Final SEIR.

2 Responses to Comments Received

This chapter of the final Supplemental Environmental Impact Report (Final SEIR) includes a copy of all comment letters that were submitted during the public review period for the Draft SEIR for the proposed Site B-2 Hotel Project (Project), along with responses to those comments in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15088. The public review period for the Draft SEIR began on September 22, 2025, and ended on November 6, 2025.

One public scoping meeting was held on April 30, 2025. Comments received during the scoping meeting and in writing during the scoping period were included in the Draft SEIR in Chapter 2, Introduction, and included in Appendix A, Notice of Preparation and Scoping Comments, of the Draft SEIR.

All written letters commenting on the Draft SEIR during the public comment period have been coded with a letter and number to facilitate identification and tracking (see Table 2-1). The comment letters were reviewed and divided into individual comments. Individual comments and the responses to them were assigned corresponding numbers (e.g., A1-1, A1-2, A1-3). Each comment letter submitted by an agency is identified by an (A), and letters from organizations are identified by an (O). To aid readers and commenters, electronically bracketed comment letters have been reproduced in this document, with the corresponding responses provided immediately following each comment letter.

Table 2-1. Comments Received on the Draft Supplemental Environmental Impact Report

Comment Letter Designation	Commenter	Date
Agencies		
A1	California Department of Transportation (Caltrans)	October 16, 2025
Organizations		
O1	Rebecca Davis, Lozeau Drury LLP, for Supporters Alliance for Environmental Responsibility (SAFER)	November 3, 2025
O2	Law Office of Jordan R. Sisson for Unite Here Local 11	November 6, 2025

Notes: A = agency; O = organization.

The lead agency must evaluate comments on the Draft EIR and prepare written responses for inclusion in the Final EIR (California Public Resources Code Section 21091[d]; 14 CCR 15088[a], 14 CCR 15132). The written responses must describe the disposition of any "significant environmental issues" raised by commenters (California Public Resources Code Section 21091[d][2][B]); 14 CCR 15088[c], 14 CCR 15132[d], 14 CCR 15204[a]).

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Comment Letter A1

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 12
1750 EAST 4TH STREET, SUITE 100
SANTA ANA, CA 92705
PHONE (657) 328-6000
FAX (657) 328-6522
TTY 711
www.do.ca.gov/caltrans-near-me/district12

Making Conservation California Way of Life.

October 16, 2025

File: IGR/CEQA
SCH#: 2022060174
LDR LOG #2022-02496

Ms. Monica Covarrubias
Planning Services Division
11222 Acacia Parkway
Garden Grove, California
92840

Dear Ms. Covarrubias,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Draft Supplemental Environmental Impact Report for the Site B-2 Hotel Project. The proposed Project involves construction of a full-service, maximum height of 350 feet, hotel with a hotel program entertainment/pool deck (height of approximately 61 feet) on the 3.72-acre site. The proposed hotel would include 500 guest suites with balconies and guest amenities/services such as a themed pool experience with lazy river, theater, a ballroom, meeting rooms, food and beverage spaces, themed amenities and shops, an arcade and spa and fitness center. The proposed Project would also include a five-level (approximately 61 feet) parking garage (four levels above grade and one level below grade) with a total of 528 spaces inclusive of spaces available for valet parking. A1-1

The mission of Caltrans is Improving lives and communities through transportation. Caltrans is a reviewing agency on this project and has the following comment: A1-2

1. Consider installing high visibility crosswalks in all three existing crosswalks at the intersection of Twintree Lane and Harbor Blvd to increase visibility of pedestrian crossings.

"Improving lives and communities through transportation."

Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact at Maryam Molavi at Maryam.Molavi@dot.ca.gov.

A1-3

Sincerely,

Scott Shelley (Oct 16, 2025 09:40:39 PDT)

Scott Shelley
Branch Chief – Local Development Review/Climate Change/Transit
Grants District 12

"Improving lives and communities through transportation."

Response to Comment Letter A1

California Department of Transportation, District 12
Scott Shelley
Branch Chief – Local Development Review/Climate Change/Transit Grants
October 16, 2025

A1-1 This comment repeats the Draft SEIR's summary of the Project. No response is necessary.

A1-2 This comment recommends the installation of high visibility crosswalks at all three existing crosswalks at the intersection of Twintree Lane and Harbor Boulevard to increase the visibility of pedestrian crossings.

The comment does not reference a specific CEQA topic area or section of the Draft SEIR. Nonetheless, **Mitigation Measure (MM) GHG-5** already requires the Project to implement measures that will encourage use of transit, bicycling and walking. Specifically, that mitigation measure requires the Project to "Improve the walkability and design of the Project by providing pedestrian and bicycling connections within the Project site and to adjacent off-site facilities (i.e., sidewalks, crosswalks, wayfinding signage, etc.)." Although not required to mitigate Project impacts, the City and Project applicant will evaluate the viability of the California Department of Transportation (Caltrans) request and, if merited and prior to Project operations, the City and Project applicant will install high visibility crosswalks at the location of the three existing crosswalks at the Twintree Lane and Harbor Boulevard intersection. A condition of approval has been added to the proposed Project accordingly.

A1–3 This comment requests the City to continue to coordinate with Caltrans for any future development that could impact state transportation facilities. The City will continue to coordinate with Caltrans.

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Comment Letter 01

LOZEAU DRURY LLP
T 510.836.4200
F 510.836.4205
1939 Harrison Street, Ste. 150
Oakland, CA 94612
www.lozeaudrury.com
rebecca@lozeaudrury.com

November 3, 2025

Via Email
Monica Covarrubias, Senior Project Manager
Economic Development and Housing Department
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92507
monicac@ggcity.org

Re: Comment on Draft Supplemental Environmental Impact Report for Site B-2 Hotel Project (SCH 2022060174)

Dear Ms. Covarrubias:

This comment is submitted on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the Draft Supplemental Environmental Impact Report ("DSEIR") prepared for the Site B-2 Hotel Project (SCH 2022060174), which proposes the construction of a 23-story, 500-room hotel with a five-level parking garage located at the northwest corner of Harbor Boulevard and Twintree Avenue, along the west and east sides of, and on, Thackery Drive in the City of Garden Grove ("Project"). 01-1

SAFER is concerned that the DSEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project's impacts. SAFER requests that the City address these shortcomings in a revised draft supplemental environmental impact report and recirculate it prior to considering approvals for the Project. 01-2

SAFER reserves the right to supplement these comments during the administrative process. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997). 01-3

Sincerely,

Rebecca Davis
Lozeau Drury LLP

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Response to Comment Letter O1

Rebecca Davis, Lozeau Drury LLP
On Behalf of SAFER
November 3, 2025

O1-1 This comment provides a partial summary of the Project description in the Draft SEIR. No response is necessary.

O1-2 The comment alleges that the Draft SEIR fails as an informational document and also that it does not include all feasible mitigation measures to reduce the Project's impacts.

The comment does not identify any specific deficiencies in the Draft SEIR. The Draft SEIR has been prepared in conformance with CEQA and the CEQA Guidelines. The Draft SEIR analyzes the environmental impacts as identified in, and required by, the Writ of Mandate. Furthermore, the Draft SEIR was prepared by experts in the areas of vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions modeling. The analysis and determinations in the Draft SEIR are supported by substantial evidence (including facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts), as defined in Section 15384 of the CEQA Guidelines.

CEQA Guidelines Section 15088.5, Recirculation of an EIR Prior to Certification, describes the requirements for recirculation of an EIR. This section applies to the SEIR as well. The comment identified no grounds that require recirculation and no further response is necessary.

O1-3 The comment states that SAFER reserves the right to supplement their comments during the administrative process. The comment is noted.

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Comment Letter 02

LAW OFFICE OF JORDAN R. SISSON
LAND USE, ENVIRONMENTAL & MUNICIPAL LAW

3993 Orange Street, Suite 201
Riverside, CA 92501

Office: (951) 405-8127
Direct: (951) 542-2735

jordan@jrsissonlaw.com
www.jrsissonlaw.com

November 6, 2025

VIA EMAIL:

Monica Covarrubias, Senior Project Manager
City of Garden Grove, Economic Development and Housing Department
11222 Acacia Parkway
Garden Grove, California 92507
monicac@ggcity.org

RE: SEIR COMMENTS (SCH NO. 2022060174); SITE B-2 HOTEL PROJECT

Dear Ms. Covarrubias:

On behalf of UNITE HERE Local 11 ("Local 11"), this office respectfully provides the following comments[1] to the City of Garden Grove ("City") regarding the Supplemental Environmental Impact Report ("SEIR") for the proposed 500-room hotel development ("Project") on an approximately 3.72-acre property located at the northwest corner of Harbor Boulevard and Twintree Avenue ("Site"). Local 11 was a petitioner in the referenced litigation (i.e., *Perez et al. v. City of Garden Grove et al.*) (See SEIR Appendix B.) 02-1

As explained in the sections below, the SEIR and mitigation monitoring reporting program ("MMRP") is an improvement over the prior mitigated negative declaration ("MND"). However, the SEIR should be revised to address the following areas of concern: disclosure of project components, possibly imprecise assumptions about hotel guests (infra section A), greenhouse gas ("GHG") and vehicle miles traveled ("VMT") impacts may have been underestimated (infra section B and C, respectively), the alternative analysis should have included a housing alternative (infra section D), the need for additional/modified MMRP, including additional traffic demand management ("TDM") strategies among other recommendations (infra section E). 02-2

The recommendations included herein would address potential inconsistencies with relevant goals and objectives identified in the City's General Plan, mitigation strategies recommended by the California Air Pollution Control Officers Association ("CAPCOA"), and various policies and recommendations contained in the Southern California Association of Governments ("SCAG") Regional Transportation Plan/Sustainable Communities Strategy ("RTP/SCS") (also known as Connect SoCal) and the California Air Resources Board ("CARB") Scoping Plans. Therefore, the recommendations are relevant to the potential overriding considerations that the City may adopt in its evaluation of the Project's discretionary approval process. 02-3

Local 11 thanks the City for the opportunity to provide the following comments and respectfully requests that the SEIR and MMRP be revised to address the points raised below. 02-4

/ / /

[1] Herein, page citations are either the stated pagination (i.e., "p. #") or PDF-page location (i.e., "PDF p. #")

A. PROJECT DESCRIPTION

An "'accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR.'" (*San Joaquin Raptor Rescue Ctr. v. Cnty. of Merced* (2007) 149 Cal.App.4th 645, 654-655 [quoting *Cnty. of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 199] [emphasis in original].) As one court explained, "only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the 'no project' alternative), and weigh other alternatives in the balance." (*Citizens for a Sustainable Treasure Island v. City & Cnty. of San Francisco* (2014) 227 Cal.App.4th 1036, 1052.) Hence, an accurate project description is an "indispensable component of a valid EIR." *(Western Placer Citizens for an Agr. and Rural Env't v. Cnty. of Placer* (2006) 144 Cal.App.4th 890, 898.)

02-5

Here, as discussed below, the SEIR does not disaggregate the individual project components or make enforceable key assumptions that only 1,000 overnight guests will be traveling to and from the Site to access onsite amenities (beyond employees). As discussed below, this infects the SEIR's GHG/VMT analysis and seems to be a departure from the prior MND and not consistent with experience at other nearby examples cited in the SEIR (i.e., Great Wolf Lodge and Disneyland Forward). (SEIR, PDF p. 165, 176, 196; SEIR VMT Study, PDF pp. 4, 5.)

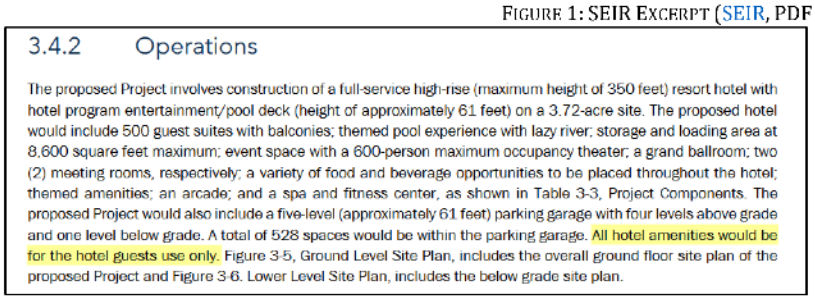
02-6

1. PROJECT COMPONENTS AND SIZES ARE NOT DISCLOSED.

The Project includes various destination/tourist theme park amenities (e.g., a themed pool experience with a lazy river, a 600-person theater, a grand ballroom, themed amenities, and an arcade). (SEIR, PDF pp. 11, 52; MND, PDF pp. 5, 16.) However, the SEIR does not adequately clarify these project components or identify changes made to the Project between the MND and SEIR. As shown in the figures below, the SEIR states that the total building size is 718,919 square feet ("sf"), compared to 691,693 sf as stated in the prior MND. (*Compare* Fig. 1 *with* Fig. 2.) Additionally, the SEIR does not disclose the square footage associated with the hotel amenities, which the prior MND disaggregated. (Id.) Moreover, the SEIR relies on a key assumption that all "hotel amenities" would be available to "only" hotel guests.[2] (Fig. 1 below [highlighted section].) It is recommended that this be clarified.

02-7

FIGURE 1: SEIR EXCERPT (SEIR, PDF P. 52)



3.4.2 Operations

The proposed Project involves construction of a full-service high-rise (maximum height of 350 feet) resort hotel with hotel program entertainment/pool deck (height of approximately 61 feet) on a 3.72-acre site. The proposed hotel would include 500 guest suites with balconies; themed pool experience with lazy river; storage and loading area at 8,600 square feet maximum; event space with a 600-person maximum occupancy theater; a grand ballroom; two (2) meeting rooms, respectively; a variety of food and beverage opportunities to be placed throughout the hotel; themed amenities; an arcade; and a spa and fitness center, as shown in Table 3-3, Project Components. The proposed Project would also include a five-level (approximately 61 feet) parking garage with four levels above grade and one level below grade. A total of 528 spaces would be within the parking garage. All hotel amenities would be for the hotel guests use only. Figure 3-5, Ground Level Site Plan, includes the overall ground floor site plan of the proposed Project and Figure 3-6, Lower Level Site Plan, includes the below grade site plan.

[2] See e.g., SEIR, PDF p. 52 ("All hotel amenities would be for the hotel guests use *only*." Emphasis added), PDF p. 95 ("Ancillary uses associated with the hotel such as restaurant, meeting rooms, entertainment spaces and health and fitness are included within the hotel building square footage as those uses will *only* be available to guests of the hotel." Emphasis added); SEIR GHG Study, PDF p. 50 (same), PDF pp. 135-136, 208-209 (CalEEMod Worksheet sections 1.2)

FIGURE 1: CONTINUED

Table 3-3. Project Components

Project Component	Summary
Project Site Area	3.72 acres
Hotel Rooms	500 keys
Hotel and Amenities	417,233 square feet
Parking Garage	301,686 square feet
Hotel Tower Maximum Height	350 feet
Hotel Program Entertainment/Pool Deck Height	60 feet, 7 inches
Total Building Area	718,919 square feet
Total Parking Spaces	528

FIGURE 2: MND EXCERPT (MND, PDF P. 16; SEE ALSO MND Appendices, PDF PP. 8)

Project Features	Summary
Project Site Area	3.72 acres (161,933 square feet [SF])
Landscape Area (Additional 12,000 SF to be provided at the podium for a grand total of 51,711 SF of landscape or 31% coverage.)	26,224 SF (at street level) 13,487 SF (at podium level) 39,711 SF (27% coverage)
Total Hotel Rooms	500 keys
Ballroom/Meeting Rooms	
Ballroom	9,490 SF
Meeting Room 'A'	4,194 SF
Meeting Room 'B'	4,031 SF
Restaurant, Lobby, Amenities	
Food and Beverage	22,296 SF
Hotel Themed Amenities	13,238 SF
Nick Studio (Theater)	7,039 SF
Studio Hall	6,448 SF
Nick Arcade	7,000 SF
Spa/Fitness	8,532 SF
Hotel Themed Pool	24,980 SF
Office, Back of House, Others	
Hotel Office (Production)	3,173 SF
Hotel Support (Offices)	11,329 SF
Back of House (Support)	16,492 SF
Retail	5,480 SF
Hotel	289,891 SF
Storage, Loading	8,600 SF
Parking (528 spaces)	249,480 SF
Below Grade Parking	52,206 SF
Hotel Tower Maximum Height	350 feet
Hotel Program Entertainment/Pool Deck	60 feet 7 inches
Total Building Area	691,693 SF

O2-7
Cont.

2. GHG EMISSION ANALYSIS SEEMS TO HAVE ANALYZED A GENERIC HOTEL WITH A MAXIMUM OF 1,000 OVERNIGHT GUESTS

The SEIR's GHG Study relies on emissions modeling under CalEEMod, which includes worksheets to show inputs and output results. (SEIR GHG Study, PDF p. 50.) Accordingly, the land use development assumption is that "only" hotel guests will have access to ancillary amenities. (See Fig. 3 below.) This is expressed in the CalEEMod worksheets that analyzed a limited number of uses (i.e., hotel use). (See Fig. 4 below.[3]) This is a departure from the prior MND, which included various land uses (i.e., resort hotel, parking structure, hotel theme pool, theater, etc.) that generated respective emissions. (See Fig. 5 & 6 below.[4]) The GHG analysis in the SEIR should separately account for those ancillary uses. Another example is the Disneyland Forward project, which was a nearby development cited in the SEIR that also included themed-park amenities, which considered separate land uses that included a hotel use and "user defined" recreational uses to account for that development's unique theme/amusement park uses[5] (which is not a CalEEMod default land use).[6] By not disaggregating the various uses, the SEIR's GHG modeling may have underestimated the emissions of the Project for the respective emission sectors (i.e., mobile, area, energy, water, waste, etc.). For example, the current CalEEMod modeling does not seem to account for the emissions associated with the themed-pool or 500-seat theater or arcade, which are likely to have emissions that are not captured by a generic hotel land use type.[7]

FIGURE 3: SEIR EXCERPT (SEIR GHG Study, PDF pp. 50)

CalEEMod Land Use Type	CalEEMod Land Use Subtype	Land Use Amount (Size)	Land Use Size Metric	Building Square Footage	Land Use Acreage
Recreational	Hotel	500	Room	417,233	3.72
Parking	Enclosed Parking with Elevator	528	SP	301,686	0

Notes: CalEEMod = California Emissions Estimator Model.
Ancillary uses associated with the hotel such as restaurant, meeting rooms, entertainment spaces and health and fitness are included within the hotel building square footage as those uses will only be available to guests of the hotel. The GHG emissions associated with the swim facilities were also calculated and included in the operational GHG emission estimates.

02-8

[3] See also SEIR GHG Study, PDF pp. 135-136, 208-209, 135-136, 208-209, 136-137, 209-210 (CalEEMod Worksheet sections 1.2).
[4] See also MND Appendices, PDF pp. 34 (tbl. 1 Table 1 Land Use Summary), 58 (tbl. 11 Electricity and Natural Gas Usage), 60 (Tbl. 12), 84, 119, 155, 190, 226, 271 (CalEEMod tbl. 1.1).
[5] Disneyland Forward, GHG Section, PDF pp. 32-33 (referencing air quality section for CalEEMod inputs for operational GHG emissions), https://www.anaheim.net/DocumentCenter/View/51191/0507_Greenhouse_Gas_Emissions; id., Air Quality Section, PDF p. 29 (discussing operational inputs relevant to both air quality and GHG analysis), https://www.anaheim.net/DocumentCenter/View/51186/0502_Air_Quality; id., Appendix C-2 CalEEMod Calculations, PDF pp. 5, 36 (500 room hotel use), PDF pp. 79, 124 (5-acre theme Park with user defined recreational use), PDF pp. 195, 230 (5000 stall parking structure with enclosed parking use), PDF pp. 274, 319 (2045 Operations with user defined recreational use), https://www.anaheim.net/DocumentCenter/View/51225/Appendix-C-2-CalEEMod-Calculations.
[6] CalEEMod User Guide, pp. 21, 23, 25, 26, 28, 29 (regarding "user defined" land use subtypes, such as the ability to input a user defined commercial, parking, recreational and retail land use subtype), https://www.caleemod.com/documents/user-guide/01_User%20Guide.pdf.
[7] Ibid., at p. 26.

FIGURE 4: SEIR EXCERPT (SEIR GHG Study, PDF pp. 209)

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Hotel	500	Room	3.72	417,233	39,711	0.00	—	—

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Enclosed Parking with Elevator	528	Space	0.00	301,685	0.00	0.00	—	—

FIGURE 5: MND EXCERPT (MND Appendices, PDF p. 34)

Project Land Use	CalEEMod Land Use Category	Amount	Metric
Resort Hotel[1]	Hotel	500 379,366[1]	Rooms Square Feet
Parking Structure	Enclosed Parking with Elevator	528 249,480	Spaces Square Feet
Hotel Themed Pool	Recreational Swimming Pool	24,980	Square Feet
Hotel Theater	Movie Theater (No Matinee)	7,039	Square Feet
Food and Beverage	Quality Restaurant	22,296	Square Feet
Spa / Fitness	Health Club	8,532	Square Feet
Total Building Area		**691,693**	**Square Feet**
Total Project Site Area		**3.72**	**Acres**

[1] Resort Hotel land use includes ancillary land uses such as ball rooms/meeting rooms, lobby, studio hall, arcade, amenities, office, back of house retail, retail, and storage.

FIGURE 6: MND EXCERPT (MND Appendices, PDF P. 271)

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Enclosed Parking with Elevator	528.00	Space	0.00	249,480.00	0
Health Club	8.53	1000sqft	0.00	8,532.00	0
Hotel	500.00	Room	3.72	379,366.00	0
Movie Theater (No Matinee)	7.04	1000sqft	0.00	7,039.00	0
Quality Restaurant	22.30	1000sqft	0.00	22,296.00	0
Recreational Swimming Pool	24.98	1000sqft	0.00	24,980.00	0

Furthermore, for mobile source emissions, the GHG Study relied on the Project's VMT assessment (Fig. 7 below), which the CalEEMod worksheets show a maximum of 21,914 VMTs per day was assumed (Fig. 8 below), which corresponds to the SEIR's VMT Study (Fig. 9 below). However, this assumes that only 1,000 hotel guests (i.e., two overnight guests per hotel room) and 446 employees will be accessing the Hotel Site. (Id., at PDF pp. 5, 11.) The VMT analysis is discussed further below; however, the concern here is that the CalEEMod GHG modeling assumes a maximum of only 1,000 guests in mobile emissions.

02-8 Cont.

02-9

FIGURE 7: SEIR EXCERPT (SEIR GHG Study, PDF PP. 52-53)

Mobile Sources

Mobile sources for the Project would be hotel guests, vendors, and employees traveling to and from the Project site. CalEEMod default emission factors representing the vehicle mix and emissions for 2028 were used for build-out of the Project. As represented in CalEEMod, motor vehicles may be fueled with gasoline, diesel, or alternative fuels, such as electricity. The Project's VMT assessment (Translutions 2025) was used to inform the mobile source emissions estimate.

FIGURE 8: SEIR EXCERPT (SEIR GHG Study, PDF PP. 188, 261)

5.9. Operational Mobile Sources

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5.9.2. Mitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Total all Land Uses	3,262	3,262	3,282	1,190,630	21,914	21,914	21,914	7,998,610

FIGURE 9: SEIR EXCERPT (SEIR VMT Study, PDF pp. 6, 11)

Table A: Project Generated OD VMT/SP

	Project Baseline	Project Cumulative	Orange County Baseline
Service Population	1,446	1,446	5,784,934
OD VMT	21,914	19,659	146,761,959
OD VMT per service population	15.2	13.6	25.4
Impact Threshold			21.6
Impact?	No	No	

###

2019	Nickelodeon Hotel (Project)	County of Orange*
Households	-	-
Population	-	3,196,231
Employment	446	1,805,476
Enrollment		783,227
Guests	1,000	
Service Population	1,446	5,784,934
Homebased Work (HBW) VMT	6,823	31,109,803
PA VMT	20,813	135,174,523
OD VMT	21,914	146,761,959
OD VMT per service population	15.2	25.4

O2-9
Cont.

3. VMT ANALYSIS SEEMS TO HAVE ANALYZED A GENERIC HOTEL WITH A MAXIMUM OF 1,000 OVERNIGHT GUESTS.

The SEIR's GHG Study relies on VMT modeling under the Orange County Transportation Analysis Model ("OCTAM"). The SEIR's VMT analysis demonstrates a limited amount of VMTs associated only with the hotel use. For example, the SEIR traffic study claims the Project would generate 3,995 daily trips compared to the prior MND finding of 4,318 daily trips. (*Compare* SEIR, PDF p. 174 *with* MND Appendices, PDF pp. 882.) This may be because the prior MND included consideration of a 600-seat hotel theater, which generated additional daily trips (suggesting VMTs independent of hotel use). (See MND Appendices, PDF pp. 881-82, 901-02, 919-20.) Additionally, as mentioned above, the VMT Study assumes a service population limited to 446 employees and 1,000 guests (a total of 1,446), with the latter based on the assumption that there would be two guests for each of the 500 hotel rooms. (See Fig. 9 above; see also SEIR VMT Study, PDF pp. 5-6, 11.) Hence, the current VMT Study assumes no other vehicle trips or people accessing the Project Site besides the 446 workers and 1,000 overnight guests.

The above approach seems to be a departure from the Disneyland Forward project, which the SEIR cites as another resort/hotel that used OCTAM modeling for its VMT analysis. (SEIR VMT Study, PDF p. 4.) The Disneyland Forward VMT analysis considered trips from day guests not staying overnight at onsite hotels,[8] which were expressed as a unique "theme park rates" independent of hotel trip rates,[9] and accounted for in the VMT analysis.[10] These additional theme park VMTs were considered in the Disneyland Forward GHG, VMT, and mitigation analysis.[11]

02-10

4. DAY ACCESS BEYOND JUST 1,000 HOTEL GUESTS SEEMS LIKELY.

Access from non-overnight hotel guests (and thus greater impacts) is likely. Unlike other Nickelodeon hotel/resorts located in remote international destinations,[12] the Project is proposed in an urban area with relatively easy daily access by personal vehicles (e.g., inducing regional travel). It seems likely that this Project would offer access to non-overnight hotel guests, since nearby theme parks appear to do so (e.g., Disneyland, Knotts Berry Farm, Legoland, etc.). For example, the SEIR cites both the Great Wolf Lodge and Disneyland Forward. (SEIR, PDF p. 175; SEIR VMT Study,

02-11

[8] Disneyland, Admission Tickets (offering single day passes), https://disneyland.disney.go.com/en-ca/admission/tickets/.
[9] See gen., City of Anaheim, Environmental Documents (providing CEQA documents for DEV2021-00069 Disneyland Forward), https://www.anaheim.net/876/Environmental-Documents; Operational Traffic Analysis (Aug. 2023), PDF p. 93, 115, 1603 (1.578 daily trips per parking space including guests and cast members as well as trip rates for other retail / entertainment), https://www.anaheim.net/DocumentCenter/View/51211/Appendix-J-2-Operational-Traffic-Analysis.
[10] See e.g., Disneyland Forward Draft SEIR, VMT Section, PDF pp. 37-38, 47-59 (tbls. 5.14-1 & 5.14-2), https://www.anaheim.net/DocumentCenter/View/51198/0514_Transportation.
[11] See e.g., Disneyland Forward Draft SEIR, GHG Section, PDF p. 36-39, 44-55 (tbl. 5.7-4), https://www.anaheim.net/DocumentCenter/View/51191/0507_Greenhouse_Gas_Emissions; id., VMT Section, PDF pp. 37-38, 47-59 (tbls. 5.14-1 & 5.14-2), https://www.anaheim.net/DocumentCenter/View/51198/0514_Transportation.
[12] See Nickelodeon Hotels & Resorts, Destinations (listing three open locations in Dominican Republic, Mexico, Turkey and one location opening 2026 in Orlando, Florida), https://www.nickresorts.com/destinations; see also Karisma Hotels, Nickelodeon Hotels & Resorts by Karisma (listing Dominican Republic and Mexico locations), https://www.karismahotels.com/nickelodeon-hotels-resorts; https://www.nickresorts.com/destinations.

02-10 Cont.

02-11 Cont.

PDF p. 4.) The Great Wolf Lodge is not limited to just overnight hotel guests, and "day pass admission" is offered.[13] Similarly, Disneyland also provides day access to guests who are not staying overnight at onsite hotels.[14]

02-11 Cont.

5. RECOMMENDATION

Although smaller than Disneyland, the Nickelodeon-themed attractions at the Project Site offer a unique amusement experience that goes beyond a typical resort hotel. Currently, the SEIR makes a fundamental assumption that onsite amenities are not accessible to non-overnight hotel guests (i.e., no mobile emissions or vehicle trips independent of hotel use). Both the GHG and VMT study assumes a maximum of 1,000 hotel guests, but that assumption is not an enforceable condition of approval. To the extent that the VMT analysis does not adequately account for VMTs generated by non-overnight guests, the concern is that the Project may generate even more GHG emissions and VMTs than analyzed, which may not have been adequately assessed or mitigated. It is recommended that the SEIR either reassess the Project for these independent uses (i.e., as a worst-case scenario with additional mitigation) or make this assumption enforceable via a condition of approval and a project design feature that is explicitly included in the MMRP (discussed infra section E).

02-12

B. GHG IMPACTS

Local 11 was critical of the previous MND's GHG analysis. The updated SEIR GHG Study estimates the Project will generate 7520.09 metric tons of CO2 equivalent per year ("MTCO2e/yr"). (SEIR, PDF p. 150 [tbl. 4.1-10].) This is significantly greater than the prior estimate of 3,316 MTCO2e/yr. (MND Appendices, PDF p. 76 [tbl. 19].) The current GHG study is an improvement; however, there are a few live issues of concern.

02-13

1. LAND USE COMPONENTS NEED TO BE CLARIFIED.

As fully explained above (supra section A), the SEIR makes a key assumption that all onsite uses would be accessible to "only" hotel guests,[15] which is reflected in the GHG study's land use assumptions. (SEIR GHG Study, PDF p. 50 [tbl. 2-2], PDF pp. 135-136, 208-209 (CalEEMod Worksheet sections 1.2). It is unclear if these land use assumptions accurately capture the full scope of emissions from all other uses. It is recommended that either the SEIR make this fundamental assumption enforceable as an explicit project design feature incorporated into the MMRP, or the SEIR analysis should be revised to account for the likelihood of day access from non-overnight hotel guests.

02-14

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[13] See Great Wolf Lodge, Day Pass ("Splash into a day of fun with day pass admission to Great Wolf Lodge's indoor water park"), https://www.greatwolf.com/southern-california/daypass; Id., Water Park Day Passes (offering full and half day passes), https://www.greatwolf.com/southern-california/daypass/booking.
[14] Disneyland, Admission Tickets (offering single day passes), https://disneyland.disney.go.com/en-ca/admission/tickets/.
[15] See e.g., SEIR, PDF p. 52,95 ("Ancillary uses associated with the hotel such as restaurant, meeting rooms, entertainment spaces and health and fitness are included within the hotel building square footage as those uses will *only* be available to guests of the hotel." Emphasis added).

2. ASSUMED CALEEMOD MITIGATION MEASURES NEED TO BE ENFORCEABLE.

The CalEEMod worksheets identify over 20 emission reduction measures. (SEIR GHG Study, PDF pp. 136-137, 209-210 [C-1-A through LL-1].) These measures correlate to CAPCOA mitigation strategies.[16] However, it is unclear to what extent these measures relate to the project design features and mitigation measures listed in the SEIR. (SEIR, PDF pp. 11-37.) It is also unclear whether the SEIR's project design features and mitigation measures are consistent with the CAPCOA measures referenced, and why other CAPCOA measures were considered for incorporation, which is explained further below (infra section E).

02-15

3. ONSITE MITIGATION MEASURES RELATED TO MOBILE AND ENERGY EMISSIONS NEED TO BE PRIORITIZED.

The SEIR estimates that the unmitigated Project will generate 8,124 MTCO2e/yr, which will be reduced through mitigation (pre-carbon offsets) by roughly 7.4 percent (i.e., 7520 MTCO2e/yr). (*Compare* SEIR, PDF p. 103 [tbl. 4.1-5] *with* PDF p. 150 [tbl. 4.1-10].) The SEIR also states that, following implementation of "all feasible construction and operational (onsite)" mitigation measures, the applicant will purchase and retire carbon offsets. (Id., at PDF p. 151.) This is commendable and represents a notable improvement over the prior MND suite of mitigation measures. However, there is a concern that feasible onsite mitigation measures are being left off the table, which should be incorporated prior to resorting to offsets. Over 95 percent of the Project's emissions are from mobile sources (32.9%) and energy (i.e., 62.8%, respectively). (Id., at PDF p. 150 [tbl. 4.1-10].) Thus, feasible mitigation measures targeting these sources should be prioritized before utilizing carbon offsets, which is explained further below (infra section E).

02-16

4. CARBON OFFSETTING IS COMMENDABLE, BUT SHOULD BE UTILIZED ONLY AFTER ONSITE MEASURES HAVE BEEN EXHAUSTED.

As currently proposed, carbon offsets for operations can be purchased either in lump or on an annual basis (i.e., MM-GHG-15). (SEIR, PDF pp. 152-153.) The number of offsets is based on the GHG estimates, which may be underestimated due to the (likely incorrect) assumption that non-overnight guests will not visit the Site (discussed above). To the extent traffic generation may have been underestimated, additional data will become available once the Project begins operations (e.g., traffic counts, admission records, other site-specific data regarding overnight versus non-overnight guests, updated traffic modeling, etc.). Additionally, over a 30-year Project life, further onsite mitigation measures may become feasible, reducing the need for offsets and minimizing impacts. Notwithstanding good-faith efforts, there is the potential for impacts that can be meaningfully mitigated. To the extent the level of impact may be speculative at this time, this can be mitigated via an annual reporting requirement whereby the applicant can provide the City with updated information relevant to both the Project's GHG/VMT impacts and operational assumptions (e.g., daily traffic trips, admissions from overnight versus non-overnight guests, VMT travel profile, effectiveness of TDM and mitigation measures, etc.) This would ensure not only compliance with MM-GHG-15, but also other project design features and mitigation measures that should be considered in the MMRP (infra section E), and provide an opportunity to assess the effectiveness of current measures and/or the need to supplement them with alternative feasible measures.

02-17

[16] See CalEEMod User Guide, PDF p. 16, 55, https://www.caleemod.com/documents/user-guide/01_User Guide.pdf; see also CAPCOA 2021 Handbook, Appendix E Measure Index, https://www.caleemod.com/documents/handbook/appendices/appendix_e.pdf.

5. RECOMMENDATION

In summary, it is recommended that the issues mentioned above be addressed in a revised SEIR, which should include consideration of additional mitigation measures (discussed further below in section E).

02-18

C. VMT IMPACTS

CEQA requires analysis of VMT traffic impacts related to a project. (See *Kings County Farm Bureau v. Hanford* (1990) 221 Cal.App.3d 692, 727.) In particular, CEQA requires analysis of project-related traffic impacts in a manner that does not minimize cumulative impacts. (See e.g., *Cleveland III,* 17 Cal.App.5th at 444-445 [on remand, traffic analysis based on methodology with known data gaps that underestimated traffic impacts necessarily prejudiced informed public participation and decisionmaking]; *Kings County Farm Bureau,* supra at 718, 727 [rejecting determination that less than one percent to area emissions was less than significant because analysis improperly focused on the project-specific impacts and did not properly consider the collective effect of the relevant projects on air quality]; *Save Cuyama Valley v. County of Santa Barbara* (2013) 213 Cal.App.4th 1059, 1072 [upheld the use of same thresholds for immediate and cumulative impacts when its application was "undoubtedly more stringent cumulative-impact threshold"]; *Al Larson Boat Shop, Inc. v. Board of Harbor Comm'rs,* (1993) 18 Cal.App.4th 729, 749 [upheld where cumulative impacts were not minimized or ignored].) The relevant inquiry is not only the relative amount of increased traffic that the Project will cause but whether any additional amount of Project traffic should be considered significant in light of the existing traffic conditions. (See *Los Angeles Unified School District v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1025.)

Previously, Local 11 was critical of the prior MND, which failed to provide a VMT analysis based on the presumption that VMT impacts would be less than significant because the Project Site is within a transportation priority area ("TPA"). (MND Appendices, PDF p. 897, 964, 967, 990.) Here, the SEIR provided a VMT Study, which found impacts warranting mitigation. (SEIR, PDF pp. 173-174, 177, 179-180.) This is an improvement to the MND's prior traffic analysis. However, there are a few live issues of concern.

02-19

1. OTHER LAND USES SHOULD BE CONSIDERED.

As fully explained above (supra section A), the SEIR makes a key assumption that all onsite uses would be accessible to "only" hotel guests,[17] which is reflected in the SEIR's VMT Study (i.e., only 3,995 daily trips, 21,914 VMTs, service population limited to 446 employees and 1,000 guests). (See Fig. 9 above.) It is recommended that the SEIR make this fundamental assumption enforceable as an explicit project design feature incorporated into the MMRP or that the SEIR analysis be revised to account for the likelihood of day access from non-overnight hotel guests.

02-20

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[17] See e.g., SEIR, PDF p. 52,95 ("Ancillary uses associated with the hotel such as restaurant, meeting rooms, entertainment spaces and health and fitness are included within the hotel building square footage as those uses will *only* be available to guests of the hotel." Emphasis added);

2. ASSUMPTIONS REGARDING GUEST SERVICE POPULATION MAY NOT BE ACCURATE.

As mentioned above, the VMT Study estimates that the guest service population would be limited to 1,000 guests. (SEIR VMT Study, PDF pp. 5, 11.) The VMT study used the Great Wolf Lodge as a comparison, but it does not provide the underlying data to independently verify its occupancy levels. Nor does it explain why other data was not provided, such as data relevant to the potential use by non-overnight guests. It is recommended that the SEIR clarify whether the 1,000-guest service population is consistent with the Great Wolf Lodge and other comparable projects.

02-21

3. ASSUMPTIONS REGARDING EMPLOYEE SERVICE POPULATION MAY NOT BE ACCURATE.

The VMT Study estimates that the employee service population would be 446 employees, which seems inflated, and in turn may make the Project's VMTs appear to require less mitigation. Below are several issues with the VMT service population used in the SEIR:

- The estimate is based on a ratio (i.e., 1,550 sf per employee) applied against a purported 691,693 sf of commercial area. (SEIR, PDF p. 176; SEIR VMT Study, PDF p. 4, 10.) This is based on a ratio from the San Diego Association of Governments ("SANDAG") Activity Based Model (ABM 2+) (id., at PDF p. 10), for which the SEIR does not provide a hyperlink or other means for the SEIR reader to verify the rate. 691,693 sf seems to be a reference to the prior MND's "total building area," which includes over 300,000 sf of parking, and where the "resort hotel" was estimated at 289,891 - 379,366 sf (depending on inclusion of ballrooms, meeting spaces, arcade, back of house, and other amenities). (See Figs 2 & 5 above; see also MND Appendices, PDF pp. 8, 34, 774.) The current SEIR seems to suggest that the total building area includes 718,919 sf with "hotel and amenities" amounting to 417,233 sf. (See Fig. 1 above; see also SEIR, PDF pp. 52, 176.) Thus, the employee service population estimate might not be accurate. This underscores the need to provide precise project components and square footage (discussed supra section A).
- Also, it is unreasonable to assume parking areas (301,686 sf) would generate one employee per 1,550 square feet (i.e., approximately 194 employees).
- The VMT study cites a 0.8 to 1.2 employees per hotel room rate, purportedly based on an "industry source" from a "city-of-hotel.com" website that referenced the "World Tourist Organization" ("WTO") without providing any documentation or material explaining how this recommendation was established. The WTO seems to now be called the UN Tourism, which does not readily provide documentation or resources on the topic (based on a search). Additionally, no facts are provided to confirm the purpose and basis of this 0.8-1.2 recommendation, nor is it demonstrated that it is relevant to the current Project, the Southern California region, or has any relevance to a VMT/traffic analysis. There is a lack of substantial evidence to support this WTO rate. In contrast, the City of Los Angeles VMT calculator employs an employee generation rate of one employee per two rooms (i.e., 0.5 employees per room), based on the Institute of Transportation Engineers ("ITE") land use code 310 and SANDAG data, for the purpose of assessing VMT/traffic impacts.[10]

02-22

[18] LADOT (May 2020) City of Los Angeles VMT Calculator Documentation, pp. 11, 15, https://ladot.lacity.gov/sites/default/files/documents/vmt_calculator_documentation-2020.05.18.pdf.

When corrected for the aforementioned issues, it appears that the Project's employee service population is significantly lower. Based on square footage referenced in the MND and SEIR, the hotel resort (including the various amenities) would be approximately 289,891 - 417,233 sf with an estimated employee service population of 187 – 270 (based on purported SANDAG rate of 1,550 sf per employee). This estimate aligns with the City of Los Angeles' estimate of 0.5 employees per room, or 250 employees for the proposed 500-room Project.

In sum, the use of 466 employees may understate the level of VMT impact as it relates to the Project's VMT/employee impacts (15.3 VMT/employee, compared to the 14.6 threshold). (SEIR VMT Study, PDF p. 4, 10). This may, in turn, understate the level of mitigation required from mitigation measures TRA-1 and TRA-2. (SEIR, PDF pp. 177-178), which may warrant further mitigation. It is recommended that the SEIR clarify the above issues and address them with additional mitigation (discussed infra section E).

02-22 Cont.

4. VMT Analysis May not be Consistent with City's VMT Guidelines.

The SEIR VMT study utilizes the OCTAM model. (SEIR VMT Study, PDF p. 3.) There are several assumptions that require clarification.

- The VMT study claims the hotel is similar to retail because some hotel guests may stay at other hotels. (Id., at PDF p. 4.) However, while this may be true for business and/or local-serving hotels, the SEIR states that the Project is "not" a local-serving use.[19] The themed amenities make the Project distinctly unique from a standard hotel. The VMT study seemingly concedes that the Project is expected to generate occupancy above the average for a business or tourist hotel in the City. (Id.)

- The VMT study claims that the City boundary is appropriate, despite being near the City border, due to various factors, including that guests are anticipated to visit the Site with the specific intent to enjoy the Project's amenities, and that the Project is unlike a traditional business hotel. (Id., at PDF p. 4.) This explanation does not address why the City boundary is more appropriate than a larger boundary to prevent an "artificially truncated" VMT review.[20] The Project includes a significant new regional destination that is likely to attract patrons and VMTs well beyond the City and, thus, should be considered in the analysis to assess the Project's impact on "change travel behavior in the region."[21]

- Due to the uniqueness of the operations, the VMT study created a new TAZ (i.e., TAZ 386), which included 1,000 guests and 446 employees. (Id., at PDF p. 5.) The VMT study includes an OD VMT analysis that consists of both hotel guests and employees in the service population. (Id., at PDF p. 6.) It states that excluding one of the contributors would "inappropriately skew the conclusions." However, the City's VMT Guidelines appear to limit service population to population (i.e., residents) plus employment (i.e., workers) and do not include hotel guests.[22] While the City's VMT guidelines mention circumstances where "a separate TAZ would be created to contain the project land uses[,]"[23] it does not state that

02-23

[19] SEIR, PDF p. 174; City VMT Guidelines, PDF p. 18 ("local serving hotels (e.g., non-destination hotels)",
[20] City VMT Guidelines, PDF p. 20 (fn. 5).
[21] Ibid., at PDF p. 19.
[22] Ibid., at PDF pp. 16, 17, 20.
[23] Ibid., at PDF p. 19.

the inclusion of hotel guests is permissible. Hence, the SEIR may not be comparing apples to apples when it presents the Project's OD VMT per service population (15.2 and 13.6) to the Orange County threshold (21.6). (SEIR, PDF p. 177 [tbl. 4.2-1].)

- The City's VMT Guidelines state that model outputs must include reasonableness checks of production and attractions to ensure the proposed development's effect is accurately captured.[24] This may include estimates matching "traditional model process" or custom processes for "special generator trips (airport, seaport, stadium, etc.)."[25] Here, the VMT study cites Disneyland Forward as a comparable resort/hotel use in the County, which included custom rates based on the theme-park-related uses. It would seem prudent to take a similar approach here to provide a check. This would serve to verify whether the VMT's modeling is accurate, and also serve as an objective performance metric to implement MM-GHG-5 (Guest Vehicle Trip Reductions) (discussed infra section E).

02-23 Cont.

5. QUALITATIVE ANALYSIS WITH GENERAL PLAN PROVISIONS IS CURSORY.

Like GHG qualitative analysis, the SEIR's VMT analysis referenced various transportation policies and strategies related to TDM and VMTs. (SEIR, PDF pp. 170-172.) However, there are numerous TDM measures that are not incorporated, whether to minimize VMT impacts or GHG emissions from mobile sources. This seems to leave off the table mitigation measures that would be relevant to the Project's qualitative consistency with numerous traffic related General Plan provisions, including but not limited to those listed in the City's Air Quality Element (e.g., AQ-IMP-1B, AQ-IMP-1C, Policy AQ-2.2, AQ-IMP-2A, Goal AQ-3, Policy AQ-3.1, Policy AQ-3.2, AQ-IMP-3C);[26] and Circulation Element (Goal CIR-4, Policy CIR-4.2, CIR-IMP-4A, Goal CIR-5, Policy CIR-5.1, -5.5, CIR-IMP-5A, -5B, -5C).[27]

02-24

6. RECOMMENDATION

In sum, it is recommended that the abovementioned issues be addressed in a revised SEIR, including consideration of additional mitigation (discussed further below infra section E).

02-25

D. PROJECT WITH HOUSING ALTERNATIVE SHOULD HAVE BEEN CONSIDERED

Under CEQA, the core of an EIR requires a lead agency to select a reasonable range of alternatives for evaluation guided by a clearly written statement of objectives. (See *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564-65; see also CEQA Guidelines § 15124(b).) It is the lead agency's affirmative duty to approve a project only after "meaningful consideration of alternatives and mitigation measures." (*Mountain Lion Foundation v. Fish & Game Com.* (1997) 16 Cal.4th 105, 134.) This duty cannot be defeated by defining objectives too narrowly or too broadly or artificially limiting the agencies' ability to implement reasonable alternatives by prior contractual commitments. (See e.g. *City of Santee v. County of San Diego* (1989) 214 Cal.App.3d 1438, 1447; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736.) Instead, a "reasonable range of alternatives" should be: (i) "capable of being accomplished in a successful manner" (Pub. Res. Code § 21061.1); (ii) "attain most of the basic objectives of the project" (*Sierra*

02-26

[24] Ibid.
[25] Ibid., at PDF p. 31
[26] City General Plan, Air Quality Element, pp. 8-2 – 8-6.
[27] City General Plan, Circulation Element, pp. 5-34 – 5-35.

Club v. County of Napa (2004) 121 Cal.App.4th 1490, 1509 [citing CEQA Guidelines § 15126.6(a) and (f)]); and (iii) achieve the project's "underlying fundamental purpose" *(In re Bay-Delta* (2008) 43 Cal.4th 1143, 1164-1165 [citing CEQA Guidelines § 15124(b)]).

02-26 Cont.

Here, the SEIR failed to consider the Project (i.e., resort/theme-park venue) with at least some levels of affordable housing on Site, which is recommended for the following reasons.

1. SEIR DOES NOT ADDRESS WHY A PROJECT WITH SOME HOUSING IS INFEASIBLE.

The SEIR's alternative analysis considered only a no-project alternative and a reduced project alternative. (SEIR, PDF pp. 38-39.) The SEIR rejected a mixed-use development alternative because the majority of the Site is zoned IW. (Id., at PDF p. 199-200.) However, the Site is designated International West Mixed Use ("IW") and zoned PUD or single-family residential (R-1-7). (Id., at PDF pp. 50, 59-61.) IW specifically allows and encourages a mix of uses, including residential (i.e., up to 60 dwelling units per acre) or greater.[28] The SEIR acknowledges that a "residential alternative is anticipated to result in fewer environmental impacts than the proposed Project because the Project site is in proximity to transit and would likely screen out from a VMT analysis, and VMT impacts would be less than significant. The reduction in vehicle trips related to VMT would also lead to a decrease in GHG emissions." (Id., at PDF p. 198.) While an "exclusively residential alternative" would not likely serve the majority of project objectives (id.), there is no discussion of a mixed-use alternative that incorporates at least some level of housing (particularly affordable housing) into the Project. Such an alternative would arguably minimize GHG/VMT impacts while also serving the Project's underlying fundamental purpose. It is recommended that the SEIR consider such an alternative.

02-27

2. AFFORDABLE HOUSING IS CONSISTENT WITH APPLICABLE POLICIES.

The SEIR's GHG qualitative analysis references various policies and strategies related to encouraging *mixed-use* development and *housing*, which the SEIR claims are either inapplicable or have no conflict because the Project involves an infill Project Site consistent with the General Plan. (SEIR, PDF pp. 109-111 [Connect SoCal 2024 policies 32, 35-42], PDF pp. 122-123 [CARB 2022 Scoping Plan], PDF pp. 125-143 [General Plan Nos. SAF-10.10].) However, the Project is an entirely commercial development, and the SEIR fails to consider how failure to include affordable housing is inconsistent with applicable policies, such as the following:

02-28

a. CAPCOA Measures

Adding affordable housing to the Project can minimize GHG emissions and VMTs. This is consistent with *CAPCOA measures T-1* (increase residential density) and *measure T-4* (Integrate Affordable and Below Market Rate Housing).[29]

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[28] SEIR, PDF pp. 50, 193; see also City General Plan, Housing Element, PDF pp. 49 (tbl. 12-17), 115 (Tbl. 12-43).
[29] CAPCOA Handbook, pp. 31, 70, 95, https://www.caleemod.com/documents/handbook/full_handbook.pdf.

b. SCAG RTP/SCS Policies

SCAG's 2024 RTP/SCS (Connect SoCal)[30] has four primary goals (i.e., mobility, communities, environment, economy) (pp. 9-12), each with respective subgoals (p. 85) and categories of policies (RTP/SCS, pp. 88-112), which totals nearly 90 regional planning policies (pp. 114-121), and other implementation strategies where local governments play a partner/supporting role (pp. 124-135). Providing affordable and sustainable housing is a major cross-cutting theme in the 2024 RTP/SCS (pp. 8, 9, 10, 27, 28, 54, 56, 66, 100, 106, 112, 117, 135, 193, 197), including but not limited to the following goals and policies (emphasis added):

Goal: Communities: Develop, connect and sustain communities that are livable and thriving
- Sub-goal: Create human-centered communities in urban, suburban and rural settings to increase mobility options and *reduce travel distances*
- Sub-goal: Produce and preserve diverse housing types in an effort to *improve affordability*, accessibility and opportunities for all households

Category: Housing the Region: Providing sufficient housing opportunities throughout the region will require a range of strategies and methods to increase both the production of and access to a *wide range of housing types*.

Regional Planning Policies:

32. Encourage housing development in areas with access to important resources and amenities (economic, educational, health, social and similar) to *further fair housing access and equity* across the region
33. Support local, regional, state and federal efforts to *produce and preserve affordable housing* while meeting additional housing needs across the region
34. Prioritize communities that are vulnerable to displacement pressures by supporting community stabilization and *increasing access to housing that meets the needs* of the region
35. Promote innovative strategies and partnerships to increase homeownership opportunities across the region with an *emphasis on communities that have been historically impacted* by redlining and other systemic barriers to homeownership for people of color and other marginalized groups
36. Advocate for and support programs that emphasize reducing housing cost burden (for renters and homeowners), with a focus on the *communities with the greatest needs* and vulnerabilities
37. Support efforts to increase housing and services for people experiencing homelessness across the region

Communities Implementation Strategies:

[a]. Support Provide technical assistance for jurisdictions to complete and implement their housing elements and support local governments and Tribal Entities to *advance housing production*

[b]. Identify and pursue partnerships at the local, regional, state and federal levels to align utility, transit and infrastructure investments with housing development and *equitable outcomes* across the region

[c]. Research community stabilization (anti-displacement) resources that can be utilized to address *displacement pressures*, such as preservation and tenant protections for communities across the region and Affirmatively Further Fair Housing

02-29

[30] 2024 RTP/SCS, https://scag.ca.gov/sites/default/files/2024-05/23-2987-connect-socal-2024-final-complete-040424.pdf.

c. General Plan Provisions

Promoting mixed-use development is consistent with various General Plan provisions, such as those listed in the Safety Element (e.g., Policies SAF-10.10 and SAF-10.12); Land User Element (e.g., Goal LU—1, Policies LU-1.1, 1.2, 1.3, 1.7, 1.8); Community Design Element (e.g., CD-IMP-1A); Circulation Element (e.g., Policy CIR-4.1, -4.2, -4.3, CIR-IMP-4A); Economic Development Element (e.g., Policy ED-3.7, ED-IMP-3C,); Air Quality Element (e.g., AQ-5, Policy AQ-5.1, 5.3, 5.6, AQ-IMP-5A); and the Housing Element (e.g., Goal H-2, Policy H-2-.1, H-3.3, H-3.7).[31]

02-30

d. Local Action Under CARB Scoping Plan

There are numerous measures that CARB urges for local action, which are included in the 2022 Scoping Plan Appendix D (i.e., Local Action), building upon the prior 2017 Scoping Plan Appendix B (i.e., Local Action). Among the strategies mentioned are mixed-use development and affordable housing. [32]

It is recommended that the SEIR consider the Project's consistency with the abovementioned measures.

02-31

3. SEIR LACKS A JOB-HOUSING BALANCE ANALYSIS.

SCAG's RTP/SCS and SB-743 focus on improving jobs-housing balance, which is relevant to both the SEIR's GHG and VMT analysis. (SEIR, PDF pp. 168, 176.). However, the SEIR does not include a jobs-housing analysis, which is only tangentially discussed in the context of growth-inducing impacts. (Id., at PDF p. 193-195.) Generally, adding more jobs in a job-rich or, conversely, housing-poor area can have an adverse impact on a community's jobs-to-housing balance. Similarly, the quality of jobs can also impact the jobs-housing fit ("JHFit"), where an imbalance may exist between a city's total number of low-wage workers and the number of homes affordable to them. A development that increases the demand for affordable housing can exacerbate an existing housing impact, especially where a community may have a current unmet affordable housing need under its Regional Housing Needs Assessment ("RHNA") allocation.

It is recommended that the SEIR consider the Project's impact on induced housing demand and its effect on the City's jobs-to-housing balance and JHFit. This is reflected throughout a variety of qualitative policies applicable to the project's GHG and traffic (mentioned above).

02-32

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[31] City General Plan, Safety Element, p. 11-20; id., Land Use Element, PDF pp. 2-36 – 2-44; Community Design Element, p. 3-19; id., Circulation Element, pp. 5-34; id., Economic Development Element, pp. 4-5; id., Air Quality Element, pp. 8-4 – 8-5; id., Housing Element, PDF pp. 12-153 – 12-154.
[32] CARB 2022 Scoping Plan, Appendix D (Local Action), pp. 6, 7, 12 (fn. 26), 20, 23, https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-d-local-actions.pdf; CARB 2017 Scoping Plan, Appendix B (Local Action), PDF pp. 6, https://ww3.arb.ca.gov/cc/scopingplan/2030sp_appb_localaction_final.pdf.

4. HCD DATA SHOWS COMPELLING NEED FOR AFFORDABLE UNITS IN THE CITY.

The SEIR does not address the City's current demand for affordable housing under its RHNA allocation. Currently, the City's RHNA allocation under the 6th Housing Element cycle is 19,168 units by 2029, with approximately 53% of these units being affordable (i.e., 10,178 units at moderate income levels or lower).[33] Based on the California Housing and Community Development ("HCD") Annual Progress Report portal, which includes City data submitted through 2024, Garden Grove is 37.5 % through its 6th Housing Cycle, but has attained only 1.15% of its affordable units (i.e., 118 of 10,178) as compared to achieving 14.8% of its above moderate income allocation.[34] This suggests that the City is behind on its existing affordable housing allocation, which this Project may exacerbate. It is recommended that the SEIR consider the Project's impact on affordable housing and its consistency with various housing policies (e.g., those mentioned above) as well as the Project's consistency with SB 166 and Housing Element Program 8 (no net loss).[35]

02-33

5. LACK OF HOUSING IS RELEVANT TO OVERRIDING BENEFITS

To the extent that the City may consider overriding benefits, it should have the ability to consider what mitigation/benefits are being left off the table, such as a Project alternative that includes some level of affordable housing. Under CEQA, when approving a project that will have significant environmental impacts not fully mitigated, a lead agency must adopt a "statement of overriding considerations," finding that the Project's benefits outweigh its environmental harm. (Pub. Res. Code § 21081(b); see also CEQA Guidelines § 15043.) An overriding statement expresses the larger, more general reasons for approving the Project, such as the need to create new jobs, provide housing, generate taxes, and the like.[36] It must fully inform and disclose the specific benefits expected to outweigh environmental impacts, supported by substantial evidence. (See CEQA Guidelines §§ 15043(b) & 15093(b).[37]) However, an agency may adopt a statement of overriding considerations *only after* it has imposed all feasible mitigation measures to reduce a project's impact to less than significant levels. (See CEQA Guidelines §§ 15091 & 15126.4.) Hence, decisionmakers may not approve a project when feasible mitigation measures can substantially lessen or avoid such impacts. (See e.g., Pub. Res. Code § 21002; CEQA Guidelines § 15092(b)(2).) Similarly, additional overriding considerations may be necessary to adequately address those additional impacts that the SEIR underestimates.

02-34

6. RECOMMENDATION

For the reasons discussed above, it is recommended that the SEIR analyze a Project alternative that includes some level of affordable housing onsite, whether as a form of mitigation or alternative.

02-35

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[33] City General Plan, Housing Element, PDF p. 39 (tbl. 12-16).
[34] HCD, Annual Progress Reports - Data Dashboard and Downloads (search Garden Grove, sheets 10, 12, 13 of 18), https://www.hcd.ca.gov/housing-open-data-tools/apr-dashboard.
[35] City General Plan, Housing Element, PDF pp. 170, 178-180, 200.
[36] *See e.g., Concerned Citizens of S. Central LA v. Los Angeles Unif. Sch. Dist.* (1994) 24 Cal.App.4th 826, 847.
[37] See also *Sierra Club v. Contra Costa County* (1992) 10 Cal.App.4th 1212, 1222-1223.

E. ADDITIONAL MEANINGFUL MITIGATION MEASURES ARE AVAILABLE

Under CEQA, the discussion of mitigation is a "core" part of a CEQA analysis. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 564-65; see also CEQA Guidelines § 15124(b).) CEQA requires lead agencies to craft non-illusory mitigation measures that will be enforceable.[38] Here, the SEIR acknowledges significant GHG impacts, which can be further mitigated through modifications to the current MMRP (as discussed below).

02-36

1. PROJECT DESIGN FEATURES SHOULD BE EXPLICITLY INCORPORATED INTO THE MMRP.

CEQA defines mitigation measures broadly (e.g., avoiding, minimizing, rectifying, reducing, eliminating, or compensating impacts). (CEQA Guidelines § 15370.) Incorporating mitigation measures into the description of the project, and then basing a conclusion of less-than-significant impacts in part on those measures, can run afoul of CEQA.[39]

Here, the SEIR identifies various project design features for construction and operations (i.e., PDFs 4, 5, 8, 10, 11, 12, 21, 27). (SEIR, PDF pp. 11-13, 53, 99-101.) These seem to be carried over from the prior MND. (MND, PDF pp. 17-20 [PDF-1 through PDF-26]; MND Appendices, PDF 38-39, 67-70 [DF-1 through DF-12].) A variety of these prior MND project design features remain relevant to lessen the Project's emission and VMT impacts (i.e., PDF-1 through PDF-12, PDF-21). (Id.) For example, the SEIR states that these project design features are qualitative/supporting measures and not used for "quantifying" GHG emissions. (SEIR, PDF pp. 11, 99.) Additionally, these project design features directly serve to minimize potential emissions and impacts even though the SEIR does not take credit for them.[40] Also, many of these project design features are similar to CAPCOA measures included as part of the SEIR's emissions modeling under CalEEMod to lessen the Project's GHG emissions (i.e., measures C-1-A through LL-1). (SEIR GHG Study, PDF pp. 136-137, 209-210.[41]) Similarly, these project design features are cited to establish consistency with various

02-37

[38] See e.g., *City of Maywood v. Los Angeles Unified School Dist.* (2012) 208 Cal.App.4th 362, 407; *Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 935 (enforceable performance standards "ensure the integrity of the process of decision making by precluding stubborn problems or serious criticism from being swept under the rug."); *Lincoln Place Tenants Ass'n v. City of Los Angeles* (2005) 130 Cal.App.4th 1491, 1508 ("Mitigating conditions are not mere expressions of hope."); *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1261 ("feasible mitigation measures will actually be implemented as a condition of development."); *Oro Fino Gold Mining Corp. v. County of El Dorado* (1990) 225 Cal.App.3d 872, 884 ("There cannot be meaningful scrutiny (of an environmental review document) when the mitigation measures are not set forth at the time of project approval.").
[39] See *Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 656 [" 'avoidance, minimization and/or mitigation measures,' ... are not 'part of the project.' ... By compressing the analysis of impacts and mitigation measures into a single issue, the EIR disregards the requirements of CEQA."].)
[40] See e.g., SEIR, PDF pp. 102 ("As noted in Section 4.1.5, the Project includes PDFs for construction that would *potentially reduce GHG emissions*. The Project's PDFs include many of the best management practices for *reducing GHG emissions* from construction. Specifically, PDF-4, PDF-5, and PDF-10, would encourage more efficient fuel consumption and PDF-8 would establish electricity supply to the Project site for use of electric-powered equipment instead of diesel fueled equipment. Given the nature of those PDFs and to *conservatively analyze the GHG emissions*, the analysis does not *take credit for any reductions* in the Project's GHG emissions that may be attributable to those PDFs." Emphasis added.)
[41] See CalEEMod User Guide, PDF p. 16, 55, https://www.caleemod.com/documents/user-guide/01_User Guide.pdf; see also CAPCOA 2021 Handbook, Appendix E Measure Index, https://www.caleemod.com/documents/handbook/appendices/appendix_e.pdf.

plans in the SEIR's qualitative analysis.[42] Furthermore, as discussed above (supra section A), the SEIR's analysis is based on a fundamental assumption that a maximum of 1,000 guests would access the Site.

In sum, the failure to implement these project design features would likely lead to greater emissions and affect the basis of the SEIR's impact analysis. Therefore, it is recommended that the SEIR clarify to what extent MND/SEIR project design features will be incorporated into the Project if approved. Additionally, all project design features should be included as an explicit condition of approval *and* added to the SEIR's MMRP. (SEIR, PDF pp. 15-37.) This also should include fundamental assumptions as enforceable project design features (i.e., the SEIR's assumption that only overnight hotel guests will have access to the Project Site amenities).

02-37 Cont.

2. ADDITIONAL MITIGATION IS AVAILABLE

The Project includes various mitigation measures (i.e., MM-GHG-1 through TRA-2). (SEIR, PDF pp. 11-37.) These are similar but not entirely akin to various CAPCOA measures.[43] While the current mitigation measures are commendable, additional modifications and enhancements seem warranted for the following reasons, grouped by categories of measures.

02-38

a. Construction-Related Measures

Currently, SEIR includes several mitigation measures related to construction emissions (i.e., MM-GHG-1, MM-GHG-2, MM-GHG-3). (SEIR, PDF pp. 15, 143-144.) This may be inadequate for the following reasons:

i. The SEIR and MND include various construction-related project design features. (SEIR, PDF pp. 11-13 [PDFs 4, 5, 8, 10]; MND, PDF pp. 17-20 [PDF-1 through PDF-10].) These are similar to CAPCOA measures assumed in the SEIR's GHG study CalEEMod worksheets, including *CAPCOA measures C-2* (Limit Heavy-Duty Diesel Vehicle Idling) and *CAPCOA measures C-5* (Use Advanced Engine Tiers).[44] (SEIR GHG Study, PDF pp. 136-137, 209-210.) Therefore, it is recommended that all project design features be explicitly included in the MMRP. It is also recommended that construction engines specify the use of "Tier 4 final" engines (if not cleaner) to the fullest extent feasible.[45]

ii. Issues related to MM-GHG-1 (Electric Construction Equipment) & MM-GHG-2 (Construction Office Energy Efficiency):

   – These measures appear to be limited to generators, cranes, air compressors, and temporary construction field offices. It is unclear why it is limited to just these construction components.

02-39

[42] See e.g., SEIR, PDF pp. 103, 113, 114, 118, 121, 126, 131, 135, 136, 137 (GHG-2 impact analysis citing "PDFs" to find consistency and/or no conflict with SCAG's RTP/SCS (Connect SoCal), Garden Grove General Plan .)
[43] See CAPCOA Handbook, PDF pp. 46-47 (Fig. 3-1), 62-66 (Tbl. 3-1).
[44] See CAPCOA User Guide, pp. 52.
[45] Ibid., at p. 35 (regarding off-road equipment).

- This measure is similar to the *CAPCOA measure C-1-A* (Use Electric or Hybrid Powered Equipment) assumed in the CalEEMod worksheets. (SEIR GHG Study, PDF pp. 136-137, 209-210.) Measure C-1-A requires the use of electric- or hybrid-powered "construction equipment over conventional diesel-fueled counterparts," which is not limited to the abovementioned pieces of equipment and office. It is recommended that MM-GHG-1 be amended to require implementation to the fullest extent feasible, including but not limited to the construction equipment already included.

- *CAPCOA measure C-1-B* (Use Cleaner-Fuel Equipment) requires the use of "cleaner-fueled construction equipment over conventional diesel- or gasoline-fueled counterparts." It is recommended that this be incorporated into this measure.

02-39 Cont.

iii. Issues related to MM-GHG-3 (Construction Debris Recycling):

- The Site is largely vacant, and the measure is geared towards debris, which will have limited effectiveness at reducing the Project's overall impact (relative to other measures/sources). This can be improved by also focusing on the construction materials.

- Construction and Demolition ("C&D") Debris Recycling can be difficult to enforce. For example, post-construction documentation must be required to ensure recycling plans have been implemented. So too, there must be meaningful consequences in the event that documentation is missing or noncompliant. For example, if penalties are set too low, applicants may accept monetary penalties as a cost of doing business rather than the added expenses and effort required to enforce the mitigation. It is recommended that the measure be modified to require coordination between the applicant, city, and other relevant agencies (e.g., CalRecycle, local enforcement agency) to coordinate the C&D recycling program.[46]

- This measure is similar to *CAPCOA measure S-4* (Recycle Demolished Construction Material) assumed in the CalEEMod worksheets. (SEIR GHG Study, PDF pp. 136-137, 209-210.) CAPCOA measure S-4 specifically identifies "wood-based" material, which should be included in this measure.

- *CAPCOA measure S-5* (Source Wood Materials from Urban Wood Reuse Program) involves using local and reused materials in new construction. This seems applicable to the project and should be included.[47]

02-40

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[46] CalRecycle, C&D Debris Recycling, https://calrecycle.ca.gov/condemo/.
[47] See CAPCOA Handbook, PDF p. 72.

iv. The Project does not seem to include feasible construction-related mitigation measures, such as the following, that are recommended to be incorporated into the MMRP:

- *CAPCOA measure C-3* (Use Local Construction Contractors) requires the use of local construction contractors to reduce VMT associated with construction employee commute distances. This can be incorporated in a manner consistent with General Plan provisions, such as those listed in the *Conservation Element* (i.e., Goal CON-6, Policies CON-6.1, CON-6.2, CON-IMP-6A, and CON-IMP-6b).[48]

- *CAPCOA measure C-4* (Use Local and Sustainable Building Materials) requires using building materials that are locally sourced and processed, which minimizes VMTs and fuel consumption. This can be incorporated in a manner consistent with General Plan provisions, such as those listed in the *Conservation Element* (i.e., Goal CON-3, Policies CON-3.1, CON-3.3, CON-3.4, CON-IMP-3B, CON-IM-3C, and CON-IMP-3D).[49]

02-41

b. Waste-Related Measures

Currently, SEIR includes a mitigation measure MM-GHG-11 (Waste Reduction). (SEIR, PDF pp. 15-37, 147-148). This may be inadequate for the following reasons:

i. MM-GHG-11 currently states the program "may" include various program elements (i.e., recycling program, organics, etc.) It is recommended that it says "shall include" to ensure these feasible elements are incorporated.

ii. This measure is similar to *CAPCOA measure S-1/S-2* (Implement Waste Reduction Plan) assumed in the CalEEMod worksheets. (SEIR GHG Study, PDF pp. 136-137, 209-210.) Measure S-1 requires the institution or extension of recycling services to reduce the volume of landfilled waste. Measure S-2 involves the implementation of an organics diversion program that addresses "food waste (both edible and non-edible)" and may include coordination with onsite/offsite composting facilities and food banks. It is recommended that MM-GHG-11 include additional program components, such as coordinating with "food banks" and composting facilities as part of its recycling program, consistent with CAPCOA measures (i.e., measures S-2, S-3).[50]

iii. The City should consider including additional hotel-specific recycling program elements, such as:

- Promote recycled paper and other products like soap;
- Bans on disposable (i.e., designed to be used once and discarded) foodware items and accessories;
- Allowing customers to bring their own reusable items (if permissible, this be waived to accommodate kosher or other religious standards);
- Requirements for hand soap in refillable containers;
- No promotional items made of plastic;
- No water in plastic bottles or disposable single-use cups;

02-42

[48] See City General Plan, Conservation Element, pp. 10.4-10.10.
[49] Ibid.
[50] CAPCOA Handbook, PDF pp. 46-47 (Fig. 3-1), 62-65 (tbl. 3-1).

- No expanded polystyrene (i.e., Styrofoam);
- Require reusable napkins and tablecloths with recyclable disposable napkins only allowed for takeout;
- Hand dryers in areas accessible to customers;
- Requirement for reusable laundry bags;
- Reusable dishware for room service;
- Eliminate coffee pods/coffee machines that require pods;
- Offer toothpaste tablets in refillable packaging such as glass bottles or jars;
- Provide bamboo toothbrushes;
- Offer toiletries on request rather than automatically;
- Key cards made out of non-plastic materials, including traditional metal keys or wood, bamboo, and paper options for chip-based cards;
- Incentives for returning keys to discourage waste;
- Non-plastic shower caps, razors, shaving cream, slippers, eye masks, ear plugs;
- Remove minifridge items that use plastic;
- Eliminate the use of garbage bags if possible, or use based on compostable material;
- Choose home compostable gloves;
- Do not use plastic wrap;
- Serve employee meals with reusable dishware and cutlery, as well as provide reusable water bottles for all employees with accessible water bottle refill stations;
- Replace paper towels with reusable dish rags; and
- Source plastic-free sponges.[51]

02-42 Cont.

iv. MM-GHG-11 is cited as being consistent with the General Plan Conservation Element provisions (i.e., Nos. CON-3.1, CON-6, CON-6.2, SAF-10). (SEIR, PDF pp. 131, 134-136.) The abovementioned recommendations would align with applicable General Plan goals and policies, such as those listed in the Conservation Element (e.g., Goal CON-3, Policies CON-3.1, CON-3.2, CON-3.3, CON-3.4, Goal CON-6, and Policy CON-6.2).

c. Transportation-Related Measures

Currently, SEIR includes several mitigation measures related to transportation emissions (i.e., MM-GHG-4, MM-GHG-5, MM-GHG-6, MM-TRA-1, MM-TRA-2). (SEIR, PDF pp. 15-37, 143-156, 179-180.) This may be insufficient for various reasons.

i. MM-GHG-4 (Electric Vehicle Charging Infrastructure):

- This measure is similar to *CAPCOA measure T-14* (Provide Electric Vehicle Charging Infrastructure) assumed in the CalEEMod worksheets. (SEIR GHG Study, PDF pp. 136-137, 209-210.) It is commendable to see the commitment to CalGreen "Tier 2 standards" for EV equipment. (SEIR, PDF p. 16.) However, it is unclear why only the EV requirement is set at Tier 2 standards as compared to other components of the project (discussed further below under energy-related measures).

02-43

[51] See e.g., https://www.nytimes.com/2022/05/17/travel/clean-the-world-hotel-soap.html; https://freakonomics.com/podcast/the-economics-of-everyday-things-used-hotel-soaps/; https://cleantheworld.org/; https://bluestandard.com/guides/hotel-guide/; https://clkrep.lacity.org/onlinedocs/2021/21-0064_ord_187718_1-23-23.pdf.

ii. MM-TRA-2 (Provide End-of-Trip Bicycle Facilities):

- This measure is similar to *CAPCOA measure T-34* (Use Electric or Hybrid Powered Equipment) assumed in the CalEEMod worksheets. (SEIR GHG Study, PDF pp. 136-137, 209-210.) It is also similar to *CAPCOA measure T-10* (Provide End-of-Trip Bicycle Facilities). However, MM-TRA-2 states that a "minimum" of 38 bike parking spaces will be provided, and provides 32 "secure" bike parking spaces. (SEIR, PDF pp. 16, 120.) This should be clarified to specify whether this meets the short-term and long-term bike parking under CalGreen Tier 2 status and is consistent with CAPCOA measure T-34. Also, it should be made clear that the secured parking available for employee bikes shall not be displaced by bike parking for guest rentals. It is also recommended that repair services be made available onsite to both guests and employees (consistent with CAPCOA T-10).
- It is also recommended that this be augmented to include electric bikeshare and/or scootershare program consistent with *CAPCOA measures T-22-A through T-22-D*.

02-44

iii. MM-GHG-6 (Limit Large Diesel Trucks During Operation):

- The SEIR does not estimate the number of heavy-duty trucks that would be expected from the proposed operation, whether as a generic hotel or as proposed with a unique theme-attraction resort with water park and theater. Hence, it is unclear to what extent the limited 10 heavy-duty trucks are a mitigation rather than a project design feature. This should be clarified.
- Limiting the number of heavy-duty vehicles to 10 per day and requiring an annual update, while commendable, is unlikely to be a meaningful mitigation for this Project. Unlike a warehouse development, heavy-duty truck emissions are not the main contributor to this Project's GHG emissions (i.e., guest/employee mobile emissions, energy consumption).
- It is recommended that this be augmented to also include electrified loading docks consistent with *CAPCOA measures T-53*.

02-45

iv. MM-GHG-5 (Guest Vehicle Trip Reductions):

- **Biking**: MM-GHG-5 cites bicycle parking and rentals, which are duplicative of TRA-2. Moreover, there is no explanation why other CAPCOA measures were not considered, such as measures related to bike infrastructure including *CAPCOA measures T-19A and T-19B* (Construct or Improve Bike Facility), *measures T-32* (Orient Project Toward Transit, Bicycle, or Pedestrian Facility), *measure T-33* (Locate Project near Bike Path/Bike Lane), *measure T-37* (Dedicate Land for Bike Trails). Here, the Project is located along a Class II bike lane. (SEIR, PDF p. 187.) It is recommended that MM-GHG-5 measure be modified to include specific elements consistent with these CAPCOA measures (or explain why it is not feasible).

02-46

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- **Pedestrian**: MM-GHG-5 also cites "pedestrian" infrastructure (e.g., sidewalks, crosswalks, wayfinding signage), which are common basic infrastructure requirements for large urban developments located adjacent to city streets. This differs from *CAPCOA measure T-17* (Improve Street Connectivity), which involves building a new street network in a subdivision or retrofitting an existing one to improve connectivity (e.g., converting cul-de-sacs or dead-end streets to grid streets). While this measure is similar to *CAPCOA measure T-18* (Provide Pedestrian Network Improvement), it is most effective at the plan/community scale compared to a project/site context. Hence, it is unlikely this component of MM-GHG-5 will have meaningful reductions in impacts. 02-47

- **Marketing**: MM-GHG-5 includes providing information about transit options and nearby attractions. This is akin to *CAPCOA measure T-7* (CTR marketing), which typically targets employees and is recommended to be complemented with other specific transit-related measures as part of a more robust CTR program (discussed further below). However, it is recommended that this measure be modified to include *CAPCOA measure T-43* (Provide Real-Time Transit Information) to enhance its effectiveness. 02-48

- **Last-Mile Trips**: While MM-GHG-5 includes providing information about nearby attractions, it does not address hotel shuttles or other types of incentives for last-mile trips. *CAPCOA measure T-38* (Provide First and Last Mile TNC Incentives) encourages a shift to transit mode by addressing first- and last-mile trips within a specific geographic area (e.g., from a local transit station to a destination). This can include subsidized trips utilizing transit agencies and transportation network companies ("TNC") (e.g., Uber, Lyft, etc.) Similarly, CAPCOA *measure T-44* (Provide Shuttles) encourages local shuttle service through coordination with local transit operators or private contractors. Hotels often include shuttle services (e.g., airports, local destinations, hotels, etc.). It is recommended that the MM-GHG-5 measure be modified to include specific requirements for implementing TNC incentive/shuttle (electric) services to nearby locations and transit facilities, which should be marketed to prospective guests (or explained why it is not feasible). Such service should also be made available to employees, which would further support mobile emissions/VMT reductions. 02-49

- **Qualitative Assessment/Annual Reporting**: MM-GHG-5 includes only a "qualitative assessment" with "annual" reporting. This is akin to CAPCOA measures T-5 (voluntary CTR) and T-6 (mandatory CTR), which typically address employee trips and often require robust additional measures (CAPCOA measures T-7 through T-13). However, because mobile emissions (along with energy emissions) are the majority of GHG impacts, it is recommended that this measure be made mandatory and performance-based to the extent feasible. As part of the annual review process, the City should require the applicant to provide appropriate documentation relevant to guest VMTs (e.g., number of guests, estimated average daily trips, etc.) and other details about implementation of mitigation measures (e.g., use of shuttles, subsidized last-mile trips, etc.). This objective data can be provided as part of the annual review process and serve as a basis for future decisionmaking about the feasibility of mitigation measures. 02-50

v. MM-TRA-1 (Implement Commute Trip Reduction Marketing): MM-TRA-1 includes an employee CTR program, which is similar to *CAPCOA measures T-5* (voluntary CTR) and *T-6* (mandatory CTR), typically requiring robust additional measures (CAPCOA measures *T-7 through T-13*). However, the 4% performance level is tied to the SEIR's VMT analysis. (SEIR, PDF p. 179-181.) As discussed above, there are live issues with the VMT analysis that may underestimate VMT impacts (thus warranting perhaps further mitigation). Moreover, the mobile emissions (along with energy emissions) are the majority of GHG impacts, which is admittedly significant. (Id., at PDF p. 15.) Hence, independent of the Project's VMT impact analysis, the Project is required to meaningfully mitigate the Project's GHG impacts (i.e., mobile and energy impacts). Therefore, it is recommended that TRA-1 be modified to be a mandatory CTR program consistent with *CAPCOA measure T-6* (Mandatory CTR program) to discourage single-occupancy vehicles, including the following:

- *CAPCOA measures, as recommended above,* are to be applied to both guest and employee CTR programs.
- *CAPCOA measure T-9* (Implement Subsidized or Discounted Transit Program) involves subsidized or discounted transit passes. Currently, the subsidy is estimated at 30% participation and is subsidized at 50%. (SEIR GHG Study, PDF p. 12.) It is recommended that this be increased to eligibility and the amount of subsidy to 100% (or explain why it is not feasible).
- *CAPCOA measure T-11* (Provide Employer-Sponsored Vanpool) involves an employer-sponsored vanpool service. As mentioned above, hotels typically have shuttle service, and it seems feasible to include an employer-sponsored vanpool. It is recommended that the project incorporate vanpools for employees to the extent possible (or explain why it is not feasible).
- *CAPCOA measure T-13* (Implement Employee Parking Cash-Out) involves the employer providing employees with a choice of forgoing free parking for a cash payment equivalent to or greater than the cost of the parking space. It is recommended that the project incorporate this option (or explain why it is not feasible).
- *CAPCOA Transit Measures*: The Project Site is conveniently located near multiple bus stops and routes. (SEIR, PDF pp. 164-166, 185.) This may provide an opportunity for the applicant to coordinate with local transit agencies to improve coverage, frequency, or other roadway treatments, consistent with *CAPCOA measures T-25* (Extend Transit Network Coverage or Hours), *T-26* (Increase Transit Service Frequency), and *T-27* (Implement Transit-Supportive Roadway Treatments). Additionally, there may be an opportunity to provide a bus shelter or additional bike parking near existing transit, consistent with *CAPCOA measure T-46* (Provide Transit Shelters) and *measure T-47* (Provide Bike Parking Near Transit).

02-51

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d. Energy-Related Measures

Currently, SEIR includes several mitigation measures related to energy emissions (i.e., MM-GHG-7 through MM-GHG-12. (SEIR, PDF pp. 15-37, 143-156, 179-180.)

i. MM-GHG-7 includes building efficiency and calls for LEED certification. (Id., at PDF pp. 18-19.) However, it does not specify what level. Similarly, it is unclear why measure MM-GHG-4 (EV charging) requires CalGreen Tier 2 standards but not in other areas. (SEIR, PDF p. 16.) It is recommended that the City consider requiring at least LEED Gold or Platinum status and meeting CalGreen Tier 2 standards to the fullest extent feasible (e.g., planning and design, energy efficiency, water efficiency, material recovery, environmental quality, whole-building life cycle assessment, Nonresidential Voluntary Measures, etc.).[52] The recommendation should capture and/or include *CAPCOA measures related to energy efficiency* measures (e.g., E-1, E-2, E.3-A/B, E-5, E-21, E-12, E-16, E-24, E-22, E-25).

ii. MM-GHG-10 states the project "may" implement a combination of water conservation strategies (e.g., low-flow fixtures, smart irrigation, greywater recycling). (SEIR, PDF p. 21.) It is also recommended that it be modified to include measures consistent with CAPCOA measures W-1 through W-7 (or explain why it is not feasible).

iii. MM-GHG-13 (prohibit wood burning devices) is akin to CAPCOA measure E-14, which is most relevant to "residential developments." Hence, this measure is not likely to be meaningful for this non-residential project.

02-52

e. Carbon Offsets Measure

Currently, SEIR includes a mitigation measure related to carbon offsets (i.e., MM-GHG-15). (SEIR, PDF pp. 15-37, 143-156, 179-180.) While commendable, "this measure should only be pursued when all possible onsite measures have been implemented or deemed infeasible," as noted in *CAPCOA measure M-2*.[53] Hence, it is recommended that the above mitigation measures be utilized first (or explain why they are infeasible). Additionally, as discussed above (supra section B.4), current GHG/VMT estimates may prove inaccurate, and new onsite mitigation measures may prove feasible over the course of the Project's 30-year lifespan (notwithstanding good-faith efforts). This can be mitigated by requiring an annual review of this measure. Therefore, it is recommended that these measures be modified to require annual reporting regardless of whether the applicant utilizes the "lump sum" or "annual basis" scenario for purchasing offsets. (Id., at PDF p. 28.) This can be coordinated with existing annual reporting requirements and provide the city with the opportunity to consider additional feasible mitigation measures.

02-53

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[52] https://www.dgs.ca.gov/bsc/calgreen; https://www.dgs.ca.gov/-/media/Divisions/BSC/05-Resources/CALGreen/2022-CALGreen-Supplement-Guide-07-01-24---Final.pdf.
[53] CAPCOA Handbook, PDF p. 460; see also 2022 Scoping Plan, Appendix D, PDF p. 29 (State recommends and prioritize on-site design measures).

F. CONCLUSION

In conclusion, Local 11 would like to thank the City for the opportunity to provide these comments. In short, it hopes to see revisions to the SEIR and MMRP to address the comments herein. We request that this letter be included in the Project's administrative record. 02-54

Sincerely,

Jordan R. Sisson
Attorney for Local 11

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Response to Comment Letter O2

Jordan R. Sisson, Attorney
On Behalf of Unite Here Local 11
November 6, 2025

O2-1 This comment is introductory and provides only a partial summary of the Project Description in the Draft SEIR. No response is necessary.

O2-2 The comment summarizes those comments that are made throughout the letter.

The Draft SEIR was prepared in compliance with CEQA and the Writ of Mandate (Writ). Thus, it includes a comprehensive analysis of the Project's potential greenhouse gas (GHG) emissions and vehicle miles traveled (VMT) impacts. Responses to the comments in this letter are provided below and are summarized as follows:

1. **Disclosure of Project Components.** The Draft SEIR and supporting technical reports provide a detailed description of the proposed Project, including site location, design features, and operational characteristics (see Draft SEIR Section 1.4, Overview of the Project; Section 3, Project Description; and Appendix C, Greenhouse Gas Emissions Technical Report [GHG Report], Section 1.4). These disclosures satisfy CEQA's requirements. No revision to the SEIR is required. For further discussion, see Response to Comment O2-7.
2. **Users of the Project's Components.** The Draft and Final SEIR state that only registered hotel guests will have access to the Project and its various amenities (Chapter 3, Project Description, Draft SEIR, p. 3-4). This limitation is stated in the project design features (PDFs) that are incorporated into the Project's Supplemental Mitigation Monitoring and Reporting Program (Supplemental MMRP; see Chapter 4 of the Final SEIR). The comment's speculation to the contrary is unsupported. For further discussion, see Responses to Comments O2-6 through O2-11.
3. **GHG Emissions and VMT Impacts.** The comment asserts that the Project's GHG and VMT impacts may be underestimated. Relying on expert analysis, reasonably foreseeable occupancy scenarios, and established methodologies and significance thresholds, the Draft SEIR properly evaluated the proposed Project's potential GHG emissions and VMT impacts. The Draft SEIR discloses that, even with implementation of all feasible on-site mitigation (**Mitigation Measure [MM] GHG-1** through **MM-GHG-14**) and carbon offsets (**MM-GHG-15**), emissions would remain significant and unavoidable. The proposed Project's VMT impacts were evaluated using the Orange County Transportation Analysis Model (OCTAM) which is developed and maintained by the Orange County Transportation Authority and mitigated through **MM-TRA-1** and **MM-TRA-2**. These measures would reduce the proposed Project's VMT impacts to less than significant levels. Nothing further is required by CEQA or the Writ. For further discussion, see Responses to Comments O2-8, O2-10, and O2-12-.
4. **Inclusion of a Housing Alternative.** The comment alleges that the Draft SEIR should have included a housing alternative. In compliance with CEQA, the Draft SEIR evaluates feasible alternatives to the proposed Project, including a reduced-intensity hotel alternative and a no-project alternative. As explained in Section 6.3 of the Draft SEIR, a housing-only development would not conform to the General Plan and zoning criteria, nor would it meet most of the Project's objectives. For these reasons, such a development was "considered but rejected" as a proposed Project alternative. For further discussion, see Responses to Comments O2-26 through O2-35.

5. **Mitigation Measures.** This introductory comment states that further/modified mitigation measures are required. The Final SEIR includes modifications to the mitigation measures and project design features (PDFs) made in response to comments received during the public review period. For further discussion, see Responses to Comments O2-38, O2-40, O2-42, O2-44, and O2-48.

The Draft SEIR and Supplemental MMRP comply with CEQA by providing full disclosure of anticipated impacts, applying conservative assumptions, and imposing all feasible mitigation. Although certain impacts remain significant and unavoidable (GHG emissions), the analysis and mitigation framework are consistent with state and regional climate policies and supported by substantial evidence.

O2-3 The comment references consistency with various plans and policies. The comment is introductory in nature and summarizes subsequent comments. Responses to those comments are provided below. No further response to this comment is necessary.

O2-4 The comment is requesting that the SEIR be revised to address the points raised in the letter. Responses to the letter's comments are provided below. Changes made to the Draft SEIR in response to this letter or otherwise are included in Chapter 3 of this Final SEIR. No further response to this comment is necessary.

O2-5 The comment cites established CEQA case law regarding the requirement for an accurate, stable, and finite project description as a foundational element of a legally sufficient EIR, referencing *San Joaquin Raptor Rescue Center v. County of Merced* (2007), *Citizens for a Sustainable Treasure Island v. City and County of San Francisco* (2014), and *Western Placer Citizens for an Agricultural and Rural Environment v. County of Placer* (2006). The Draft SEIR contains a detailed project description in Chapter 3 that identifies the Project's location and characteristics, including PDFs. This description of the proposed Project enables the public, decision makers, and reviewing agencies to meaningfully evaluate the proposed Project's environmental impacts, consider mitigation measures, and assess alternatives. No further response is necessary.

O2-6 The comment summarizes the letter's more detailed comments alleging that the Draft SEIR does not disaggregate (address separately) the individual Project components or make enforceable the assumption that 1,000 overnight guests will be on site. See Responses to Comments O2-7 through O2-10.

The proposed Project is a full-service high-rise themed resort hotel. It is intended to function as a fully immersive guest experience where guests come to stay and take full advantage of the amenities. To this end, and as incorporated in the proposed PDFs that are incorporated into the Project's Supplemental MMRP, hotel amenities would be available only to hotel guests. Day passes would be prohibited. In other words, the restriction of amenities to registered hotel guests is a PDF incorporated in the Supplemental MMRP, not merely an analytical assumption. Accordingly, there is no reasonable basis to disaggregate Project components or to assume that there will be more guests on site than the registered hotel guests. No revision to the SEIR is needed.

O2-7 The comment raises three points: (1) the Draft SEIR does not explain changes to the Project between the Mitigated Negative Declaration (MND) and Draft SEIR, contending that the total building size increased from the 691,693 square feet identified in the MND to 718,919 square feet in the Draft SEIR; (2) unlike the MND, the Draft SEIR does not disaggregate square footage by individual amenity;

and (3) the assumption that amenities are restricted to hotel guests only is not adequately explained. The second and third issues are related and will be addressed together.

The total building square footage has not changed between the MND and the SEIR. The difference in the disclosed building square footage referenced in the comment results from: (1) the MND excluded the below-grade parking square footage (52,206 square feet); and (2) the MND included the themed hotel pool square footage (24,980 square feet). The below-grade parking square footage should have been included, while the swimming pool square footage should have been excluded because it does not constitute building floor area. Both of these errors were corrected in the SEIR, resulting in 718,919 square feet (691,693 + 52,206 − 24,980 = 718,919). No comments were received on the MND regarding these issues, nor were they identified in the Writ as a matter requiring further analysis. The Project has not changed in any material respect compared to what was analyzed in the 2022 MND.

The Draft SEIR did not disaggregate uses because this is not an accurate reflection of how the hotel will be operated. The Draft SEIR modeled the proposed Project as a single "hotel" land use because all on-site components—including the fitness room, theater, swimming pool, and restaurant—are ancillary to the hotel use and would not be operated as independent public destinations. Based on the PDFs incorporated into the Supplemental MMRP, hotel amenities would be available for registered hotel guests only. This approach is consistent with the Institute of Transportation Engineers (ITE) Trip Generation Handbook for ITE Land Use 310, which defines a hotel as "a place of lodging that provides sleeping accommodations and supporting facilities such as full-service restaurant, cocktail lounge, meeting rooms, banquet rooms, and convention facilities" along with recreational amenities such as pools and fitness rooms—treating all such facilities as integral components of a single hotel use (ITE 2017). It is further consistent with California Emissions Estimator Model (CalEEMod) guidance for mixed-use projects, under which ancillary facilities that do not function as independent trip-generating destinations are appropriately subsumed within the primary land use category. Disaggregating the hotel's ancillary amenities as separate land uses would not produce a more accurate analysis; it would mischaracterize the proposed Project by treating captive on-site uses as though they would generate independent external trips and corresponding emissions. They would not.

No SEIR revision is necessary in response to this comment.

O2-8 The comment asserts that the Draft SEIR's GHG Report (Appendix C to the Draft SEIR) should not have relied on CalEEMod modeling that analyzes only hotel guest uses of ancillary amenities and features. Please see Responses to Comments O2-6 and O2-7. The comment assumes that the Draft SEIR may underestimate emissions by not analyzing the Project as if outside users could separately access Project amenities and features.

As previously explained, the proposed Project was modeled as a single hotel land use because all ancillary components are integral to the hotel operation, are limited to registered guests pursuant to the PDFs incorporated into the Supplemental MMRP, and do not function as independent trip-generating destinations. This is not a departure from accepted methodology—it is a more accurate characterization of the Project than the prior MND, which disaggregated uses in a manner that does not reflect how the facility will actually operate.

As explained in Section 4.1.4 of the Draft SEIR, the proposed Project's GHG emissions were generated by CalEEMod (Draft SEIR, p. 4.1-26). The Draft SEIR explained the CalEEMod inputs that were used to

project the proposed Project's potential GHG emissions on pages 4.1-26 through 4.1-33 and in Appendix C. These inputs included the land use types and sizes (Table 4.1-2); construction scenario (Table 4.1-3); and mobile, area, energy, water and wastewater, solid waste, refrigerant, and stationary sources (Draft SEIR, pp. 4.1-29 through 4.1-31). The Draft SEIR went on to explain which PDFs were quantitatively accounted for in CalEEMod (Draft SEIR, pp. 4.1-31 through 4.1-33).

The GHG analysis did not rely solely on CalEEMod default values. Project-specific inputs were substituted for defaults where the proposed Project's operational characteristics warranted refinement. For example, energy consumption estimates were adjusted to account for the heating demands of the themed swimming pool and associated water facilities—a feature that is not reflected in generic hotel defaults. Water use estimates were drawn from the proposed Project's Water Supply Assessment (Psomas 2022) rather than CalEEMod defaults, providing a Project-specific basis for water-related emissions. Amenities such as the themed pool are captured in the modeling through adjusted inputs that reflect their actual operational demands.

The resulting emissions inventory accounts for all major source categories—mobile, area, energy, water, waste, and refrigerants—associated with the hotel and its full complement of amenities. The comment has not identified a specific emission source that is absent from this inventory, nor has the comment provided quantitative support for the assertion that disaggregation would yield materially different results.

With respect to DisneylandForward, that project included theme park and amusement park uses that are categorically distinct from hotel operations, attract an entirely separate and independent visitor population, and have no equivalent in CalEEMod's default land use categories. The proposed Project does not include any public-facing theme park or amusement facility. Its amenities are operationally and functionally equivalent to those described in ITE Land Use 310, which expressly encompasses pools, fitness rooms, restaurants, lounges, and meeting facilities as standard hotel components (ITE 2017).

For these reasons, the Draft SEIR's GHG emissions analysis appropriately modeled the Project as a unified hotel use with Project-specific adjustments, consistent with CEQA and accepted modeling practices. No revision to the SEIR is necessary.

O2-9 The comment addresses the CalEEMod GHG modeling of mobile source emissions. The comment assumes that the Project's 1,000 guests are based on 2 overnight guests per 500 hotel rooms. This assumption is incorrect. As explained in detail in the Draft SEIR, the number of overnight guests used in the VMT analysis, and in turn in the CalEEMod calculation of mobile source emissions, is based on a reasonably foreseeable occupancy scenario (2.5 persons per room, at 80% occupancy) (Draft SEIR, p. 4.2-13). To the extent this comment reiterates a concern about day users of the proposed Project's amenities, see Responses to Comments O2-6 through O2-8.

The comment seems to assume that the Draft SEIR used only the 1,000 guests to model the Project's GHG emissions but 1,000 guests plus 446 employees to calculate the Project's VMT impacts. That assumption is incorrect. For purposes of the CalEEMod mobile source module, the OD Origin/Destination (VMT) is the relevant methodology. As Draft SEIR Section 4.2 explains, the OD method sums up all VMT from trips that either start or end within the Project. And, as acknowledged in the comment, the OD VMT assessment used a service population of 1,000 guests plus 446 employees

(Draft SEIR, Appendix D, Attachment A, p. 6). Specifically, as described in Table A of the VMT assessment, the Project service population of 1,000 guests and 446 employes results in a total Project-generated VMT of 21,914 (Draft SEIR, Appendix D, p. 6). The GHG Technical Report attached to the Draft SEIR as Appendix C shows that this total 21,914 VMT figure from the VMT assessment was included in CalEEMod (SEIR, Appendix C, pp. 61, 73, and 188).

No revision to the SEIR is needed in response to this comment.

02-10 The comment assumes that day visitors could access the hotel's amenities. Relying on that assumption, the comment asserts that the Draft SEIR's VMT analysis undercounts vehicle trips by limiting its service population to 446 employees and 1,000 overnight guests; that this represents a departure from the prior MND, which accounted separately for theater trips; and that the analysis should have followed the DisneylandForward approach of incorporating day-guest trips independent of hotel occupancy.

The comment suggests that the VMT analysis should have assumed that more guests would visit the hotel to use the hotel amenities. As explained above, no day visitors or outside guests will be permitted. Because there would be no independent day-visitor population, separate trip rates for ancillary uses are not warranted (see Responses to Comments 02-6 to 02-8).

The prior MND assumed the theater would be open to visitors other than registered hotel guests. That assumption was not consistent with the proposed Project operations discussed in the MND and evaluated in the Draft SEIR.

As explained previously, DisneylandForward includes theme park and amusement facilities open to the general public, generating a large day-guest population entirely independent of hotel occupancy. The proposed Project has no equivalent. As such, separate trip rates for ancillary uses independent of hotel trips are not required for the proposed Project (see Response to Comment 02-8).

No revision to the SEIR is required.

02-11 The comment states that the Draft SEIR's analysis does not include day visitors in its VMT analysis, as DisneylandForward did. It also cites Great Wolf Lodge as a comparable example, where access to the facility is not limited to registered guests. As explained in Responses to Comments 02-6 to 02-10, access to all on-site amenities—including the theater, restaurant, and themed pool—would be restricted to registered hotel guests pursuant to the PDFs incorporated into the Supplemental MMRP (see Chapter 4, Supplemental Mitigation Monitoring and Reporting Program, of this Final SEIR). Therefore, it would not be appropriate to estimate trips and VMT from day guests because the Project is unlike Disneyland, Knott's Berry Farm, Legoland, or Great Wolf Lodge in that respect. No revision to the SEIR is required.

02-12 The comment restates that the Draft SEIR's VMT and GHG emissions analysis does not account for trips and VMT from day visitors or guests. The comment suggests that the SEIR either reassess use of on-site amenities by day guests or include a condition of approval or PDF in the MMRP that limits the number of employees and guests to the assumptions used in the Draft SEIR.

The City incorporates Responses to Comments O2-6 through O2-11 on the same topic here. As stated in those responses, no revision to the SEIR is necessary.

O2-13 This comment acknowledges that the Draft SEIR estimates the Project's GHG emissions at 7,520.09 metric tons of carbon dioxide equivalent (MT CO_2e) per year, compared to 3,316 MT CO_2e per year in the prior MND, and prefaces further comments regarding the Draft SEIR's GHG analysis. Responses to those further comments are provided below.

As context for the responses that follow, the updated Draft SEIR GHG emissions analysis was prepared in response to the Writ and in compliance with CEQA. The analysis was updated to reflect current modeling inputs, a new version of CalEEMod, and Project-specific operational source inputs (emergency generator, increased energy use for water heating). The GHG methodology estimates GHG emissions using CalEEMod (the statewide standard modeling program) and the GHG analysis evaluates the Project in comparison to the lowest South Coast Air Quality Management District threshold: 1,400 MT CO_2e per year for commercial projects.

O2-14 This comment reiterates the assumption about the use of the Project amenities by day guests and recommends either making that restriction an enforceable condition in the Supplemental MMRP or revising the analysis to account for potential day-visitor access. See Responses to Comments O2-6 to O2-12. The restriction of amenities to registered hotel guests is already specified in the Draft SEIR's project description (Section 3.4.2, Operations, p. 3-4) and incorporated into the Supplemental MMRP, not merely an analytical assumption. No revision to the SEIR is required in response to this comment.

O2-15 The comment states that the CalEEMod worksheets identify more than 20 emissions reduction measures that correlate with California Air Pollution Control Officers Association (CAPCOA) mitigation strategies, and that it is unclear how these measures correspond to the Draft SEIR's listed PDFs and mitigation measures, whether they are consistent with CAPCOA strategies, and why other CAPCOA measures were not considered for incorporation. More detailed comments on mitigation measures are provided in Section E of the comment letter (designated as Comments O2-36 through O2-53 and addressed herein in Responses to Comments O2-36 through O2-53); corresponding responses are provided in this section in Responses to Comments O2-16 and O2-17.

CEQA does not require inclusion of any CAPCOA measures in a GHG emissions analysis. The Draft EIR analyzed and disclosed the Project's potentially significant GHG impacts with and without mitigation. That analysis included an evaluation of PDFs and feasible mitigation measures, some of which were based on measures identified in CalEEMod or on CAPCOA recommendations. The Project's PDFs and mitigation measures do not mirror CAPCOA language verbatim; rather, they were intentionally tailored to reflect Project-specific design features, construction methods, and operational characteristics. This approach is consistent with CEQA best practice and CAPCOA guidance, which anticipates that lead agencies will adapt recommended measures to suit individual projects. In compliance with CEQA, the Draft SEIR documents the basis for any reductions in GHG emissions or impacts based on application of the PDFs and mitigation measures. Although the Draft SEIR is already compliant with CEQA, to improve clarity, Table 4.1 in Section 4.2, Supplemental Mitigation Monitoring and Reporting Program, in the Final SEIR includes text in italics specifying which CAPCOA measures from the CalEEMod worksheets correlate to each PDF or mitigation measure.

Regarding the comment's suggestion to incorporate additional CAPCOA measures, it is important to note that CEQA does not require adoption of every possible mitigation measure or measures not required to substantially reduce a project's GHG emissions in light of other measures already imposed. Under CEQA Guidelines Section 15126.4(a)(1), mitigation must be "feasible" and capable of substantially lessening or avoiding the significant environmental effect. Measures that are not applicable, do not achieve meaningful reductions, or are speculative do not meet this standard. Courts have reinforced this principle, holding that mitigation must be effective and supported by substantial evidence. The Draft SEIR's mitigation strategy complies with CEQA's requirements. Except as disclosed in the SEIR, the Supplemental MMRP imposes feasible, effective measures such as energy efficiency, renewable energy, water conservation, waste reduction, transportation demand management (TDM), and carbon offsets to reduce the Project's potentially significant impacts.

02-16 The comment opines that the City should impose different mitigation measures than those specified in the Draft SEIR. Specifically, the comment argues that the City should have included other, unspecified on-site mitigation measures targeting mobile and energy-related emissions before relying on offsets. More detailed comments are provided in Section E of the comment letter (designated as Comments 02-36 through 02-53 and addressed herein in Responses to Comments 02-36 through 02-53); corresponding responses regarding unspecified on-site mitigation measures are provided in this section in Response to Comment 02-17.

The SEIR incorporates feasible and effective PDFs and mitigation measures that directly reduce the Project's potentially significant GHG emissions, including mobile and energy-related GHG emissions. These measures were selected because they are feasible and capable of substantially reducing emissions, as required by CEQA Guidelines Section 15126.4(a)(1). CEQA does not require adoption of measures that are infeasible or fail to achieve meaningful reductions.

Consistent with CAPCOA strategies and CEQA requirements, examples of the SEIR's mitigation measures include the following:

- Transportation Measures: **MM-TRA-1** and **MM-TRA-2** reduce employee commute trips through commute trip reduction programs and bicycle facilities, while **MM-GHG-5** promotes guest trip reductions by improving walkability, providing bicycle rentals, and encouraging public transit use.
- Energy Measures: **MM-GHG-7** enhances building energy efficiency through advanced HVAC systems, smart controls, and low-E glazing, and **MM-GHG-9** requires installation of on-site renewable energy (solar photovoltaic panels). **MM-GHG-10** addresses water conservation, indirectly reducing energy demand for water heating and treatment.

Although the comment does not identify any specific energy or transportation measures, it is important to note that the Draft SEIR did not claim reductions in CalEEMod for certain transportation-related measures (see Chapter 4, Section 4.1, of this Final EIR for CAPCOA Measures T-5, Implement Commute Trip Reduction Program [Voluntary]; T-7, Implement Commute Trip Reduction Marketing; T-8, Provide Ridesharing Program; T-9, Implement Subsidized or Discounted Transit Program; and T-10, Provide End-of-Trip Bicycle Facilities) when doing so would have potentially resulted in an inaccurate representation of the Project's GHG emissions. Specifically, the Project's GHG emissions generated by VMT, and any related reductions, were based solely on the Project's VMT's modeling and analysis. That VMT modeling and analysis was prepared in accordance with the adopted City of Garden Grove Traffic Impact Analysis

Guidelines for Vehicle Miles Traveled and Level of Service Assessment (VMT Guidelines; City of Garden Grove 2020) and OCTAM. Although the Project includes feasible transportation measures, such as commute trip reduction programs, bicycle facilities, and guest trip reduction strategies, consistent with CalEEMod, GHG reductions were not attributed to those measures because doing so would have required speculation. For those measures, the SEIR still imposed the mitigation as a binding commitment and provided a qualitative analysis rather than quantitative reductions that would not have been supported by substantial evidence. Applying additional VMT-based trip reduction credits in CalEEMod beyond what is already reflected in the OCTAM-based VMT analysis would effectively count the same reductions twice: once in the VMT model and again in CalEEMod. The Draft SEIR avoided this approach to maintain analytical integrity and consistency between technical studies.

As the Draft SEIR discloses, even with the incorporation of feasible energy, transportation, and other GHG reduction measures, the Project's GHG emissions, including from mobile and energy sources, remain significant. For this reason, the Project includes **MM-GHG-15**, which requires purchase and retirement of carbon offsets to achieve emissions below the South Coast Air Quality Management District's lowest threshold of significance of 1,400 MT CO_2e per year. Offsets are necessary because non-speculative, non-duplicative, quantifiable and feasible on-site mitigation measures are not sufficient to reduce the Project's GHG emissions below a level of significance.

The primary source of GHG emissions for the Project are mobile and energy sources. CAPCOA's Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (Handbook) (CAPCOA 2024) establishes explicit caps to prevent double-counting and overstatement when multiple transportation measures are combined. When land use, neighborhood design, parking/road pricing, and transit measures are combined, for example, the Handbook adopts a 70% maximum reduction in VMT, based on empirical comparisons of suburban vs. central-city travel behavior. Because most mobile-source GHG emissions scale directly with VMT, this 70% VMT cap results in a maximum theoretical GHG reduction of approximately 70% for mobile sources. However, a 70% maximum would not be achievable or reasonable for a guest-oriented resort hotel such as the Project located within the City because the Project's travel demand is driven primarily by discretionary visitor trips originating outside the local region, over which the Project has little to no control, rather than by resident commute patterns or daily internal capture. Unlike mixed-use urban developments or residential infill projects, a destination resort cannot materially influence trip frequency, trip length, or mode choice for most guests, who typically arrive by personal vehicle or regional air travel. As such, the empirical suburban-to-central-city VMT comparison underlying CAPCOA's 70% cap is not applicable to a visitor-serving hospitality use, and applying that maximum reduction would overstate achievable mobile-source GHG emissions reductions and conflict with the Handbook's guidance to avoid speculative or unsupported assumptions. Based on the experience and expertise of the City and its consulting experts, relying on the specifics of the Project and recognizing that the adopted mitigation would not result in quantifiable GHG emissions reductions, a reasonable estimate of potential GHG emissions reductions attributed to the Project's transportation-focused mitigation measures (**MM-GHG-4**, **MM-GHG-5**, **MM-TRA-1**, and **MM-TRA-2**) would be in the range of 10%, Even if all energy GHG emissions were eliminated from the Project, the mobile sources alone would exceed the South Coast Air Quality Management District threshold of 1,400 MT CO_2e per year. Therefore, the Final SEIR appropriately and reasonably included GHG emission offset credits as a mitigation measure for the purposes of potentially reducing the Project's GHG emissions below the significance threshold.

02-17 The comment reiterates the assumption about non-hotel guest use of the Project's amenities and asserts that the required number of offsets may be underestimated. The comment also argues that the City should modify **MM-GHG-15** to impose an annual reporting and reevaluation requirement related to Project GHG emissions, VMT, and mitigation effectiveness. More detailed comments on other PDFs and mitigation measures identified in the comment are provided in Section E of the comment letter (designated as Comments O2-36 through O2-53 and addressed herein in Responses to Comments O2-36 through O2-53).

For responses to comments regarding non-hotel guest use of the Project's amenities, please see Response to Comment O2-6.

As to the arguments about requiring an annual reporting and reevaluation of GHG emissions and impacts, CEQA does not mandate such an approach following the adoption of an EIR. To do so would introduce a whole new level of uncertainty for projects, public agencies, and the public that is not required by CEQA. Rather, CEQA applies the "rule of reason," meaning that the analysis and mitigation must be based on reasonable assumptions and substantial evidence, not speculative scenarios. CEQA requires a good-faith estimate of impacts at the time of environmental review based on a reasonable methodology and set of assumptions supported by substantial evidence (CEQA Guidelines Section 15064.4). Lead agencies are afforded discretion to determine the methodology for estimating GHG emissions impacts and selecting mitigation measures, provided the approach is explained and supported by substantial evidence. Further, CEQA prohibits application of the law that imposes additional substantive obligations beyond those specified in CEQA. The Draft SEIR's GHG analysis, mitigation, and significance determinations comply with CEQA's standards without imposition of the new methodology and speculation suggested in the comment.

MM-GHG-15 requires the purchase of carbon offsets either in a lump sum or annually to achieve emissions below the threshold of significance of 1,400 MT CO_2e. The Draft SEIR's methodology and analysis meet CEQA's requirements for a reasonable, evidence-based analysis at the time the project is considered for approval.

02-18 The comment states that the SEIR should be revised to address the issues previously identified and include consideration of additional mitigation measures, as further discussed in Section E of the comment letter (designated as Comments O2-36 through O2-53); see corresponding Responses to Comments O2-36 through O2-53.

The Draft SEIR includes a suite of GHG mitigation measures, **MM-GHG-1** through **MM-GHG-15**, addressing energy efficiency, renewable energy, water conservation, waste reduction, TDM, and carbon offsets. CEQA does not require an EIR to incorporate every conceivable mitigation measure or to guarantee zero impact; rather, it requires a good-faith effort to disclose and mitigate significant impacts to the extent feasible. The Draft SEIR meets this standard.

02-19 This comment is introductory and is followed by more detailed comments regarding VMT impacts. The comment cites cases and rulings that the comment contends relate to VMT analysis.

In accordance with CEQA requirements, the Project's analysis in the Draft SEIR employs the VMT metric and includes both baseline and cumulative conditions analysis of the Project's potential VMT impacts utilizing VMT Guidelines adopted by the City for that purpose. Specifically, the cumulative scenario

represents the year 2050 and evaluates the potential impacts of the Project in addition to other development that would occur in the future (in terms of population and employment growth included in OCTAM). See Responses to Comments O2-20 through O2-25.

O2-20 The comment reiterates their statements about non-hotel-guest use of the Project's amenities, as related to the trip generation and service population estimates used in the Draft SEIR. See prior Response to Comment O2-6. As discussed in that response, access to the Project's amenities is restricted to registered hotel guests pursuant to PDFs that are incorporated into the Project's Supplemental MMRP.

O2-21 The comment requests additional clarification for consistency of the service population estimation with the Great Wolf Lodge.

The comment questions whether the guest service population estimate used in the VMT analysis is consistent with data from the Great Wolf Lodge and other comparable projects, and whether data regarding potential day use was considered. For responses regarding day use of the Project's amenities, please see Response to Comment O2-06.

Regarding consistency with the Great Wolf Lodge resort in Garden Grove mentioned in the comment, that resort also offers guests a fully immersive experience. Information provided to City staff via phone communication indicates that Great Wolf Lodge averages approximately 3.0 persons per room (Austin-Harris, pers. comm., n.d.). Although per-room occupancy data was not readily available for specific hotels, because the Project is smaller in scale than Great Wolf Lodge, the regional average of 2.5 persons per room was used as a good-faith basis for estimating the guest service population. A lower occupancy per room results in a lower service population (i.e., denominator used in the VMT calculation) and therefore results in a higher VMT per service population.

Regarding hotel occupancy rates, data published by the American Hotel & Lodging Association reports that the nationwide hotel occupancy rate in 2019 was 65.9%, with projected 2023 occupancy of 63.8%. California occupancy rates are notably higher, with 2019 occupancy at 74.9% and projected 2023 occupancy at 73.8% (AHLA 2023). Because resort uses of this nature tend to be seasonal and the Project would not be expected to operate at full capacity year-round, an occupancy rate of 80% was used as a reasonable assumption, which is slightly higher than both the national average and the California average. The City's VMT technical expert's use of relevant source data and engineering judgment led to the selection of the 80% occupancy rate. No further analysis is required.

O2-22 The comment seeks clarification of the Draft SEIR's employee estimate of 446 employees. The comment suggests that the number is inflated, stating that the allegedly inflated estimate results in an understatement of the Project's VMT impact and as a result reduces the mitigation required.

The Draft SEIR explains the basis for the employee estimate on page 4.2-14 and in the VMT Memorandum in Appendix D to the Draft SEIR. In accordance with the City's VMT Guidelines, the VMT analysis utilized OCTAM, which is the transportation analysis model maintained by the Orange County Transportation Authority. OCTAM was also used to evaluate the potential VMT impacts of other resort/hotel uses in Orange County, including the DisneylandForward project.

The Draft SEIR explains that OCTAM does not have a modeling category for "hotel employment" or "resort hotel employment." To estimate the number of employees for the proposed Project, therefore,

the City's technical experts researched other transportation models. One model, utilized because it represents a good fit for the Project, was the SANDAG transportation model (SANDAG Model), maintained by the San Diego Association of Governments (SANDAG). This is because the San Diego region has a number of hospitality uses with features and operations similar to the proposed Project, including several destination and non-destination hotels. The closest fit from the SANDAG Model land use input file for these purposes was "High Rise Hotel." The applicable input for "High Rise Hotel" from the land use input file was used for calculating employment densities (SANDAG 2023) by the City's technical experts.

The SANDAG Model land use input file utilizes a ratio of 1 employee per 1,550 square feet to determine the total number of employees in the "High Rise Hotel" use. Here, the VMT evaluation used the building area of 691,693 square feet for the Project size. Using 691,693 square feet, divided by 1,550 feet per employee, yields 446 employees. This includes part-time and full-time employees.

The comment questions the use of the gross building square footage when applying the SANDAG model. The SANDAG methodology for employment estimation relies on building square footage or area as the basis for estimating employees. SANDAG gathered and compiled real-world information from operating developments to identify the square-footage-based formula for estimating the number of employees. It uses total building area or rentable building area (where available) to estimate employment density datasets for non-residential uses, including hotels. Therefore, the Project's building area was used to estimate the number of employees. The comment offers the opinion that the City should ignore the SANDAG methodology and instead exclude all gross floor area associated with the Project's parking garage from the Project's gross square footage for purposes of estimating employment numbers. However, using the incorrect inputs suggested by the comment would undermine the credibility of the SANDAG model results because it disregards the basic building-square-footage-based methodology to identify an employment density for high-rise hotels. Excerpts from SANDAG ABM2+ Enhancements Final Report, 2.0 Employment Densities, Appendix A, Land Use Definitions, and Appendix B Table 38: Square Footage Based Employment Densities (SANDAG 2022) including spreadsheet with land use inputs (SANDAG 2023) used in the Project's analysis have been provided as attachments to Appendix A, Employee VMT Estimation for Site B-2 Hotel Project Memorandum (Employee VMT Memo).

With respect to the SANDAG employee estimation methodology and the Draft SEIR's reliance on 691,693 square feet as the building square footage, the Draft SEIR conservatively used a lower Project building square footage than that used for the GHG emissions analysis. As relevant to this comment, the VMT impact analysis involves a service-population-based calculation. As the comment recognizes, using higher employment numbers could actually reduce the VMT per-service-population results. While use of the higher building-square-footage number for VMT would have been proper, it would have resulted in only 18 more employees. The Draft SEIR's arguably slight underestimation of employees (and corresponding slight overestimation of the Project's VMT per service population) is a conservative approach that does not necessitate a modification to the SEIR.

In an abundance of caution, the City's VMT experts compared the number of employees generated by the SANDAG model against other relevant sources of employment generation data. Those other sources relied on a per-hotel-room formula that specified that employee ratios can vary between 0.8 and 1.2 employees per room (see City of Hotels 2025). As applied to the proposed Project, the number of employees could range between 400 and 600 employees for a 500-room hotel. This range validates

the SANDAG derived estimate of 446 employees, especially as the SANDAG rate was specifically established for a high-rise hotel like the Project.

The comment compares the SANDAG employee ratio to the ratio provided in the City of Los Angeles (LA) VMT calculator. The City of LA VMT calculator is a highly customized tool based on the 2016 City of LA Travel Demand Forecasting Model. Specifically, one item to note is that the jobs per unit for a hotel and motel are the same at 0.5 employees per room (LADOT & DCP City of LA VMT Calculator Documentation p. 11). The Project is substantially different from a typical hotel/motel found in the City of Los Angeles in terms of amenities and ancillary uses. Typically, a motel would include a small breakfast area and not any of the substantial amenities that will make the Project a destination resort. Similarly, some larger hotels might have restaurants or meeting facilities, but again they would not include the Project's combination of ballroom, meeting space, food, arcade, themed amenities, and spa uses. Therefore, because the SANDAG model includes an employment generation formula established for high-rise hotels like the Project, substantial evidence does not support the comment's argument that the Draft SEIR should have instead used the City of LA methodology.

See Appendix A, Employee VMT Memo, for additional, clarifying information that further validates the methodology and expert conclusions summarized in the Draft and Final SEIR.

Therefore, the use of 446 employees properly estimates the VMT impact of the Project. As shown in the Project's VMT analysis in the Draft SEIR and Appendix D, the VMT per employee is estimated as 15.3 VMT per employee, which is above the City's VMT significance threshold of 14.6 VMT per employee and therefore requires mitigation. The VMT analysis recommends two mitigation measures (**MM-TRA-1** and **MM-TRA-2**) that are feasible and would reduce the Project's VMT impact from its employees to less-than-significant levels. Additional VMT reduction measures are included as part of **MM-GHG-5**. The Project does not require mitigation measures in addition to those currently identified in the Draft SEIR.

02-23 The comment asks for clarification regarding the Project VMT analysis and use of OCTAM. The Project's VMT assessment was prepared in accordance with the City's VMT Guidelines and utilized OCTAM, the model recommended by the City's VMT Guidelines for detailed VMT analysis (City of Garden Grove 2020, p. 19). The City's VMT Guidelines require a project's VMT analysis to be conducted using the metric of service population and, if appropriate, using the metric of resident or employee (City of Garden Grove 2020, pp. 16, 20). The Project's VMT analysis goes above and beyond the City's VMT Guidelines in that it evaluates VMT per service population as well as VMT per employee (Draft SEIR, Appendix D, VMT Memorandum, PDF p. 4).

The comment suggests that by comparing the Project to a retail use for VMT analysis purposes, the VMT study concedes that the Project may generate above-average occupancy compared to a typical business or tourist hotel in the City. The City VMT Guidelines state that "in some cases, it may be appropriate to extract the Project-generated VMT using the production-attraction matrix" and that "the City should evaluate the appropriate methodology based on the project land use types and context" (City of Garden Grove 2020, p. 20).

Conservatively, the VMT evaluation chose to employ the Production/Attraction, or PA, method alongside the OD method. The retail comparison in the VMT Memorandum was not a statement about the Project's expected occupancy levels; it was a methodological explanation for why both the OD and PA VMT methods were utilized. As explained in the VMT Memorandum, the hotel use is similar to retail in

the sense that guests may choose to stay at other hotels if this Project were not available, just as shoppers may go elsewhere if a particular retail center is not there (Draft SEIR, Appendix D, VMT Memorandum, p. 2). This characteristic means that, like retail, the Project generates a significant number of customer trips that are best captured through the OD method. At the same time, the hotel is similar to an office use in that employees commute to work, which is best captured through the PA method. By applying both methods, the VMT analysis accounts for both guest and employee trips. This methodological choice does not reflect anything about the Project's anticipated occupancy levels, which are addressed separately in Response to Comment O2-21.

The comment argues that using the City boundary for the VMT analysis artificially truncates the review, given Project's potential regional draw. The comment's assertion that a project with a regional draw requires a different approach to VMT analysis than that used in the Draft SEIR demonstrates a misunderstanding of the purpose and function of the boundary method approach. The VMT Memorandum directly addresses this issue and explains why the City boundary is appropriate for this Project (Draft SEIR, Appendix D, VMT Memorandum, p. 2, footnote 3). The SEIR's use of the City boundary to evaluate the Project's effect on VMT does not mean the VMT analysis assumes that all Project guests will come from the City. The Draft SEIR does not make such an assumption. The boundary methodology evaluates all trips, including those that do not begin or end within the City boundaries. The Draft SEIR recognizes that the proposed Project is a destination resort hotel, which makes it different than a regional shopping center or office park. With all the amenities that will be offered at the hotel, Project guests can arrive and largely remain on site. The VMT analysis recognizes this core element of the Project and considers the Project's location within Orange County, its regional accessibility via Interstate 5 and State Route 22, its proximity to John Wayne Airport, its proximity to nearby destinations such as Disneyland Resort, and the fact that most guests are anticipated to visit the Project with the specific intent to enjoy the Project's on-site amenities and attractions (Draft SEIR, Appendix D, VMT Memorandum, p. 2, footnote 3). These factors distinguish the Project from traditional business hotels and limited-amenity tourist hotels where the hotel itself is not the destination. Those other types of hotels typically offer a place to stay for a night or more. However, other businesses and places are the primary destinations for those visitors and the trips generated by those guests are more likely to be dispersed across a wider geographic area and a larger boundary for those types of hotels might therefore be more appropriate. For example, the Great Wolf Lodge estimated that only 5% of its guests visit Disneyland (Austin-Harris, pers. comm., n.d.). Additionally, if guests choose to visit other attractions, another benefit of the Project is that guests can avail themselves of the public shuttle that offers a convenient means for guests who drive to the Project to visit other tourist attractions, such as Disneyland, without having to incur the cost and hassle of driving their own vehicle. The City boundary thus captures the relevant trip endpoints accurately (Draft SEIR, Appendix D, VMT Memorandum, pp. 2, 4).

The comment argues that the City's VMT Guidelines do not include hotel guests in the service population metric, and that the VMT Guidelines require reasonableness checks of model outputs to ensure the proposed development's effect is accurately captured.

The City's VMT Guidelines define service population as population plus employment (City of Garden Grove 2020, p. 16). The City's VMT Guidelines were developed for standard land uses such as residential, office, retail, and local-serving hotels. A destination resort hotel of this type, which attracts a significant guest population in addition to its employees, presents a unique circumstance, and the

VMT Guidelines did not include a specific metric for such resort hotels. Consistent with the VMT Guidelines' requirement that "all assumptions and methodologies of the VMT analysis are subject to review by the City Traffic Engineer" (City of Garden Grove 2020, p. 16), the VMT analysis was developed in consultation with City staff to ensure that the methodology appropriately captured the Project's specific characteristics.

Including guests in the service population for the Project is the proper approach. OCTAM does not have a separate category for hotel guests (Draft SEIR, Appendix D, VMT Memorandum, PDF p. 3). When employees are input into the Project's traffic analysis zone, the model automatically generates trips for both employees and guests (Draft SEIR, Appendix D, VMT Memorandum, PDF p. 2). This is because OCTAM treats hotel employment as service employment, a land use type that generates both worker commute trips and customer trips. Guest trips therefore appear in the model output automatically, as part of the total VMT figure. Because guest trips are included in the total VMT (the numerator), excluding guests from the service population (the denominator) would produce misleading results. Including guests in the service population ensures that the ratio accurately reflects the Project's projected VMT efficiency. If guests were excluded from the denominator while their trips remained in the numerator, the ratio would be distorted. Including guests in both the numerator and denominator produces a more accurate and complete picture of the Project's VMT per service population.

Additionally, as the comment notes, the City's VMT Guidelines require that model outputs include reasonableness checks of productions and attractions to ensure the proposed development's effect is accurately captured (City of Garden Grove 2020, p. 19). This was done with the Draft SEIR's analysis. The Project's VMT analysis is based on both Project Generated VMT and Project Effect on VMT. While the additive method (where Project socioeconomic data is added to the existing traffic analysis zone) can calculate Project Effect on VMT, it does not isolate the Project to calculate Project Generated VMT. The modeling for the Project therefore necessitated the creation of a Project-specific traffic analysis zone (TAZ), contrary to what the comment argues. The number of trips generated by the Project's TAZ i.e., 3,262 daily trips (shown in Appendix C, CalEEMod Output Files, Section 5.9.1, pp. 260–261)—was compared to ITE trip generation estimates for the proposed uses (using a 5.84 daily trips per room rate for a hotel per the most recent ITE Trip Generation Manual (2025). Using ITE, a 500-room hotel is estimated to generate 2,920 daily trips. This result demonstrates that the model presents a conservative (higher) estimation of trips for purposes of the VMT analysis that is consistent with, and within a reasonable range of, what using ITE would have generated (i.e., +/− 10%). Because trip numbers generated by the model are higher, they more than adequately and sufficiently account for employee trips that are anticipated for the Project compared to a typical hotel. See Response to Comment O2-10 for a further discussion of the number of Project trips and VMT for the proposed uses.

The comment also suggests that custom theme-park-related trip rates should have been used, similar to the approach used for the DisneylandForward project. As discussed in Responses to Comments O2-08 and O2-10, DisneylandForward includes a public-facing theme park and amusement facilities that attract a significant, independent day-visitor population. The proposed Project has no equivalent public-facing theme park or amusement facility that will be accessible by anyone other than registered hotel guests, pursuant to PDFs incorporated in the Project's Supplemental MMRP. Custom theme-park trip rates are therefore not applicable. The Project's VMT analysis is consistent with the City's VMT Guidelines. No revision to the Draft SEIR is required.

02-24 The comment asserts that the Draft SEIR failed to incorporate additional TDM measures that would be relevant to the Project's consistency with various General Plan Air Quality and Circulation Element goals and policies.

The Draft SEIR incorporates feasible and enforceable TDM mitigation measures that directly address the Project's VMT impacts and are consistent with the General Plan policies identified in the comment. **MM-TRA-1** implements a commute trip reduction program for employees, consistent with General Plan policies promoting TDM and reduced vehicle trips. **MM-TRA-2** provides end-of-trip bicycle facilities, consistent with General Plan policies promoting bicycle access. **MM-GHG-5** promotes transit use and walkability for guests, consistent with General Plan policies encouraging alternative transportation modes. Together these measures reduce the Project's VMT impacts to less-than-significant levels and demonstrate consistency with the applicable General Plan provisions.

CEQA does not require adoption of every available TDM measure. CEQA only requires those that are feasible and necessary to reduce significant impacts to a less than significant level. The Project's VMT impacts have been reduced to less than significant levels through the adopted mitigation measures. The reference to additional General Plan policies does not demonstrate a conflict between the Project and those policies. It merely suggests that additional measures could have been included. That is not a deficiency under CEQA. The comment's specific TDM recommendations are addressed in Responses to Comments O2-39 through O2-51.

No revision to the Draft SEIR is required.

02-25 This comment is a concluding recommendation that the SEIR address the issues raised in Comments O2-19 through O2-24 and that further mitigation be considered. Please see Responses to Comments O2-19 through O2-24 for responses to the issues summarized in this memorandum.

02-26 This comment is introductory and paraphrases general CEQA concepts regarding the required alternatives analysis. The comment argues that the Draft SEIR failed to consider an alternative that includes at least some level of affordable housing on site. As discussed in Responses to Comments O2-27 through O2-35, the Draft SEIR's alternatives analysis was prepared in compliance with CEQA and the Writ of Mandate. The Draft SEIR considered a reasonable range of alternatives, including a no-project alternative and a reduced-intensity hotel alternative, and evaluated whether a housing alternative would be feasible and capable of meeting the Project's objectives. The Draft SEIR meets CEQA's requirements for alternatives analysis.

02-27 The comment states that the Draft SEIR should have considered a mixed-use alternative with both hotel and residential/affordable housing components.

CEQA states that alternatives must "attain most of the basic objectives of the project" and "achieve the project's fundamental purpose." A lead agency is permitted to reasonably define the underlying project purpose and is not required to analyze an alternative that cannot achieve the basic goal of the project. The unequivocal purpose of the proposed Project is to develop a themed, destination resort hotel. The Project's objectives include, among others, the following: (1) develop a destination hotel; (2) provide for an enhanced overnight guest experience with themed amenities attractive to families and other visitors who will use the Project as a tourist destination location in and of itself; (3) implement the Project site's International West Mixed Use General Plan designation by including hotel, entertainment

and resort elements to promote guest visits of multiple days; (4) develop a destination hotel in a location with convenient access to public transit and a shuttle system that connects the Project to other tourist attractions in the area, including those along the Harbor Boulevard resort corridor; (5) support increased tourism in the City while also complementing other tourist destinations in surrounding communities; (6) generate a material amount of transient occupancy and property tax revenue for the City; and (7) develop a facility of sufficient size to attract a partnership with a national or international theme park franchise (Draft SEIR, Section 1.4.2, p. 1-3).

As a matter of public policy, the City has identified this property for entertainment/resort/tourism uses. The Project site is in an area of the City designated as International West Mixed Use (Focus Area A) along Harbor Boulevard, generally between Chapman Avenue on the north and the Garden Grove Freeway (State Route 22) on the south. According to the Garden Grove General Plan (City of Garden Grove 2008), this area:

> Holds critical importance for the City for revitalization and economic stimulus purposes. Ideally situated south of the Disneyland Resort district, this area has opportunities to capitalize and expand tourist-based and entertainment-related uses. Full-service hotels and new restaurants have been constructed, predominately at the intersection of Chapman Avenue and Harbor Boulevard. An Economic Impact and Master Plan for the International West Resort Area was prepared to identify strategies to complement established entertainment, hospitality, and sports venues in the surrounding areas by planning for three entertainment centers connected by themed commercial services and retail uses, entertainment venues, hotels, theaters, and parks.

As the Draft SEIR reflects, the Project site's 3.72-acre property is well situated for the Project's proposed resort hotel use, with frontage along Harbor Boulevard for themed entertainment uses within easy driving distance of Disneyland Resort and within easy proximity of existing tourism based uses in the City (Draft SEIR, Section 3.3, Project Objectives, p. 3-3). The Project site is a prime location for a themed hotel, which is consistent with the long-term vision of the City.

Further, the comment erroneously states that the Draft SEIR did not evaluate a mixed-use alternative with residential and hotel uses. As the Draft SEIR analyzed and disclosed, both an exclusively residential and a mixed-use housing alternative are addressed in the "Alternatives Considered but Rejected" section (Draft SEIR, Section 6.3.4, Residential Alternative, p. 6-4, and Section 6.3.6, Mixed-Use Development Alternative, pp. 6-5 and 6-6). The SEIR demonstrates that neither of those options were feasible or capable of meeting the Project's objectives, nor would the options clearly reduce potentially significant VMT or GHG impacts associated with the Project. The Project site is 3.72 acres in size and would be entirely consumed by a 500-room hotel, themed pool deck, parking garage, and amenities. There is no land available for housing on the Project site without fundamentally reducing the hotel size. A reduced hotel size alternative was considered and rejected in the Draft SEIR because it would not meet most of the Project's basic objectives. A mixed-use alternative that reduces the hotel to accommodate housing would not attain the primary objective of a fully programmed destination resort hotel. Contrary to the comment's assertion, the Project objectives were not artificially constrained to exclude housing.

Although the International West Mixed Use designation permits a mix of uses, including commercial, entertainment, hotel, and residential, as a matter of public policy and local land use authority, the City

is not required to maximize residential development on every site within that designation. The City's state-compliant 2021–2029 Housing Element, adopted October 10, 2023, includes a detailed housing site inventory identifying thousands of parcels throughout the City that are appropriate for affordable and market rate housing development. Specifically, the City has identified more than 2,400 underutilized properties not meeting their full economic potential that could be developed for affordable housing. This site is not among them. Rather, it has long been designated for resort and entertainment uses, consistent with the City's long-term vision for the International West Mixed Use corridor. Because the City and the state have determined that the sites identified in the General Plan Housing Element are sufficient for the City to potentially meet its share of regional housing needs, the comment lacks merit.

O2-28 The comment argues that the Draft SEIR should have considered whether the Project must include affordable housing to be consistent with specified plans and policies, including CAPCOA Measures T-1 and T-4, SCAG RTP/SCS policies, General Plan provisions, and the CARB Scoping Plan. See Responses to Comments O2-29 through O2-31 regarding SCAG RTP/SCS policies, General Plan provisions, and the CARB Scoping Plan. This response specifically focuses on CAPCOA Measures T-1 and T-4.

CAPCOA is a nonprofit professional association of air pollution control and air quality management district officers. It is not a state agency and does not have any regulatory authority. For this reason, CAPCOA measures are voluntary guidance tools, not mandatory regulatory requirements. The CAPCOA Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (CAPCOA 2024) is a resource that lead agencies and project applicants may consult when identifying and quantifying potential GHG emission reductions for CEQA compliance purposes, but it does not establish any legal or regulatory standards. Neither CEQA nor any state regulation requires a project to evaluate its consistency with, or to adopt measures in, CAPCOA's guidance.

The CAPCOA measures referenced in the comment, T-1 (Increase Residential Density) and T-4 (Integrate Affordable and Below Market Rate Housing), are transportation-related measures designed to reduce VMT by locating housing close to jobs, services, and transit. The referenced measures are designed for residential projects and are not applicable to the proposed Project. They address how to site and design housing projects to minimize VMT. The measures do not require a commercial project to include housing. See Response to Comment O2-27 for a discussion of the public policy aspects of this comment and the Draft SEIR's alternatives analysis supporting the rejection of a residential alternative on CEQA grounds.

The proposed Project is a hotel development on a site designated for visitor-serving and resort uses in the City's General Plan. It is consistent with that designation. The fact that the Project does not also include affordable housing does not render it inconsistent with CAPCOA's measures regarding residential projects.

Although the Project does not include residential uses, it advances the GHG emissions reduction and VMT minimization goals that inform CAPCOA Measures T-1 and T-4 through other means identified in the Draft SEIR, including its location and design. The Project site is located along a major transportation corridor near existing transit, providing employment opportunities in proximity to transit and services. As the Draft SEIR analyzes and discloses, these characteristics align with CAPCOA principles of reducing VMT through infill development and transit accessibility.

02-29 The comment offers policies from SCAG's 2024 Connect SoCal RTP/SCS and implies that the Project must include affordable housing to be consistent with SCAG's regional planning framework.

The opinions offered are based on a misapplication of the Connect SoCal plan and the specific RTP/SCS measures identified. The 2024 Connect SoCal document explains that it "does not directly implement or construct projects or have land use authority" (SCAG 2024a). The document also explains that "[d]ecisions about land use and growth, such as what type of housing, offices, or retail get built and where, rests fundamentally with each local government – sometimes referred to as 'local land use authority.' A given city or county articulates its land use planning through general plans, specific plans, and other documents (such as zoning ordinances or development agreements)" (SCAG 2024a, p. 47). The Draft SEIR includes an analysis of the Project's consistency with applicable RTP/SCS provisions. As reflected in Draft SEIR Table 4.1-6, Project Potential to Conflict with Connect SoCal 2024, the Project as mitigated does not conflict with Connect SoCal. Unlike the comment, Table 4.1-6 considers the RTP/SCS policies in context, including the Project site's location, land use designation, and purpose.

SCAG's Connect SoCal policies are regional planning goals. They are not mandatory requirements and not every measure identified in the document is applicable to every project or property. A project is consistent with a regional plan if it does not substantially conflict with the plan's relevant policies. A project need not advance every goal contained in the plan to be found consistent, because different goals serve different purposes and many relate to specific types of activities. The housing-related policies cited in the comment are directed at SCAG, local governments, and regional partners as aspirational goals for increasing housing production across the region on sites the local land use authorities have identified for housing development. They do not require individual commercial projects to include residential components.

The Project affirmatively advances several Connect SoCal objectives, including the following:

- Promoting infill development in a built-out urban area, reducing pressure for greenfield development
- Providing employment opportunities near existing transit and services, helping reduce regional commute distances
- Enhancing mobility options through TDM measures and proximity to high-frequency transit routes

The City addresses its regional housing obligations, and by extension Connect SoCal 2024's residential goals and policies, through its state-compliant 2021–2029 Housing Element (City of Garden Grove 2023), which identifies more than 2,400 underutilized properties throughout the City that are appropriate for affordable housing development. That is the appropriate mechanism for meeting regional housing needs, not conditions imposed on individual commercial projects the City has long identified as important to the City's economic development goals and policies.

In summary, the Project is consistent with the City's General Plan and advances regional sustainability goals through infill development and transit accessibility. The Draft SEIR also demonstrates that the Project, with mitigation, does not conflict with the RTP/SCS. No revision to the Draft SEIR is required.

02-30 The comment asserts that promoting mixed-use development aligns with various Garden Grove General Plan provisions in the Safety, Land Use, Community Design, Circulation, Economic Development, Air Quality, and Housing Elements and references policies related to integrated land uses, improved mobility, air quality benefits, and housing diversity.

Established law regarding general plan consistency does not require each individual project to satisfy every policy stated in a general plan, and state law does not impose such a requirement. General plans reflect a wide range of competing interests, and agencies are given broad discretion to construe the plan's policies in light of the plan's purposes and to balance the plan's policies when weighing them.

The Draft SEIR includes a General Plan consistency analysis that evaluates the relevant CEQA topic areas. That discussion demonstrates that the Project is consistent with applicable General Plan provisions. Unlike the comment, Draft SEIR Table 4.1-8, Project Potential to Conflict with City of Garden Grove General Plan, considers the General Plan in context, including the Project site's location and the Project's land use designation and purpose. As that discussion and analysis demonstrates, the Project site is designated in the General Plan for visitor-serving commercial uses, and the proposed Project is consistent with that designation.

As demonstrated in Draft SEIR Table 4.1-8 and the associated analysis, the Project as mitigated does not conflict with the applicable General Plan provisions relevant to the CEQA topic areas that the Writ required the SEIR to address. For example, the Project was found to be consistent with the General Plan for the following reasons:

- The Project is located on an infill site along a major transportation corridor, near existing transit, which supports mobility and air quality goals.
- It provides visitor-serving uses and employment opportunities, consistent with the Economic Development and Land Use Elements.
- The Project incorporates PDFs and mitigation measures that promote sustainability, energy efficiency, and reduced vehicle trips, aligning with Air Quality and Circulation Element policies.

With respect to the comment's suggestion that the Project must include housing to comply with the General Plan, the General Plan does not support that argument. As discussed in Response O2-27, the City's housing objectives are addressed through other designated areas in the City identified in the Housing Element. Therefore, the Project site is not needed to meet General Plan housing standards.

The Draft SEIR's determinations of consistency are based on substantial evidence. No revision to the SEIR is required.

O2-31 The comment states that CARB's 2022 Scoping Plan Appendix D (Local Action), building on the 2017 Scoping Plan Appendix B (Local Action), urges numerous local strategies related to mixed-use development and affordable housing, and recommends that the SEIR evaluate the Project's consistency with these measures.

As noted in CARB's 2022 Scoping Plan, Appendix D is not regulatory but is intended to provide clarification on specific topics for planners, CEQA practitioners, and community groups regarding challenges local jurisdictions face when implementing GHG reduction strategies or approving housing projects. It is not exhaustive and focuses primarily on climate action plans and local authority over new residential development.

The comment does not acknowledge that the Draft SEIR includes a Scoping Plan consistency analysis. As reflected in Draft SEIR Section 4.1 and Table 4.1-7, Project Potential to Conflict with 2022 Scoping Plan, the Project as mitigated does not conflict with applicable Scoping Plan strategies. Unlike the

comment, the Draft SEIR's analysis considers the relevant context, including the Project site's location, land use designation, and purpose. Specifically, the Project site is an infill location designated for visitor-serving commercial uses under the City's General Plan. Consistent with CARB's overarching goals, and just by way of some examples, the Project incorporates the following strategies:

- **Infill Development:** The Project utilizes an existing urban site, reducing pressure for greenfield development and supporting compact growth patterns consistent with CARB's land use strategies in both the 2017 and 2022 Scoping Plans.
- **Transit Accessibility and VMT Reduction:** The site is located along a major transportation corridor with high-frequency transit service. The Project incorporates TDM measures, including commute trip reduction programs, bicycle facilities, and guest amenities that encourage walking and transit use, consistent with CARB's local action strategies to reduce VMT (see **MM-TRA-1**, **MM-TRA-2**, and **MM-GHG-5**).
- **Energy Efficiency and Decarbonization:** The Project includes advanced HVAC systems, high-performance glazing, and on-site solar photovoltaic panels, aligning with CARB's goal of transitioning to clean energy and reducing building-related emissions (see **MM-GHG-7** and **MM-GHG-9**).
- **Water and Waste Reduction:** The Project includes measures to conserve water and divert waste, reducing indirect emissions consistent with CARB's short-lived climate pollutant reduction strategies (see **MM-GHG-10** and **MM-GHG-11**).

Because the Draft SEIR evaluates and discloses the Project with imposition of the mitigation, the Project does not conflict with the CARB Scoping Plan.

As discussed in Response to Comment O2-27, the City's housing obligations are addressed through other designated areas identified in the City's Housing Element. No revision to the Draft SEIR's consistency analysis is required.

O2-32 The comment suggests that the Draft SEIR requires a jobs–housing analysis. The comment states that this is relevant to the SEIR's VMT and GHG analysis.

A formal jobs–housing balance analysis is not required by CEQA. CEQA requires that an EIR discuss a project's potential growth-inducing impacts, including the housing needs of new employees and the probable location of that housing (CEQA Guidelines Section 15126.2[e]; *Napa Citizens for Honest Government v. Napa County Board of Supervisors* [2001] 91 Cal.App.4th 342, 370; *Defend the Bay v. City of Irvine* [2004] 119 Cal.App.4th 1261, 1266). Under established CEQA case law, when a project accommodates growth already contemplated in a city's general plan, it does not constitute a growth-inducing impact requiring detailed analysis. In *Clover Valley Foundation v. City of Rocklin* (2011) 197 Cal.App.4th 200, 225–228, the court distinguished between "inducing new growth" and "merely accommodating growth for which the City has already planned," and agreed with the City's position that growth-inducing impacts are problematic only "where a project is inducing growth to occur which is not already planned for."

The Project is a destination hotel resort on an infill site on a property that has been General Plan designated as IW, which contemplates just such a use. As acknowledged by the comment, the Draft SEIR includes an evaluation of the Project's potential growth-inducing impacts. That analysis demonstrates that any growth attributable to the Project is consistent with employment growth already

projected in local and regional land use plans. According to the Connect SoCal 2024 Demographics and Growth Forecast Technical Report prepared by SCAG, the City's total employment was 60,700 in 2019, with an anticipated increase of 4,300 jobs by 2035 and an additional 5,500 jobs by 2050 (SCAG 2024b, p. 41). The Project's 446 employees represent approximately 10% of the anticipated job growth by 2035 and approximately 5% by 2050. This is well within projected growth already planned for and analyzed at the programmatic level (Draft SEIR, Section 5.4, Growth-Inducing Impacts).

SCAG's Connect SoCal 2020 plan projected similar employment growth for Garden Grove, forecasting an increase from 57,800 jobs in 2016 to 68,200 jobs by 2045, a total increase of approximately 10,400 jobs (SCAG 2020). The Project's 446 employees represent approximately 4.3% of that projected growth. The consistency between the 2020 and 2024 Connect SoCal employment projections for Garden Grove confirms that the Project's employment falls well within planned growth under both plans.

SCAG is also the agency responsible for preparing the Regional Housing Needs Assessment (RHNA) allocation within the Southern California region. SCAG's 6th cycle RHNA allocation was prepared using employment and household growth projections from the Connect SoCal 2020 plan. Because SCAG's RHNA methodology specifically incorporates employment growth projections, the housing demand generated by projects like this one is already factored into Garden Grove's RHNA allocation. The City's Housing Element was developed in response to that RHNA allocation and identifies sufficient sites throughout the City to meet the resulting housing demand. The Project site is not one of the properties identified in the Housing Element as required for the City to meet its RHNA obligations. Therefore, as the Draft SEIR analyzes and discloses, the Project would have less than significant growth-inducing impacts.

No revision to the Draft SEIR is required.

02-33 The comment identifies what it represents as California Housing and Community Development (HCD) statistics regarding housing production in the City.

This comment does not identify a deficiency in the Draft SEIR's CEQA analysis. The City's progress toward its RHNA allocation is a housing policy matter, not a CEQA significance threshold. Senate Bill 166 and Housing Element Program 8 (no net loss) are designed to prevent the loss of sites identified in a jurisdiction's housing element to accommodate its RHNA allocation. The Project site is not identified in Garden Grove's Housing Element as a site for affordable housing development. Furthermore, the proposed Project does not remove, demolish, or convert any existing affordable housing units. Accordingly, approval of this Project does not trigger Senate Bill 166 or the no net loss requirement. As discussed in Response to Comment O2-27, the City's Housing Element identifies more than 2,400 underutilized properties throughout the City that are appropriate for affordable housing development. The City's progress toward its RHNA allocation is addressed through those designated sites. No revision to the SEIR is required.

02-34 The comment raises general legal arguments about the relationship between feasible mitigation, Project alternatives, and the adoption of a statement of overriding considerations under CEQA. The comment does not identify any specific deficiency in the Draft SEIR's analysis or present substantial evidence that would affect the City Council's future consideration of a statement of overriding considerations.

As explained in Responses to Comments O2-27 through O2-33 and O2-35, a mixed-use housing alternative was neither feasible nor capable of meeting most of the Project's objectives. As discussed in Responses to Comments O2-6 through O2-25, the Draft SEIR's impact analysis is supported by substantial evidence. No revision to the Draft SEIR is required.

O2-35 This comment is a concluding recommendation regarding Section D of the comment letter. Please see Responses to Comments O2-26 through O2-34 for applicable responses. No revision to the Draft SEIR is required.

O2-36 The comment is an introductory paragraph that summarizes the author's arguments regarding CEQA's mitigation requirements. The comment asserts that the Project's potentially significant GHG emissions impacts could be further mitigated through modifications to the MMRP.

The City acknowledges that mitigation is a core component of CEQA analysis and that mitigation measures must be enforceable and not illusory. The Project's mitigation measures meet those and all relevant CEQA standards. Each measure is clearly defined, enforceable through the Supplemental MMRP, and except as disclosed in the Draft SEIR with respect to the GHG offset credit mitigation measure, supported by substantial evidence demonstrating feasibility and effectiveness.

The comment's disagreement regarding the scope or content of certain measures does not render them defective under CEQA. CEQA requires that mitigation measures be feasible and capable of substantially reducing a significant impact, not that they eliminate all impacts or incorporate every conceivable strategy (CEQA Guidelines Section 15126.4[a][1]). Courts have affirmed that lead agencies have discretion to determine appropriate mitigation, provided there is a nexus and rough proportionality between the measure and the impact addressed This principle ensures that mitigation is reasonably related to a project's impacts and not excessive or unrelated.

The Draft SEIR includes a suite of GHG mitigation measures (**MM-GHG-1** through **MM-GHG-15**) that address the Project's primary emission sources (energy and transportation) through feasible on-site strategies and, where necessary, carbon offsets. These measures are enforceable and will be implemented as part of the Project, consistent with CEQA and relevant case law. However, as the Draft SEIR discloses, uncertainty exists regarding the future availability of carbon offset credits and those credits serving as feasible and effective mitigation. Therefore, the Draft SEIR discloses that, notwithstanding the imposition of **MM-GHG-15** requiring carbon offsets, the Project's GHG impacts were determined to be significant and unavoidable.

The Draft SEIR satisfies CEQA's requirements for enforceable, non-illusory mitigation measures. The comment's opinion regarding additional measures does not invalidate the adequacy of the mitigation imposed by the SEIR or the analysis and determinations in same.

O2-37 The comment states that PDFs should be explicitly included in the MMRP. In response, Draft SEIR lists the applicable PDFs and provides that the "following summarizes the Project Design Features (PDFs) that are incorporated into the Project relative to the analysis in this SEIR and that will be included in the MMRP" (Draft SEIR, Section 3.4.3, pp. 3-4 through 3-5). As reflected in the Final SEIR, Chapter 4, the PDFs have been incorporated into the Supplemental MMRP.

02-38 The comment is introductory, stating that the SEIR's mitigation measures are commendable but that further modifications and enhancements identified in subsequent comments are warranted.

The mitigation measures identified in the Draft SEIR (**MM-GHG-1** through **MM-GHG-15** and **MM-TRA-1** and **MM-TRA-2**) were developed to address the Project's specific potentially significant GHG and VMT related impacts and are consistent with CEQA requirements for enforceable mitigation. Although these measures share similarities with CAPCOA-recommended strategies, they have been tailored to reflect the Project's specific construction and operational characteristics, site constraints, and regulatory context.

The City acknowledges that the CAPCOA measures are a tool that agencies can use when evaluating and mitigating potentially significant GHG and VMT impacts. However, agencies are not required by CEQA to impose CAPCOA measures in whole or in part. As CEQA requires, the mitigation measures included in the Draft SEIR provide effective and enforceable strategies to reduce GHG emissions and transportation-related impacts to less than significant levels. The comment appears to advocate for strict application of CAPCOA measures without consideration of the specific nature and circumstances of the Project. Such an approach could easily run afoul of CEQA. In contrast, the Draft SEIR evaluated potentially applicable CAPCOA measures and the Draft SEIR imposes Project-specific mitigation measures that represent a reasonable and appropriate approach based on substantial evidence and the Project's environmental setting.

As the following responses and the Final SEIR disclose, although not required, some of the comment's suggested modifications have been incorporated where they helped to clarify the intent of the previously drafted measures or enhanced their effectiveness. These refinements improve implementation and strengthen enforceability without altering the substance of the mitigation measures or the Draft SEIR's analysis and conclusions. Importantly, these modifications do not require recirculation of the Draft SEIR as they do not constitute "significant new information" as defined under CEQA Guidelines Section 15088.5.

02-39 The comment states that Draft SEIR includes several construction-related GHG mitigation measures (**MM-GHG-1** through **MM-GHG-3**) and asserts that these may be inadequate. The comment recommends explicitly incorporating all construction-related PDFs into the MMRP, ensuring use of Tier 4 final engines where feasible, and expanding measures beyond limited equipment types (e.g., generators, cranes, compressors) to cover broader construction activities.

As discussed in the Draft SEIR Section 4.1, Greenhouse Gas Emissions, GHG mitigation measures for construction emissions are limited; however, feasible mitigation has been provided in **MM-GHG-1** through **MM-GHG-3**.

As noted in Response to Comment O2-37, all PDFs have been incorporated into the Supplemental MMRP. As noted in Response to Comment O2-15, a notation has been added to clearly identify which CAPCOA measure from the CalEEMod worksheets are applicable to each PDF or mitigation measure. As stated in the Draft SEIR, all PDFs were qualitative.

As to Tier 4 engines, the previously approved 2022 MND included PDF-3, which required that "All diesel construction equipment should have Tier 4 low emission 'clean diesel' engines (OEM [original equipment manufacturer] or retrofit) that include diesel oxidation catalysts and diesel particulate filters that meet the latest California Air Resources Board (CARB) best available control technology." This PDF

was already imposed as a performance standard in the Project's PUD and will continue to apply to the Project if approved in connection with the City's consideration of the SEIR. PDF-3 was not analyzed in the Draft SEIR because that measure does not serve to reduce GHG emissions. Rather, Tier 4 equipment targets criteria air pollutants, specifically oxides of nitrogen (NO_x) and particulate matter. These air quality topics are beyond the scope of the Writ and therefore the SEIR.

The third argument presented in the comment refers to **MM-GHG-1** and **MM-GHG-2** and their relationship to CAPCOA-1. The comment offers an opinion that the mitigation measures imposed are narrower and/or different than the corresponding CAPCOA measure. The Draft SEIR imposed feasible mitigation measures related to Project construction consistent with CEQA requirements. PDF-8 requires the use of electric-powered equipment on a broad basis where feasible, which addresses the intent of reducing emissions from construction activities. **MM-GHG-1** does not supersede or limit PDF-8. Instead, **MM-GHG-1** addresses a subset issue as it targets specific equipment types, such as generators, cranes, and air compressors, where electric alternatives have been determined to be commercially available and can be feasibly implemented for this Project. These combined measures ensure enforceability and practicality.

As the Draft SEIR discloses, the primary source of construction-related GHG emissions are from heavy equipment use and the temporary field office, which are already addressed through PDF-8, **MM-GHG-1**, and **MM-GHG-2**. The comment asks for an expansion of these measures, but including equipment types for which electric alternatives are not currently feasible would not be practical or enforceable. Therefore, the Draft SEIR appropriately focuses on measures that are both effective and achievable. To be responsive to the comment, **MM-GHG-1** has been clarified to implement the original intent by requiring a construction equipment emissions minimization plan that broadly requires electrification where feasible. Notably, for purposes of identifying the GHG emission reductions the mitigation measure will achieve, emissions reductions have only been credited for the crane, generators, and air compressors, because those equipment pieces have been determined to be feasible at this stage of the CEQA process. **MM-GHG-2** requires the temporary construction field office to be equipped with energy-efficient lighting and Energy Star certified heating and cooling units.

MM-GHG-1 and **MM-GHG-2** address those construction components that (1) account for a substantial portion of construction emissions and (2) are under the direct control of the Applicant and its contractors. Although the edits made to **MM-GHG-1** in response to the comments clarify the type of construction equipment that could be powered with electricity, the GHG emissions reductions quantified in the SEIR are conservatively limited to those known to be feasible and commercially available at the time of Project implementation. Expanding the measures to include equipment types for which electric alternatives are not currently feasible, or that are not typically specified at this stage of the CEQA process, would result in a less reliable, less conservative approach compared to the approach in the SEIR.

The final component of the comment relates to CAPCOA Measure C-1B (Use Cleaner Fueled Construction Equipment). That CAPCOA measure was evaluated for feasibility to reduce the Project's GHG construction emissions during preparation of the Draft SEIR. The City did not impose that measure, however, for reasons that include the following:

- **CalEEMod Limitations:** In CalEEMod, "cleaner fueled equipment" under C-1B is currently limited to compressed natural gas (CNG). The Project already addresses electrification through CAPCOA

Measure C-1A, which is imposed and reflected in PDF-8 (Draft SEIR, p. 4.1-32) and **MM-GHG-1**. PDF-8 broadly requires the use of electric-powered equipment where feasible, which is a more effective and widely applicable strategy compared to use of CNG. Measure C-1B's restriction to CNG reflects an older, transitional mitigation framework, whereas Measure C-1A is consistent with current best practice and regulatory direction in California air quality planning. Unlike electrification, CNG remains a combustion-based technology that emits NOx, involves methane slip, and is associated with hazardous air pollutants. CARB's 2022 Scoping Plan for Achieving Carbon Neutrality identifies widespread electrification and major reductions in fossil natural gas use as necessary to meet State air quality and climate goals, and CARB regulations further recognize methane and toxic emissions from natural gas systems as significant concerns. Accordingly, CAPCOA Measure C-1A represents a more stringent and policy-consistent mitigation approach than CalEEMod Measure C-1B, and no changes to the Draft SEIR are required.

- **Other Cleaner Fuels:** CAPCOA Measure C-1B references fuels such as renewable diesel and hydrogen, which are not explicitly modeled in CalEEMod (see CAPCOA 2024, pp. 411–413). Renewable diesel use can also have other environmental impacts, including increased lifecycle emissions of certain pollutants (e.g., NO_x) and potential upstream impacts related to feedstock sourcing and land use. Hydrogen-fueled construction equipment is currently very limited in availability and not practical for this Project.
- **Project Measures Meet Intent:** The Project meets the intent of CAPCOA Measure C-1B through PDF-8 (requiring electric equipment broadly, where feasible) and **MM-GHG-1**, which specifically requires the use of electric generators, cranes, and air compressors during the painting phase. These measures provide enforceable and feasible strategies to reduce GHG emissions consistent with CEQA requirements.

For these reasons, imposing CAPCOA Measure C-1B would not provide additional meaningful reductions beyond what is already achieved through the Project's PDFs and mitigation measures. The Draft SEIR's approach ensures effective and practical implementation without introducing infeasible requirements.

02-40 The comment addresses **MM-GHG-3** (Construction Debris Recycling). Without support, the comment argues that **MM-GHG-3** will have limited effectiveness because the site is largely vacant and there are enforcement challenges, and recommends requiring post-construction monitoring. Additionally, the comment recommends incorporating CAPCOA Measures S-4 (Recycling Wood-Based Materials) and S-5 (Sourcing Wood from Urban Reuse Programs) into the MMRP.

The Draft SEIR incorporates **MM-GHG-3**, which requires the recycling or salvaging of non-hazardous construction debris. Contrary to the comment, this measure as drafted applies broadly to all construction materials, not just demolition debris. Specifically, the mitigation measure imposes a requirement to first develop a plan based on identified performance criteria for approval by the City and then a requirement to, as expressed in the Draft SEIR "recycle or salvage nonhazardous construction debris such that a minimum target of 75% is achieved. This will exceed the City's current target of 65% diversion." Nonetheless, in response to the comment, the Final EIR will modify **MM-GHG-3** to add clarifying language regarding the broad scope of the construction recycling requirements.

MM-GHG-3 Construction Debris Recycling. Prior to the start of construction, the Project's contractor shall develop a Construction Waste Management Plan (Plan) for

submittal and approval to the City of Garden Grove. The Plan shall recycle or salvage non-hazardous construction debris, ~~such that a minimum target of 75% is achieved. This will exceed the City's current target of 65% diversion.~~ including but not limited to wood, metal, concrete, asphalt, and other reusable materials generated during construction activities. The contractor shall implement the Plan to achieve a minimum diversion target of 75% of non-hazardous construction and demolition debris from landfills, exceeding the City's current 65% diversion requirement. *(CAPCOA Measure S-4)*

The clarifying language does not change the substance of what was already required by **MM-GHG-3** as disclosed in the Draft SEIR; therefore, recirculation of the SEIR is not required under CEQA Guidelines Section 15088.5.

The comment references CAPCOA Measure S-4 in support of its argument about the need for recycling of wood-based materials. As noted above, any wood-based construction materials used during Project construction are already covered by the broad requirements of **MM-GHG-3**. Nothing further is required in that regard. Also, as the Project site is devoid of trees and existing structures, no tree removal or demolition of existing wood structures that would generate significant wood waste would occur.

The comment also requests that the City impose CAPCOA Measure S-5 on the Project. The comment does not offer a GHG reduction justification for inclusion of such a qualitative measure. The comment also ignores the Project's commitment to sustainable building practices is reflected in PDF-27. That PDF prioritizes low-impact, sustainably sourced, and recyclable materials across construction and interior finishes. This includes the use of low–volatile organic compound (VOC) paints, Forest Stewardship Council–certified wood, and recycled-content flooring. PDF-27 also requires implementation of vendor standards requiring environmental product declarations and third-party certifications to verify material sustainability, selection of materials not only for their initial environmental footprint but also for durability and long-term performance. As the Draft SEIR demonstrates, the PDFs and mitigation measures could reduce Project impacts below the applicable significance thresholds, and the measures suggested in the comment would have no qualitative GHG reduction benefits. Nothing further is required.

O2-41 The comment states that the Project does not appear to include feasible construction-related mitigation measures and recommends adding CAPCOA Measures C-3 (Use Local Construction Contractors) and C-4 (Use Local and Sustainable Building Materials) to the MMRP. The comment asserts that these measures would reduce VMT and fuel consumption and align with General Plan Conservation Element goals and policies.

The comment does not acknowledge that the Draft SEIR imposed feasible VMT mitigation measures and PDFs that reduced the Project's potentially significant impacts to less than significant. Therefore, CEQA does not require the imposition of additional mitigation as suggested in the comment. The measures in the Draft SEIR are technologically feasible, enforceable through the Supplemental MMRP, and effective in reducing GHG emissions and construction-related impacts. As discussed further below, additional CAPCOA measures suggested by the comment (e.g., Measures C-3 and C-4) were considered but determined to be either qualitative, already addressed through existing measures, or impractical to enforce under CEQA.

CAPCOA Measure C-3 (Use Local Construction Contractors) was considered but determined not to be needed, feasible, valid, or effective for the following reasons:

- Economic and social considerations do not provide a quantifiable reduction in emissions.
- CEQA should not be used to dictate policy matters of the type addressed in this measure. Contractor selection is based on specialized expertise, safety standards, and capacity to deliver a complex project on schedule.
- Contractor selection is a contractual and business decision, not an environmental performance standard, making this measure unqualified as potentially binding CEQA mitigation.

CAPCOA Measure C-4 is a qualitative measure in CalEEMod and does not provide quantifiable VMT reductions. Although not relevant to the comment's focus on VMT impacts, the Project is designed to meet Leadership in Energy and Environmental Design (LEED) accreditation standards, which include sustainable building design and material selection. This commitment is reflected in PDF-27, which prioritizes low-impact, sustainably sourced, and recyclable materials, including Forest Stewardship Council–certified wood, recycled-content flooring, and low-VOC finishes. Vendor standards also require environmental product declarations and third-party certifications to verify material sustainability. No modifications to the Final SEIR are required based on this comment.

02-42 The comment states that **MM-GHG-11** (Waste Reduction) "may be inadequate." The comment alleges that the mitigation measure uses permissive language ("may include") rather than mandatory ("shall include") for program elements like recycling and organics diversion. The comment instead suggests using CAPCOA Measures S-1 and S-2 and included a list of the comment's ideas of other steps a hotel could take related to recycling.

As noted in the 2024 CAPCOA Handbook, measures S-1 and S-2 result in potentially small reduction in GHG emissions from waste management pathways. The CAPCOA Measure S-1 states, "this measure will institute or extend recycling services to reduce the volume of landfilled waste" and CAPCOA Measure S-2, states, "this measure will implement an organics diversion program to reduce the volume of organic waste sent to landfills" (CAPCOA 2024). Neither measure prescribes specific items or diversion targets. **MM-GHG-11** captures both CAPCOA measures and imposes a diversion target.

The Draft SEIR incorporates **MM-GHG-11**, which requires waste reduction measures, including organics diversion. Contrary to the comment's argument, the measure includes mandatory language requiring Project compliance with a minimum diversion rate of 25% for solid waste and organics, which establishes a clear performance standard consistent with CEQA. As disclosed in the Draft SEIR, Section 4.1, page 4.1-30, California Department of Resources Recycling and Recovery (CalRecycle) data shows that hotels and lodging contribute 1.5% to the total commercial waste stream in Garden Grove (CalRecycle 2025). The CalRecycle data also shows that hotels and lodgings in Garden Grove divert approximately 19.8% of their mixed solid waste. The most recent statewide waste characterization study showed that large hotels divert 22.7% of their mixed solid waste (CalRecycle 2006). Based on these statistics, the diversion target of 25% for the Project would be above and beyond what has historically been achieved and demonstrates the Project's commitment to waste management.

MM-GHG-11 only uses permissive language ("may include") when identifying the non-exclusive list of options the Project could use to achieve the mandated minimum waste diversion rate. This approach

is intentional to allow flexibility and innovation in achieving the required diversion rate rather than prescribing a rigid list of actions.

Although **MM-GHG-11** already complies with CEQA and is consistent with applicable General Plan goals, the Final SEIR will identify some of the comment's suggestions, such as coordination with food banks and composting facilities (CAPCOA Measure S-3), as additional options the Project could choose from to achieve the mandated waste diversion reduction rate. Those additions to **MM-GHG-11** do not require recirculation of the Draft SEIR under CEQA Guidelines Section 15088.5.

02-43 The comment asks a question about **MM-GHG-4** in relation to CAPCOA Measure T-14. The comment seems to suggest that the mitigation measure imposing CALGreen Tier 2 standards for the Project's EV charging facilities should be expanded to broadly require Tier 2 standards for the Project. The comment does not argue that **MM-GHG-4** is not feasible or enforceable or otherwise CEQA compliant.

The comment is made in isolation without consideration of all the PDFs, mitigation measures, and regulatory requirements imposed on the Project. The Draft SEIR includes **MM-GHG-4**, which requires installation of EV charging infrastructure consistent with CALGreen Tier 2 standards. **MM-GHG-4** is not a measure designed to address energy standards for all components of the Project. The mitigation measure addresses one specific component of the Project, EV chargers. Like CAPCOA Measure T-14 (Provide Electric Vehicle Charging Infrastructure) referenced in the comment, **MM-GHG-4** only addresses EV charging facilities. No inconsistency exists. With respect to other elements of the Project, the Project as a whole must comply with the CALGreen mandatory standards as a matter of law. Those other Project components, such as energy efficiency and building envelope requirements, are addressed through separate measures and design features that meet or exceed applicable code requirements, such as PDF-11 (California Building Standards), **MM-GHG-7** (Building Energy Efficiency), and **MM-GHG-8** (Cool Roof/Deck).

02-44 The comment requests clarifications and modifications to **MM-TRA-2** (Provide End-of-Trip Bicycle Facilities) related to bike parking and voluntary CALGreen measures. The comment also states that the mitigation measures should include other components of CAPCOA Measure T-34 or T-10 and provide electric bikeshare and/or scootershare program consistent with CAPCOA Measures T-22-A through T-22-D.

MM-TRA-2 (Provide End-of-Trip Bicycle Facilities) is already consistent with CAPCOA Measures T-10 (Provide End-of-Trip Bicycle Facilities) and T-34 (Provide Bike Parking). The comment's description of T-34 as "Use Electric or Hybrid Powered Equipment" is incorrect; T-34 pertains to bike parking requirements, according to the CAPCOA Handbook (CAPCOA 2024).

The comment's suggestion that there is uncertainty about the bike parking is unfounded. The 2022 California Building Code requires 5% short-term bicycle parking for new motorized vehicle spaces and requires 5% of the tenant-occupied vehicular parking spaces for long-term bicycle parking. There are no Tier 2 standards for bicycle parking. Compliance with the current California Building Code, calculated using the total 528 parking spaces provided by the Project, translates to approximately 27 short-term and 27 long-term bicycle parking spaces. **MM-TRA-2** requires a minimum of 38 spaces for guests (i.e., short term) and 32 secure bicycle parking spaces for employees (i.e., long term). Thus, the minimums in the mitigation measures exceed the code requirements of 27 short-term and 27 long-term bicycle spaces.

To avoid any doubt, **MM-TRA-2** has been clarified in the Final SEIR to specify that the 38 bicycle parking spaces are short-term spaces for guests, and the 32 secure bicycle parking spaces are longer-term spaces for employees. Although the existing measure is clear as drafted, the revised language will explicitly state that employee spaces are not displaced by guest rentals. It should be noted that **MM-GHG-5** also references the 38 guest spaces. Thus, the clarifying language does not trigger recirculation as required under CEQA Guidelines Section 15088.5.

As to the comment's recommendation for additional mitigation measures, please see Response to Comment O2-36. Although not needed for the Draft SEIR or Final SEIR to comply with CEQA as VMT impacts are already less than significant with the incorporated measures and because the CAPCOA measures referenced in the comment are qualitative measures under CalEEMod, the PDF incorporated into the Supplemental MMRP will require that the Project install a self-service bicycle repair station adjacent to the guest and employee bicycle parking spaces in response to the comment. Further, with respect to the comment's suggested addition of CAPCOA Measures T-22-A through T-22-D (Electric Bikeshare/Scootershare), those measures do not apply to the Project's land use type, scale, or locational context. Those CAPCOA measures target residential neighborhood design, per the CAPCOA Handbook (2024).

In summary, **MM-TRA-2** meets CEQA requirements by providing enforceable bicycle facilities consistent with CAPCOA guidance. The analysis and determinations disclosed within the Draft SEIR demonstrate that the Project will have less than significant VMT impacts with the mitigation imposed and no further mitigation is required.

O2-45 The comment states that **MM-GHG-6** (Limit Large Diesel Trucks During Operation) lacks clarity on whether limiting heavy-duty trucks to 10 per day is a mitigation measure or a PDF. The comment states that this measure is unlikely to significantly reduce GHG emissions because trucks are not the primary source of emissions for a hotel like the Project. The comment also argues the Project should include electrified loading docks per CAPCOA Measure T-53.

The Draft SEIR clearly identifies **MM-GHG-6** as a mitigation measure, not a PDF. This measure was analyzed in the GHG Report (Appendix C of the Draft SEIR), which includes two sets of CalEEMod results:

- Unmitigated Scenario ("B-2 Hotel GHG Construction and Operation August 2025 – Unmitigated Detailed Report," Draft SEIR, Appendix C, pp. 127–199)
- Mitigated Scenario with Truck Restrictions ("B-2 Hotel GHG Construction and Operation August 2025 – Mitigated with Truck Restrictions Detailed Report," Draft SEIR, Appendix C, pp. 200–272)

In the unmitigated scenario, CalEEMod applied its default mobile source fleet mix, which is based on CARB's EMFAC model and DMV registration data for the region. This default mix assumed approximately 70 heavy-duty truck trips per day, which overstates truck-related GHG emissions. As the comment notes, unlike a warehouse, heavy-duty truck emissions are not the main contributor to the Project's GHG emissions. In the mitigated scenario, the fleet mix was adjusted to reflect the restriction to 10 heavy-duty trucks per day under **MM-GHG-6,** which still likely overstates the Project's heavy-duty truck emissions. Nevertheless, **MM-GHG-6** imposes limits on the number of heavy-duty trucks per day. As shown in the GHG Report, mobile source emissions decreased from 2,655 MT CO_2e (unmitigated) to 2,480 MT CO_2e (mitigated) (Draft SEIR, Appendix C, PDF pp. 142 and 215).

Regardless, as the comment itself argues, large diesel truck trips during operation would be minimal. Further, **MM-GHG-5** ensures that the maximum number of daily trips will not exceed 10 making such a measure unnecessary. The comment itself offers no substantial evidence to support the request. In addition, CAPCOA Measure T-53 (Electrified Loading Docks) is a qualitative measure in CalEEMod that would not provide quantifiable reductions for the Project. Further, the comment fails to acknowledge that the Project already includes PDF-12 and PDF-21, which limit idling time for delivery vehicles, effectively reducing emissions during loading/unloading.

In summary, **MM-GHG-6** is an enforceable mitigation measure that was modeled and shown to result in the GHG emissions disclosed in the Draft SEIR for the mitigated condition. Please see Response to Comment O2-36 for a discussion of the CEQA standard regarding mitigation. The additional measures suggested by the comment are not needed or required by CEQA.

O2-46 The comment states that **MM-GHG-5** duplicates **MM-TRA-2**. The comment asserts that the Draft SEIR does not discuss CAPCOA Measures T-19A/B (Construct or Improve Bike Facility), T-32 (Orient Project Toward Transit/Bike/Pedestrian Facility), T-33 (Locate Project near Bike Path), and T-37 (Dedicate Land for Bike Trails). Given the Project's location along a Class II bike lane, the comment recommends modifying **MM-GHG-5** to include specific elements consistent with these CAPCOA measures or to explain why such measures are not feasible.

The comment mischaracterizes **MM-GHG-5** and **MM-TRA-2**. As shown in the Draft SEIR, **MM-GHG-5** broadly applies to measures designed to reduce guest vehicle trips. Some of those measures include the provision of bicycle infrastructure for guests. In contrast, **MM-TRA-2** addresses bicycle parking for employees.

In addition, please see Responses to Comments O2-15 and O2-36 explaining that CEQA does not require incorporation of all CAPCOA measures or all measures suggested by a comment. With respect to the suggestion about CAPCOA Measures T-19-A/B, T-32, T-33, and T-37, the recommended action is not warranted for at least the following reasons:

- CAPCOA Measures T-19-A/B (Construct or Improve Bike Facility) do not apply to the Project's land use type, scale, or locational context per CalEEMod guidance.
- CAPCOA Measures T-32 and T-33 are qualitative in CalEEMod and largely relate to site orientation and accessibility. These measures do not apply to the Project's land use type, scale, or locational context; they target residential neighborhood design, per the 2024 CAPCOA Handbook. The Project site is in a highly urbanized area near a mix of commercial and residential uses, within close proximity to public transit and adjacent to a Class II bike lane. As disclosed in the Draft SEIR, the site is targeted for hotel development due to its proximity to attractions and destinations, which inherently support destination accessibility. Between compliance with PDFs, mitigation measures and regulatory requirements, the Project will include bicycle parking for employees and guests and will be designed in accordance with City standards for pedestrian and bicycle infrastructure, improving walkability and connections to alternative transportation modes.
- CAPCOA Measure T-37 relates to dedication of land for bike trails. Measure T-37 is not applicable to the Project in CalEEMod because it does not apply to the Project's land use type, scale, or locational context; it targets residential neighborhood design, per the 2024 CAPCOA Handbook. Further, the Project site is already located adjacent to a Class II bike lane.

In summary, **MM-GHG-5** is an enforceable mitigation measure that is adequately discussed and described in the Draft SEIR. CEQA does not require the additional mitigation recommended by the comment. No revision to the Draft SEIR or Supplemental MMRP is warranted.

02-47 The comment states that **MM-GHG-5** includes basic pedestrian infrastructure elements (e.g., sidewalks, crosswalks, wayfinding signage) that are standard requirements for urban projects and are unlikely to yield meaningful GHG emissions reductions. The comment draws comparisons between **MM-GHG-5** and CAPCOA Measure T-17 (Improve Street Connectivity) and Measure T-18 (Provide Pedestrian Network Improvement). The comment argues that the CAPCOA measures may not be applicable to the Project and that **MM-GHG-5** may not result in quantifiable emission reductions.

MM-GHG-5 includes pedestrian and bicycle infrastructure improvements as part of a comprehensive strategy to reduce guest vehicle trips and promote alternative transportation modes. As the comment notes, sidewalks, crosswalks, and wayfinding signage are common requirements for urban projects; however, incorporating these elements into a mitigation measure ensures they are enforceable and implemented as part of the Project's GHG emissions reduction strategy. **MM-GHG-5** also goes beyond standard requirements by integrating unique features such as bicycle rentals for hotel guests, transit information, and qualitative assessments of effectiveness through guest feedback and annual reporting. As disclosed in the Draft SEIR, **MM-GHG-5** was not evaluated as a quantifiable GHG emissions reduction measure given the uncertainty about the magnitude of reductions that could be achieved.

The CAPCOA measures cited, T-17 (Improve Street Connectivity) and T-18 (Provide Pedestrian Network Improvement), are not relevant to the Project. Those measures are primarily intended for residential neighborhood design and are most effective at the plan or community scale. Per CalEEMod guidance, these measures do not apply to the Project's land use type, scale, or locational context. The Project is a hotel development in a highly urbanized area adjacent to existing city streets and a Class II bike lane; therefore, creating new street networks or retrofitting existing ones is not a measure that would achieve quantitative or qualitative GHG emissions reductions for the Project.

MM-GHG-5 is appropriate because it memorializes pedestrian and bicycle improvements, ensures compliance through City verification, and includes operational strategies to actively encourage walking, bicycling, and transit use. CEQA does not require adoption of all possible mitigation measures, only those that are feasible and capable of substantially reducing impacts (CEQA Guidelines Section 15126.4[a][1][B]).

MM-GHG-5 is a reasonable and enforceable measure that addresses pedestrian and bicycle connectivity within the Project context and supports GHG reduction goals.

02-48 The comment addresses the marketing element of **MM-GHG-5**. The comment states that the marketing component resembles CAPCOA Measure T-7 (CTR [Commute Trip Reduction] Marketing) that is typically aimed at employees. The comment recommends incorporating CAPCOA Measure T-43 (Provide Real-Time Transit Information).

MM-GHG-5 includes provisions to provide guests with information about transit options and nearby attractions to encourage the use of alternative transportation modes. The comment erroneously compares the mitigation measure to CAPCOA Measure T-7 (CTR Marketing), which typically targets

employees. MM-GHG-5 is tailored to the Project's hotel use and focuses on reducing guest vehicle trips through marketing and operational strategies. As discussed in previous responses, the Draft SEIR evaluated MM-GHG-5 as a qualitative GHG emissions measure.

The recommendation to incorporate CAPCOA Measure T-43 (Provide Real-Time Transit Information) was considered and the measure has been incorporated into MM-GHG-5 as described in the Final SEIR. While CAPCOA Measure T-43 is identified in CalEEMod as qualitative, the Draft SEIR already requires the Project to provide transit information to guests, including local bus routes, schedules, and wayfinding to nearby transit stops along Harbor Boulevard. The Project will further implement this requirement by providing real-time transit information, consistent with CAPCOA Measure T-43, to enhance awareness and use of alternative transportation modes in a manner appropriate to the Project's operational context. The clarifications made to MM-GHG-5 do not require recirculation of the Draft SEIR under CEQA Guidelines Section 15088.5.

As discussed in responses to comments such as O2-36, CEQA requires adoption of feasible mitigation measures that substantially reduce significant impacts but does not mandate inclusion of all suggested measures (CEQA Guidelines Section 15126.4[a][1][B]). MM-GHG-5 is appropriate and enforceable because it memorializes transit-related information as part of the Project's mitigation strategy and includes qualitative assessments and annual reporting to ensure effectiveness.

O2-49 The comment states that MM-GHG-5 does not address first- and last-mile transportation needs, such as hotel shuttles or incentives for rideshare services. The comment recommends modifying the measure to include CAPCOA Measures T-38 (Provide First and Last Mile TNC [Transportation Network Company] Incentives) and T-44 (Provide Shuttles), with a focus on electric shuttles and subsidized TNC trips for guests and employees. The comment suggests that these services should be made available to prospective guests and employees to further reduce VMT and mobile emissions.

MM-GHG-5 includes measures to provide guests with information about transit options and nearby attractions to encourage alternative transportation use. The comment does not acknowledge, as disclosed in the Draft SEIR, that the Project is located within 0.5 miles of a major transit stop or the Anaheim Transportation Network Route 3 and 4 transit lines that will allow Project guests to travel to tourist attractions in the area such as Great Wolf Lodge and Disneyland without reliance on personal vehicles. Thus, first- and last-mile transit services already exist. Although not required to support the Draft SEIR's GHG and VMT impact determinations, the Final SEIR includes the following clarifications to existing measures incorporated in response to this comment: dedicated shuttles, real-time transit information, and transit pass purchase options.

The comment suggests adding CAPCOA Measures T-38 (Provide First and Last Mile TNC Incentives) and T-44 (Provide Shuttles) to further reduce vehicle trips. These measures were considered but determined not to be required given the nature of the Project and the analysis in the Draft SEIR, for reasons including the following:

- MM-TRA-1 addresses employee travel by requiring subsidized transit passes for employees.
- MM-GHG-5 has been updated to clarify that the hotel will provide information to guests about how to purchase transit passes and potential transit promotions.

- MM-GHG-5 has been updated to clarify that the hotel will make available a dedicated shuttle service linking the hotel to nearby transportation, shopping and entertainment destinations, prioritizing battery-electric vehicles where route length and charging logistics allow.

The above-referenced existing or clarified measures will not change the Draft SEIR's GHG emissions analysis or conclusions, and the clarifications do not trigger recirculation of the SEIR under CEQA Guidelines Section 15088.5.

MM-GHG-5 is a reasonable and enforceable mitigation measure that memorializes guest-focused strategies such as providing transit information, promoting walking and bicycling, and integrating alternative transportation options into the guest experience. CEQA does not require anything further.

02-50 The comment acknowledges that **MM-GHG-5** is a qualitative measure and that the Draft SEIR analyzes it accordingly. The comment argues that the mitigation measure should be mandatory and "performance based," with annual monitoring.

The comment does not accurately describe the scope or purpose of **MM-GHG-5** or the referenced CAPCOA measures. That mitigation measure is specifically designed to reduce guest vehicle trips through operational strategies such as promoting walking, bicycling, and transit use. The measure is not an employee commuter trip reduction program and thus is not intended to address the same issues as CAPCOA Measures T-5 (Voluntary CTR) and T-6 (Mandatory CTR) referenced in the comment. Those measures do not apply to hotel guests.

Although a comparison is not relevant given the different purposes of the measures, **MM-GHG-5** requires the Project to implement specific actions and goes beyond CAPCOA Measure T-5 by including a qualitative assessment and annual reporting. Thus, the measure is mandatory and it includes a requirement that the Project operator conduct monitoring and provide the resultant data to City. There is no requirement under CEQA to adopt a mandatory measure such as CAPCOA Measure T-5 or T-6 for guests. The Project's approach is appropriate because the Draft SEIR evaluates **MM-GHG-5** as a qualitative measure that imposes guest-focused strategies, integrates alternative transportation options into the guest experience, and includes qualitative assessments and annual reporting to ensure effectiveness of GHG emissions reduction goals. Based on the Draft SEIR's qualitative analysis of **MM-GHG-5**, the overall discussion and determination regarding GHG impacts and the mandates of CEQA, the additional VMT guest data the comment recommends is neither required nor necessarily useful. **MM-GHG-5** is a reasonable and enforceable measure specific to the Project. CEQA requires nothing further.

02-51 The comment states that **MM-TRA-1** (Implement Commute Trip Reduction Marketing) is similar to CAPCOA Measures T-5 and T-6. This comment concerns a VMT related mitigation measure, but the comment asserts that changes should be made to this mitigation measure to address the comment's statements about GHG emissions.

The comment's characterization of **MM-TRA-1** is misleading. **MM-TRA-1** is a employee CTR program that the Draft SEIR properly credits with a 4% VMT reduction based on the modeling and other substantial evidence presented in the record. The comment does not question the effectiveness of that measure in achieving the identified VMT reduction using the measures identified as part of **MM-TRA-1** in the Draft SEIR.

The comment fails to acknowledge, as discussed in Responses to Comments O2-9 and O2-16, that the GHG analysis did not take any further reductions in GHG emissions for implementation of **MM-TRA-1**. Thus, the GHG emissions presented in the Draft SEIR are likely conservative. Please also refer to Responses to Comments O2-9 and O2-16, which address the GHG arguments repeated in this comment and the interplay between the VMT and GHG emissions analysis and mitigation measures.

The comment offers no support for the request for additional GHG emissions analysis or the requested mitigation measures given the Draft SEIR's discussion and determinations regarding the Project's GHG emissions impacts. Nonetheless, the following discusses each of the specific topic areas identified in the comment:

- **Comment O2-50.** With respect to the comment's cross-reference to Comment O2-50, please see the Response to Comment O2-50 above.
- **CAPCOA Measure T-9.** The comment erroneously states that the Draft SEIR GHG Report (Appendix C) included CAPCOA Measure T-9. To the contrary, the VMT Memo included as Appendix D of the SEIR included CAPCOA Measure T-9. Appropriate VMT reduction for CAPCOA Measure T-9 has been applied as part of **MM-TRA-1** and is explained in Response to Comment O2-44. As noted above, no separate reductions in GHG emissions have been taken for this measure. As described in **MM-TRA-1**, 100% of the employees will be considered eligible to participate in the CTR program. **MM-TRA-1** includes transit subsidies for employees as one component of the program and uses participation percentages as a reasonable scenario based on professional judgment and experience with this measure. Especially for an operation like a hotel, with its 24-hour operations, it would be speculative to assume greater transit usage than evaluated in the Draft SEIR. Speculative analysis and assumptions of the type recommended by the comment are anathema to CEQA and its mandate for a good-faith effort at full disclosure of a project's potentially significant impacts.
- **CAPCOA Measures T-11 (Provide Employer-Sponsored Vanpool) (qualitative measure) and T-13 (Implement Employee Parking Cash-Out) (quantitative measure).** The Project includes **MM-TRA-1**, which implements a CTR program for employees and is similar to CAPCOA Measures T-11, which encourage ridesharing and reducing single-occupancy vehicle trips. Further, **MM-TRA-1** encourages ridesharing by setting aside a minimum of 10 preferential parking spaces for carpools/vanpools. Additionally, **MM-GHG-5** promotes alternative transportation for guests by integrating transit information into the guest experience and providing bicycle parking and rentals. As discussed in Response to Comment O2-49, a disincentive exists for single-rider vehicle trips because the Project is located within 0.5 miles of a major transit stop, the Anaheim Transportation Network public transit lines provide service to regional transit locations such as Disneyland, and the hotel will provide a shuttle service. With regard to CAPCOA Measure T-13, this measure was not incorporated into the Project because it is a context-dependent measure with effectiveness varying widely by land use type, employee demographics, and parking environment (CAPCOA 2024). CAPCOA and transportation agencies have cautioned that parking cash-out is more suitable for individual office or institutional projects and may not be appropriate or scalable for complex land uses such as hospitality resorts (Fehr and Peers 2024). As such, excluding T-13 is consistent with accepted professional practice and CEQA's mandate to avoid speculative analysis.
- **CAPCOA Measures T-25 (Extend Transit Network Coverage or Hours), T-26 (Increase Transit Service Frequency), and T-27 (Implement Transit-Supportive Roadway Treatments).** T-25 and T-27 are quantitative measures and T-27 is a qualitative measure. These measures are primarily intended for transit agencies or larger-scale developments with control over regional transportation

infrastructure. The Project is an infill resort hotel located within 0.5 miles of a major transit stop along a major transportation corridor. The Project does not have authority to extend transit coverage, increase service frequency, or implement roadway treatments, which are under the jurisdiction of local transit agencies and/or matters without a nexus to an infill development like the Project. Further, the measures are not applicable per CalEEMod for the Project's land use type, land scale, and/or locational context.

- CAPCOA Measure T-46 (Provide Transit Shelters). This is a qualitative measure, but it is not applicable per CalEEMod for the Project's land use type, land scale, and/or locational context.
- CAPCOA Measure T-47 (Provide Bike Parking Near Transit). This is a qualitative measure, but it is not applicable per CalEEMod for the Project's land use type, land scale, and/or locational context. See also the discussion in Response to Comment O2-49 regarding the Project site's proximity to various public transit services and noting that **MM-TRA-1** and **MM-GHG-5** require on-site bicycle parking for employees and guests. Nothing further is required.

CEQA requires adoption of feasible mitigation measures that reduce impacts to a less than significant level but does not mandate inclusion of all suggested measures or measures outside the Project's control (CEQA Guidelines Section 15126.4[a][1][B]). The Draft SEIR's GHG emissions analysis and significance determinations comply with CEQA. The comment's recommendations are unnecessary and are not required by CEQA.

O2-52 The comment acknowledges that the Draft SEIR includes energy-related mitigation measures (**MM-GHG-7** through **MM-GHG-12**). Without support, the comment recommends the adoption of additional CAPCOA measures and asks for clarification about the Project LEED certification level. The comment also criticizes **MM-GHG-10** as permissive based on an erroneous description of the measure's requirements. The comment concludes with the assertion that **MM-GHG-13** (Prohibit Wood-Burning Devices) is unlikely to be meaningful for a non-residential project.

- In response, as it relates to the LEED certification levels and State energy standards, the GHG analysis assumed that the Project would achieve energy efficient levels of at a minimum of 15% above the 2022 Title 24 Building Envelope Energy Efficiency Standards. To clarify the intent of **MM-GHG-7**, that measure will be revised in the Final SEIR to mandate that the Project achieve, at a minimum, an energy efficient level of 15% greater than what is required by the 2022 Title 24 Building Envelope Energy Efficiency Standards. As already mandated by **MM-GHG-7**, those reductions must be validated by the City prior to the issuance of building permits. In addition, although not required or assumed in the Draft SEIR's GHG analysis, please see response to comment O2-43 for a discussion of the comment regarding CalGreen Tier 2 standards and **MM-GHG-4**. **MM-GHG-7** has been clarified in the Final SEIR to state that the Project shall achieve a LEED certification of Gold or Platinum.

With respect to the specific CAPCOA energy measures identified in the comment, no further changes are necessary or required under CEQA for at least the following reasons:

- CAPCOA Measure E-1: The requirements of this measure are implemented through **MM-GHG-7** (15% above Title 24).
- CAPCOA Measure E-2: Appliance efficiency is one potential strategy for achieving the energy reduction standards identified in **MM-GHG-7**. That measure also addresses HVAC operations, and

an energy management system. Given the performance standard included in the mitigation measure, additional, appliance specific provisions are unnecessary.

- **CAPCOA Measures E-3-A/B:** These are qualitative measures in CalEEMod addressing energy-efficient residential boilers (E-3-A) and commercial boilers (E-3-B) and are not applicable to the Project's land use type or scale per CalEEMod.
- **CAPCOA Measure E-5:** This measure is not feasible due to limited roof space; furthermore, **MM-GHG-8** addresses heat island reduction.
- **CAPCOA Measures E-21, E-22, and E-25:** These are qualitative measures in CalEEMod addressing cool pavements (E-21), obtaining Third-Party HVAC Commissioning and Verification of Energy Savings (E-22), and installing electric heat pumps (E-25). The intent of these measures is captured through **MM-GHG-7** and **MM-GHG-8**. **MM-GHG-7** includes electric heat pumps for space heating and domestic water heating.
- **CAPCOA Measures E-12 and E-16:** These measures are targeted at residential development and are not applicable. Further, zero net energy is infeasible for this Project due to limited roof space for solar and the energy demands of resort hotel operations. In addition, as disclosed in the Draft and Final SEIR, the Project incorporates meaningful energy reduction measures, as well as a requirement to install a solar energy system that will generate a minimum of 267,000 kilowatt-hours per year (**MM-GHG-9**).
- **CAPCOA Measure E-24:** This measure addresses strategically providing battery storage. Battery storage has been added to **MM-GHG-7** for clarification purposes, as shown below in strikethrough/underline:

MM-GHG-7 Building Energy Efficiency Measures. Prior to issuance of building permits, the Project Applicant ~~applicant~~ or designee shall submit documentation of building energy efficiency measures to the City of Garden Grove, such that a minimum of 15% above 2022 Title 24 Building Envelope Energy Efficiency Standards is achieved. Energy efficiency measures shall include, at a minimum, the following:

1. LED Lighting – High-lumen LED light fixtures shall be used exclusively for the lighting of spaces throughout the Project that require 8 to 10 watts per fixture.
2. Energy efficient lighting shall be incorporated into all on-site lighting and energy-efficient appliances shall be incorporated into Project operations.
3. HVAC Optimization – The HVAC system shall include the following:
    a. ~~Heat~~ Electric heat pumps will be used for space heating and domestic hot water, with all systems integrated and monitored by the Project Building Management System for performance optimization, fault detection, and energy tracking. ~~to heat spaces and water using a heat exchanger and will be monitored by the Project Building Management System (BMS).~~
    b. Smart thermostats, which include a motion sensor detector and door/window open sensors, will be installed in each guest room.
    c. The central plant will utilize a Combination Plant with SmartPlate EV.
4. Glazing – All glazing for the tower and exterior public spaces shall be installed with Low-E glass [U-factor (thermal transmittance) ≤ 0.28 and Solar Heat Gain Coefficient (SHGC) ≤ 0.23.

5. Energy Management System – The Project shall use advanced systems to monitor and optimize energy use in real time.
6. Benchmarking and Monitoring – The Project shall incorporate an Energy Star Portfolio Management system to track and manage energy consumption.
7. Third-Party Verification/LEED Certification – The Project shall obtain third-party HVAC commissioning verification or LEED certification of Gold to Platinum to verify energy savings.
8. Battery Energy Storage – The Project would include an on-site battery energy storage system occupying approximately 500 to 1,000 square feet, consisting of modular lithium-ion battery cabinets and associated electrical equipment. The system would be used for peak load management and grid resiliency consistent with California Fire Code and Title 24 requirements.

(CAPCOA Measure E-1 is quantified; CAPCOA Measures E-7, E-9, E-22, E-24, and E25 are qualitative)

Further, CEQA does not require incorporation of the additional water conservation recommendation suggested by the comment for reasons that include the following:

- **MM-GHG-10** requires a Water Conservation Compliance Report and imposes a performance standard mandate of a minimum 10% reduction in total water use compared to the baseline of 167 gallons per room per day (Psomas 2022). As specified in the mitigation measure, the Project must achieve an average of no more than 150.3 gallons per capita per day at full Project occupancy.
- As the Draft SEIR discloses, the Project already implements feasible CAPCOA water measures, including W-2 (Greywater Use), W-5 (Water-Efficient Landscaping), and W-7 (Water Conservation Strategy), as elements of achieving the water conservation required by **MM-GHG-10**.
- Other CAPCOA measures (e.g., W-1 [Use Reclaimed Non-Potable Water], W-3 [Use Locally-Sourced Water Supply], W-4 [Require Low-Flow Water Fixtures], and W-6 [Reduce Turf in Landscapes and Lawns]) are either infeasible due to lack of recycled water availability or duplicative of measures already included in **MM-GHG-10**.

Regarding **MM-GHG-13** (Prohibit Woodburning devices, Natural Gas Fireplaces and Fire Pits), hotels, especially those with aquatic and event space uses like the Project, will include fireplaces and fire pits. Consistent with CAPCOA Measure E-14, which is directed at residential uses, **MM-GHG-13** ensures that any potential guest gathering features such as fireplaces and fire pits will use clean energy sources such as electricity, eliminating a potential emissions source. Nothing would be served by the comment's suggestion that the City remove this measure and the Draft SEIR's GHG analysis only addresses this restriction as a qualitative measure.

For the reasons noted above, the Draft and Final SEIR's consideration of energy efficiency matters is consistent with CEQA's requirements. Nothing further is required.

02-53 The comment states that **MM-GHG-15** (Carbon Offsets) is commendable but offers an opinion that carbon offsets should only be used after all feasible on-site mitigation measures have been implemented or deemed infeasible. The comment again treats CAPCOA, particularly language in CAPCOA Measure M-2, as if it were controlling as it relates to compliance with CEQA. The law does not support the comment's argument in general or specifically as it relates to Carbon Offsets. Without

factual or legal support, the comment also recommends annual reporting and reassessment of carbon offset requirements over the Project's 30-year lifespan.

MM-GHG-15 requires the purchase of carbon offsets to address any remaining GHG emissions after implementation of all the PDFs and on-site mitigation measures identified in the Final SEIR. The mitigation measure incorporates elements and requirements consistent with GHG reduction approaches recommended by the GHG experts at Dudek. The carbon offset elements included within MM-GHG-15 are consistent with CEQA's requirements, including minimum standards for the credits, a process of third-party verification, and prioritization of where projects generating credits are located. As discussed in these responses to comments, the CAPCOA measures recommended by the comment are either already required of the Project through PDFs or mitigation measures, are not applicable to the Project, are not of a nature that would allow for quantification such that the amount of carbon offsets would be reduced, or are otherwise not feasible or speculative. Similarly, nothing in CEQA requires a mitigation measure to impose continual reassessment and recalibration. For example, CEQA Guidelines Section 15126.4(a)(1)(B) requires adoption of feasible mitigation measures that substantially reduce significant impacts but does not mandate prioritization beyond what is feasible or require ongoing reassessment once impacts have been evaluated and mitigated. The approach suggested by the comment would run counter to CEQA's informed decision-making mandates because it would create uncertainty for the decision makers, developer, operator, and the public as to what the Project must do to offset its GHG emissions. MM-GHG-15 is appropriate and consistent with CEQA. No further response is required.

O2-54 This comment expresses appreciation for the opportunity to comment on the Draft SEIR and does not require a response.

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3 Changes to the Draft Supplemental Environmental Impact Report

3.1 Introduction

As provided in Section 15088(c) of the California Environmental Quality Act (CEQA) Guidelines, responses to comments may take the form of a revision to a draft environmental impact report (EIR) or may be a separate section in a Final EIR. This chapter of the Final Supplemental EIR (SEIR) complies with the latter option and provides changes to the Draft SEIR in strikethrough text (i.e., ~~strikethrough~~) signifying deletions, and underlined text (i.e., underline) signifying additions. These notations are meant to provide clarification, corrections, or minor revisions identified during the review period or as a result of public comments received for the proposed Site B-2 Hotel Project (Project) since the release of the Draft SEIR, as required by Section 15132 of the CEQA Guidelines. None of the corrections or additions constitutes significant new information or substantial Project changes requiring recirculation of the SEIR, as defined by Section 15088.5 of the CEQA Guidelines.

3.2 Changes to the Draft SEIR

3.2.1 Changes to the Table of Contents, Tables

List of Tables, pages TOC-iii, TOC-iv[1]

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[1] The tables shown as underlined in this section were included in the Draft SEIR. This correction is made to the Table of Contents because tables were inadvertently omitted from the Draft SEIR's Table of Contents.

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3.2.2 Changes to Chapter 1, Executive Summary

1.4.3, Project Design Features, page 1-3

An Initial Study/Mitigated Negative Declaration (IS/MND) was previously prepared for the proposed Project and approved by the City of Garden Grove in 2022 and included several Project Design Features (PDFs) as conditions of approval. The following section summarizes those applicable PDFs that are incorporated here. It should be noted that all the following PDFs are qualitative/supporting measures. Therefore, for purposes of quantifying the Project's GHG emissions, no GHG reductions were taken from implementation of these measures.

PDF-28 The Project amenities shall be available to registered hotel guests only. There will be no day passes allowed.

PDF-29 The Project amenities include a self-service bicycle repair station adjacent to the guest and employee bicycle parking spaces.

1.6, Areas of Known Controversy, page 1-6 (bulleted list)

- Request for the Project to rely on the South Coast Air Quality Management District's CEQA guidance and evaluate all phases of the Project and air pollutant sources
- Request for the Project ~~applicant~~Applicant to consider including a Transportation Demand Management analysis within the EIR and implementation of appropriate detours, signage, and safety measures for pedestrians and bicyclists in the construction phase and encouragement of Complete Street design

- Request that the City should clarify what environmental review is being supplemented and receipt of all notices concerning any CEQA/land use actions associated with the Project

1.8, Summary of Environmental Impacts and Mitigation, pages 1-7 through 1-27

Table 1-1 summarizes the conclusions of the environmental analysis contained in this SEIR. Table 1-1 provides a complete list of the project's environmental impacts including the level of significance before and after mitigation, based on the analysis and conclusions presented in Chapter 4 of this SEIR. Each mitigation measure includes the corresponding California Air Pollution Control Officers' Association (CAPCOA) alphanumerical designation for the measure in italics immediately following the mitigation text to indicate alignment with recognized VMT and GHG best practices. The potentially significant impacts related to VMT and conflicts with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs can be reduced to less than significant through incorporation of mitigation measures identified in Chapter 4 (see Impact GHG-2 and Impact TRA-1 in Section 4.1, Greenhouse Gas Emissions and Section 4.2, Transportation). The Project would result in significant unavoidable Project and cumulative impacts to GHG emissions, even with the implementation of identified mitigation measures (see Impact GHG-1 Section 4.1, and Table 1-1 for details).

1.8, Table 1-1, pages 1-6 through 1-27

MM-GHG-1. Construction Equipment Electrification~~Electric Construction Equipment~~. Prior to issuance of building permits, the Project Applicant's or designee's contractor shall submit a Construction Equipment Emissions Minimization Plan for City of Garden Grove (City) approval that:

(1) Identifies all off-road equipment anticipated by phase.

(2) Requires generators, cranes, electric scissor/boom lifts, forklifts/telehandlers (where feasible), welders (where feasible), and electric/solar light towers when commercially available.

(3) Requires grid power for temporary construction power.

(4) Where electric equipment is not available for a listed task, documents non-availability (size/class, delivery lead time, site constraints) and requires the cleanest feasible alternative (Tier 4 Final/zero-emission alternatives as available).

In addition, the Project shall limit air compressors used during the architectural coating/painting phase to equipment that is electric-powered. Compliance shall be demonstrated through equipment lists, rental records, and weekly logs and shall be summarized in a post-construction compliance memo for the Supplemental Mitigation Monitoring and Reporting Program (Supplemental MMRP) file. ~~applicant or designee shall submit documentation to the City of Garden that temporary power will be established to the Project site during vertical construction. All generator(s) and crane(s) shall be electric-powered. In addition, the Project shall limit air compressors used during the architectural coating/painting phase to equipment that is electric-powered.~~ *(CAPCOA Measure C-1-A)*

MM-GHG-2. Construction Office Energy Efficiency. Prior to issuance of building permits, the Applicant or designee shall submit documentation to the City of Garden Grove that temporary construction field office(s) are equipped with energy efficient lighting such as compact fluorescent or LEDs and that heating and cooling units are Energy Star certified.

MM-GHG-3. Construction Debris Recycling. Prior to the start of construction, the Project's contractor shall develop a Construction Waste Management Plan (Plan) for submittal and approval to the City of Garden Grove. The

~~Construction Waste Management~~ Plan shall recycle or salvage non-hazardous construction debris ~~such that a minimum target of 75% is achieved. This will exceed the City's current target of 65% diversion.~~ including but not limited to wood, metal, concrete, asphalt, and other reusable materials generated during construction activities. ~~The Plan shall also include provisions for salvaging wood materials for reuse in furniture, engineered wood products, mulch, or other applications.~~ The contractor shall implement the Plan to achieve a minimum diversion target of 75% of non-hazardous construction and demolition debris from landfills, exceeding the City's current 65% diversion requirement. *(CAPCOA Measure S-4)*

MM-GHG-4. Electric Vehicle Charging Infrastructure. Prior to issuance of building permits, the Project ~~applicant~~ Applicant or designee shall submit a site plan to the City of Garden Grove for approval noting the location of electric vehicle infrastructure and charging stations. Prior to issuance of the final certificate of occupancy, the Project ~~applicant~~ Applicant or designee shall provide electric vehicle (EV) charging infrastructure within the Project site as required by the applicable California Green Building Standards Code, but that, at a minimum, meets or exceeds 2022 California Green Building Standards Code Tier 2 standards. Tier 2 requires approximately 225 parking spaces to be EV capable, and 75 spaces to be equipped with EV Supply Equipment (EVSE). The Project shall install a minimum of 225 EV capable spaces and 100 EVSE spaces. *(CAPCOA Measure T-14)*

MM-GHG-5. Guest Vehicle Trip Reductions. Prior to issuance of building permits, the Project ~~applicant~~ Applicant shall submit a site plan to the City of Garden Grove for approval identifying where pedestrian and bicycle connections to adjacent facilities will be provided and where bicycle parking spaces will be provided. The City shall verify the inclusion of pedestrian and bicycle infrastructure prior to the issuance of the final certificate of occupancy. The Project ~~applicant~~ Applicant or designee shall ensure that, at a minimum, the following trip reduction measures are implemented during Project operations to reduce the number of auto-based trips generated by the Project and to encourage the use of transit, bicycling, and walking.

- Improve the walkability and design of the Project by providing pedestrian and bicycling connections within the Project site and to adjacent off-site facilities (i.e., sidewalks, crosswalks, wayfinding signage, etc.).
- Provide secure on-site bicycle racks to accommodate a minimum of 38 bicycle parking spaces and provide bicycle rentals for hotel guests.
- Alternative transportation services such bike rentals and transit information shall be seamlessly integrated into the guest experience, making alternative modes of travel easy to understand, access, and use.
- Hotel management/concierge should provide information that promotes walking, bicycling and public transit options to nearby attractions. This should include real-time transit information provided through dedicated monitors, interactive electronic displays, websites, or mobile applications identifying ~~on~~ local bus routes and schedules, ~~and~~ as well as wayfinding to the existing transit stops ~~along Harbor Boulevard~~within the Project vicinity.
- Provide a shuttle service linking the hotel to nearby shopping and entertainment destinations, prioritizing battery-electric vehicles where route length and charging logistics allow; the program may be operated under a vendor contract with scheduled runs during peak guest activity and on-demand service for special events.
- Hotel management will make available transit ~~-~~passes for purchase and provide clear wayfinding to public transit and shuttle service.
- Qualitative assessments (e.g., user satisfaction surveys, walk audits, guest feedback) shall be regularly conducted to evaluate the effectiveness of trip reduction strategies.

- An annual report summarizing how transportation options are being used, guest perceptions, and planned improvements shall be submitted to the City.

(CAPCOA Measures T-34, T-38, T-43, and T-44)

MM-GHG-6. Limit Large Diesel Trucks During Operation. Prior to issuance of certificate of occupancy, the Project Applicant ~~applicant~~ or designee shall submit a Truck Delivery Management Plan to the City of Garden Grove that documents how truck deliveries will be restricted and monitored. The Project ~~applicant~~ Applicant or designee shall implement a monitoring program to restrict the number of large diesel trucks coming to the site (i.e. for deliveries, trash collection, or other services) to an average of 10 trucks per day or less. This restriction is specifically applicable to trucks classified as medium-heavy duty and heavy-heavy duty with gross vehicle weight (GVW) greater than 19,500 pounds. Annual reports summarizing heavy-duty truck trips shall be provided to the City of Garden Grove. *(CAPCOA Measure C-2)*

MM-GHG-7. Building Energy Efficiency Measures. Prior to issuance of building permits, the Project Applicant ~~applicant~~ or designee shall submit documentation of building energy efficiency measures to the City of Garden Grove, such that a minimum of 15% above 2022 Title 24 Building Envelope Energy Efficiency Standards is achieved. Energy efficiency measures shall include, at a minimum, the following:

1. LED Lighting – High-lumen LED light fixtures shall be used exclusively for the lighting of spaces throughout the Project that require 8 to 10 watts per fixture
2. Energy efficient lighting shall be incorporated into all on-site lighting and energy-efficient appliances shall be incorporated into Project operations.
3. HVAC Optimization – The HVAC system shall include the following:
   a. ~~Heat~~ Electric heat pumps will be used for space heating and domestic hot water, with all systems integrated and monitored by the Project Building Management System for performance optimization, fault detection, and energy tracking.~~to heat spaces and water using a heat exchanger and will be monitored by the Project Building Management System (BMS).~~
   b. Smart thermostats, which include a motion sensor detector and door/window open sensors, will be installed in each guest room.
   c. The central plant will utilize a Combination Plant with SmartPlate EV.
4. Glazing – All glazing for the tower and exterior public spaces shall be installed with Low-E glass [U-factor (thermal transmittance) ≤ 0.28 and Solar Heat Gain Coefficient (SHGC) ≤ 0.23.
5. Energy Management System – The Project shall use advanced systems to monitor and optimize energy use in real time.
6. Benchmarking and Monitoring – The Project shall incorporate an Energy Star Portfolio Management system to track and manage energy consumption
7. Third-Party Verification/LEED Certification – The Project shall obtain third-party HVAC commissioning verification or LEED certification of Gold to Platinum to verify energy savings
8. Battery Energy Storage – The Project would include an on-site battery energy storage system occupying approximately 500 to 1,000 square feet, consisting of modular lithium-ion battery cabinets and associated electrical equipment. The system would be used for peak load management and grid resiliency and consistent with California Fire Code and Title 24 requirements.

(CAPCOA Measure E-1 is quantified; CAPCOA Measures E-7, E-9, E-22, E-24, and E-25 are qualitative)

MM-GHG-8. Cool Roof/Deck. Prior to issuance of building permits, the Project Applicant ~~applicant~~ or designee shall submit plans to the City for approval that require cool roof and cool deck surfaces to be included as part of the Project for the podium and tower, consistent with the specifications provided below.

- Cool Roof Installation: All roofing materials shall meet or exceed the California Title 24, Part 6 requirements for cool roofs, based on roof slope:
  - Low-sloped roofs (≤ 2:12 pitch):
    - Aged Solar Reflectance (SR) ≥ 0.63
    - Thermal Emittance (TE) ≥ 0.75
    - Or Solar Reflectance Index (SRI) ≥ 75
  - Steep-sloped roofs (> 2:12 pitch):
    - Aged SR ≥ 0.20
    - TE ≥ 0.75
    - Or SRI ≥ 16
- Cool Deck Surfaces: All exterior hardscape surfaces exposed to sunlight (e.g., pool decks, patios, walkways) shall use high-albedo materials or cool surface coatings with:
  - Minimum SR of 0.29 or higher
  - Or materials with a demonstrated surface temperature reduction of at least 10°F compared to conventional concrete or asphalt

To meet the above standards, the project ~~applicant~~Applicant may implement one or more of the following:

- Use Energy Star®-rated roofing products or materials listed in the Cool Roof Rating Council (CRRC) directory.
- Apply reflective coatings or single-ply membranes with compliant SR and TE values.
- Install light-colored or permeable pavers, cool concrete, or coated surfaces for decks and walkways, such as permeable interlocking concrete pavers, porous asphalt, permeable concrete, geocell systems, or bio-asphalt.
- Incorporate green roofs or vegetated shading structures as alternative compliance pathways (subject to City approval).

Monitoring and Reporting shall include:

- Submittal of roofing and hardscaping material specifications to the City of Garden Grove Building Division prior to issuance of building permits.
- City inspectors shall verify installation during final inspection and prior to issuance of the final certificate of occupancy.

(CAPCOA Measure E-21)

MM-GHG-9. Renewable Energy. The Project Applicant or designee shall install a solar photovoltaic system capable of generating a minimum of 267,000 kilowatt hours (kWh) per year prior to issuance of certificate of occupancy. *(CAPCOA Measure E-10-B)*

MM-GHG-10. Water Conservation. Prior to receiving the final certificate of occupancy, the Project Applicant ~~applicant~~ or designee shall submit a Water Conservation Compliance Report to the City of Garden Grove for review

and approval. The Project shall achieve a minimum 10% reduction in total water use compared to the baseline of 167 gallons per room per day as identified in the Water Supply Assessment (Psomas 2022). This equates to a target of no more than 150.3 GPCD at full occupancy. The Water Conservation Compliance Report shall include product specifications for all water-saving fixtures and systems, landscape and irrigation plans, greywater system design and capacity documentation, post-occupancy water use monitoring plan for the first 12 months after occupancy. To meet or exceed the performance standard, the Project may implement a combination of the following water conservation strategies:

- Low-Flow Water Fixtures for guest rooms and public area
- Smart Irrigation System - outdoor landscaping shall include weather-based irrigation controllers and drought-resistant landscaping to minimize outdoor water use.
- Greywater Recycling.

(CAPCOA Measures W-2, W-5, and W-7)

MM-GHG-11. Waste Reduction. Prior to issuance of the final certificate of occupancy, the Project Applicant ~~applicant~~ or designee shall submit a Waste Management, Recycling, and Composting Plan to the City of Garden Grove for review and approval. The program shall be implemented on site at the Project location and apply to all operational areas, including guest services, food and beverage operations, maintenance, and administrative functions. The waste reduction program shall be fully implemented during Project operations. The Plan shall specify a minimum diversion of 25% of municipal solid waste, including organics, generated on site from landfill disposal. The Waste Management, Recycling, and Composting Plan may include but not be limited to the following:

- Recycling Program
  - ~~Labeled~~ Provide labeled bins for recyclables and certified hauler contracts.
  - Promote recycled paper and other products like soap.
- Organics and Composting Program
  - ~~Collection of~~ Collect food scraps and compostables.
- Source Reduction Measures
  - Reduce single-use items and paper use.
  - Ban disposable (i.e., designed to be used once and discarded) foodware items and accessories.
  - Allow customers to bring their own reusable items.
  - Require hand soap in refillable containers.
  - Do not provide water in plastic bottles or disposable single-use cups.
  - Do not use expanded polystyrene (i.e., Styrofoam).
  - Require reusable napkins and tablecloths with recyclable disposable napkins only for takeout.
  - Provide hand dryers in areas accessible to customers.
  - Require reusable laundry bags.
  - Require reusable dishware for room service.
  - Offer toiletries on request rather than automatically.
  - Provide key cards made of non-plastic materials, including traditional metal keys or wood, bamboo, and paper options for chip-based cards.
  - Incentivize returning keys to discourage waste.

  - Provide non-plastic shower caps, razors, shaving cream, slippers, eye masks, and ear plugs.
  - Remove minifridge items that use plastic.
  - Eliminate the use of garbage bags if possible, or use garbage bags made of compostable material.
  - Serve employee meals with reusable dishware and cutlery and provide reusable water bottles for all employees with accessible water bottle refill stations.
  - Replace paper towels with reusable dish rags.
- Employee and Guest Education
  - ~~Staff~~ Provide staff training and signage for guests.
- Monitoring and Reporting
  - Track waste and submit Annual Waste Diversion Report to the City of Garden Grove.

In addition, if the hotel/operations qualify as a covered edible food generator, the Project will contract with a food recovery organization/service and keep required records. If not covered, the Project will evaluate a partnership during operator onboarding and implement if feasible. *(CAPCOA Measure S-1/S-2; CAPCOA Measure S-3 is a qualitative measure in CalEEMod and is not quantified in the operational analysis)*

MM-GHG-12. Zero Emission Landscape Equipment. During Project operations, the Project Applicant or designee shall ensure zero-emission landscape equipment (defined as equipment that does not emit tailpipe emissions during operation) is utilized. The Project Applicant ~~applicant~~ or designee shall be responsible for ensuring that all landscape maintenance contractors and staff comply with this measure. All landscape maintenance activities associated with the Project shall utilize zero-emission landscaping equipment, such as electric-powered or battery-operated tools. This requirement applies to all landscaped areas within the Project site, including but not limited to courtyards, green spaces, perimeter landscaping, and rooftop gardens. The requirement shall be implemented prior to the commencement of landscape maintenance operations. To meet or exceed the performance standard, the Project may implement a combination of the following strategies:

Electric-Powered Equipment

- Use ~~of~~ electric or battery-powered:
  - Leaf blowers.
  - Lawn mowers.
  - Hedge trimmers.
  - Edgers.
  - Chainsaws.

Contractor Requirements

- Include zero-emission equipment requirements in all landscape maintenance contracts.
- Require contractors to provide documentation of equipment type and compliance.

On-Site Charging Infrastructure

- Install dedicated charging stations or outlets for landscape equipment.

Equipment Inventory and Tracking

- Maintain an inventory of all landscape equipment used on site.
- Submit an annual compliance report to the City of Garden Grove verifying that only zero-emission equipment is in use.

Training and Education

- Provide training to landscape maintenance staff on the proper use and maintenance of electric equipment.
- Display signage or include information in sustainability reports to promote awareness.

(CAPCOA Measure LL-1)

MM-GHG-13. Prohibit Woodburning ~~d~~Devices, Natural Gas Fireplaces, and Fire Pits. Prior to the issuance of building permits, the Project Applicant ~~applicant~~ or designee shall submit building design plans for approval of the City showing the prohibition of on-site woodburning devices, natural gas fireplaces, fire pits, or other decorative combustion features throughout the Project site. Prior to the issuance of the final certificate of occupancy, the City shall confirm that this prohibition has been implemented.

MM-GHG-14. Refrigerant Management Program. Prior to issuance of mechanical permits, the Project Applicant or designee shall develop and submit a Refrigerant Management Program to the City of Garden for review and approval. The Project Applicant ~~applicant~~ or designee shall be responsible for developing, implementing, and maintaining the refrigerant management program in coordination with HVAC contractors and facility operations staff. The Refrigerant Management Program shall include the use of low-GWP refrigerants (e.g., R-32 or better) and incorporate best management practices to reduce emissions from service, operation, and disposal of refrigerants. This measure shall apply to all refrigeration and HVAC systems installed and operated within the Project site, including guest rooms, common areas, kitchens, and mechanical rooms. The Project shall ensure that:

- 100% of installed HVAC and refrigeration systems use refrigerants with a GWP ≤ 750, consistent with California Air Resources Board (CARB) regulations.
- The refrigerant management program shall achieve a minimum 10% reduction in potential refrigerant emissions compared to standard industry practices, as demonstrated through leak rate tracking and maintenance logs.

To meet or exceed the performance standard, the Project may implement a combination of the following strategies:

Mechanical Equipment

- Install microchannel heat exchangers in A/C equipment in place of conventional heat exchangers.

Use of Low-GWP Refrigerants

- Select refrigerants such as R-32, R-454B, or other CARB-compliant alternatives with GWP ≤ 750.
- Avoid high-GWP refrigerants such as R-410A and R-404A.

Leak Detection and Prevention

- Install automatic leak detection systems for large-capacity systems.

- Conduct quarterly inspections and maintain leak logs.

Refrigerant Recovery and Disposal

- Use certified technicians for refrigerant recovery and disposal.
- Maintain documentation of recovered and recycled refrigerants.

Preventive Maintenance Program

- Implement a scheduled maintenance plan to inspect and service HVAC and refrigeration systems.
- Include refrigerant charge optimization and system performance checks.

Training and Certification

- Ensure all HVAC technicians are EPA Section 608 certified.
- Provide training on low-GWP refrigerant handling and leak prevention.

Third-Party Verification

- Obtain third-party verification of refrigerant management practices through programs such as GreenChill or LEED Enhanced Refrigerant Management credit.

Prior to issuance of certificate of occupancy, the City of Garden Grove will verify that the equipment specified in the Refrigerant Management Program has been installed. Ongoing compliance shall be performed by the Project Applicant ~~applicant~~ or their designee. *(CAPCOA Measures R-1, R-4, R-5, R-6, and R-7)*

MM-GHG-15. Carbon Offsets – The Project Applicant (or its designee) shall implement the following carbon offsets in accordance with the Project's construction and operational phases as outlined below.

Timeline for Acquisition of Carbon Offset Credits

Construction

Prior to issuance of grading permits, the Project Applicant (or its designee) shall purchase and retire carbon offsets in a quantity sufficient to offset all construction GHG emissions in a lump sum with the quantification, performance standards, and requirements set forth below. Alternatively, construction offsets may be purchased on an annual basis by purchasing the first phase of construction offsets prior to start of grading and then purchasing offsets for each following year by December 31 of the year preceding the new year in which construction will occur. Annual construction GHG emission offsets shall also be subject to the same quantification, performance standards, and requirements set forth below.

Operation

Prior to issuance of the final certificate of occupancy, the Project Applicant or its designee shall purchase and retire carbon offsets in a quantity sufficient to offset, for a 30-year period following occupancy of the Project, the construction and operational GHG emissions from Project to the 1,400 MT CO_2e per year threshold, consistent with the quantification, performance standards and requirements set forth below. Alternatively, the Project Applicant or

its designee may purchase and retire annual operational GHG offsets for a period of 30 years by December 31 of the year preceding each new year after the issuance of the final certificate of occupancy. Annual operational GHG emission offsets shall also be subject to the same quantification, performance standards, and requirements set forth below.

Quantification of GHG Emissions and Reductions Required~~.~~

Construction

The estimated total construction GHG emissions to be offset are 3,362.30 MT CO_2e if purchased in a lump sum. If purchased on an annual basis, the following schedule provides the estimated annual emissions and date of compliance.

Year	Offsets Required ~~(~~MT CO_2e~~)~~	Purchase and Retirement Deadline
1	402.52	Prior to issuance of grading permits
2	1,434.02	December 31~~st~~ of Year 1
3	1,410.81	December 31~~st~~ of Year 2
4	114.95	December 31~~st~~ of Year 3
Total	**3,362.30**	N/A

Notes: MT CO_2e = metric tons of carbon dioxide equivalent; N/A = not applicable.

Operation

The estimated operational emissions are 7,408.02 MT CO_2e. To mitigate operational emissions below the 1,400 MT CO_2e threshold, the Project would purchase and retire one lump sum of 180,270.60 MT CO_2e of offsets ~~[~~(7,408.02 MT CO_2e − 6,009.02 ~~[~~(offsets~~]~~) = 1,399 MT CO_2e remaining)~~]~~; 6,009.02 MT CO_2e × 30-year life = 180,270.60 MT CO_2e; or purchase and retire 6,002.46 MT CO_2e of offsets on an annual basis for 30 years. The following schedule provides the estimated offset emissions and dates of compliance under the scenarios where credits are purchased and retired in a lump sum or on an annual basis.

Scenario	Offsets Required ~~(~~MT CO_2e~~)~~	Purchase and Retirement Deadline
Lump ~~S~~sum	180,270.60	Prior to issuance of certificate of occupancy
Annual ~~B~~basis 30-year term	6,009.02	Prior to issuance of certificate of occupancy for Year 1 and December 31~~st~~ of preceding year.

Note: MT CO_2e = metric tons of carbon dioxide equivalent.

If the Project Applicant or its designee selects the scenario where the credits are purchased on something other than in one lump sum initially, they can purchase and retire the remaining offsets required in a lump sum in accordance with the remaining term and conditions outlined herein. ~~If the Project Applicant or its designee selects the Annual Basis scenario initially, they can purchase and retire the remaining offsets required in a lump sum in accordance with the remaining term and conditions outlined herein.~~

Carbon Offset Standards – Eligible Registries, Acceptable Protocols, Defined Terms, and Geographic Priorities

"Carbon offset" shall mean an instrument, credit or other certification verifying the reduction of GHG emissions issued by the following CARB-accredited registries: Climate Action Reserve, the American Carbon Registry, or Verra

(formerly, the Verified Carbon Standard); as well as credits issued for projects listed on the California Carbon Sequestration and Climate Resiliency Project Registry, which is maintained by the California Natural Resources Agency and may provide additional offsets. This shall include, but is not limited to, an instrument, credit or other certification issued by these registries for GHG reduction activities. The Project shall neither purchase offsets from the Clean Development Mechanism registry nor purchase offsets generated under Clean Development Mechanism protocols.

To be eligible under this mitigation measure, carbon offsets must satisfy the "Reporting and Enforcement Standards" below and demonstrate that each registry shall continue its existing practice of requiring the following for the development and approval of protocols or methodologies:

1. Adherence to established GHG accounting principles set forth in the International Organization for Standardization (ISO) 14064, Part 2 or the World Resources Institute/World Business Council for Sustainable Development (WRI/WBCSD) Greenhouse Gas Protocol for Project Accounting; and
2. Oversight of the implementation of protocols and methodologies that define the eligibility of carbon offset projects and set forth standards for the estimation, monitoring and verification of GHG reductions achieved from such projects. The protocols and methodologies shall:
    a. Be developed by the registries through a transparent public and expert stakeholder review process that affords an opportunity for comment and is informed by science;
    b. Incorporate standardized offset crediting parameters that define whether and how much emissions reduction credit a carbon offset project should receive, having identified conservative project baselines and the length of the crediting period and considered potential leakage and quantification uncertainties;
    c. Establish data collection and monitoring procedures, mechanisms to ensure permanency in reductions, and additionality and geographic boundary provisions; and,
    d. Adhere to the principles set forth in the program manuals of each of the aforementioned registries, as such manuals are updated from time to time. The current registry documentation~~,~~ includes the Climate Action Reserve's *Reserve Offset Program Manual*[2] (April 2024) and *Climate Forward Program Manual*[3] (December 2021); the American Carbon Registry's *The ACR Standard, Requirements and Specifications for the Quantification, Monitoring, Reporting, Verification, and Registration of Project-Based GHG Emissions Reductions and Removals*[4] (July 2023); and, Verra's VCS Standard, *Program Guide*[5] (August 2023) and *Methodology Requirements*[6] (October 2023).

The City has reviewed the registries' methodologies and has determined that protocols established pursuant to such methodologies – including updates to those protocols and methodologies as may occur from time to time by the registries in accordance with the registry documentation listed in the prior paragraph to ensure the continuing efficacy of the reduction activities – are eligible for use under this mitigation measure.

The carbon offsets purchased to satisfy this measure must represent the reduction or sequestration of one MT CO_2e that is "not otherwise required" (CEQA Guidelines Section 15126.4(c)(3)). The carbon offsets must achieve the standard of additional, real, permanent, quantifiable, verifiable, and enforceable reductions, which are defined

2 https://climateactionreserve.org/wp-content/uploads/2024/04/Reserve-Program-Manual-v9.2.pdf.
3 https://climateforward.org/wp-content/uploads/2021/12/Climate-Forward-Program-Manual-December-2021_12-FINAL.pdf.
4 https://acrcarbon.org/wp-content/uploads/2023/10/ACR-Standard-v8.0.pdf.
5 https://verra.org/documents/vcs-program-guide-v4-4/.
6 https://verra.org/documents/vcs-methodology-requirements-v4-4/.

for purposes of this mitigation measure as follows consistent with the applicable provisions in the California Code of Regulations, Title 17:

1. "Additional" means that the carbon offset is not otherwise required by law or regulation, and not any other GHG emissions reduction that otherwise would occur.
2. "Real" means that the GHG reduction underlying the carbon offset results from a demonstrable action or set of actions, and is quantified under the protocol or methodology using appropriate, accurate, and conservative methodologies that account for all GHG emissions sources and sinks within the boundary of the applicable carbon offset project, uncertainty, and the potential for activity-shifting leakage and market-shifting leakage.
3. "Verifiable" means that the GHG reduction underlying the carbon offset is well documented, transparent and set forth in a document prepared by an independent verification body that is accredited through the American National Standards Institute (ANSI).
4. "Permanent" means that the GHG reduction underlying the carbon offset is not reversible; or, when GHG reduction may be reversible, that a mechanism is in place to replace any reversed GHG emission reduction.
5. "Quantifiable" means the ability to accurately measure and calculate the GHG reduction relative to a project baseline in a reliable and replicable manner for all GHG emission sources and sinks included within the boundary of the carbon offset project, while accounting for uncertainty and leakage.
6. "Enforceable" means that the implementation of the GHG reduction activity must represent the legally binding commitment of the offset project developer to undertake and carry it out.

The City has reviewed and determined that methodologies and protocols established by American Climate Registry, Climate Action Reserve, and Verra establish and require carbon offset projects to comply with standards designed to achieve additional, real, permanent, quantifiable, verifiable and enforceable reductions. Additionally, the "Reporting and Enforcement Standards" below shall ensure that the requirements of this mitigation measure will be enforced, as the City has authority to hold the ~~applicant~~Applicant accountable and to take appropriate corrective action if it determines that any carbon offsets do not comply with the requirements herein.

Carbon offsets secured from the CARB-accredited registries shall be prioritized in accordance with the following criteria: (1) offsets within the City; (2) offsets within the County, only if in-City offsets are unavailable; (3) offsets within the State of California, only if in-county offsets are unavailable; (3) offsets within the United States, only if in-state offsets are unavailable.[7]

The above definitions are provided as criteria and performance standards associated with the use of carbon offsets. Such criteria and performance standards are intended only to further construe the standards under CEQA for mitigation related to GHG emissions (see, e.g., State CEQA Guidelines Section 15126.4(a), (c)), and are not intended to apply or incorporate the requirements of any other statutory or regulatory scheme not applicable to the Project (e.g., the Cap-and-Trade Program).

[7] For purposes of this provision, offset credits will be deemed "unavailable" if they are either unobtainable generally from the CARB-accredited registries, or if on a per-unit basis if such a credit is otherwise available: (a) for offset credits within the City of Garden Grove, more than 2 times as costly as offset credits within the County of Orange, but not within the City of Garden Grove; (b) for offset credits within the County of Orange, more than 5 times as costly as offset credits within California, but not within the County of Orange; or (c) for offset credits within the United States, sufficient offset credits within California are available for purchase at any cost.

Monitoring, Reporting and Enforcement Standards

Prior to the timeline identified in the initial section of this mitigation measure, the Project Applicant or its designee shall submit documentation in the form of a report to the City that identifies the quantity of emission reductions required by this mitigation measure, as well as the carbon offset proposed for acquisition to achieve compliance with this measure. For purposes of demonstrating that each offset is additional, real, permanent, quantifiable, verifiable and enforceable, the reports shall include: (i) the applicable protocol(s) and methodologies associated with the carbon offsets, (ii) the third-party verification report(s) and statement(s) affiliated with the carbon offset projects, (iii) the unique serial numbers assigned by the registry(ies) to the carbon offset, which serves as evidence that the registry has determined the carbon offset project to have been implemented in accordance with the applicable protocol or methodology and ensures that the offsets cannot be further used in any manner, and (iv) the carbon offset meets the locational attributes as specified by this mitigation measure and verified through a market survey report prepared by a carbon offset broker that identifies the carbon registry listings reviewed for carbon offset availability, including the related date of inquiry.

The Project Applicant (or its designee) shall select and retain at least one independent, third-party expert on GHG mitigation and offsets to review the documentation provided by the Applicant (or its designee) relating to, among other data, construction- and operation-related emissions, and provide a report with analysis and recommendations to the City (with supporting materials), on whether the Project has complied with the off-site GHG emissions reduction measures set forth in this mitigation measure. The Project Applicant's (or its designee's) selection of each expert, who shall not be a current or former employee or agent of the Project Applicant (or its designee), shall be subject to the approval of the City Attorney, which shall not be unreasonably withheld. The Project Applicant (or its designee) shall retain the expert(s) for all offset credit submissions made to the City until all offsets required this mitigation measure are acquired and accepted by the City.

If the City determines that the Project's carbon offsets at issue in the Project Applicant's (or their designee's) submission meet the requirements of this mitigation measure, the offsets required to be acquired by the Project will be proportionally reduced. Upon an affirmative finding from the City that the Project's carbon offsets are eligible for use under this measure, and within the applicable timeframe required by the first section of this mitigation measure, the Project ~~applicant~~Applicant (or their designee) shall provide to the City copies of the relevant portions of the GHG offset contracts demonstrating the applicable carbon offsets have been acquired. This will serve as the final documentation required to demonstrate compliance with this mitigation measure.

If the City determines that the Project's carbon offsets do not meet the requirements of this mitigation measure, the City shall provide a detailed explanation of the basis for the City's determination. Carbon offsets not approved by the City as meeting the requirements of this mitigation measure cannot be used to reduce Project GHG emissions and the Applicant will be required to submit qualifying carbon offsets accepted by the City prior to the applicable timeframe specified in the first section of this mitigation measure. *(CAPCOA Measure M-2)*

1.8, Summary of Environmental Impacts and Mitigation, pages 1-27 through 1-29

MM-TRA-1. Implement Commute Trip Reduction Marketing ~~(T-7)~~: The Project ~~applicant~~Applicant shall implement a marketing strategy to promote the Project site employer's Commute Trip Reduction (CTR) program. Information sharing and marketing promote and educate employees about their travel choices to the employment location beyond driving such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions.

However, to ensure that CTR achieves VMT reduction of at least 4%, the following measures will be incorporated:

a) The ~~applicant~~Applicant shall provide on-site or online commuter information services to employees. The ~~applicant~~Applicant shall also distribute a quarterly newsletter with tips, success stories and updates to ensure education and encouragement for the CTR program.

b) The CTR shall require the Project ~~applicant~~Applicant or their designee to appoint a Commute Program Coordinator to oversee the implementation and management of the marketing strategy.

c) The ~~applicant~~Applicant shall ensure on-site or online subsidized transit pass sales are available to all employees.

d) The ~~applicant~~Applicant shall provide guaranteed ride home service by matching employees with other employees or providing access to platforms such as Rideharing.com and Lyft ~~which~~ that connect riders for daily commutes with nearby drivers.

e) A minimum of 10 preferential parking spaces for carpools/vanpools shall be provided.

(CAPCOA Measures T-7, T-9-B)

MM-TRA-2. Provide End-of-Trip Bicycle Facilities (T-10): The Project shall install and maintain end-of-trip bicycle facilities for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers. The provision and maintenance of secure bike parking and related facilities encourages commuting by bicycle, thereby reducing VMT and GHG emissions. The Project design includes on-site bicycle racks to accommodate a minimum of 38 short-term bicycle parking spaces and provide bicycle rentals for hotel guests on the ground level and 32 secure long-term bicycle parking spaces for employees; ~~and~~ additionally, locker and shower facilities will be provided for employees. ~~Although it is not a mandatory requirement, the Applicant shall install a self-service bicycle repair station adjacent to the guest and employee bicycle parking spaces.~~ *(CAPCOA Measure T-10)*

3.2.3 Changes to Chapter 3, Project Description

Section 3.4.3, Project Design Features

The following summarizes the Project Design Features (PDFs) that are incorporated into the Project relative to the analysis in this SEIR and that will be included in the conditions of approval and/or Supplemental Mitigation Monitoring and Reporting Program (MMRP). It should be noted that all the following PDFs are qualitative/supporting measures. Therefore, for purposes of quantifying the Project's GHG emissions, no GHG reductions were taken from implementation of these measures.

PDF-28 The Project amenities shall be available to registered hotel guests only. There will be no day passes allowed.

PDF-29 The Project amenities include a self-service bicycle repair station adjacent to the guest and employee bicycle parking spaces.

3.2.4 Changes to Section 4.1, Greenhouse Gas Emissions

Section 4.1.4, Approach and Methodology, page 4.1-26

The California Emissions Estimator Model (CalEEMod) 2022 Version 2022.1.1.30 was used to estimate emissions from construction and operation of the Project (CAPCOA 2022). CalEEMod is a computer model developed in

cooperation with air districts throughout the state to quantify criteria air pollutant and GHG emissions associated with construction activities and operation of a variety of land use projects. CalEEMod input parameters, including the land use type used to represent the Project and its size, construction schedule, and anticipated use of construction equipment, were based on the experience of GHG experts and information provided by the City, or the ~~applicant~~Applicant, or relevant default model assumptions where Project specifics were unavailable.

Section 4.1.5, Project Design Features Previously Approved, page 4.1-31

The following summarizes the previously approved GHG related ~~P~~project ~~D~~design ~~F~~features (PDFs) that are incorporated into the Project. It should be noted that all the following PDFs are qualitative/supporting measures. Therefore, for purposes of quantifying the Project's GHG emissions and the potential significance of impacts, no GHG reductions were taken based on the implementation of these measures. A notation is provided in italics where these PDFs are based on a specific CAPCOA measure included in CalEEMod.

Section 4.1.5, Project Design Features Previously Approved, "Construction," pages 4.1-31 through 4.1-32

PDF-4 Construction equipment should be maintained in proper tune.

Qualitative/supporting – Maintaining heavy-duty off-road construction equipment in proper tune reduces GHG emissions. When engines are well-maintained—through regular servicing, timely replacement of filters, proper lubrication, and calibration—they operate more efficiently, burn fuel more completely, and emit fewer pollutants. There is no way to quantify these reductions in CalEEMod. Potential GHG emissions reductions are not estimated.

PDF-5 All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as 5 minutes or longer. *(CAPCOA Measure C-2)*

Qualitative/supporting – Reduction in idling time helps to reduce fuel consumption and thus GHG emissions. There is no way to quantify these reductions in CalEEMod. Potential GHG emissions reductions are not estimated.

PDF-8 For construction activities other than those addressed by MM-GHG-1 and MM-GHG-2, establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible. *(CAPCOA Measure C-1-A)*

Qualitative – Results in a reduction of diesel and gasoline use and thus GHG emissions. Conservatively, given the uncertainty in predicting the amount of reduction and the mix of electric powered equipment and phase of construction, it is too speculative to take GHG emission reductions from this PDF.

Section 4.1.6, New Project Design Features, page 4.1-33

PDF-27 Sustainable Building Materials and Contracting. The Project will prioritize low-impact, sustainably sourced, and recyclable materials across construction and interior finishes, including low-VOC paints, Forest Stewardship Council-certified wood, and recycled-content flooring. The Project is also implementing vendor standards that require environmental product declarations and third-party certifications to verify material sustainability. ~~.~~Materials shall be selected not only

for their initial environmental footprint but also for durability and long-term performance, reducing the need for frequent replacement and associated waste.

In addition, the Project Applicant or their designee will include bid language requiring the contractor to prioritize sourcing within the region (e.g., Orange County/Southern California) where pricing and availability are competitive, and to document major material and subcontractor origins in the construction closeout package.

Qualitative/supporting – Sustainable building materials play a crucial role in reducing GHG emissions by addressing both embodied and operational carbon impacts in the construction sector. Embodied carbon refers to emissions from the extraction, manufacturing, and transportation of materials, while operational carbon stems from a building's energy use over time. It is too speculative to claim GHG reductions for sustainable building design measures because actual emissions reductions depend on uncertain factors like material sourcing, construction practices, and long-term building performance. Without verified, project-specific data, such claims lack the certainty needed for credible crediting. Accordingly, this measure is qualitative and potential GHG emissions reductions are not estimated.

Section 4.1.7, Impacts Analysis, Threshold GHG-1, "Level of Significance Before Mitigation," page 4.1-35

The Project would have ~~the~~ a **potentially significant impact**.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with SCAG's RTP/SCS (Connect SoCal)," page 4.1-36

In April 2024, SCAG adopted the 2024–2050 RTP/SCS, also referred to as Connect SoCal 2024 which builds upon the prior RTP/SCS. Connect SoCal 2024 includes regional planning policies in the following categories: Mobility, Communities, Environment, and Economy. A key component of Connect SoCal is the strategic location of housing to reduce vehicle miles traveled (VMT) by placing residential development close to jobs, services, and transit. Consistent with SB 375, the primary objective of the RTP/SCS is to guide future regional growth patterns—including the location of new residential and non-residential land uses—and transportation investments in order to achieve the state's GHG reduction goals.

CAPCOA transportation-related measures such as T-1 (Increase Residential Density) and T-4 (Integrate Affordable and Below Market Rate Housing) are intended to support these objectives by providing strategies for siting and designing residential projects in a manner that minimizes VMT. These measures focus on increasing housing opportunities near employment centers, transit, and services, thereby reducing auto dependency. While Connect SoCal emphasizes the importance of strategically located housing at a regional level, Connect SoCal 2024 does not require the inclusion of housing within commercially designated areas for a project to be deemed consistent. Furthermore, CAPCOA Measures T-1 and T-4 are explicitly applicable to residential development and do not require or obligate commercial projects to incorporate housing uses. Because the Proposed Project is a commercial project, these residential-focused measures are not applicable. ~~The primary objective of the RTP/SCS is to provide guidance for future regional growth (i.e., the location of new residential and non-residential land uses) and transportation patterns throughout the region, as stipulated under SB 375 to achieve compliance with the State's GHG reduction goals.~~ The Connect SoCal 2024 policies are evaluated in Table 4.1-6 below.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with SCAG's RTP/SCS (Connect SoCal)," Table 4.1-6, Table Subheading "Transportation System Management," Policy No. 12, Column "Potential to Conflict," page 4.1-37

Not applicable. This transportation system operational improvement policy is designed to be implemented at a regional scale and requires coordination among multiple jurisdictions, agencies, and stakeholders. As such this policy does not apply to a single project applicant like the Project ~~applicant~~Applicant.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with SCAG's RTP/SCS (Connect SoCal)," Table 4.1-6, Table Subheading "Priority Development Areas," Policy No. 32, Column "Potential to Conflict," page 4.1-41

No conflict. The Project is located on an infill site that is zoned for commercial use. The inclusion of housing within a commercial-designated area is not required by Connect SoCal to be deemed consistent. The Project would provide employment opportunities along a major transportation corridor near existing transit.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with SCAG's RTP/SCS (Connect SoCal)," Table 4.1-6, Table Subheading "Housing the Region," Policy No. 35, Column "Potential to Conflict," page 4.1-41

Not applicable. This policy is designed to be implemented at a regional scale and requires coordination among multiple jurisdictions, agencies, and stakeholders. The inclusion of housing within a commercial-designated area is not required by Connect SoCal to be deemed consistent. Notably, the Project is located on an infill site that is General Plan designated for visitor serving uses of the kind proposed by the Project. The City's General Plan designates other areas within the City to satisfy local and regional housing needs.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with SCAG's RTP/SCS (Connect SoCal)," Table 4.1-6, Table Subheading "Housing the Region," Policy No. 36, Column "Potential to Conflict," page 4.1-43

Not applicable. This policy is designed to be implemented at a regional scale and requires coordination among multiple jurisdictions, agencies, and stakeholders. As such they are beyond the control of a single project applicant. The inclusion of housing within a commercial-designated area is not required by Connect SoCal to be deemed consistent. The Project would offer employment opportunities near a major transportation corridor near existing transit consistent with the General Plan. The City's General Plan designates other areas within the City to satisfy local and regional housing needs.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with SCAG's RTP/SCS (Connect SoCal)," Table 4.1-6, Table Subheading "Housing the Region," Policy No. 37, Column "Potential to Conflict," page 4.1-42-43

Not applicable. This policy is designed to be implemented at a regional scale and requires coordination among multiple jurisdictions, agencies, and stakeholders. The inclusion of affordable housing within a commercial-designated area is not required by Connect SoCal to be deemed consistent. The Project is located on an infill site that is General Plan designated for the visitor serving uses contemplated by the Project. The City's General Plan designates other areas within the City to satisfy local and regional housing needs.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with SCAG's RTP/SCS (Connect SoCal)," Table 4.1-6, Table Subheading "Housing the Region," Policy No. 38, Column "Potential to Conflict," page 4.1-43

Not applicable. This policy is designed to be implemented at a regional scale and requires coordination among multiple jurisdictions, agencies, and stakeholders. The Project does not require the displacement of existing housing, and the Project site is General Plan designated for the visitor serving uses contemplated by the Project. The inclusion of housing within a commercial-designated area is not required by Connect SoCal to be deemed consistent. The City's General Plan designates other areas within the City to satisfy local and regional housing needs.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with SCAG's RTP/SCS (Connect SoCal)," Table 4.1-6, Table Subheading "Housing the Region," Policy No. 39, Column "Potential to Conflict," page 4.1-43

Not applicable. This policy is more aspirational rather than an enforceable standard or requirement for individual projects. The Project is located on an infill site that is General Plan designated for the visitor serving uses contemplated by the Project. The inclusion of housing within a commercial-designated area is not required by Connect SoCal to be deemed consistent. The City's General Plan designates other areas within the City to satisfy local and regional housing needs.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with SCAG's RTP/SCS (Connect SoCal)," Table 4.1-6, Table Subheading "Housing the Region," Policy No. 40, Column "Potential to Conflict," page 4.1-43-44

Not applicable. This policy is more aspirational rather than an enforceable standard or requirement for individual projects. This policy is designed to be implemented at a regional scale and requires coordination among multiple jurisdictions, agencies, and stakeholders. The Project is located on an infill site that is General Plan designated for the visitor serving uses contemplated by the Project. The inclusion of housing within a commercial-designated area is not required by Connect SoCal to be deemed consistent. The City's General Plan designates other areas within the City to satisfy local and regional housing needs.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with SCAG's RTP/SCS (Connect SoCal)," Table 4.1-6, Table Subheading "Housing the Region," Policy No. 41, Column "Potential to Conflict," page 4.1-43

Not applicable. This policy is more aspirational rather than an enforceable standard or requirement for individual projects. This policy is designed to be implemented at a regional scale and requires coordination among multiple jurisdictions, agencies, and stakeholders. The Project is located on an infill site that is General Plan designated for the visitor serving uses contemplated by the Project. The inclusion of housing within a commercial-designated area is not required by Connect SoCal to be deemed consistent. The City's General Plan designates other areas within the City to satisfy local and regional housing needs.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with SCAG's RTP/SCS (Connect SoCal)," Table 4.1-6, Table Subheading "15-Minute Commutes," Policy No. 43, Column "Potential to Conflict," page 4.1-43

Not applicable. This policy is designed to be implemented at a regional scale and requires coordination among multiple jurisdictions, agencies, and stakeholders. It is also more aspirational rather than an enforceable standard or requirement for individual projects. The Project is located on an infill site that is General Plan designated for the visitor serving uses contemplated by the Project. The Project would offer employment opportunities near a major transportation corridor near existing transit. The inclusion of housing within a commercial-designated area is not required by Connect SoCal to be deemed consistent.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with SCAG's RTP/SCS (Connect SoCal)," Table 4.1-6, Table Subheading "Climate Resilience," Policy No. 68, Column "Potential to Conflict," page 4.1-43

Not applicable. This policy is designed to be implemented at a regional scale and requires coordination among multiple jurisdictions, agencies, and stakeholders. As such they are beyond the control of a single project applicant.

The Project does not preclude SCAG's ability to support integrated planning approaches for developing more housing in drier environments. The inclusion of housing within a commercial-designated area is not required by Connect SoCal to be deemed consistent. The Project is located within a commercial district specifically designated as a location for visitor serving uses like the Project. Additionally, the Project includes water conservation measures such as MM-GHG-10, which would support this policy.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with SCAG's RTP/SCS (Connect SoCal)," Table 4.1-6, Table Subheading "Clean Transportation," Policy No. 55, Column "Potential to Conflict," page 4.1-47

Not applicable. This is a region wide measure~~.~~; however, the Project would not limit SCAG's ability to promote the equitable use of and access to clean transportation technologies.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with SCAG's RTP/SCS (Connect SoCal)," Table 4.1-6, Table Subheading "Clean Transportation," Policy No. 56, Column "Potential to Conflict," page 4.1-47

Not applicable. This policy is designed to be implemented at a regional scale and requires coordination among multiple jurisdictions, agencies, and stakeholders. As such they are beyond the control of a single project applicant.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with State Reduction Targets and CARB's Scoping Plan," Table 4.1-7, Table Subheading "Sector", Transportation," Smart Growth/VMT, Column "Potential to Conflict," page 4.1-58

No conflict with mitigation. The VMT goals outlined in the Scoping Plan are being pursued through a multi-prong approach that includes transforming land use and mobility options. The State is encouraging compact, infill development near high quality transit corridors to reduce VMT. The Scoping Plan does not require housing to be included within commercially zoned areas for development to be consistent with these goals. Rather, it supports a

mix of land uses across the region that collectively reduce travel demand. The Project would not obstruct or interfere with agency efforts to meet this regional VMT reduction goal, including through implementation of SB 375.

The Project is a General Plan land use consistent infill commercial development within a TPA [it is located within half a mile of a major transit stop (Harbor Boulevard and Chapman Avenue intersection), based on the frequency of bus services in the City]. These characteristics would be considered smart growth and supportive of the State's approach for achieving these VMT targets. However, as disclosed in Section 4.2 of the SEIR, the Project would have a potentially significant VMT impact which would result in a potential conflict with this strategy. The Project would implement TRA-1 and TRA-2 to reduce the VMT impact to a less than significant level. With the implementation of these mitigation measures, the Project would not conflict with this strategy.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with City of Garden Grove General Plan," Table 4.1-8, Table Subheading "Air Quality Element", "Goal AQ-5,", Column "Potential to Conflict," page 4.1-54-55

No conflict with mitigation. The Project would construct a new resort hotel use within an infill developed area that is General Plan designated for such a visitor serving use within a TPA. These characteristics would support this goal, however without the inclusion of measures to reduce GHG emissions, the Project would potentially conflict with this goal.

The Project incorporates project design features and MM-GHG-1 through MM-GHG-14 to reduce emissions from construction and operation of the Project. With implementation of these measures, the Project would not conflict with this policy.

The City's General Plan designates other areas within the City to satisfy local and regional housing needs, thus not including housing as part of the Project does not result in an inconsistency with the General Plan.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with City of Garden Grove General Plan," Table 4.1-8, Table Subheading "Air Quality Element", "Policy AQ-5.6,", Column "Potential to Conflict," page 4.1-54-55

No conflict. The Project would construct a new commercial use near existing transit lines and major arterial corridors.

The City's General Plan designates other areas within the City to satisfy local and regional housing needs, thus not including housing as part of the Project does not result in an inconsistency with the General Plan.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with City of Garden Grove General Plan," Table 4.1-8, Table Subheading "Safety Element", "Policy SAF-10.10,", Column "Potential to Conflict," page 4.1-68-69

No conflict. The Project does not interfere with the City's ability to implement this policy. While the Project is not mixed use, it does include jobs near existing transit within an infill urban area near residential and other commercial uses.

The City's General Plan designates other areas within the City to satisfy local and regional housing needs, thus not including housing as part of the Project does not result in an inconsistency with the General Plan.

Section 4.1.7, Impacts Analysis, Threshold GHG-2, "Potential to Conflict with City of Garden Grove General Plan," Table 4.1-8, Table Subheading "Circulation Element", "Policy CIR-4.1,", Column "Potential to Conflict," page 4.1-70

No conflict. The Project would not interfere with the City's ability to implement this goal.

The Project would develop visitor serving uses on appropriately designated land within a TPA on a previously developed infill site. These Project characteristics would be supportive of this policy and thus would not conflict.

The City's General Plan designates other areas within the City to satisfy local and regional housing needs, thus not including housing as part of the Project does not result in an inconsistency with the General Plan.

Section 4.1.8, Mitigation Measures, Introduction, page 4.1-75

Mitigation measures (MM) under CEQA are selected based on their ability to substantially lessen or avoid significant environmental impacts while considering feasibility. In CEQA, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors. The goal is to balance effective environmental protection with realistic implementation. A notation in italics is provided where these mitigation measures are attributable to a CAPCOA measure included in CalEEMod.

CAPCOA is a nonprofit professional association of air pollution control and air quality management district officers. It is not a state agency and does not have any regulatory authority. For this reason, CAPCOA measures are voluntary guidance tools, not mandatory regulatory requirements. The CAPCOA Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (CAPCOA 2024) is a resource that lead agencies and project applicants may consult when identifying and quantifying potential GHG emission reductions for CEQA compliance purposes, but it does not establish any legal or regulatory standards. Neither CEQA nor any state regulation requires a project to evaluate its consistency with, or to adopt measures in, CAPCOA's guidance.

Section 4.1.8, Mitigation Measures, "Construction (On-Site) Mitigation Measures," page 4.1-76

MM-GHG-1: Construction Equipment Electrification. ~~Electric Construction Equipment.~~ Prior to issuance of building permits, the Project ~~applicant~~ Applicant's or designee's contractor shall submit a Construction Equipment Emissions Minimization Plan for City of Garden Grove (City) approval that:

(1) Identifies all off-road equipment anticipated by phase.

(2) Requires generators, cranes, electric scissor/boom lifts, forklifts/telehandlers (where feasible), welders (where feasible), and electric/solar light towers when commercially available.

(3) Requires grid power for temporary construction power.

(4) Where electric equipment is not available for a listed task, documents non-availability (size/class, delivery lead time, site constraints) and requires the cleanest feasible alternative (Tier 4 Final/zero-emission alternatives as available).

In addition, the Project shall limit air compressors used during the architectural coating/painting phase to equipment that is electric-powered Compliance shall be demonstrated through equipment lists, rental records, and weekly logs and shall be summarized in a post-construction compliance

memo for the Supplemental Mitigation Monitoring and Reporting Program (Supplemental MMRP) file. ~~shall submit documentation to the City of Garden that temporary power will be established to the Project site during vertical construction. All generator(s) and crane(s) shall be electric powered. In addition, the Project shall limit air compressors used during the architectural coating/painting phase to equipment that is electric powered.~~ *(CAPCOA Measure C-1-A)*

MM-GHG-1 is quantified in the construction analysis. Because this is a conservative measure, only the generators, cranes, and air compressors are presumed to be electric to estimate potential emission reductions.

Section 4.1.8, Mitigation Measures, pages 4.1-76 through 4.1-82

MM-GHG-3: Construction Debris Recycling. Prior to the start of construction, the Project's contractor shall develop a Construction Waste Management Plan (Plan) for submittal and approval to the City of Garden Grove. The ~~Construction Waste Management Plan~~ Plan shall recycle or salvage non-hazardous construction debris, ~~such that a minimum target of 75% is achieved.~~ including but not limited to wood, metal, concrete, asphalt, and other reusable materials generated during construction activities. The contractor shall implement the Plan to achieve a minimum diversion target of 75% of non-hazardous construction and demolition debris from landfills, exceeding the City's current 65% diversion requirement. ~~*This will exceed the City's current target of 65% diversion.*~~ *(CAPCOA Measure S-4)*

MM-GHG-3 is not quantified in the construction analysis.

Operational (On-~~site~~Site) Mitigation Measures

MM-GHG-4: Electric Vehicle Charging Infrastructure. Prior to issuance of building permits, the Project ~~applicant~~ Applicant or designee shall submit a site plan to the City of Garden Grove for approval noting the location of electric vehicle infrastructure and charging stations. Prior to issuance of the final certificate of occupancy, the Project ~~applicant~~Applicant or designee shall provide electric vehicle (EV) charging infrastructure within the Project site as required by the applicable California Green Building Standards Code, but that, at a minimum, meets or exceeds 2022 California Green Building Standards Code, Tier 2 standards. Tier 2 requires approximately 225 parking spaces to be EV capable, and 75 spaces to be equipped with EV Supply Equipment (EVSE). The Project shall install a minimum of 225 EV capable spaces and 100 EVSE spaces. *(CAPCOA Measure T-14)*

MM-GHG-4 is not quantified in the operational analysis.

MM-GHG-5: Guest Vehicle Trip Reductions. Prior to issuance of building permits, the Project ~~applicant~~ Applicant shall submit a site plan to the City of Garden Grove for approval identifying where pedestrian and bicycle connections to adjacent facilities will be provided and where bicycle parking spaces will be provided. The City shall verify the inclusion of pedestrian and bicycle infrastructure prior to the issuance of the final certificate of occupancy. The Project ~~applicant~~Applicant or designee shall ensure that, at a minimum, the following trip reduction measures are implemented during Project operations to reduce the number of auto-based trips generated by the Project and to encourage the use of transit, bicycling, and walking.

- Improve the walkability and design of the Project by providing pedestrian and bicycling connections within the Project site and to adjacent off-site facilities (~~i.~~e.g., sidewalks, crosswalks, wayfinding signage~~, etc.~~).
- Provide secure on-site bicycle racks to accommodate a minimum of 38 bicycle parking spaces and provide bicycle rentals for hotel guests.
- Alternative transportation services such bike rentals and transit information shall be seamlessly integrated into the guest experience, making alternative modes of travel easy to understand, access, and use.
- Hotel management/concierge should provide information that promotes walking, bicycling and public transit options to nearby attractions. This should include real-time transit information provided through dedicated monitors, interactive electronic displays, websites, or mobile applications identifying ~~on~~ local bus routes and schedules, ~~and~~ as well as wayfinding to the existing transit stops ~~along Harbor Boulevard~~ within the Project vicinity.
- Provide a dedicated shuttle service linking the hotel to nearby shopping and entertainment destinations, prioritizing battery-electric vehicles where route length and charging logistics allow; the program may be operated under a vendor contract with scheduled runs during peak guest activity and on-demand service for special events.
- Hotel management will make available transit passes for purchase and provide clear wayfinding to public transit and shuttle services.
- Qualitative assessments (e.g., user satisfaction surveys, walk audits, guest feedback) shall be regularly conducted to evaluate the effectiveness of trip reduction strategies.
- An annual report summarizing how transportation options are being used, guest perceptions, and planned improvements shall be submitted to the City.

(CAPCOA Measures T-34, T-38, T-43, and T-44)

MM-GHG-5 is not quantified in the operational analysis.

MM-GHG-6~~.~~ Limit Large Diesel Trucks During Operation. Prior to issuance of certificate of occupancy, the Project ~~applicant~~ Applicant or designee shall submit a Truck Delivery Management Plan to the City of Garden Grove that documents how truck deliveries will be restricted and monitored. The Project ~~applicant~~Applicant or designee shall implement a monitoring program to restrict the number of large diesel trucks coming to the site (i.e., for deliveries, trash collection, or other services) to an average of 10 trucks per day or less. This restriction is specifically applicable to trucks classified as medium-heavy duty and heavy-heavy duty with gross vehicle weight (GVW) greater than 19,500 pounds. Annual reports summarizing heavy-duty truck trips shall be provided to the City of Garden Grove. *(CAPCOA Measure C-2)*

MM-GHG-6 is quantified in the operational analysis.

MM-GHG-7~~.~~ Building Energy Efficiency Measures. Prior to issuance of building permits, the Project ~~applicant~~ Applicant or designee shall submit documentation of building energy efficiency measures to the City of Garden Grove, such that a minimum of 15% above 2022 Title 24 Building Envelope Energy Efficiency Standards is achieved. Energy efficiency measures shall include, at a minimum, the following:

1. LED Lighting – High-lumen LED light fixtures shall be used exclusively for the lighting of spaces throughout the Project that require 8 to 10 watts per fixture.
2. Energy efficient lighting shall be incorporated into all on-site lighting and energy-efficient appliances shall be incorporated into Project operations.
3. HVAC Optimization – The HVAC system shall include the following:
   a. Electric heat pumps will be used for space heating and domestic hot water, with all systems integrated and monitored by the Project Building Management System for performance optimization, fault detection, and energy tracking.~~to heat spaces and water using a heat exchanger and will be monitored by the Project Building Management System (BMS).~~
   b. Smart thermostats, which include a motion sensor detector and door/window open sensors, will be installed in each guest room.
   c. The central plant will utilize a Combination Plant with SmartPlate EV.
4. Glazing – All glazing for the tower and exterior public spaces shall be installed with Low-E glass [U-factor (thermal transmittance) ≤ 0.28 and Solar Heat Gain Coefficient (SHGC) ≤ 0.23.
5. Energy Management System – The Project shall use advanced systems to monitor and optimize energy use in real time.
6. Benchmarking and Monitoring – The Project shall incorporate an Energy Star Portfolio Management system to track and manage energy consumption.
7. Third-Party Verification/LEED Certification – The Project shall obtain third-party HVAC commissioning verification or LEED certification of Gold to Platinum to verify energy savings.
8. Battery Energy Storage – The Project would include an on-site battery energy storage system occupying approximately 500 to 1,000 square feet, consisting of modular lithium-ion battery cabinets and associated electrical equipment. The system would be used for peak load management and grid resiliency consistent with California Fire Code and Title 24 requirements.

(CAPCOA Measure E-1 is quantified; CAPCOA Measures E-7, E-9, E-22, E-24, and E25 are qualitative)

MM-GHG-7 is quantified in the operational analysis.

MM-GHG-8. Cool Roof/Deck. Prior to issuance of building permits, the Project ~~applicant~~ Applicant or designee shall submit plans to the City for approval that require cool roof and cool deck surfaces to be included as part of the Project for the podium and tower consistent with the specifications provided below.

- Cool Roof Installation: All roofing materials shall meet or exceed the California Title 24, Part 6 requirements for cool roofs, based on roof slope:
  - Low-sloped roofs (≤ 2:12 pitch):
    - Aged Solar Reflectance (SR) ≥ 0.63
    - Thermal Emittance (TE) ≥ 0.75
    - Or Solar Reflectance Index (SRI) ≥ 75
  - Steep-sloped roofs (> 2:12 pitch):
    - Aged SR ≥ 0.20
    - TE ≥ 0.75

- Or SRI ≥ 16

- Cool Deck Surfaces: All exterior hardscape surfaces exposed to sunlight (e.g., pool decks, patios, walkways) shall use high-albedo materials or cool surface coatings with:
  - Minimum SR of 0.29 or higher
  - Or materials with a demonstrated surface temperature reduction of at least 10°F compared to conventional concrete or asphalt

To meet the above standards, the ~~p~~Project ~~a~~Applicant may implement one or more of the following:

- Use Energy Star®-rated roofing products or materials listed in the Cool Roof Rating Council (CRRC) directory.
- Apply reflective coatings or single-ply membranes with compliant SR and TE values.
- Install light-colored or permeable pavers, cool concrete, or coated surfaces for decks and walkways, such as permeable interlocking concrete pavers, porous asphalt, permeable concrete, geocell systems, or bio-asphalt.
- Incorporate green roofs or vegetated shading structures as alternative compliance pathways (subject to City approval).

Monitoring and Reporting shall include:

- Submittal of roofing and hardscaping material specifications to the City of Garden Grove Building Division prior to issuance of building permits.
- City inspectors shall verify installation during final inspection and prior to issuance of the final certificate of occupancy.

(CAPCOA Measure E-21)

MM-GHG-8 is not quantified in the operational analysis.

MM-GHG-9. Renewable Energy. The Project Applicant or designee shall install a solar photovoltaic system capable of generating a minimum of 267,000 kilowatt hours (kWh) per year prior to issuance of certificate of occupancy. *(CAPCOA Measure E-10-B)*

MM-GHG-9 is quantified in the operational analysis.

MM-GHG-10. Water Conservation. Prior to receiving the final certificate of occupancy, the Project ~~applicant~~ Applicant or designee shall submit a Water Conservation Compliance Report to the City of Garden Grove for review and approval. The Project shall achieve a minimum 10% reduction in total water use compared to the baseline of 167 gallons per room per day as identified in the Water Supply Assessment (Psomas 2022). This equates to a target of no more than 150.3 GPCD at full occupancy. The Water Conservation Compliance Report shall include product specifications for all water-saving fixtures and systems, landscape and irrigation plans, greywater system design and capacity documentation, post-occupancy water use monitoring plan for the first 12 months after occupancy. To meet or exceed the performance standard, the Project may implement a combination of the following water conservation strategies:

- Low-Flow Water Fixtures for guest rooms and public areas.

- Smart Irrigation System – outdoor landscaping shall include weather-based irrigation controllers and drought-resistant landscaping to minimize outdoor water use~~.~~
- Greywater Recycling~~.~~

(CAPCOA Measures W-2, W-5, and W-7)

MM-GHG-10 is quantified in the operational analysis.

MM-GHG-11~~:~~ Waste Reduction. Prior to issuance of the final certificate of occupancy, the Project ~~applicant~~ Applicant or designee shall submit a Waste Management, Recycling, and Composting Plan to the City of Garden Grove for review and approval**.** The program shall be implemented on site at the Project location and apply to all operational areas, including guest services, food and beverage operations, maintenance, and administrative functions. The waste reduction program shall be fully implemented during Project operations. The Plan shall specify a minimum diversion of 25% of municipal solid waste, including organics, generated on site from landfill disposal. The Waste Management, Recycling, and Composting Plan may include but not be limited to the following:

- Recycling Program
  - Provide ~~l~~Labeled bins for recyclables and certified hauler contracts.
  - Promote recycled paper and other products like soap.
- Organics and Composting Program
  - Collect~~ion of~~ food scraps and compostables.
- Source Reduction Measures
  - Reduce single-use items and paper use.
  - Ban disposable (i.e., designed to be used once and discarded) foodware items and accessories.
  - Allow customers to bring their own reusable items.
  - Require hand soap in refillable containers.
  - Do not provide water in plastic bottles or disposable single-use cups.
  - Do not use expanded polystyrene (i.e., Styrofoam).
  - Require reusable napkins and tablecloths with recyclable disposable napkins only for takeout.
  - Provide hand dryers in areas accessible to customers.
  - Require reusable laundry bags.
  - Require reusable dishware for room service.
  - Offer toiletries on request rather than automatically.
  - Provide key cards made of non-plastic materials, including traditional metal keys or wood, bamboo, and paper options for chip-based cards.
  - Incentivize returning keys to discourage waste.
  - Provide non-plastic shower caps, razors, shaving cream, slippers, eye masks, and ear plugs.
  - Remove minifridge items that use plastic.

- Eliminate the use of garbage bags if possible, or use garbage bags made of compostable material.
- Serve employee meals with reusable dishware and cutlery and provide reusable water bottles for all employees with accessible water bottle refill stations.
- Replace paper towels with reusable dish rags.

- Employee and Guest Education
  - Provide staff ~~Staff~~ training and signage for guests.
- Monitoring and Reporting
  - Track waste and submit Annual Waste Diversion Report to the City of Garden Grove.

In addition, if the hotel/operations qualify as a covered edible food generator, the Project will contract with a food recovery organization/service and keep required records. If not covered, the Project will evaluate a partnership during operator onboarding and implement if feasible. *(CAPCOA Measure S-1/S-2; CAPCOA Measure S-3 is a qualitative measure in CalEEMod and is not quantified in the operational analysis)*

MM-GHG-11 is quantified in the operational analysis.

MM-GHG-12: Zero Emission Landscape Equipment. During Project operations, the Project Applicant or designee shall ensure zero-emission landscape equipment (defined as equipment that does not emit tailpipe emissions during operation) is utilized. The Project ~~applicant~~ Applicant or designee shall be responsible for ensuring that all landscape maintenance contractors and staff comply with this measure. All landscape maintenance activities associated with the Project shall utilize zero-emission landscaping equipment, such as electric-powered or battery-operated tools. This requirement applies to all landscaped areas within the Project site, including but not limited to courtyards, green spaces, perimeter landscaping, and rooftop gardens. The requirement shall be implemented prior to the commencement of landscape maintenance operations. To meet or exceed the performance standard, the Project may implement a combination of the following strategies:

Electric-Powered Equipment

- Use ~~of~~ electric or battery-powered:
  - Leaf blowers.
  - Lawn mowers.
  - Hedge trimmers.
  - Edgers.
  - Chainsaws.

Contractor Requirements

- Include zero-emission equipment requirements in all landscape maintenance contracts.
- Require contractors to provide documentation of equipment type and compliance.

On-Site Charging Infrastructure

- Install dedicated charging stations or outlets for landscape equipment.

Equipment Inventory and Tracking

- Maintain an inventory of all landscape equipment used on site ~~site~~.
- Submit an annual compliance report to the City of Garden Grove verifying that only zero-emission equipment is in use.

Training and Education

- Provide training to landscape maintenance staff on the proper use and maintenance of electric equipment.
- Display signage or include information in sustainability reports to promote awareness.

(CAPCOA Measure LL-1)

MM-GHG-12 is quantified in the operational analysis.

MM-GHG-13: Prohibit Woodburning ~~d~~Devices, Natural Gas Fireplaces, and Fire Pits. Prior to the issuance of building permits, the Project ~~applicant~~ Applicant or designee shall submit building design plans for approval of the City showing the prohibition of on-site woodburning devices, natural gas fireplaces, fire pits, or other decorative combustion features throughout the Project site. Prior to the issuance of the final certificate of occupancy, the City shall confirm that this prohibition has been implemented.

MM-GHG-13 is not quantified in the operational analysis.

MM-GHG-14: Refrigerant Management Program. Prior to issuance of mechanical permits, the Project Applicant or designee shall develop and submit a Refrigerant Management Program to the City of Garden for review and approval. The Project ~~applicant~~ Applicant or designee shall be responsible for developing, implementing, and maintaining the refrigerant management program in coordination with HVAC contractors and facility operations staff. The Refrigerant Management Program shall include the use of low-GWP refrigerants (e.g., R-32 or better) and incorporate best management practices to reduce emissions from service, operation, and disposal of refrigerants. This measure shall apply to all refrigeration and HVAC systems installed and operated within the Project site, including guest rooms, common areas, kitchens, and mechanical rooms. The Project shall ensure that:

- 100% of installed HVAC and refrigeration systems use refrigerants with a GWP ≤ 750, consistent with California Air Resources Board (CARB) regulations.
- The refrigerant management program shall achieve a minimum 10% reduction in potential refrigerant emissions compared to standard industry practices, as demonstrated through leak rate tracking and maintenance logs.

To meet or exceed the performance standard, the Project may implement a combination of the following strategies:

Mechanical Equipment

- Install microchannel heat exchangers in A/C equipment in place of conventional heat exchangers.

Use of Low-GWP Refrigerants

- Select refrigerants such as R-32, R-454B, or other CARB-compliant alternatives with GWP ≤ 750.
- Avoid high-GWP refrigerants such as R-410A and R-404A.

Leak Detection and Prevention

- Install automatic leak detection systems for large-capacity systems.
- Conduct quarterly inspections and maintain leak logs.

Refrigerant Recovery and Disposal

- Use certified technicians for refrigerant recovery and disposal.
- Maintain documentation of recovered and recycled refrigerants.

Preventive Maintenance Program

- Implement a scheduled maintenance plan to inspect and service HVAC and refrigeration systems.
- Include refrigerant charge optimization and system performance checks.

Training and Certification

- Ensure all HVAC technicians are EPA Section 608 certified.
- Provide training on low-GWP refrigerant handling and leak prevention.

Third-Party Verification

- Obtain third-party verification of refrigerant management practices through programs such as GreenChill or LEED Enhanced Refrigerant Management credit.

Prior to issuance of certificate of occupancy, the City of Garden Grove will verify that the equipment specified in the Refrigerant Management Program has been installed. Ongoing compliance shall be performed by the Project ~~applicant~~ Applicant or their designee. *(CAPCOA Measures R-1, R-4, R-5, R-6, and R-7)*

MM-GHG-14 is quantified in the operational analysis.

Section 4.1.8, Mitigation Measures, "Carbon Offsets," page 4.1-84

- The California Natural Resources Agency's Final Statement Of Reasons For Regulatory Action for the CEQA Guidelines Amendments (2009) also supports the use of GHG credits: "Proposed subdivision (c)(3) recognizes the availability of various offsite mitigation measures. Such measures could include, among others, the purchase of carbon offsets, community energy conservation projects, and off-site forestry projects.."

For these purposes, the City will require offsets purchased from the following CARB-accredited registries: Climate Action Reserve, the American Carbon Registry, or Verra (formerly, the Verified Carbon Standard); as well as credits issued for projects listed on the California Carbon Sequestration and Climate Resiliency Project Registry, which is maintained by the California Natural Resources Agency to be adequate to meet the offset requirements described herein.

Verra's Verified Carbon Units (VCUs) are issued only after projects undergo a rigorous validation and verification process. Each VCU represents one ton of CO_2e ~~equivalent~~ emissions reduced or removed and must meet quality assurance principles ensuring that reductions are *real, measurable, additional, permanent, independently verified, conservatively estimated, uniquely numbered, and transparently listed*.

Section 4.1.8, Mitigation Measures, "Carbon Offsets," pages 4.1-84 through 4.1-89

MM-GHG-15: Carbon Offsets – The Project Applicant (or its designee) shall implement the following carbon offsets in accordance with the Project's construction and operational phases as outlined below.

Timeline for Acquisition of Carbon Offset Credits

Construction

Prior to issuance of grading permits, the Project Applicant (or its designee) shall purchase and retire carbon offsets in a quantity sufficient to offset all construction GHG emissions in a lump sum with the quantification, performance standards, and requirements set forth below. Alternatively, construction offsets may be purchased on an annual basis by purchasing the first phase of construction offsets prior to start of grading and then purchasing offsets for each following year by December 31 of the year preceding the new year in which construction will occur. Annual construction GHG emission offsets shall also be subject to the same quantification, performance standards, and requirements set forth below.

Operation

Prior to issuance of the final certificate of occupancy, the Project Applicant or its designee shall purchase and retire carbon offsets in a quantity sufficient to offset, for a 30-year period following occupancy of the Project, the construction and operational GHG emissions from the Project to the 1,400 MT CO_2e per year threshold, consistent with the quantification, performance standards and requirements set forth below. Alternatively, the Project Applicant or its designee may purchase and retire annual operational GHG offsets for a period of 30 years by December 31 of the year preceding each new year after the issuance of the final certificate of occupancy. Annual operational GHG emission offsets shall also be subject to the same quantification, performance standards, and requirements set forth below.

Quantification of GHG Emissions and Reductions Required

Construction

The estimated total construction GHG emissions to be offset are 3,362.30 MT CO_2e if purchased in a lump sum. If purchased on an annual basis, the following schedule provides the estimated annual emissions and date of compliance.

Year	Offsets Required (MT CO_2e)	Purchase and Retirement Deadline
1	402.52	Prior to issuance of grading permits
2	1,434.02	December 31st of Year 1
3	1,410.81	December 31st of Year 2
4	114.95	December 31st of Year 3
Total	**3,362.30**	N/A

Notes: MT CO_2e = metric tons of carbon dioxide equivalent; N/A = not applicable.

Operation

The estimated operational emissions are 7,408.02 MT CO_2e. To mitigate operational emissions below the 1,400 MT CO_2e per year threshold, the Project would purchase and retire one lump sum of 180,270.60 MT CO_2e of offsets [(7,408.02 MT CO_2e – 6,009.02 [offsets)] = 1,399 MT CO_2e remaining); 6,009.02 MT CO_2e * 30-year life = 180,270.60 MT CO_2e; or that same total amount of credits in increments over the 30 years. The following schedule provides the estimated offset emissions and dates of compliance under the scenarios where credits are purchased and retired in a lump sum or on an annual basis.

Scenario	Offsets Required (MT CO_2e)	Purchase and Retirement Deadline
Lump Ssum	180,270.60	Prior to issuance of certificate of occupancy
Annual Bbasis 30-year term	6,009.02	Prior to issuance of certificate of occupancy for Year 1 and December 31st of preceding year.

Note: MT CO_2e = metric tons of carbon dioxide equivalent.

If the Project Applicant or its designee selects the scenario where the credits are purchased on something other than in one lump sum initially, they can purchase and retire the remaining offsets required in a lump sum in accordance with the remaining term and conditions outlined herein.

Carbon Offset Standards – Eligible Registries, Acceptable Protocols, Defined Terms, and Geographic Priorities

"Carbon offset" shall mean an instrument, credit or other certification verifying the reduction of GHG emissions issued by the following CARB-accredited registries: Climate Action Reserve, the American Carbon Registry, or Verra (formerly, the Verified Carbon Standard); as well as credits issued for projects listed on the California Carbon Sequestration and Climate Resiliency Project Registry, which is maintained by the California Natural Resources Agency and may provide additional offsets. This shall include, but is not limited to, an instrument, credit or other certification issued by these registries for GHG reduction activities. The Project shall neither purchase offsets

from the Clean Development Mechanism registry nor purchase offsets generated under Clean Development Mechanism protocols.

To be eligible under this mitigation measure, carbon offsets must satisfy the "Reporting and Enforcement Standards" below and demonstrate that each registry shall continue its existing practice of requiring the following for the development and approval of protocols or methodologies:

1. Adherence to established GHG accounting principles set forth in the International Organization for Standardization (ISO) 14064, Part 2 or the World Resources Institute/World Business Council for Sustainable Development (WRI/WBCSD) Greenhouse Gas Protocol for Project Accounting; and
2. Oversight of the implementation of protocols and methodologies that define the eligibility of carbon offset projects and set forth standards for the estimation, monitoring and verification of GHG reductions achieved from such projects. The protocols and methodologies shall:
    a. Be developed by the registries through a transparent public and expert stakeholder review process that affords an opportunity for comment and is informed by science;
    b. Incorporate standardized offset crediting parameters that define whether and how much emissions reduction credit a carbon offset project should receive, having identified conservative project baselines and the length of the crediting period and considered potential leakage and quantification uncertainties;
    c. Establish data collection and monitoring procedures, mechanisms to ensure permanency in reductions, and additionality and geographic boundary provisions; and~~,~~
    d. Adhere to the principles set forth in the program manuals of each of the aforementioned registries, as such manuals are updated from time to time. The current registry documentation~~,~~ includes the Climate Action Reserve's *Reserve Offset Program Manual*[8] (April 2024) and *Climate Forward Program Manual*[9] (December 2021); the American Carbon Registry's *The ACR Standard, Requirements and Specifications for the Quantification, Monitoring, Reporting, Verification, and Registration of Project-Based GHG Emissions Reductions and Removals*[10] (July 2023); and~~,~~ Verra's VCS Standard, *Program Guide*[11] (August 2023)_,_ and *Methodology Requirements*[12] (October 2023).

The City has reviewed the registries' methodologies and has determined that protocols established pursuant to such methodologies – including updates to those protocols and methodologies as may occur from time to time by the registries in accordance with the registry documentation listed in the prior paragraph to ensure the continuing efficacy of the reduction activities – are eligible for use under this mitigation measure.

The carbon offsets purchased to satisfy this measure must represent the reduction or sequestration of one MT CO_2e that is "not otherwise required" (CEQA Guidelines Section 15126.4~~([~~c~~)]~~[~~3~~)]~~). The carbon offsets must achieve the standard of additional, real, permanent, quantifiable, verifiable, and enforceable reductions, which are defined for purposes of this

8 https://climateactionreserve.org/wp-content/uploads/2024/04/Reserve-Program-Manual-v9.2.pdf_._
9 https://climateforward.org/wp-content/uploads/2021/12/Climate-Forward-Program-Manual-December-2021_12-FINAL.pdf_._
10 https://acrcarbon.org/wp-content/uploads/2023/10/ACR-Standard-v8.0.pdf_._
11 https://verra.org/documents/vcs-program-guide-v4-4/_._
12 https://verra.org/documents/vcs-methodology-requirements-v4-4/_._

mitigation measure as follows consistent with the applicable provisions in the California Code of Regulations, Title 17:

1. "Additional" means that the carbon offset is not otherwise required by law or regulation, and not any other GHG emissions reduction that otherwise would occur.
2. "Real" means that the GHG reduction underlying the carbon offset results from a demonstrable action or set of actions, and is quantified under the protocol or methodology using appropriate, accurate, and conservative methodologies that account for all GHG emissions sources and sinks within the boundary of the applicable carbon offset project, uncertainty, and the potential for activity-shifting leakage and market-shifting leakage.
3. "Verifiable" means that the GHG reduction underlying the carbon offset is well documented, transparent, and set forth in a document prepared by an independent verification body that is accredited through the American National Standards Institute (ANSI).
4. "Permanent" means that the GHG reduction underlying the carbon offset is not reversible; or, when GHG reduction may be reversible, that a mechanism is in place to replace any reversed GHG emission reduction.
5. "Quantifiable" means the ability to accurately measure and calculate the GHG reduction relative to a project baseline in a reliable and replicable manner for all GHG emission sources and sinks included within the boundary of the carbon offset project, while accounting for uncertainty and leakage.
6. "Enforceable" means that the implementation of the GHG reduction activity must represent the legally binding commitment of the offset project developer to undertake and carry it out.

The City has reviewed and determined that methodologies and protocols established by American Climate Registry, Climate Action Reserve, and Verra establish and require carbon offset projects to comply with standards designed to achieve additional, real, permanent, quantifiable, verifiable, and enforceable reductions. Additionally, the "Reporting and Enforcement Standards" below shall ensure that the requirements of this mitigation measure will be enforced, as the City has authority to hold the ~~applicant~~Applicant accountable and to take appropriate corrective action if it determines that any carbon offsets do not comply with the requirements herein.

Carbon offsets secured from the CARB-accredited registries shall be prioritized in accordance with the following criteria: (1) offsets within the City; (2) offsets within the County, only if in-City offsets are unavailable; (3) offsets within the State of California, only if in-county offsets are unavailable; (3) offsets within the United States, only if in-state offsets are unavailable.[13]

The above definitions are provided as criteria and performance standards associated with the use of carbon offsets. Such criteria and performance standards are intended only to further construe the standards under CEQA for mitigation related to GHG emissions (see, e.g., State CEQA Guidelines

[13] For purposes of this provision, offset credits will be deemed "unavailable" if they are either unobtainable generally from the CARB-accredited registries, or if on a per-unit basis if such a credit is otherwise available: (a) for offset credits within the City of Garden Grove, more than 2 times as costly as offset credits within the County of Orange, but not within the City of Garden Grove; (b) for offset credits within the County of Orange, more than 5 times as costly as offset credits within California, but not within the County of Orange; or (c) for offset credits within the United States, sufficient offset credits within California are not available for purchase at any cost.

Section 15126.4~~([a])~~, ~~([c])~~), and are not intended to apply or incorporate the requirements of any other statutory or regulatory scheme not applicable to the Project (e.g., the Cap-and-Trade Program).

Monitoring, Reporting, and Enforcement Standards

Prior to the timeline identified in the initial section of this mitigation measure, the Project Applicant or its designee shall submit documentation in the form of a report to the City that identifies the quantity of emission reductions required by this mitigation measure, as well as the carbon offset proposed for acquisition to achieve compliance with this measure. For purposes of demonstrating that each offset is additional, real, permanent, quantifiable, verifiable and enforceable, the reports shall include: (i) the applicable protocol(s) and methodologies associated with the carbon offsets, (ii) the third-party verification report(s) and statement(s) affiliated with the carbon offset projects, (iii) the unique serial numbers assigned by the registry(ies) to the carbon offset, which serves as evidence that the registry has determined the carbon offset project to have been implemented in accordance with the applicable protocol or methodology and ensures that the offsets cannot be further used in any manner, and (iv) the carbon offset meets the locational attributes as specified by this mitigation measure and verified through a market survey report prepared by a carbon offset broker that identifies the carbon registry listings reviewed for carbon offset availability, including the related date of inquiry.

The Project Applicant (or its designee) shall select and retain at least one independent, third-party expert on GHG mitigation and offsets to review the documentation provided by the Applicant (or its designee) relating to, among other data, construction- and operation-related emissions, and provide a report with analysis and recommendations to the City (with supporting materials), on whether the Project has complied with the off-site GHG emissions reduction measures set forth in this mitigation measure. The Project Applicant's (or its designee's) selection of each expert, who shall not be a current or former employee or agent of the Project Applicant (or its designee), shall be subject to the approval of the City Attorney, which shall not be unreasonably withheld. The Project Applicant (or its designee) shall retain the expert(s) for all offset credit submissions made to the City until all offsets required this mitigation measure are acquired and accepted by the City.

If the City determines that the Project's carbon offsets at issue in the Project Applicant's (or their designee's) submission meet the requirements of this mitigation measure, the offsets required to be acquired by the Project will be proportionally reduced. Upon an affirmative finding from the City that the Project's carbon offsets are eligible for use under this measure, and within the applicable timeframe required by the first section of this mitigation measure, the Project ~~applicant~~ Applicant (or their designee) shall provide to the City copies of the relevant portions of the GHG offset contracts demonstrating the applicable carbon offsets have been acquired. This will serve as the final documentation required to demonstrate compliance with this mitigation measure.

If the City determines that the Project's carbon offsets do not meet the requirements of this mitigation measure, the City shall provide a detailed explanation of the basis for the City's determination. Carbon offsets not approved by the City as meeting the requirements of this mitigation measure cannot be used to reduce Project GHG emissions and the Applicant will be required to submit qualifying carbon offsets accepted by the City prior to the applicable timeframe specified in the first section of this mitigation measure. *(CAPCOA Measure M-2)*

3.2.5 Changes to Section 4.2, Transportation

Section 4.2.5, Mitigation Measures, pages 4.2.17 and 4.2.18

To reduce the Project~~ G~~generated VMT per ~~E~~employee under baseline conditions, applicable VMT reduction measures from the Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity, California Air Pollution Control Officers Association (CAPCOA), October 2024 were reviewed. The VMT reduction was calculated using the percentages recommended in the CAPCOA Handbook for the transportation-sector-related measures for the Project. The following mitigation measures have been incorporated to reduce the Project~~ G~~generated VMT per employee:

MM-TRA-1 Implement Commute Trip Reduction Marketing~~ (*T-7*)~~: The Project ~~applicant~~ Applicant shall implement a marketing strategy to promote the Project site employer's Commute Trip Reduction (CTR) program. Information sharing and marketing promote and educate employees about their travel choices to the employment location beyond driving such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions.

However, to ensure that CTR achieves VMT reduction of at least 4%, the following measures will be incorporated:

a) The Applicant ~~applicant~~ shall provide on~~-~~site or online commuter information services to employees. The Applicant ~~applicant~~ shall also distribute a quarterly newsletter with tips, success stories, and updates to ensure education and encouragement for the CTR program.

b) The CTR shall require the Project Applicant~~applicant~~ or their designee to appoint a Commute Program Coordinator to oversee the implementation and management of the marketing strategy.

c) The Applicant~~applicant~~ shall ensure on-site or online subsidized transit pass sales are available to all employees.

d) The Applicant~~applicant~~ shall provide guaranteed ride home service by matching employees with other employees or providing access to platforms such as Rideharing.com and Lyft ~~which~~ that connect riders for daily commutes with nearby drivers.

e) A minimum of 10 preferential parking spaces for carpools/vanpools shall be provided.

(CAPCOA Measures T-7 and T-9-B)

MM-TRA-2 Provide End-of-Trip Bicycle Facilities~~ (*T-10*)~~: The Project shall install and maintain end-of-trip bicycle facilities for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers. The provision and maintenance of secure bike parking and related facilities encourages commuting by bicycle, thereby reducing VMT and GHG emissions. The Project design includes on-site bicycle racks to accommodate a minimum of 38 short-term bicycle parking spaces and provide bicycle rentals for hotel guests on the ground level and 32 secure long-term bicycle parking spaces for employees; ~~and~~ additionally, locker and shower facilities will be provided for employees. (*CAPCOA Measure T-10*)

The implementation of **MM-TRA-1** results in the reduction of VMT per employee under baseline conditions from 15.3 to 14.69, and the implementation of **MM-TRA-2** further reduces the VMT per employee from 14.69 to 14.55.

This results in Project- ~~G~~generated VMT per employee below the threshold of 14.60. These measures would also reduce the cumulative year VMT per employee, which is below the threshold of significance without any mitigation measures. Table 4.2-4 provides a summary for VMT reduction for the Project- ~~G~~generated VMT per employee under ~~B~~baseline plus Project conditions.

Table 4.2-4. VMT Reduction for Project- Generated VMT per Employee

Criteria	Value
Project- Generated VMT per Employee	15.30
County's Baseline VMT Threshold	14.65
% VMT Reduction Required	4.25%
MM-TRA-1 (a,b,d,e): Commute Trip Reduction and Marketing VMT Reduction	4.0%
MM-TRA-2: End-of-Trip Bicycle Facilities VMT Reduction	0.75%
% VMT Reduction[1] ~~a~~Achieved with **MM-TRA-1 (a,b,d,e)** and **MM-TRA-2**	4.72%
-Project Generated VMT per Employee with VMT Reduction	14.58
Less than Significant Impact with MM Incorporated	**Yes**
Additional VMT Reduction ~~a~~Achieved by MM-TRA-1-(c)	
MM-TRA-1(c): Implement Subsidized or Discounted Transit Program	0.17%
% VMT Reduction[1] ~~a~~Achieved with **MM-TRA-1 (a,b,c,d,e)** and **MM-TRA-2**	4.88%
Project- Generated VMT per Employee with VMT Reduction	14.55

Source: VMT Reduction from Mitigation Measures, Appendix D.
Notes: VMT = vehicle miles traveled.
[1] VMT Reduction % = 1 – [(1 – 4%) ∗ (1 – 0.75%)] = 4.72%
[2] VMT Reduction % = 1 – [(1 – 4%) ∗ (1 – 0.75%) ∗ (1 – 0.17%)] = 4.88%

Table 4.2-4 demonstrates the amount of reduction required for the Project to result in a less than significant impact with mitigation under the ~~B~~baseline Project- ~~G~~generated VMT per employee. The reduction in VMT achieved by the mitigation measures would exceed the 4.25% reduction required and achieve a reduction of at least 4.72% as identified in Table 4.2-4. With the implementation of **MM-TRA-1(c)**, the VMT reduction achieved by the P~~p~~roject would be 4.88%.

Section 4.2.6, Level of Significance After Mitigation, page 4.2.18

With the implementation of **MM-TRA-1** and **MM-TRA-2**, the Project- ~~G~~generated VMT per employee under ~~B~~baseline conditions would result in a **less than significant** impact. As disclosed in Section 4.2.4 above, no mitigation is required for the ~~p~~Project to have **less than significant** impacts with respect to the Project- ~~G~~generated VMT per service population under baseline and cumulative conditions, Project- ~~G~~generated~~ion~~ VMT per employee under cumulative conditions, and Project effect on VMT under baseline and cumulative conditions.

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4 Supplemental Mitigation Monitoring and Reporting Program

4.1 Introduction

California Public Resources Code (PRC) Section 21081.6 requires that, upon certification of an environmental impact report (EIR), "the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation" (PRC Sections 21000–21177).

This Supplemental Mitigation Monitoring and Reporting Program (MMRP) was developed in compliance with PRC Section 21081.6 and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000–15387), and includes the following information:

- A list of mitigation measures
- The timing for implementation of the mitigation measures
- The party responsible for implementing or monitoring the mitigation measures
- The date of completion of monitoring

The City of Garden Grove must adopt this Supplemental MMRP, or an equally effective program, if it approves the proposed Site B-2 Hotel Project (Project) with the mitigation measures that were adopted or made conditions of Project approval.

4.2 Supplemental MMRP Table

Table 4-1 presents the Supplemental MMRP, including the mitigation measures, timing for their implementation, the party or parties responsible for implementing or monitoring the mitigation measures, and date of completion. Each mitigation measure includes the corresponding California Air Pollution Control Officers' Association (CAPCOA) measure in italics immediately following the mitigation text to indicate alignment with recognized VMT and GHG best practices. Project design features (PDFs) that are incorporated into the Project relative to the analysis in the Draft Supplemental EIR are also provided in the table.

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Greenhouse Gas Emissions				
Mitigation Measures				
MM-GHG-1: Construction Equipment Electrification. Prior to issuance of building permits, the Project Applicant's or designee's contractor shall submit a Construction Equipment Emissions Minimization Plan for City of Garden Grove (City) approval that: (1) Identifies all off-road equipment anticipated by phase. (2) Requires generators, cranes, electric scissor/boom lifts, forklifts/telehandlers (where feasible), welders (where feasible), and electric/solar light towers when commercially available. (3) Requires grid power for temporary construction. (4) Where electric equipment is not available for a listed task, documents non-availability (size/class, delivery lead time, site constraints) and requires the cleanest feasible alternative (Tier 4 Final/zero-emission alternatives as available). In addition, the Project shall limit air compressors used during the architectural coating/painting phase to equipment that is electric-powered Compliance shall be demonstrated through equipment lists, rental records, and weekly logs and shall be summarized in a post-construction compliance memo for the Supplemental Mitigation Monitoring and Reporting Program (Supplemental MMRP) file. *(CAPCOA Measure C-1-A)*	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-2: Construction Office Energy Efficiency. Prior to issuance of building permits, the Applicant or designee shall submit documentation to the City of Garden Grove that temporary construction field office(s) are equipped with energy efficient lighting such as compact fluorescent or LEDs and that heating and cooling units are Energy Star certified.	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-3: Construction Debris Recycling. Prior to the start of construction, the Project's contractor shall develop a Construction Waste Management Plan (Plan) for submittal and approval to the City	Prior to the start of construction	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
of Garden Grove. The Plan shall recycle or salvage non-hazardous construction debris including but not limited to wood, metal, concrete, asphalt, and other reusable materials generated during construction activities. The contractor shall implement the Plan to achieve a minimum diversion target of 75% of non-hazardous construction and demolition debris from landfills, exceeding the City's current 65% diversion requirement. *(CAPCOA Measure S-4)*				
MM-GHG-4: Electric Vehicle Charging Infrastructure. Prior to issuance of building permits, the Project Applicant or designee shall submit a site plan to the City of Garden Grove for approval noting the location of electric vehicle infrastructure and charging stations. Prior to issuance of the final certificate of occupancy, the Project Applicant or designee shall provide electric vehicle (EV) charging infrastructure within the Project site as required by the applicable California Green Building Standards Code, but that, at a minimum, meets or exceeds 2022 California Green Building Standards Code Tier 2 standards. Tier 2 requires approximately 225 parking spaces to be EV capable, and 75 spaces to be equipped with EV Supply Equipment (EVSE). The Project shall install a minimum of 225 EV capable spaces and 100 EVSE spaces. *(CAPCOA Measure T-14)*	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-5: Guest Vehicle Trip Reductions. Prior to issuance of building permits, the Project Applicant shall submit a site plan to the City of Garden Grove for approval identifying where pedestrian and bicycle connections to adjacent facilities will be provided and where bicycle parking spaces will be provided. The City shall verify the inclusion of pedestrian and bicycle infrastructure prior to the issuance of the final certificate of occupancy. The Project Applicant or designee shall ensure that, at a minimum, the following trip reduction measures are implemented during Project operations to reduce the number of auto-based trips generated by the Project and to encourage the use of transit, bicycling, and walking.	Prior to the issuance of a building permits	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
▪ Improve the walkability and design of the Project by providing pedestrian and bicycling connections within the Project site and to adjacent off-site facilities (i.e., sidewalks, crosswalks, wayfinding signage, etc.). ▪ Provide secure on-site bicycle racks to accommodate a minimum of 38 bicycle parking spaces and provide bicycle rentals for hotel guests. ▪ Alternative transportation services such bike rentals and transit information shall be seamlessly integrated into the guest experience, making alternative modes of travel easy to understand, access, and use. ▪ Hotel management/concierge should provide information that promotes walking, bicycling and public transit options to nearby attractions. This should include real-time transit information provided through dedicated monitors, interactive electronic displays, websites, or mobile applications identifying local bus routes and schedules, as well as wayfinding to the existing transit stops within the Project vicinity. ▪ Provide a dedicated shuttle service linking the hotel to nearby shopping and entertainment destinations, prioritizing battery-electric vehicles where route length and charging logistics allow; the program may be operated under a vendor contract with scheduled runs during peak guest activity and on-demand service for special events. ▪ Hotel management will make available transit passes for purchase and provide clear wayfinding to public transit and shuttle services. ▪ Qualitative assessments (e.g., user satisfaction surveys, walk audits, guest feedback) shall be regularly conducted to evaluate the effectiveness of trip reduction strategies. ▪ An annual report summarizing how transportation options are being used, guest perceptions, and planned improvements shall be submitted to the City.				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
(CAPCOA Measures T-34, T-38, T-43, and T-44)				
MM-GHG-6: Limit Large Diesel Trucks During Operation. Prior to issuance of certificate of occupancy, the Project Applicant or designee shall submit a Truck Delivery Management Plan to the City of Garden Grove that documents how truck deliveries will be restricted and monitored. The Project Applicant or designee shall implement a monitoring program to restrict the number of large diesel trucks coming to the site (i.e. for deliveries, trash collection, or other services) to an average of 10 trucks per day or less. This restriction is specifically applicable to trucks classified as medium-heavy duty and heavy-heavy duty with gross vehicle weight (GVW) greater than 19,500 pounds. Annual reports summarizing heavy-duty truck trips shall be provided to the City of Garden Grove. *(CAPCOA Measure C-2)*	Prior to the issuance of a certificate of occupancy	City of Garden Grove		
MM-GHG-7: Building Energy Efficiency Measures. Prior to issuance of building permits, the Project Applicant or designee shall submit documentation of building energy efficiency measures to the City of Garden Grove, such that a minimum of 15% above 2022 Title 24 Building Envelope Energy Efficiency Standards is achieved. Energy efficiency measures shall include, at a minimum, the following: 1. LED Lighting – High-lumen LED light fixtures shall be used exclusively for the lighting of spaces throughout the Project that require 8 to 10 watts per fixture 2. Energy efficient lighting shall be incorporated into all on-site lighting and energy efficient appliances shall be incorporated into Project operations. 3. HVAC Optimization – The HVAC system shall include the following: a. Electric heat pumps will be used for space heating and domestic hot water, with all systems integrated and monitored by the Project Building Management System for performance optimization, fault detection, and energy tracking.	Prior to the issuance of building permits	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
b. Smart thermostats, which include a motion sensor detector and door/window open sensors, will be installed in each guest room. c. The central plant will utilize a Combination Plant with SmartPlate EV 4. Glazing – All glazing for the tower and exterior public spaces shall be installed with Low-E glass [U-factor (thermal transmittance) ≤ 0.28 and Solar Heat Gain Coefficient (SHGC) ≤ 0.23. 5. Energy Management System – The Project shall use advanced systems to monitor and optimize energy use in real time. 6. Benchmarking and Monitoring – The Project shall incorporate an Energy Star Portfolio Management system to track and manage energy consumption 7. Third-Party Verification/LEED Certification – The Project shall obtain third-party HVAC commissioning verification or LEED certification of Gold to Platinum to verify energy savings. 8. Battery Energy Storage –The Project would include an on-site battery energy storage system occupying approximately 500 to 1,000 square feet, consisting of modular lithium-ion battery cabinets and associated electrical equipment. The system would be used for peak load management and grid resiliency consistent with California Fire Code and Title 24 requirements. *(CAPCOA Measure E-1 is quantified) (CAPCOA Measures E-7, E-9, E-22, E-24, and E25 are qualitative)*				
MM-GHG-8: Cool Roof/Deck. Prior to issuance of building permits, the Project Applicant or designee shall submit plans to the City for approval that require cool roof and cool deck surfaces to be included as part of the Project for the podium and tower, consistent with the specifications provided below. ▪ Cool Roof Installation: All roofing materials shall meet or exceed the California Title 24, Part 6 requirements for cool roofs, based on roof slope:	Prior to the issuance of building permits	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
▪ Low-sloped roofs (≤ 2:12 pitch): - Aged Solar Reflectance (SR) ≥ 0.63 - Thermal Emittance (TE) ≥ 0.75 - Or Solar Reflectance Index (SRI) ≥ 75 ▪ Steep-sloped roofs (> 2:12 pitch): - Aged SR ≥ 0.20 - TE ≥ 0.75 - Or SRI ≥ 16 ▪ Cool Deck Surfaces: All exterior hardscape surfaces exposed to sunlight (e.g., pool decks, patios, walkways) shall use high-albedo materials or cool surface coatings with: - Minimum SR of 0.29 or higher - Or materials with a demonstrated surface temperature reduction of at least 10°F compared to conventional concrete or asphalt To meet the above standards, the Project Applicant may implement one or more of the following: ▪ Use Energy Star®-rated roofing products or materials listed in the Cool Roof Rating Council (CRRC) directory. ▪ Apply reflective coatings or single-ply membranes with compliant SR and TE values. ▪ Install light-colored or permeable pavers, cool concrete, or coated surfaces for decks and walkways, such as permeable interlocking concrete pavers, porous asphalt, permeable concrete, geocell systems, or bio-asphalt. ▪ Incorporate green roofs or vegetated shading structures as alternative compliance pathways (subject to City approval). Monitoring and Reporting shall include:				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
▪ Submittal of roofing and hardscaping material specifications to the City of Garden Grove Building Division prior to issuance of building permits. ▪ City inspectors shall verify installation during final inspection and prior to issuance of the final certificate of occupancy. *(CAPCOA Measure E-21)*				
MM-GHG-9: Renewable Energy. The Project Applicant or designee shall install a solar photovoltaic system capable of generating a minimum of 267,000 kilowatt hours (kWh) per year prior to issuance of certificate of occupancy. *(CAPCOA Measure E-10-B)*	Prior to the issuance of a certificate of occupancy	City of Garden Grove		
MM-GHG-10: Water Conservation. Prior to receiving the final certificate of occupancy, the Project Applicant or designee shall submit a Water Conservation Compliance Report to the City of Garden Grove for review and approval. The Project shall achieve a minimum 10% reduction in total water use compared to the baseline of 167 gallons per room per day as identified in the Water Supply Assessment (Psomas 2022). This equates to a target of no more than 150.3 GPCD at full occupancy. The Water Conservation Compliance Report shall include product specifications for all water-saving fixtures and systems, landscape and irrigation plans, greywater system design and capacity documentation, post-occupancy water use monitoring plan for the first 12 months after occupancy. To meet or exceed the performance standard, the Project may implement a combination of the following water conservation strategies: ▪ Low-Flow Water Fixtures for guest rooms and public area ▪ Smart Irrigation System – outdoor landscaping shall include weather-based irrigation controllers and drought-resistant landscaping to minimize outdoor water use ▪ Greywater Recycling *(CAPCOA Measures W-2, W-5, and W-7)*	Prior to receiving the final certificate of occupancy	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
MM-GHG-11: Waste Reduction. Prior to issuance of the final certificate of occupancy, the Project Applicant or designee shall submit a Waste Management, Recycling, and Composting Plan to the City of Garden Grove for review and approval. The program shall be implemented on-site at the Project location and apply to all operational areas, including guest services, food and beverage operations, maintenance, and administrative functions. The waste reduction program shall be fully implemented during Project operations. The Plan shall specify a minimum diversion of 25% of municipal solid waste, including organics, generated on site from landfill disposal. The Waste Management, Recycling, and Composting Plan may include but not be limited to the following: ▪ Recycling Program - Provide labeled bins for recyclables and certified hauler contracts. - Promote recycled paper and other products like soap. ▪ Organics and Composting Program - Collect food scraps and compostables. ▪ Source Reduction Measures - Reduce single-use items and paper use. - Ban disposable (i.e., designed to be used once and discarded) foodware items and accessories. - Allow customers to bring their own reusable items. - Require hand soap in refillable containers. - Do not provide water in plastic bottles or disposable single-use cups. - Do not use expanded polystyrene (i.e., Styrofoam). - Require reusable napkins and tablecloths with recyclable disposable napkins only for takeout. - Provide hand dryers in areas accessible to customers. - Require reusable laundry bags. - Require reusable dishware for room service.	Prior to issuance of the final certificate of occupancy	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
- Offer toiletries on request rather than automatically. - Provide key cards made of non-plastic materials, including traditional metal keys or wood, bamboo, and paper options for chip-based cards. - Incentivize returning keys to discourage waste. - Provide non-plastic shower caps, razors, shaving cream, slippers, eye masks, and ear plugs. - Remove minifridge items that use plastic. - Eliminate the use of garbage bags if possible, or use garbage bags made of compostable material. - Serve employee meals with reusable dishware and cutlery and provide reusable water bottles for all employees with accessible water bottle refill stations. - Replace paper towels with reusable dish rags. ▪ Employee and Guest Education - Provide staff training and signage for guests. ▪ Monitoring and Reporting - Track waste and submit Annual Waste Diversion Report to the City of Garden Grove. In addition, if the hotel/operations qualify as a covered edible food generator, the Project will contract with a food recovery organization/service and keep required records. If not covered, the Project will evaluate a partnership during operator onboarding and implement if feasible. *(CAPCOA Measure S-1/S-2) (CAPCOA Measure S-3 is a qualitative measure in CalEEMod and is not quantified in the operational analysis)*				
MM-GHG-12: Zero Emission Landscape Equipment. During Project operations, the Project Applicant or designee shall ensure zero-emission landscape equipment (defined as equipment that does not emit tailpipe emissions during operation) is utilized. The Project Applicant or designee shall be responsible for ensuring that all	During operations	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
landscape maintenance contractors and staff comply with this measure. All landscape maintenance activities associated with the Project shall utilize zero-emission landscaping equipment, such as electric-powered or battery-operated tools. This requirement applies to all landscaped areas within the Project site, including but not limited to courtyards, green spaces, perimeter landscaping, and rooftop gardens. The requirement shall be implemented prior to the commencement of landscape maintenance operations. To meet or exceed the performance standard, the Project may implement a combination of the following strategies: **Electric-Powered Equipment** ▪ Use electric or battery-powered: - Leaf blowers. - Lawn mowers. - Hedge trimmers. - Edgers. - Chainsaws. **Contractor Requirements** ▪ Include zero-emission equipment requirements in all landscape maintenance contracts. ▪ Require contractors to provide documentation of equipment type and compliance. **On-Site Charging Infrastructure** ▪ Install dedicated charging stations or outlets for landscape equipment. **Equipment Inventory and Tracking** ▪ Maintain an inventory of all landscape equipment used on site. ▪ Submit an annual compliance report to the City of Garden Grove verifying that only zero-emission equipment is in use. **Training and Education** ▪ Provide training to landscape maintenance staff on the proper use and maintenance of electric equipment.				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
▪ Display signage or include information in sustainability reports to promote awareness. *(CAPCOA Measure LL-1)*				
MM-GHG-13: Prohibit Woodburning Devices, Natural Gas Fireplaces, and Fire Pits. Prior to the issuance of building permits, the Project Applicant or designee shall submit building design plans for approval of the City showing the prohibition of on-site woodburning devices, natural gas fireplaces, fire pits, or other decorative combustion features throughout the Project site. Prior to the issuance of the final certificate of occupancy, the City shall confirm that this prohibition has been implemented.	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-14: Refrigerant Management Program. Prior to issuance of mechanical permits, the Project Applicant or designee shall develop and submit a Refrigerant Management Program to the City of Garden for review and approval. The Project Applicant or designee shall be responsible for developing, implementing, and maintaining the refrigerant management program in coordination with HVAC contractors and facility operations staff. The Refrigerant Management Program shall include the use of low-GWP refrigerants (e.g., R-32 or better) and incorporate best management practices to reduce emissions from service, operation, and disposal of refrigerants. This measure shall apply to all refrigeration and HVAC systems installed and operated within the Project site, including guest rooms, common areas, kitchens, and mechanical rooms. The Project shall ensure that: ▪ 100% of installed HVAC and refrigeration systems use refrigerants with a GWP ≤ 750, consistent with California Air Resources Board (CARB) regulations. ▪ The refrigerant management program shall achieve a minimum 10% reduction in potential refrigerant emissions compared to standard industry practices, as demonstrated through leak rate tracking and maintenance logs.	Prior to the issuance of mechanical permits	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
To meet or exceed the performance standard, the Project may implement a combination of the following strategies: **Mechanical Equipment** ▪ Install microchannel heat exchangers in A/C equipment in place of conventional heat exchangers. **Use of Low-GWP Refrigerants** ▪ Select refrigerants such as R-32, R-454B, or other CARB-compliant alternatives with GWP ≤ 750. ▪ Avoid high-GWP refrigerants such as R-410A and R-404A. **Leak Detection and Prevention** ▪ Install automatic leak detection systems for large-capacity systems. ▪ Conduct quarterly inspections and maintain leak logs. **Refrigerant Recovery and Disposal** ▪ Use certified technicians for refrigerant recovery and disposal. ▪ Maintain documentation of recovered and recycled refrigerants. **Preventive Maintenance Program** ▪ Implement a scheduled maintenance plan to inspect and service HVAC and refrigeration systems. ▪ Include refrigerant charge optimization and system performance checks. **Training and Certification** ▪ Ensure all HVAC technicians are EPA Section 608 certified. ▪ Provide training on low-GWP refrigerant handling and leak prevention. **Third-Party Verification** ▪ Obtain third-party verification of refrigerant management practices through programs such as GreenChill or LEED Enhanced Refrigerant Management credit. Prior to issuance of certificate of occupancy, the City of Garden Grove will verify that the equipment specified in the Refrigerant				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Management Program has been installed. Ongoing compliance shall be performed by the Project Applicant or their designee. *(CAPCOA Measures R-1, R-4, R-5, R-6, and R-7)*				
MM-GHG-15: Carbon Offsets – The Project Applicant (or its designee) shall implement the following carbon offsets in accordance with the Project's construction and operational phases as outlined below. *Timeline for Acquisition of Carbon Offset Credits* **Construction** Prior to issuance of grading permits, the Project Applicant (or its designee) shall purchase and retire carbon offsets in a quantity sufficient to offset all construction GHG emissions in a lump sum with the quantification, performance standards, and requirements set forth below. Alternatively, construction offsets may be purchased on an annual basis by purchasing the first phase of construction offsets prior to start of grading and then purchasing offsets for each following year by December 31 of the year preceding the new year in which construction will occur. Annual construction GHG emission offsets shall also be subject to the same quantification, performance standards, and requirements set forth below. **Operation** Prior to issuance of the final certificate of occupancy, the Project Applicant or its designee shall purchase and retire carbon offsets in a quantity sufficient to offset, for a 30-year period following occupancy of the Project, the construction and operational GHG emissions from the Project to the 1,400 MT CO_2e per year threshold, consistent with the quantification, performance standards and requirements set forth below. Alternatively, the Project Applicant or its designee may purchase and retire annual operational GHG offsets for a period of 30 years by December 31 of the year preceding each new year after the issuance of the final certificate of occupancy. Annual operational GHG				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
emission offsets shall also be subject to the same quantification, performance standards, and requirements set forth below. *Quantification of GHG Emissions and Reductions Required* **Construction** The estimated total construction GHG emissions to be offset are 3,362.30 MT CO_2e if purchased in a lump sum. If purchased on an annual basis, the following schedule provides the estimated annual emissions and date of compliance.				

Year	Offsets Required (MT CO_2e)	Purchase and Retirement Deadline
1	402.52	Prior to issuance of grading permits
2	1,434.02	December 31 of Year 1
3	1,410.81	December 31 of Year 2
4	114.95	December 31 of Year 3
Total	**3,362.30**	

Notes: MT CO_2e = metric tons of carbon dioxide equivalent; N/A = not applicable.

Operation

The estimated operational emissions are 7,408.02 MT CO_2e. To mitigate operational emissions below the 1,400 MT CO_2e per year threshold, the Project would purchase and retire one lump sum of 180,270.60 MT CO_2e of offsets (7,408.02 MT CO_2e − 6,009.02 [offsets] = 1,399 MT CO_2e remaining); 6,009.02 MT CO_2e × 30-year life = 180,270.60 MT CO_2e; or that same total amount of credits in increments over the 30 years. The following schedule provides the estimated offset emissions and dates of compliance under the scenarios where credits are purchased and retired in a lump sum or on an annual basis.

Scenario	Offsets Required (MT CO_2e)	Purchase and Retirement Deadline
Lump sum	180,270.60	Prior to issuance of certificate of occupancy
Annual basis 30-year term	6,009.02	Prior to issuance of certificate of occupancy for Year 1 and December 31 of preceding year

Notes: MT CO_2e = metric tons of carbon dioxide equivalent; N/A = not applicable.

If the Project Applicant or its designee selects the scenario where the credits are purchased on something other than in one lump sum initially, they can purchase and retire the remaining offsets required in a lump sum in accordance with the remaining term and conditions outlined herein.

Carbon Offset Standards – Eligible Registries, Acceptable Protocols, Defined Terms, and Geographic Priorities

"Carbon offset" shall mean an instrument, credit or other certification verifying the reduction of GHG emissions issued by the following CARB-accredited registries: Climate Action Reserve, the American Carbon Registry, or Verra (formerly, the Verified Carbon Standard); as well as credits issued for projects listed on the California Carbon Sequestration and Climate Resiliency Project Registry, which is maintained by the California Natural Resources Agency and may provide additional offsets. This shall include, but is not limited to, an instrument, credit or other certification issued by these registries for GHG reduction activities. The Project shall neither purchase offsets from the Clean Development Mechanism registry nor purchase offsets generated under Clean Development Mechanism protocols.

To be eligible under this mitigation measure, carbon offsets must satisfy the "Reporting and Enforcement Standards" below and demonstrate that each registry shall continue its existing practice of requiring the following for the development and approval of protocols or methodologies:

1. Adherence to established GHG accounting principles set forth in the International Organization for Standardization (ISO) 14064,

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Part 2 or the World Resources Institute/World Business Council for Sustainable Development (WRI/WBCSD) Greenhouse Gas Protocol for Project Accounting; and 2. Oversight of the implementation of protocols and methodologies that define the eligibility of carbon offset projects and set forth standards for the estimation, monitoring and verification of GHG reductions achieved from such projects. The protocols and methodologies shall: a. Be developed by the registries through a transparent public and expert stakeholder review process that affords an opportunity for comment and is informed by science; b. Incorporate standardized offset crediting parameters that define whether and how much emissions reduction credit a carbon offset project should receive, having identified conservative project baselines and the length of the crediting period and considered potential leakage and quantification uncertainties; c. Establish data collection and monitoring procedures, mechanisms to ensure permanency in reductions, and additionality and geographic boundary provisions; and d. Adhere to the principles set forth in the program manuals of each of the aforementioned registries, as such manuals are updated from time to time. The current registry documentation includes the Climate Action Reserve's *Reserve Offset Program Manual*[1] (April 2024) and *Climate Forward Program Manual*[2] (December 2021); the American Carbon Registry's *The ACR Standard, Requirements and Specifications for the Quantification, Monitoring, Reporting, Verification, and Registration of Project-Based GHG Emissions Reductions and*				

1 https://climateactionreserve.org/wp-content/uploads/2024/04/Reserve-Program-Manual-v9.2.pdf.
2 https://climateforward.org/wp-content/uploads/2021/12/Climate-Forward-Program-Manual-December-2021_12-FINAL.pdf.

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Removals[3] (July 2023); and Verra's VCS Standard, *Program Guide*[4] (August 2023), and *Methodology Requirements*[5] (October 2023). The City has reviewed the registries' methodologies and has determined that protocols established pursuant to such methodologies – including updates to those protocols and methodologies as may occur from time to time by the registries in accordance with the registry documentation listed in the prior paragraph to ensure the continuing efficacy of the reduction activities – are eligible for use under this mitigation measure. The carbon offsets purchased to satisfy this measure must represent the reduction or sequestration of one MT CO_2e that is "not otherwise required" (CEQA Guidelines Section 15126.4[c][3]). The carbon offsets must achieve the standard of additional, real, permanent, quantifiable, verifiable, and enforceable reductions, which are defined for purposes of this mitigation measure as follows consistent with the applicable provisions in the California Code of Regulations, Title 17: 1. "Additional" means that the carbon offset is not otherwise required by law or regulation, and not any other GHG emissions reduction that otherwise would occur. 2. "Real" means that the GHG reduction underlying the carbon offset results from a demonstrable action or set of actions, and is quantified under the protocol or methodology using appropriate, accurate, and conservative methodologies that account for all GHG emissions sources and sinks within the boundary of the applicable carbon offset project, uncertainty, and the potential for activity-shifting leakage and market-shifting leakage.				

[3] https://acrcarbon.org/wp-content/uploads/2023/10/ACR-Standard-v8.0.pdf.
[4] https://verra.org/documents/vcs-program-guide-v4-4/.
[5] https://verra.org/documents/vcs-methodology-requirements-v4-4/.

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
3. "Verifiable" means that the GHG reduction underlying the carbon offset is well documented, transparent, and set forth in a document prepared by an independent verification body that is accredited through the American National Standards Institute (ANSI). 4. "Permanent" means that the GHG reduction underlying the carbon offset is not reversible; or, when GHG reduction may be reversible, that a mechanism is in place to replace any reversed GHG emission reduction. 5. "Quantifiable" means the ability to accurately measure and calculate the GHG reduction relative to a project baseline in a reliable and replicable manner for all GHG emission sources and sinks included within the boundary of the carbon offset project, while accounting for uncertainty and leakage. 6. "Enforceable" means that the implementation of the GHG reduction activity must represent the legally binding commitment of the offset project developer to undertake and carry it out. The City has reviewed and determined that methodologies and protocols established by American Climate Registry, Climate Action Reserve, and Verra establish and require carbon offset projects to comply with standards designed to achieve additional, real, permanent, quantifiable, verifiable, and enforceable reductions. Additionally, the "Reporting and Enforcement Standards" below shall ensure that the requirements of this mitigation measure will be enforced, as the City has authority to hold the Applicant accountable and to take appropriate corrective action if it determines that any carbon offsets do not comply with the requirements herein. Carbon offsets secured from the CARB-accredited registries shall be prioritized in accordance with the following criteria: (1) offsets within the City; (2) offsets within the County, only if in-City offsets are unavailable; (3) offsets within the State of California, only if in-county				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
offsets are unavailable; (3) offsets within the United States, only if in-state offsets are unavailable.[6] The above definitions are provided as criteria and performance standards associated with the use of carbon offsets. Such criteria and performance standards are intended only to further construe the standards under CEQA for mitigation related to GHG emissions (see, e.g., State CEQA Guidelines Section 15126.4[a], [c]), and are not intended to apply or incorporate the requirements of any other statutory or regulatory scheme not applicable to the Project (e.g., the Cap-and-Trade Program). *Monitoring, Reporting, and Enforcement Standards* Prior to the timeline identified in the initial section of this mitigation measure, the Project Applicant or its designee shall submit documentation in the form of a report to the City that identifies the quantity of emission reductions required by this mitigation measure, as well as the carbon offset proposed for acquisition to achieve compliance with this measure. For purposes of demonstrating that each offset is additional, real, permanent, quantifiable, verifiable and enforceable, the reports shall include: (i) the applicable protocol(s) and methodologies associated with the carbon offsets, (ii) the third-party verification report(s) and statement(s) affiliated with the carbon offset projects, (iii) the unique serial numbers assigned by the registry(ies) to the carbon offset, which serves as evidence that the registry has determined the carbon offset project to have been implemented in accordance with the applicable protocol or methodology and ensures that the offsets cannot be further used in any manner, and (iv) the carbon offset meets the locational attributes				

[6] For purposes of this provision, offset credits will be deemed "unavailable" if they are either unobtainable generally from the CARB accredited registries, or if on a per-unit basis if such a credit is otherwise available: (a) for offset credits within the City of Garden Grove, more than 2 times as costly as offset credits within the County of Orange, but not within the City of Garden Grove; (b) for offset credits within the County of Orange, more than 5 times as costly as offset credits within California, but not within the County of Orange; or (c) for offset credits within the United States, sufficient offset credits within California are not available for purchase at any cost.

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
as specified by this mitigation measure and verified through a market survey report prepared by a carbon offset broker that identifies the carbon registry listings reviewed for carbon offset availability, including the related date of inquiry. The Project Applicant (or its designee) shall select and retain at least one independent, third-party expert on GHG mitigation and offsets to review the documentation provided by the Applicant (or its designee) relating to, among other data, construction- and operation-related emissions, and provide a report with analysis and recommendations to the City (with supporting materials), on whether the Project has complied with the off-site GHG emissions reduction measures set forth in this mitigation measure. The Project Applicant's (or its designee's) selection of each expert, who shall not be a current or former employee or agent of the Project Applicant (or its designee), shall be subject to the approval of the City Attorney, which shall not be unreasonably withheld. The Project Applicant (or its designee) shall retain the expert(s) for all offset credit submissions made to the City until all offsets required this mitigation measure are acquired and accepted by the City. If the City determines that the Project's carbon offsets at issue in the Project Applicant's (or their designee's) submission meet the requirements of this mitigation measure, the offsets required to be acquired by the Project will be proportionally reduced. Upon an affirmative finding from the City that the Project's carbon offsets are eligible for use under this measure, and within the applicable timeframe required by the first section of this mitigation measure, the Project Applicant (or their designee) shall provide to the City copies of the relevant portions of the GHG offset contracts demonstrating the applicable carbon offsets have been acquired. This will serve as the final documentation required to demonstrate compliance with this mitigation measure.				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
If the City determines that the Project's carbon offsets do not meet the requirements of this mitigation measure, the City shall provide a detailed explanation of the basis for the City's determination. Carbon offsets not approved by the City as meeting the requirements of this mitigation measure cannot be used to reduce Project GHG emissions and the Applicant will be required to submit qualifying carbon offsets accepted by the City prior to the applicable timeframe specified in the first section of this mitigation measure. *(CAPCOA Measure M-2)*				
Project Design Features				
PDF-4: Construction equipment should be maintained in proper tune.	During construction	City of Garden Grove		
PDF-5: All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as 5 minutes or longer.	During construction	City of Garden Grove		
PDF-8: For construction activities other than those addressed by MM-GHG-1 and MM-GHG-2, establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible.	During construction	City of Garden Grove		
PDF-10: Use haul trucks with on-road engines instead of off-road engines for on-site hauling.	During construction	City of Garden Grove		
PDF-11: The Project will comply with the mandatory requirements of the latest California Building Standards Code, Title 24, Part 6 (Energy Code) and Part 11 (California Green Building Standards Code [CALGreen]), including the provisions for bicycle parking, electric vehicle charging stations, energy efficiency, material conservation, and water/waste reduction.	During operations.	City of Garden Grove		
PDF-12: Install signage at loading docks requiring trucks to limit engine idling times to 5 minutes or less.	During operations	City of Garden Grove		
PDF-21: Engine idling time for all delivery vehicles and trucks must be limited to 5 minutes or less. Signage should be posted in the designated loading areas reflecting the idling restrictions.	During operations	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
PDF-27: Sustainable Building Materials and Contracting. The Project will prioritize low-impact, sustainably sourced, and recyclable materials across construction and interior finishes, including low-VOC paints, Forest Stewardship Council-certified wood, and recycled-content flooring. The Project is also implementing vendor standards that require environmental product declarations and third-party certifications to verify material sustainability. Materials shall be selected not only for their initial environmental footprint but also for durability and long-term performance, reducing the need for frequent replacement and associated waste. In addition, the Project Applicant or their designee will include bid language requiring the contractor to prioritize sourcing within the region (e.g., Orange County/Southern California) where pricing and availability are competitive, and to document major material and subcontractor origins in the construction closeout package.	During construction	City of Garden Grove		
PDF-28: The Project amenities shall be available to registered hotel guests only. There will be no day passes allowed.	Prior to project opening	City of Garden Grove		
PDF-29: The Project amenities include a self-service bicycle repair station adjacent to the guest and employee bicycle parking spaces.	During project construction for installation and during project operation for maintenance and provision of bicycle repair.	City of Garden Grove		
Transportation				
Mitigation Measures				
MM-TRA-1: Implement Commute Trip Reduction Marketing: The Project Applicant shall implement a marketing strategy to promote the Project site employer's Commute Trip Reduction (CTR) program. Information sharing and marketing promote and educate employees about their travel choices to the employment location beyond driving such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions.	Prior to project opening.	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
However, to ensure that CTR achieves VMT reduction of at least 4%, the following measures will be incorporated: a) The Applicant shall provide on site or online commuter information services to employees. The Applicant shall also distribute a quarterly newsletter with tips, success stories, and updates to ensure education and encouragement for the CTR program. b) The CTR shall require the Project Applicant or their designee to appoint a Commute Program Coordinator to oversee the implementation and management of the marketing strategy. c) The Applicant shall ensure on-site or online subsidized transit pass sales are available to all employees. d) The Applicant shall provide guaranteed ride home service by matching employees with other employees or providing access to platforms such as Rideharing.com and Lyft that connect riders for daily commutes with nearby drivers. e) A minimum of 10 preferential parking spaces for carpools/vanpools shall be provided. *(CAPCOA Measures T-7, T-9-B)*				
MM-TRA-2: Provide End-of-Trip Bicycle Facilities: The Project shall install and maintain end-of-trip bicycle facilities for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers. The provision and maintenance of secure bike parking and related facilities encourages commuting by bicycle, thereby reducing VMT and GHG emissions. The Project design includes on-site bicycle racks to accommodate a minimum of 38 short-term bicycle parking spaces and provide bicycle rentals for hotel guests on the ground level and 32 secure long-term bicycle parking spaces for employees; additionally, locker and shower facilities will be provided for employees. *(CAPCOA Measure T-10)*	During project construction for installation and during project operation for maintenance and provision of bicycle rentals.	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Project Design Features				
None.	N/A	N/A	N/A	N/A

Notes: LEED = Leadership in Energy and Environmental Design; GPCD = gallons per capita per day; GWP = global warming potential; EPA = U.S. Environmental Protection Agency; GHG = greenhouse gas; MT CO_2e = metric tons of carbon dioxide equivalent; VOC = volatile organic compound; N/A = not applicable.

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5 General Responses to Post–Public Review Comment Letters Received

A large number of comment letters were received after the Public Review period for the Draft Supplemental Environmental Impact Report (SEIR) for the B-2 Site Hotel Project (Project) closed on November 6, 2025.

The California Environmental Quality Act (CEQA) does not require the City of Garden Grove (City) to respond to these letters or include any suggested changes to the Draft SEIR in this Final SEIR. However, in the interest of transparency and full disclosure, general responses to the issues raised in these letters are included in this chapter for informational purposes only.

These letters followed three general formats; therefore, three representative letters were chosen to be included in this chapter for reference, as specified in Table 5-1.

Table 5-1. Representative Comment Letters Received After Close of the Public Review Period

Comment Letter Designation	Commenter	Date Received
1	Marina Joel	January 8, 2026
2	Israel Espinoza	January 8, 2026
3	Kassidy Nguyen	January 8, 2026

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From: Marina Joel
To: cityclerk@ggcity.org
Subject: Use Public Land for Housing, Not Another Hotel (Nickelodeon Resort Project)
Date: Thursday, January 8, 2026 8:54:53 AM

Honorable Mayor Klopfenstein and City Council Members ,

I understand that at the corner of Harbor Boulevard and Twintree Avenue, the City is considering approving a 500-room, 23-story resort hotel on a 3.72-acre publicly owned site that is already zoned for mixed-use development.

This project would add yet another hotel to an area of our City that already contains over 2,700 hotel rooms across nine hotels within one mile. Meanwhile, Garden Grove continues to struggle with a lack of housing, especially affordable housing for working families.

Public land is a limited resource, and how it is used matters. Approving another large hotel without incorporating housing misses a critical opportunity to address our city's most pressing needs.

As a Garden Grove resident, I urge the City to carefully reconsider this proposal and prioritize housing on public land to better serve our community now and in the future. Thank you.

Marina Joel
merinajoel@gmail.com
11692 dale st
Garden grove, California 92841

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Response to Post-Public Review Comment Letter 1

Marina Joel
January 8, 2026

The commenter would like to see housing on public land and not another hotel. The comment states that because public land is a limited resource, it matters how it is used.

The Project site is in an area of the City designated as International West Mixed Use (Focus Area A) along Harbor Boulevard, generally between Chapman Avenue on the north and the Garden Grove Freeway (State Route 22) on the south. According to the Garden Grove General Plan (2008), this area:

> Holds critical importance for the City for revitalization and economic stimulus purposes. Ideally situated south of the Disneyland Resort district, this area has opportunities to capitalize and expand tourist-based and entertainment-related uses. Full-service hotels and new restaurants have been constructed, predominately at the intersection of Chapman Avenue and Harbor Boulevard. An Economic Impact and Master Plan for the International West Resort Area was prepared to identify strategies to complement established entertainment, hospitality, and sports venues in the surrounding areas by planning for three entertainment centers connected by themed commercial services and retail uses, entertainment venues, hotels, theaters, and parks.

The International West Mixed Use designation allows for a mix of uses, including commercial, entertainment, hotel, and residential uses, and this particular 3.72-acre site is very well situated, with frontage along Harbor Boulevard, for themed entertainment uses within easy driving distance of Disneyland Resort and close to existing tourism-based uses in the City. It is a prime location for a themed hotel, which is consistent with the long-term vision of the City to develop this property with a resort/entertainment/tourism use, as envisioned in the General Plan.

The City has prepared a state-compliant housing element (the 2021–2029 Housing Element, which was adopted on October 10, 2023), which includes a detailed housing site inventory identifying thousands of parcels that could be developed for affordable housing throughout the City. The City specifically has identified more than 2,400 underutilized properties that are not meeting their full economic potential and could be developed for affordable housing. This property is not required to be used for affordable housing and it is not identified as a site for affordable housing in the Housing Element's site inventory. As such, by building the hotel, it is not reducing or removing properties that have previously been identified for future housing growth in the Housing Element. The sites that have been identified are sufficient to meet the City's Regional Housing Needs Assessment (RHNA). The project would not minimize the City's ability to meet its RHNA.

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From: Israel Espinoza
To: cityclerk@ggcity.org
Subject: Housing, Not Hotels on Public Land (Nickelodeon Resort Project)
Date: Thursday, January 8, 2026 6:37:43 AM

Honorable Mayor Klopfenstein and City Council Members ,

Garden Grove's working families need more housing options, not more luxury hotel rooms. Despite this, the City is considering the Site B-2 Hotel Project, a 500-room, full-service resort hotel with a water park, lazy river, and a five-level parking garage, on public land at Harbor Boulevard and Twintree Avenue.

Using public land for a large hotel project without including any housing is concerning, particularly during the ongoing housing crisis. This site presents an opportunity to build housing near jobs and services, which would support workers, reduce commute times, and promote long-term economic stability.

Incorporating housing into this project, especially affordable housing, would better serve Garden Grove residents and align public land use with community needs.
I respectfully urge the City to amend this project to include housing and ensure that public land is used to benefit the people who live and work here.

LETS NOT DO THIS TO OUR CITY

Israel Espinoza
espinoza.israel97@gmail.com
12531 Janet LN
Garden grove , California 92840

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Response to Post-Public Review Comment Letter 2

Israel Espinoza
January 8, 2026

The commenter would like the Project to incorporate housing, especially affordable housing. The City has prepared a state-compliant housing element (the 2021–2029 Housing Element, which was adopted on October 10, 2023), which includes a detailed housing site inventory identifying thousands of parcels that could be developed for housing throughout the City. The City has specifically identified more than 2,400 underutilized properties that are not meeting their full economic potential and could be developed for housing. This property is not identified as a site for housing in the Housing Element's site inventory. Rather, it has long been designated for resort and entertainment uses, consistent with the City's long-term vision for the International West Mixed Use corridor.

As a matter of public policy, the City has identified this property for entertainment/resort/tourism uses. The Project site is in an area of the City designated as International West Mixed Use (Focus Area A) along Harbor Boulevard, generally between Chapman Avenue on the north and the Garden Grove Freeway (State Route 22) on the south. According to the Garden Grove General Plan (City of Garden Grove 2008), this area:

> Holds critical importance for the City for revitalization and economic stimulus purposes. Ideally situated south of the Disneyland Resort district, this area has opportunities to capitalize and expand tourist-based and entertainment-related uses. Full-service hotels and new restaurants have been constructed, predominately at the intersection of Chapman Avenue and Harbor Boulevard. An Economic Impact and Master Plan for the International West Resort Area was prepared to identify strategies to complement established entertainment, hospitality, and sports venues in the surrounding areas by planning for three entertainment centers connected by themed commercial services and retail uses, entertainment venues, hotels, theaters, and parks.

As the Draft SEIR reflects, the Project site's 3.72-acre property is well situated for the Project's proposed resort hotel use, with frontage along Harbor Boulevard for themed entertainment uses within easy driving distance of Disneyland Resort and within easy proximity of existing tourism based uses in the City (Draft SEIR, Section 3.3, Project Objectives, p. 3-3). The Project site is a prime location for a themed hotel, which is consistent with the long-term vision of the City.

As the Draft SEIR analyzed and disclosed, both an exclusively residential and a mixed-use housing alternative are addressed in the "Alternatives Considered but Rejected" section (Draft SEIR, Section 6.3.4, Residential Alternative, p. 6-4, and Section 6.3.6, Mixed-Use Development Alternative, pp. 6-5 and 6-6). The SEIR demonstrates that neither of those options were feasible or capable of meeting the Project's objectives, nor would the options clearly reduce potentially significant VMT or GHG impacts associated with the Project. The Project site is 3.72 acres in size and would be entirely consumed by a 500-room hotel, themed pool deck, parking garage, and amenities. There is no land available for housing on the Project site without fundamentally reducing the hotel's size. A reduced hotel size alternative was considered and rejected in the Draft SEIR because it would not meet most of the Project's basic objectives. A mixed-use alternative that reduces the size of the hotel to accommodate housing would not attain the primary objective of a fully programmed destination resort hotel.

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From: Kassidy Nguyen
To: cityclerk@ggcity.org
Subject: Insufficient Environmental Mitigation at Nickelodeon Project
Date: Thursday, January 8, 2026 2:17:03 AM

Honorable Mayor Klopfenstein and City Council Members ,

The City of Garden Grove is considering a proposal to build a 500-room hotel, referred to as the Site B-2 Hotel Project, on public land. This project will involve creating a full-service high-rise resort hotel, complete with a water park, lazy river, and other amenities, on the corner of Harbor Boulevard and Twintree Avenue. Additionally, plans include a five-level parking garage with 528 spaces. The construction is expected to take approximately 30 months and will be completed in a single phase.

We are concerned that the project's environmental mitigation for greenhouse gas (GHG) emissions and vehicle miles traveled (VMT) may be inadequate. The SEIR does not adequately analyze the various components of the project that could generate VMT and mobile emissions independently of the hotel use. In addition, the GHG and VMT analyses appear to assume that only overnight guests and employees will travel to the site, without accounting for non-overnight visitors, such as day guests (like those that visit the Great Wolf Lodge or Disneyland for the day). The SEIR also states that the project will generate 446 operational employees, which may be an overestimate, and may therefore overstate the project's transportation efficiency. Given these issues, the SEIR may understate the project's actual GHG and VMT impacts and, as a result, the level of mitigation required.

Moreover, the project does not adequately consider more effective climate strategies. To help reduce the project's carbon footprint, the project could incorporate mixed-use development, not only building the hotel but also including residential apartments near public transit. A residential component would balance jobs and housing, reducing the number of long-distance car commutes to the hotel.

Kassidy Nguyen
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12232 Park Ln
Garden Grove, California 92840

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Response to Post-Public Review Comment Letter 3

Kassidy Nguyen
January 8, 2026

The commenter believes that the Draft SEIR includes inadequate environmental mitigation for greenhouse gas (GHG) emissions and vehicle miles traveled (VMT) and states that the Draft SEIR does not analyze various components of the proposed hotel that could generate VMT and mobile emissions independently of the hotel use.

The Project was modeled as a single "hotel" land use because all components (e.g., fitness room, theater, swimming pool, restaurant) are ancillary to the hotel use and are limited to registered hotel guests, pursuant to PDFs incorporated into the Supplemental Mitigation Monitoring and Reporting Program (MMRP). Day passes are prohibited. Therefore, it would not be appropriate to estimate trips and VMT from day guests. This is consistent with the Institute of Transportation Engineers (ITE) Trip Generation Manual for Land Use 310, which describes a hotel as "a place of lodging that provides sleeping accommodations and supporting facilities such as full-service restaurant, cocktail lounge, meeting rooms, banquet rooms, and convention facilities. A hotel typically provides a swimming pool or another recreational facility, such as a fitness room" (ITE 2025). This approach aligns with California Emissions Estimator Model (CalEEMod) guidance for mixed-use projects where ancillary facilities do not function as independent destinations. The proposed Project is a unified development under a single entitlement and would operate as an integrated resort hotel. Ancillary amenities are not independent land uses—they are accessory to the primary hotel use and would be available exclusively to registered hotel guests. Accordingly, the CalEEMod modeling reflects the Project's operational characteristics as a single hotel land use type.

The commenter states that the Draft SEIR's analysis does not include day visitors or guests. It cites Great Wolf Lodge and Disneyland Resort as comparable examples, where access to the facility is not limited to just registered guests. As explained in Chapter 2, Responses to Comments O2-6 to O2-10, access to all on-site amenities—including the theater, restaurant, and themed pool—is restricted to registered hotel guests pursuant to the PDFs incorporated into the Supplemental MMRP (see Chapter 4, Supplemental Mitigation Monitoring and Reporting Program, of this Final SEIR). Therefore, it would not be appropriate to estimate trips and VMT from day guests because the Project is unlike Disneyland Resort and Great Wolf Lodge in that respect.

The comment states the Draft SEIR's employee estimate of 446 employees may be an overestimate and may therefore overstate the Project's transportation efficiency and understate the actual GHG emissions and VMT impacts, thereby underestimating the level of mitigation required. The use of 446 employees results in a conservative estimate of the Project's VMT impacts. In accordance with the City's VMT Guidelines, the VMT analysis utilized OCTAM, which is the transportation analysis model maintained by the Orange County Transportation Authority. OCTAM was also used to evaluate the potential VMT impacts of other resort/hotel uses in Orange County, including the DisneylandForward project. As shown in the Project's VMT analysis in the Draft SEIR and Appendix D to the Draft SEIR, Vehicle Miles Traveled (VMT) Memorandum, the VMT per employee is estimated as 15.3 VMT per employee, which is above the City's VMT significance threshold of 14.6 VMT per employee and therefore requires mitigation. The VMT analysis recommends two mitigation measures (**Mitigation Measure [MM] TRA-1** and **MM-TRA-2**) that are feasible and would reduce the Project's VMT impact from its employees to less than significant levels. Additional VMT reduction measures are included as part of **MM-GHG-5**. As to the GHG emissions analysis, relying on expert analysis, reasonably foreseeable occupancy scenarios, and established methodologies and significance thresholds, the Draft SEIR properly evaluated the proposed Project's potential GHG emissions. The Draft SEIR discloses that, even with implementation of all feasible on-site mitigation (**MM-GHG-1** through **MM-GHG-14**) and carbon offsets (**MM-GHG-15**), emissions would remain significant and unavoidable.

The comment states that the Project does not adequately consider more effective climate strategies. The Draft SEIR analyzed and disclosed the Project's potentially significant GHG impacts with and without mitigation. That analysis included an evaluation of PDFs and feasible mitigation measures, some of which were based on measures identified in CalEEMod or on CAPCOA recommendations, although CEQA does not require inclusion of any CAPCOA measures for a GHG emissions analysis. The Project's PDFs and mitigation measures do not mirror CAPCOA language verbatim; rather, they were intentionally tailored to reflect Project-specific design features, construction methods, and operational characteristics. This approach is consistent with CEQA best practice and CAPCOA guidance, which anticipates that lead agencies will adapt recommended measures to suit individual projects. In compliance with CEQA, the Draft SEIR's analysis documents the basis for any reductions in GHG emissions or impacts based on application of the PDFs and mitigation measures.

The comment states that the Project should incorporate mixed uses. The Draft SEIR included a mixed-use alternative with residential and hotel uses. As the Draft SEIR analyzed and disclosed, both an exclusively residential and a mixed-use housing alternative are addressed in the "Alternatives Considered but Rejected" section (Draft SEIR, Section 6.3.4, Residential Alternative, p. 6-4, and Section 6.3.6, Mixed-Use Development Alternative, pp. 6-5 and 6-6). The Draft SEIR demonstrates that neither of those options is feasible or capable of meeting the Project's objectives, nor would the options clearly reduce potentially significant VMT or GHG emissions impacts associated with the Project. The Project site is 3.72 acres in size and would be entirely consumed by a 500-room hotel, themed pool deck, parking garage, and amenities. There is no land available for housing on the Project site without fundamentally reducing the hotel's size. A reduced hotel size alternative was considered and rejected in the Draft SEIR because it would not meet most of the Project's basic objectives. A mixed-use alternative that reduces site of the hotel to accommodate housing would not attain the primary objective of a fully programmed destination resort hotel.

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Appendix A

Employee VMT Estimation for Site B-2 Hotel Project Memorandum

DUDEK

MEMORANDUM

To:	Priit Kaskla, Monica Covarrubias (City of Garden Grove)
From:	Sandipan Bhattacharjee (Translutions) Sabita Tewani, AICP, PTP (Dudek)
Subject:	Employee VMT Estimation for Site B-2 Hotel Project
Date:	May 1, 2026
cc:	Rachel Struglia, Dudek
Attachments:	Excerpts from U.S. Bureau of Labor Statistics Excerpts from LADOT and DCP 2020 Excerpts from Millennium Hollywood Project, Crain and Associates 2013 Excerpts from SCAG Employment Density Study 2001

The Draft SEIR, including the technical appendices, included substantial evidence supporting the methodology used to estimate the number of employees conducted for the Site B-2 Hotel Project (Project), for purposes of performing the vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions analysis. Comment Letter O2 on the Draft Supplemental Environmental Impact Report (SEIR), received from the Law Office of Jordan R. Sisson for UNITE HERE Local 11 on November 6, 2025, questioned that methodology. This memorandum provides further validation for the rationale and employee VMT estimation methodology applied in the Draft SEIR.

Dudek reviewed the City of Garden Grove (City) Economic Development Report & Analysis B-2 Site (Economic Development Report; Garden Grove 2022). As the Economic Development Report discloses, the City prepared that report for purposes of complying with state law requirements relative to agencies providing public subsidies and disposing of public properties. The Economic Development Report was not prepared for the purposes of California Environmental Quality Act analysis of VMT. Nonetheless, the Economic Development Report provides further validation that the employee estimation used in the Draft SEIR is reasonable. Based on the Job Creation Estimation (page 11 Garden Grove 2022), the Project is estimated to result in 380 full-time equivalent (FTE) hotel jobs. Based on the U.S. Bureau of Labor Statistics, approximately 34% of employees in the hospitality industry work part time. By applying this percentage split, approximately 66% of 446, or 294 employees, would be full time, and 34%, or 152 employees, would be part time. According to the estimate of hours worked per week from U.S. Bureau of Labor Statistics Accommodation and Food Services: NAICS 72, the average weekly hours for occupations commonly found in accommodation and food services ranges from 23.7 to 25.9 hours (U.S. Bureau of Labor Statistics 2026). This analysis used an average of 25 hours per week for part-time work and 40 hours per week for full-time work; 152 part-time employees would be equivalent to 95 FTE (i.e., 152*25/40). The Project's FTE would be 294 full-time +95 part-time = 389 employees. Therefore, the Project's 446 employees would be equivalent to 389 FTE, similar to the 380 FTE identified in the Economic Development Report.

As explained in the Draft SEIR, the closest fit from the SANDAG transportation model (SANDAG Model) maintained by the San Diego Association of Governments (SANDAG) was found to be "High Rise Hotel." The San Diego region has a number of hospitality uses with features and operations similar to the proposed Project, including several destination and non-destination hotels. The City's technical experts also consulted SCAG's Employment Density Study Summary

Report (SCAG 2001). Per Table 6A, p. 19, the average employee per acre for Hotel/Motel is 35.06 employees per acre. Given the Project site is 3.72 acres, use of that approach would result in an estimate of 130 employees. Based on our experience, and after consultation with the Project developer and City staff, it was determined that use of that approach for estimating Project employment was not reasonable or supportable given the nature of the Project. The number of employees was also nowhere near the number calculated using SANDAG's methodology or the range provided by City of Hotels (2025). The ITE Trip Generation Manual was also consulted (2025), but it does not include a method to estimate the number of employees for this land use. It should be noted that City of Los Angeles VMT calculator uses 0.5 employees per room for both hotel and motel use (LADOT and DCP 2020). However, the space allocated to, and employees required for, ancillary uses such as meeting rooms, retail, and restaurants are not same for hotels and motels. Therefore, using only 0.5 employees per room to estimate the number of employees for the Project was not considered appropriate or realistic.

For a further check on the reliability of the methodology used in the Draft SEIR, we estimated the number of Project employees using City of Los Angeles VMT Calculator documentation for hotel/motel and adding employees for ancillary uses, SCAG Employee Density 2001, and employee ratio derived from ITE trip rates as used in the Millennium Hollywood Project (Crain and Associates 2013). See Tables 1 and 2,

With each methodology (including the FTE estimate per economic report), the total number of employees was found to be comparable to the employee estimate used in the Project's VMT analysis. Based on our experience and the various approaches evaluated, we determined that the SANDAG model provided the most appropriate and reliable basis for estimating the Project's employee service population.

Table 1. Number of Employees Estimated Using City of Los Angeles VMT Calculator Documentation

Project Component	Employment Density[a]	Emp./Unit	No. of Units (Rooms or TSF)	No. of Employees
Rooms	0.5 per room	0.5	500 rooms	250
Ballroom	2 per TSF	2	9.49 TSF	19
Meeting room	2 per TSF	2	8.225 TSF	16
Food	2 per TSF	4	22.296 TSF	89
Arcade	2 per TSF	2	7.000 TSF	14
Themed amenities	2 per TSF	2	13.238 TSF	26
Spa	2 per TSF	2	8.532 TSF	17
			Total employees	**431**

Source: LADOT and DCP 2020.
Notes: emp. = employees; TSF = thousand square feet.
[a] Based on LADOT and DCP 2020.

Table 2. Number of Employees Estimated per ITE and SCAG Employee Density Survey Used in the Millennium Hollywood Project

Project Component	Employment Density	Emp./Unit	No. of Units (Rooms or TSF)	No. of Employees
Rooms	0.57 per room[a]	0.57 per room	500 rooms	285
Ballroom	1 per 424 square feet[b]	2.35 per TSF	9.49 TSF	22
Meeting room			8.225 TSF	19
Food			22.296 TSF	53
Arcade			7.000 TSF	17
Themed amenities			13.238 TSF	31
Spa			8.532 TSF	20
			Total employees	**447**

Source: Crain and Associates 2013.
Notes: ITE = Institute of Transportation Engineers; SCAG = Southern California Association of Governments; emp. = employees; TSF = thousand square feet.
[a] Per ITE trip rate conversion used to estimate employee per room ratio in Millennium Hollywood Project.
[b] Per SCAG 2001, Employee Density Study, Table 5A.

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Employment by Occupation

Data series	Employment, 2024
Combined food preparation and serving workers, including fast food	3,313,790
Cooks, fast food	647,470
Cooks, restaurant	1,356,300
Hotel, motel, and resort desk clerks	249,430
Waiters and waitresses	2,116,650

(Source: Occupational Employment and Wage Statistics)

Projections

For projected (future) employment estimates, see the National Employment Matrix, which includes employment estimates by industry and occupation for accommodation and food services.

(Source: Office of Occupational Statistics and Employment Projections)

Earnings and Hours

This section presents data on employee earnings and weekly hours. The latest industry averages of hourly earnings and weekly hours, as well as weekly earnings by union membership status, are shown. In addition, recent hourly and annual earnings are shown for occupations commonly found in accommodation and food services. This section also contains information on the average cost of benefits paid by employers, as well as recent rates of change in wages and total compensation.

Earnings and Hours of All Employees

Data series	Back data	Nov. 2025	Dec. 2025	Jan. 2026	Feb. 2026
Average hourly earnings		$22.04	$22.36	$22.20	(p) $22.44
Average weekly hours		25.9	25.6	25.1	(p) 25.8
Footnotes (p) Preliminary					

(Source: Current Employment Statistics)

Earnings and Hours of Production and Nonsupervisory Employees

Data series	Back data	Nov. 2025	Dec. 2025	Jan. 2026	Feb. 2026
Average hourly earnings		$19.94	$20.28	$20.08	(p) $20.38
Average weekly hours		24.6	24.3	23.7	(p) 24.6
Footnotes (p) Preliminary					

(Source: Current Employment Statistics)

Excerpts from LADOT and DCP 2020

affordable housing sites in the Los Angeles area. More information on the Affordable Housing rates can be found in **Appendix B**.

- Multi-Family Dwelling: Use 2002 Multi Family Trip Rates from the San Diego Association of Governments (SANDAG) of six trips per unit[2]. This Southern California based rate more closely matches rates that were observed in Los Angeles.

Table 1: Land Use and Trip Generation Base Assumptions

Land Use	Unit	ITE Code	Daily Vehicle Trip Rate [A]	Population/ Jobs Per Unit [B]
Single Family Residential	DU	210	9.52	3.15
Multi-Family Residential	DU	NA [C]	6.00	2.25
Townhouse	DU	230	5.81	2.25
Affordable Housing - Family	DU	NA [D]	4.16	3.14
Affordable Housing - Senior	DU	NA [D]	1.72	1.21
Affordable Housing - Special Needs	DU	NA [D]	1.49	1.85
Affordable Housing - Permanent Supportive	DU	NA [D]	1.23	1.12
General Retail	KSF	820	42.70	2.0
Furniture Store	KSF	890	5.06	0.75
Pharmacy/Drugstore	KSF	880	90.06	2.0
Supermarket	KSF	850	102.24	4.0
Bank	KSF	912	148.15	5.0
Health Club	KSF	492	32.93	1.0
High-Turnover Sit-Down Restaurant	KSF	932	127.15 [E]	4.0
Fast-Food Restaurant	KSF	932	127.15 [E]	6.7
Quality Restaurant	KSF	931	89.95	4.0
Auto Repair	KSF	942	26.80	1.0

[2] San Diego Association of Governments, *(Not So) Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region*, April 2002.

Home Improvement Superstore	KSF	862	30.74	2.2
Free-Standing Discount Store	KSF	813	50.75	2.0
General Office	KSF	710	Log Equation [F]	4.0
Medical Office	KSF	720	36.13	3.0
Light Industrial	KSF	110	6.97	1.0
Manufacturing	KSF	140	3.82	0.5
Warehousing/Self-Storage	KSF	151	2.50	0.33
Hotel (including restaurant, facilities, etc.)	Rooms	310	8.17	0.5
Motel	Rooms	320	5.63	0.5
Movie Theater (Theater with Matinee)	Seats	444	0.70	0.02
University	Students	550	1.71	0.25
High School	Students	530	1.71	0.1
Middle School	Students	522	1.62	0.1
Elementary School	Students	520	1.29	0.1
Private School (K-12)	Students	534	2.48	0.15

A: Source: Institute of Transportation Engineers, *Trip Generation, 9th Edition*, 2012, except where otherwise noted.
B: See Section 3.4.
C: Multi-Family uses SANDAG 2002 Multi Family Trip Rates of 6 trips per unit.
D: These rates were determined from vehicle trip counts conducted at 42 affordable housing sites in the City of Los Angeles. Because these local data reflect conditions in Los Angeles more closely than ITE trip rates, the VMT Calculator applies an MXD multiplier to the base rate to improve the MXD model fit for affordable housing uses.
E: Uses the daily ITE 932 rate of 127.15 trips per thousand square feet for Suburban and Suburban Center TBZs. Urban and Compact Infill TBZs are reduced by one standard deviation (41.77 daily trips).
F: General Office uses the ITE 710 Log Equation when office space is of sufficient size (above 206 KSF). When the office space is at or below this size, and the log equation exceeds 11.03 trips per KSF, General Office uses the ITE average rate of 11.03 trips per KSF.

3.2 MXD Reductions

3.2.1 MXD Methodology

The ITE trip generation methodology is primarily based on data collected at suburban, single-use, freestanding sites. These defining characteristics limit ITE's applicability to mixed-use or multi-use development projects, and may not accurately estimate the project vehicle trip generation. In response to the limitations in the ITE methodology, and to provide a straightforward and empirically validated method of estimating vehicle trip generation at mixed-use developments,

Excerpts from Millennium Hollywood Project, Crain and Associates 2013

Appendix B

Transportation Modeling Procedures and Results

Crain and Associates
February 1, 2013

Millennium Hollywood Project
Transportation Modeling Procedures and Results

The Traffic Study prepared for the Draft EIR determined that the Project impacts to freeway segments would be less than significant based on the Los Angeles County Congestion Management Program (CMP) criteria. The analysis and the methodology (CMP criteria) were approved by the Los Angeles Department of Transportation (LADOT). Further support is provided by the Hollywood Community Plan Update Environmental Impact Report as the Hollywood Community Plan Update was also determined not to have a significant impact on the freeway system. To further verify these conclusions, an additional model analysis was conducted. The analysis used the current Southern California Association of Governments (SCAG) model for year 2035, as refined by LADOT for use in the City of Los Angeles, for the initial future projections (the Base Model).

To determine the Project impacts based on the Base Model, it was necessary to determine the demographic characteristics of the Project. A set of demographic density rates of the different Project land uses are included in Table 1. The Los Angeles County rates from *The Employment Density Study Summary, The Natelson Company, October 31, 2001*, prepared for SCAG were used to estimate the employee density in terms of building area for the Project commercial uses (except hotel, which was specified by room, rather than building area). For residential uses, data on daily trip generation from the ITE Land Use Code 220 was reviewed and the weekday trip generation ratio indicated 2.01 persons per unit. To be conservative, ratios of 2.5 persons and 1.2 workers per unit were assumed (e.g., those used in other studies for single family housing units). For hotel rooms, data on daily trip generation from the ITE Land Use Code 310 was reviewed and the weekday trip generation ratio indicated 0.57 employees per room. Table 2 shows the rates utilized and the resulting demographic estimates.

The Project impacts were analyzed using the Base Model rerun for scenarios assuming two different conditions. Those scenarios addressed the case that the Project, or similar land-uses for the Project Site, was included within the Base Model assumptions and, alternatively, the case that the Project was an incremental addition to the Base Model assumptions. The two cases were examined since the Base Model zones each contain a larger area than the Project Site and greater amount of land-uses than the Project. This was further complicated by the Project Site being partially within each of two zones. Table 3 shows the Model Demographic data split between the two zones.

To create the model demographics input data for the two reruns, 1) the demographics for the Project land uses were subtracted from the Base Model demographics for the Central Hollywood zones that included the Project Site, and 2) the Project demographics were added to the Base Model demographics for the those zones. The results from the model reruns were compared to the Base Model results to determine the Project impact.

Table 1

Model Demographic Rates and Overall Estimates

Source	Land Use	ITE Daily Trip Rate				Density Rate	Size	Estimate	
Residential									
ITE LU 220	Apartment	[A]	6.65	trips/	dwelling unit				
		[B]	3.31	trips/	person				
		[A]/[B]	**2.01**	**person/**	**dwelling unit**	**2.5 person/du**	461	1,153	persons
						1.2 worker/du	461	553	workers
Office									
SCAG	General Office					**1 emp. / 440 sf**	264,303	601	other emp.
Other Commercial									
SCAG	Health/Fitness Club					**1 emp. / 424 sf**	80,000	189	service emp.
SCAG	Retail					**1 emp. / 424 sf**	100,000	236	retail emp.
SCAG	Quality Restaurant					**1 emp. / 424 sf**	25,000	59	retail emp.
ITE LU 310	Hotel	[A]	8.17	trips/	room				
		[B]	14.3	trips/	employee				
		[A]/[B]	**0.57**	**employee/**	**room**	**0.57 emp./room**	254	145	service emp.

Table 2

Demographic Estimates by Model Variable

							Demographics					
							Population			Employees		
LU	Use/Description	Size	Units	Rate(s)		Source	TotPop	ResdPop	Workers	Retail	Service	Other
Proposed Uses												
220	Apartments	461	MDU	2.5	1.2	ITE	1153	1153	553			
310	Hotel	254	rooms		0.6	ITE					145	
492	Health/Fitness Club	80,000	bldg sf	1/	424	SCAG					189	
710	General Office	264,303	bldg sf	1/	440	SCAG						601
820	Retail	100,000	bldg sf	1/	424	SCAG				236		
931	Quality Restaurant	25,000	bldg sf	1/	424	SCAG				59		
Existing Uses												
710	General Office	114,303	bldg sf	1/	440	SCAG						260

The anticipated volumes of the Hollywood freeway segments nearest to, but beyond, the Project access points were compared between the scenarios. The results from the model runs for the most impacted segments (those immediately north and south of the Project Site access) are shown and compared in the Table 4. Table 4 demonstrates that the Project will have lower impacts than the less than significant impacts shown in the Draft EIR (i.e. lower impacts than conservatively analyzed in the Traffic Study and the Draft EIR).

Table 3
Project Demographic Estimates by Site

2010 to 2035 Minimum Data Increment (Entire Site):				County	Los Angeles			Residential	100%
								Office	100%
TotPop	1153	TOTHH	461	TotJobs	969	K12Sch	0	Other Com.	100%
ResPop	1153	SDU	0	RetJobs	295	ColeNR	0		
GRPQ	0	MDU	461	SrvJobs	333				
Workers	553			OthJobs	341				
2010 to 2035 Minimum Data Increment (East Site):				County	Los Angeles			Residential	40%
								Office	100%
TotPop	461	TOTHH	184	TotJobs	624	K12Sch	0	Other Com.	45%
ResPop	461	SDU	0	RetJobs	133	ColeNR	0		
GRPQ	0	MDU	184	SrvJobs	150				
Workers	221			OthJobs	341				
2010 to 2035 Minimum Data Increment (West Site):				County	Los Angeles			Residential	60%
								Office	0%
TotPop	692	TOTHH	277	TotJobs	345	K12Sch	0	Other Com.	55%
ResPop	692	SDU	0	RetJobs	162	ColeNR	0		
GRPQ	0	MDU	277	SrvJobs	183				
Workers	332			OthJobs	0				

Table 4
Projected Freeway Volumes

		Year 2035 Volumes				
			Base Minus Project		Base Plus Project	
Segment	**Direction**	**Base Model**	**Model Result**	**Project Trips**	**Model Result**	**Project Trips**
AM Peak Hour						
North of Vine St.	Northbound	8,336	8,358	-22	8,362	26
	Southbound	7,718	7,720	-2	7,717	-1
South of Santa Monica Bl.	Northbound	8,534	8,555	-21	8,567	33
	Southbound	7,775	7,779	-4	7,783	8
PM Peak Hour						
North of Vine St.	Northbound	15,031	15,055	-24	15,039	8
	Southbound	9,323	9,328	-5	9,322	-1
South of Santa Monica Bl.	Northbound	14,476	14,501	-25	14,491	15
	Southbound	9,872	9,871	-1	9,892	21

In reviewing Table 4, note that the Project is an infill set of land uses that will intercept a proportion of the trips linked to the Project. This, combined with the mixed use and transit oriented nature of the Project, will result in trip reductions on some segments. Thus, even though the Project will add some trips to the regional system, as demonstrated in Table 4, the

Project will reduce a similar number of trips and will also have limited impacts to the volumes on the regional highway system or trip reductions on some segments. Further, the Project is infill, mixed-use and transit-oriented development as called for by SCAG in the Regional Mobility Plan and the Metropolitan Transportation Authority (Metro) in the Congestion Management Plan (CMP).

In summary, the model demonstrated that the Project will not result in the addition of 150 trips or more to any freeway segment. This analysis verifies that Project traffic impacts on the regional system will be less than significant.

Excerpts from SCAG Employment Density Study 2001

Table 5A
Derivation of Square Feet per Employee Based on:
--MEDIAN EMPLOYEES PER ACRE
--MEDIAN FAR
ORANGE COUNTY Net/Gross Adjustment Factor: 0.75

Land Use Category	# of Records	FAR	Employees/ Acre	Building Efficiency	Square Feet/ Employee
Regional Retail	17	0.95	10.68	0.80	2,322
Other Retail/Svc.	234	0.24	14.87	0.85	450
Low-Rise Office	121	0.35	28.87	0.90	352
High-Rise Office	17	0.38	47.61	0.90	235
Hotel/Motel	0	--	14.01	N/A	--
R & D/Flex Space	12	0.36	21.93	0.95	511
Light Manufacturing	245	0.40	15.99	0.95	786
Heavy Manufacuring	0	--	51.99	N/A	--
Warehouse	56	0.46	10.59	0.95	1,350
Government Offices	20	0.37	26.73	0.90	408

Table 6A
Derivation of Square Feet per Employee Based on:
--AVERAGE EMPLOYEES PER ACRE
--AVERAGE FAR
ORANGE COUNTY Net/Gross Adjustment Factor: 0.75

Land Use Category	# of Records	FAR	Employees/ Acre	Building Efficiency	Square Feet/ Employee
Regional Retail	17	0.78	28.87	0.80	704
Other Retail/Svc.	234	0.26	22.58	0.85	325
Low-Rise Office	121	0.42	43.24	0.90	287
High-Rise Office	17	0.54	72.52	0.90	218
Hotel/Motel	0	--	35.06	N/A	--
R & D/Flex Space	12	0.36	23.92	0.95	466
Light Manufacturing	245	0.41	22.60	0.95	558
Heavy Manufacuring	0	--	31.09	N/A	--
Warehouse	56	0.40	12.63	0.95	979
Government Offices	20	0.31	44.42	0.90	206

4 Supplemental Mitigation Monitoring and Reporting Program

4.1 Introduction

California Public Resources Code (PRC) Section 21081.6 requires that, upon certification of an environmental impact report (EIR), "the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation" (PRC Sections 21000–21177).

This Supplemental Mitigation Monitoring and Reporting Program (MMRP) was developed in compliance with PRC Section 21081.6 and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000–15387), and includes the following information:

- A list of mitigation measures
- The timing for implementation of the mitigation measures
- The party responsible for implementing or monitoring the mitigation measures
- The date of completion of monitoring

The City of Garden Grove must adopt this Supplemental MMRP, or an equally effective program, if it approves the proposed Site B-2 Hotel Project (Project) with the mitigation measures that were adopted or made conditions of Project approval.

4.2 Supplemental MMRP Table

Table 4-1 presents the Supplemental MMRP, including the mitigation measures, timing for their implementation, the party or parties responsible for implementing or monitoring the mitigation measures, and date of completion. Each mitigation measure includes the corresponding California Air Pollution Control Officers' Association (CAPCOA) measure in italics immediately following the mitigation text to indicate alignment with recognized VMT and GHG best practices. Project design features (PDFs) that are incorporated into the Project relative to the analysis in the Draft Supplemental EIR are also provided in the table.

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Greenhouse Gas Emissions				
Mitigation Measures				
MM-GHG-1: Construction Equipment Electrification. Prior to issuance of building permits, the Project Applicant's or designee's contractor shall submit a Construction Equipment Emissions Minimization Plan for City of Garden Grove (City) approval that: (1) Identifies all off-road equipment anticipated by phase. (2) Requires generators, cranes, electric scissor/boom lifts, forklifts/telehandlers (where feasible), welders (where feasible), and electric/solar light towers when commercially available. (3) Requires grid power for temporary construction. (4) Where electric equipment is not available for a listed task, documents non-availability (size/class, delivery lead time, site constraints) and requires the cleanest feasible alternative (Tier 4 Final/zero-emission alternatives as available). In addition, the Project shall limit air compressors used during the architectural coating/painting phase to equipment that is electric-powered Compliance shall be demonstrated through equipment lists, rental records, and weekly logs and shall be summarized in a post-construction compliance memo for the Supplemental Mitigation Monitoring and Reporting Program (Supplemental MMRP) file. *(CAPCOA Measure C-1-A)*	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-2: Construction Office Energy Efficiency. Prior to issuance of building permits, the Applicant or designee shall submit documentation to the City of Garden Grove that temporary construction field office(s) are equipped with energy efficient lighting such as compact fluorescent or LEDs and that heating and cooling units are Energy Star certified.	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-3: Construction Debris Recycling. Prior to the start of construction, the Project's contractor shall develop a Construction Waste Management Plan (Plan) for submittal and approval to the City	Prior to the start of construction	City of Garden Grove		

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of Garden Grove. The Plan shall recycle or salvage non-hazardous construction debris including but not limited to wood, metal, concrete, asphalt, and other reusable materials generated during construction activities. The contractor shall implement the Plan to achieve a minimum diversion target of 75% of non-hazardous construction and demolition debris from landfills, exceeding the City's current 65% diversion requirement. *(CAPCOA Measure S-4)*				
MM-GHG-4: Electric Vehicle Charging Infrastructure. Prior to issuance of building permits, the Project Applicant or designee shall submit a site plan to the City of Garden Grove for approval noting the location of electric vehicle infrastructure and charging stations. Prior to issuance of the final certificate of occupancy, the Project Applicant or designee shall provide electric vehicle (EV) charging infrastructure within the Project site as required by the applicable California Green Building Standards Code, but that, at a minimum, meets or exceeds 2022 California Green Building Standards Code Tier 2 standards. Tier 2 requires approximately 225 parking spaces to be EV capable, and 75 spaces to be equipped with EV Supply Equipment (EVSE). The Project shall install a minimum of 225 EV capable spaces and 100 EVSE spaces. *(CAPCOA Measure T-14)*	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-5: Guest Vehicle Trip Reductions. Prior to issuance of building permits, the Project Applicant shall submit a site plan to the City of Garden Grove for approval identifying where pedestrian and bicycle connections to adjacent facilities will be provided and where bicycle parking spaces will be provided. The City shall verify the inclusion of pedestrian and bicycle infrastructure prior to the issuance of the final certificate of occupancy. The Project Applicant or designee shall ensure that, at a minimum, the following trip reduction measures are implemented during Project operations to reduce the number of auto-based trips generated by the Project and to encourage the use of transit, bicycling, and walking.	Prior to the issuance of a building permits	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
▪ Improve the walkability and design of the Project by providing pedestrian and bicycling connections within the Project site and to adjacent off-site facilities (i.e., sidewalks, crosswalks, wayfinding signage, etc.). ▪ Provide secure on-site bicycle racks to accommodate a minimum of 38 bicycle parking spaces and provide bicycle rentals for hotel guests. ▪ Alternative transportation services such bike rentals and transit information shall be seamlessly integrated into the guest experience, making alternative modes of travel easy to understand, access, and use. ▪ Hotel management/concierge should provide information that promotes walking, bicycling and public transit options to nearby attractions. This should include real-time transit information provided through dedicated monitors, interactive electronic displays, websites, or mobile applications identifying local bus routes and schedules, as well as wayfinding to the existing transit stops within the Project vicinity. ▪ Provide a dedicated shuttle service linking the hotel to nearby shopping and entertainment destinations, prioritizing battery-electric vehicles where route length and charging logistics allow; the program may be operated under a vendor contract with scheduled runs during peak guest activity and on-demand service for special events. ▪ Hotel management will make available transit passes for purchase and provide clear wayfinding to public transit and shuttle services. ▪ Qualitative assessments (e.g., user satisfaction surveys, walk audits, guest feedback) shall be regularly conducted to evaluate the effectiveness of trip reduction strategies. ▪ An annual report summarizing how transportation options are being used, guest perceptions, and planned improvements shall be submitted to the City.				

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Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
(CAPCOA Measures T-34, T-38, T-43, and T-44)				
MM-GHG-6: Limit Large Diesel Trucks During Operation. Prior to issuance of certificate of occupancy, the Project Applicant or designee shall submit a Truck Delivery Management Plan to the City of Garden Grove that documents how truck deliveries will be restricted and monitored. The Project Applicant or designee shall implement a monitoring program to restrict the number of large diesel trucks coming to the site (i.e. for deliveries, trash collection, or other services) to an average of 10 trucks per day or less. This restriction is specifically applicable to trucks classified as medium-heavy duty and heavy-heavy duty with gross vehicle weight (GVW) greater than 19,500 pounds. Annual reports summarizing heavy-duty truck trips shall be provided to the City of Garden Grove. *(CAPCOA Measure C-2)*	Prior to the issuance of a certificate of occupancy	City of Garden Grove		
MM-GHG-7: Building Energy Efficiency Measures. Prior to issuance of building permits, the Project Applicant or designee shall submit documentation of building energy efficiency measures to the City of Garden Grove, such that a minimum of 15% above 2022 Title 24 Building Envelope Energy Efficiency Standards is achieved. Energy efficiency measures shall include, at a minimum, the following: 1. LED Lighting – High-lumen LED light fixtures shall be used exclusively for the lighting of spaces throughout the Project that require 8 to 10 watts per fixture 2. Energy efficient lighting shall be incorporated into all on-site lighting and energy efficient appliances shall be incorporated into Project operations. 3. HVAC Optimization – The HVAC system shall include the following: a. Electric heat pumps will be used for space heating and domestic hot water, with all systems integrated and monitored by the Project Building Management System for performance optimization, fault detection, and energy tracking.	Prior to the issuance of building permits	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
b. Smart thermostats, which include a motion sensor detector and door/window open sensors, will be installed in each guest room. c. The central plant will utilize a Combination Plant with SmartPlate EV 4. Glazing – All glazing for the tower and exterior public spaces shall be installed with Low-E glass [U-factor (thermal transmittance) ≤ 0.28 and Solar Heat Gain Coefficient (SHGC) ≤ 0.23. 5. Energy Management System – The Project shall use advanced systems to monitor and optimize energy use in real time. 6. Benchmarking and Monitoring – The Project shall incorporate an Energy Star Portfolio Management system to track and manage energy consumption 7. Third-Party Verification/LEED Certification – The Project shall obtain third-party HVAC commissioning verification or LEED certification of Gold to Platinum to verify energy savings. 8. Battery Energy Storage –The Project would include an on-site battery energy storage system occupying approximately 500 to 1,000 square feet, consisting of modular lithium-ion battery cabinets and associated electrical equipment. The system would be used for peak load management and grid resiliency consistent with California Fire Code and Title 24 requirements. *(CAPCOA Measure E-1 is quantified) (CAPCOA Measures E-7, E-9, E-22, E-24, and E25 are qualitative)*				
MM-GHG-8: Cool Roof/Deck. Prior to issuance of building permits, the Project Applicant or designee shall submit plans to the City for approval that require cool roof and cool deck surfaces to be included as part of the Project for the podium and tower, consistent with the specifications provided below. ▪ Cool Roof Installation: All roofing materials shall meet or exceed the California Title 24, Part 6 requirements for cool roofs, based on roof slope:	Prior to the issuance of building permits	City of Garden Grove		

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▪ Low-sloped roofs (≤ 2:12 pitch): - Aged Solar Reflectance (SR) ≥ 0.63 - Thermal Emittance (TE) ≥ 0.75 - Or Solar Reflectance Index (SRI) ≥ 75 ▪ Steep-sloped roofs (> 2:12 pitch): - Aged SR ≥ 0.20 - TE ≥ 0.75 - Or SRI ≥ 16 ▪ Cool Deck Surfaces: All exterior hardscape surfaces exposed to sunlight (e.g., pool decks, patios, walkways) shall use high-albedo materials or cool surface coatings with: - Minimum SR of 0.29 or higher - Or materials with a demonstrated surface temperature reduction of at least 10°F compared to conventional concrete or asphalt To meet the above standards, the Project Applicant may implement one or more of the following: ▪ Use Energy Star®-rated roofing products or materials listed in the Cool Roof Rating Council (CRRC) directory. ▪ Apply reflective coatings or single-ply membranes with compliant SR and TE values. ▪ Install light-colored or permeable pavers, cool concrete, or coated surfaces for decks and walkways, such as permeable interlocking concrete pavers, porous asphalt, permeable concrete, geocell systems, or bio-asphalt. ▪ Incorporate green roofs or vegetated shading structures as alternative compliance pathways (subject to City approval). Monitoring and Reporting shall include:				

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▪ Submittal of roofing and hardscaping material specifications to the City of Garden Grove Building Division prior to issuance of building permits. ▪ City inspectors shall verify installation during final inspection and prior to issuance of the final certificate of occupancy. *(CAPCOA Measure E-21)*				
MM-GHG-9: Renewable Energy. The Project Applicant or designee shall install a solar photovoltaic system capable of generating a minimum of 267,000 kilowatt hours (kWh) per year prior to issuance of certificate of occupancy. *(CAPCOA Measure E-10-B)*	Prior to the issuance of a certificate of occupancy	City of Garden Grove		
MM-GHG-10: Water Conservation. Prior to receiving the final certificate of occupancy, the Project Applicant or designee shall submit a Water Conservation Compliance Report to the City of Garden Grove for review and approval. The Project shall achieve a minimum 10% reduction in total water use compared to the baseline of 167 gallons per room per day as identified in the Water Supply Assessment (Psomas 2022). This equates to a target of no more than 150.3 GPCD at full occupancy. The Water Conservation Compliance Report shall include product specifications for all water-saving fixtures and systems, landscape and irrigation plans, greywater system design and capacity documentation, post-occupancy water use monitoring plan for the first 12 months after occupancy. To meet or exceed the performance standard, the Project may implement a combination of the following water conservation strategies: ▪ Low-Flow Water Fixtures for guest rooms and public area ▪ Smart Irrigation System – outdoor landscaping shall include weather-based irrigation controllers and drought-resistant landscaping to minimize outdoor water use ▪ Greywater Recycling *(CAPCOA Measures W-2, W-5, and W-7)*	Prior to receiving the final certificate of occupancy	City of Garden Grove		

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Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
MM-GHG-11: Waste Reduction. Prior to issuance of the final certificate of occupancy, the Project Applicant or designee shall submit a Waste Management, Recycling, and Composting Plan to the City of Garden Grove for review and approval. The program shall be implemented on-site at the Project location and apply to all operational areas, including guest services, food and beverage operations, maintenance, and administrative functions. The waste reduction program shall be fully implemented during Project operations. The Plan shall specify a minimum diversion of 25% of municipal solid waste, including organics, generated on site from landfill disposal. The Waste Management, Recycling, and Composting Plan may include but not be limited to the following: ▪ Recycling Program - Provide labeled bins for recyclables and certified hauler contracts. - Promote recycled paper and other products like soap. ▪ Organics and Composting Program - Collect food scraps and compostables. ▪ Source Reduction Measures - Reduce single-use items and paper use. - Ban disposable (i.e., designed to be used once and discarded) foodware items and accessories. - Allow customers to bring their own reusable items. - Require hand soap in refillable containers. - Do not provide water in plastic bottles or disposable single-use cups. - Do not use expanded polystyrene (i.e., Styrofoam). - Require reusable napkins and tablecloths with recyclable disposable napkins only for takeout. - Provide hand dryers in areas accessible to customers. - Require reusable laundry bags. - Require reusable dishware for room service.	Prior to issuance of the final certificate of occupancy	City of Garden Grove		

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- Offer toiletries on request rather than automatically. - Provide key cards made of non-plastic materials, including traditional metal keys or wood, bamboo, and paper options for chip-based cards. - Incentivize returning keys to discourage waste. - Provide non-plastic shower caps, razors, shaving cream, slippers, eye masks, and ear plugs. - Remove minifridge items that use plastic. - Eliminate the use of garbage bags if possible, or use garbage bags made of compostable material. - Serve employee meals with reusable dishware and cutlery and provide reusable water bottles for all employees with accessible water bottle refill stations. - Replace paper towels with reusable dish rags. ▪ Employee and Guest Education - Provide staff training and signage for guests. ▪ Monitoring and Reporting - Track waste and submit Annual Waste Diversion Report to the City of Garden Grove. In addition, if the hotel/operations qualify as a covered edible food generator, the Project will contract with a food recovery organization/service and keep required records. If not covered, the Project will evaluate a partnership during operator onboarding and implement if feasible. *(CAPCOA Measure S-1/S-2) (CAPCOA Measure S-3 is a qualitative measure in CalEEMod and is not quantified in the operational analysis)*				
MM-GHG-12: Zero Emission Landscape Equipment. During Project operations, the Project Applicant or designee shall ensure zero-emission landscape equipment (defined as equipment that does not emit tailpipe emissions during operation) is utilized. The Project Applicant or designee shall be responsible for ensuring that all	During operations	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
landscape maintenance contractors and staff comply with this measure. All landscape maintenance activities associated with the Project shall utilize zero-emission landscaping equipment, such as electric-powered or battery-operated tools. This requirement applies to all landscaped areas within the Project site, including but not limited to courtyards, green spaces, perimeter landscaping, and rooftop gardens. The requirement shall be implemented prior to the commencement of landscape maintenance operations. To meet or exceed the performance standard, the Project may implement a combination of the following strategies: **Electric-Powered Equipment** ▪ Use electric or battery-powered: - Leaf blowers. - Lawn mowers. - Hedge trimmers. - Edgers. - Chainsaws. **Contractor Requirements** ▪ Include zero-emission equipment requirements in all landscape maintenance contracts. ▪ Require contractors to provide documentation of equipment type and compliance. **On-Site Charging Infrastructure** ▪ Install dedicated charging stations or outlets for landscape equipment. **Equipment Inventory and Tracking** ▪ Maintain an inventory of all landscape equipment used on site. ▪ Submit an annual compliance report to the City of Garden Grove verifying that only zero-emission equipment is in use. **Training and Education** ▪ Provide training to landscape maintenance staff on the proper use and maintenance of electric equipment.				

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Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
▪ Display signage or include information in sustainability reports to promote awareness. *(CAPCOA Measure LL-1)*				
MM-GHG-13: Prohibit Woodburning Devices, Natural Gas Fireplaces, and Fire Pits. Prior to the issuance of building permits, the Project Applicant or designee shall submit building design plans for approval of the City showing the prohibition of on-site woodburning devices, natural gas fireplaces, fire pits, or other decorative combustion features throughout the Project site. Prior to the issuance of the final certificate of occupancy, the City shall confirm that this prohibition has been implemented.	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-14: Refrigerant Management Program. Prior to issuance of mechanical permits, the Project Applicant or designee shall develop and submit a Refrigerant Management Program to the City of Garden for review and approval. The Project Applicant or designee shall be responsible for developing, implementing, and maintaining the refrigerant management program in coordination with HVAC contractors and facility operations staff. The Refrigerant Management Program shall include the use of low-GWP refrigerants (e.g., R-32 or better) and incorporate best management practices to reduce emissions from service, operation, and disposal of refrigerants. This measure shall apply to all refrigeration and HVAC systems installed and operated within the Project site, including guest rooms, common areas, kitchens, and mechanical rooms. The Project shall ensure that: ▪ 100% of installed HVAC and refrigeration systems use refrigerants with a GWP ≤ 750, consistent with California Air Resources Board (CARB) regulations. ▪ The refrigerant management program shall achieve a minimum 10% reduction in potential refrigerant emissions compared to standard industry practices, as demonstrated through leak rate tracking and maintenance logs.	Prior to the issuance of mechanical permits	City of Garden Grove		

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Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
To meet or exceed the performance standard, the Project may implement a combination of the following strategies: **Mechanical Equipment** ▪ Install microchannel heat exchangers in A/C equipment in place of conventional heat exchangers. **Use of Low-GWP Refrigerants** ▪ Select refrigerants such as R-32, R-454B, or other CARB-compliant alternatives with GWP ≤ 750. ▪ Avoid high-GWP refrigerants such as R-410A and R-404A. **Leak Detection and Prevention** ▪ Install automatic leak detection systems for large-capacity systems. ▪ Conduct quarterly inspections and maintain leak logs. **Refrigerant Recovery and Disposal** ▪ Use certified technicians for refrigerant recovery and disposal. ▪ Maintain documentation of recovered and recycled refrigerants. **Preventive Maintenance Program** ▪ Implement a scheduled maintenance plan to inspect and service HVAC and refrigeration systems. ▪ Include refrigerant charge optimization and system performance checks. **Training and Certification** ▪ Ensure all HVAC technicians are EPA Section 608 certified. ▪ Provide training on low-GWP refrigerant handling and leak prevention. **Third-Party Verification** ▪ Obtain third-party verification of refrigerant management practices through programs such as GreenChill or LEED Enhanced Refrigerant Management credit. Prior to issuance of certificate of occupancy, the City of Garden Grove will verify that the equipment specified in the Refrigerant				

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Management Program has been installed. Ongoing compliance shall be performed by the Project Applicant or their designee. *(CAPCOA Measures R-1, R-4, R-5, R-6, and R-7)*				
MM-GHG-15: Carbon Offsets – The Project Applicant (or its designee) shall implement the following carbon offsets in accordance with the Project's construction and operational phases as outlined below. ***Timeline for Acquisition of Carbon Offset Credits*** **Construction** Prior to issuance of grading permits, the Project Applicant (or its designee) shall purchase and retire carbon offsets in a quantity sufficient to offset all construction GHG emissions in a lump sum with the quantification, performance standards, and requirements set forth below. Alternatively, construction offsets may be purchased on an annual basis by purchasing the first phase of construction offsets prior to start of grading and then purchasing offsets for each following year by December 31 of the year preceding the new year in which construction will occur. Annual construction GHG emission offsets shall also be subject to the same quantification, performance standards, and requirements set forth below. **Operation** Prior to issuance of the final certificate of occupancy, the Project Applicant or its designee shall purchase and retire carbon offsets in a quantity sufficient to offset, for a 30-year period following occupancy of the Project, the construction and operational GHG emissions from the Project to the 1,400 MT CO_2e per year threshold, consistent with the quantification, performance standards and requirements set forth below. Alternatively, the Project Applicant or its designee may purchase and retire annual operational GHG offsets for a period of 30 years by December 31 of the year preceding each new year after the issuance of the final certificate of occupancy. Annual operational GHG				

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emission offsets shall also be subject to the same quantification, performance standards, and requirements set forth below. *Quantification of GHG Emissions and Reductions Required* Construction The estimated total construction GHG emissions to be offset are 3,362.30 MT CO_2e if purchased in a lump sum. If purchased on an annual basis, the following schedule provides the estimated annual emissions and date of compliance.				

Year	Offsets Required (MT CO_2e)	Purchase and Retirement Deadline
1	402.52	Prior to issuance of grading permits
2	1,434.02	December 31 of Year 1
3	1,410.81	December 31 of Year 2
4	114.95	December 31 of Year 3
Total	**3,362.30**	

Notes: MT CO_2e = metric tons of carbon dioxide equivalent; N/A = not applicable.

Operation

The estimated operational emissions are 7,408.02 MT CO_2e. To mitigate operational emissions below the 1,400 MT CO_2e per year threshold, the Project would purchase and retire one lump sum of 180,270.60 MT CO_2e of offsets (7,408.02 MT CO_2e − 6,009.02 [offsets] = 1,399 MT CO_2e remaining); 6,009.02 MT CO_2e × 30-year life = 180,270.60 MT CO_2e; or that same total amount of credits in increments over the 30 years. The following schedule provides the estimated offset emissions and dates of compliance under the scenarios where credits are purchased and retired in a lump sum or on an annual basis.

Scenario	Offsets Required (MT CO_2e)	Purchase and Retirement Deadline
Lump sum	180,270.60	Prior to issuance of certificate of occupancy
Annual basis 30-year term	6,009.02	Prior to issuance of certificate of occupancy for Year 1 and December 31 of preceding year

Notes: MT CO_2e = metric tons of carbon dioxide equivalent; N/A = not applicable.

If the Project Applicant or its designee selects the scenario where the credits are purchased on something other than in one lump sum initially, they can purchase and retire the remaining offsets required in a lump sum in accordance with the remaining term and conditions outlined herein.

Carbon Offset Standards – Eligible Registries, Acceptable Protocols, Defined Terms, and Geographic Priorities

"Carbon offset" shall mean an instrument, credit or other certification verifying the reduction of GHG emissions issued by the following CARB-accredited registries: Climate Action Reserve, the American Carbon Registry, or Verra (formerly, the Verified Carbon Standard); as well as credits issued for projects listed on the California Carbon Sequestration and Climate Resiliency Project Registry, which is maintained by the California Natural Resources Agency and may provide additional offsets. This shall include, but is not limited to, an instrument, credit or other certification issued by these registries for GHG reduction activities. The Project shall neither purchase offsets from the Clean Development Mechanism registry nor purchase offsets generated under Clean Development Mechanism protocols.

To be eligible under this mitigation measure, carbon offsets must satisfy the "Reporting and Enforcement Standards" below and demonstrate that each registry shall continue its existing practice of requiring the following for the development and approval of protocols or methodologies:

1. Adherence to established GHG accounting principles set forth in the International Organization for Standardization (ISO) 14064,

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Part 2 or the World Resources Institute/World Business Council for Sustainable Development (WRI/WBCSD) Greenhouse Gas Protocol for Project Accounting; and 2. Oversight of the implementation of protocols and methodologies that define the eligibility of carbon offset projects and set forth standards for the estimation, monitoring and verification of GHG reductions achieved from such projects. The protocols and methodologies shall: a. Be developed by the registries through a transparent public and expert stakeholder review process that affords an opportunity for comment and is informed by science; b. Incorporate standardized offset crediting parameters that define whether and how much emissions reduction credit a carbon offset project should receive, having identified conservative project baselines and the length of the crediting period and considered potential leakage and quantification uncertainties; c. Establish data collection and monitoring procedures, mechanisms to ensure permanency in reductions, and additionality and geographic boundary provisions; and d. Adhere to the principles set forth in the program manuals of each of the aforementioned registries, as such manuals are updated from time to time. The current registry documentation includes the Climate Action Reserve's *Reserve Offset Program Manual*[1] (April 2024) and *Climate Forward Program Manual*[2] (December 2021); the American Carbon Registry's *The ACR Standard, Requirements and Specifications for the Quantification, Monitoring, Reporting, Verification, and Registration of Project-Based GHG Emissions Reductions and*				

1 https://climateactionreserve.org/wp-content/uploads/2024/04/Reserve-Program-Manual-v9.2.pdf.
2 https://climateforward.org/wp-content/uploads/2021/12/Climate-Forward-Program-Manual-December-2021_12-FINAL.pdf.

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Removals[3] (July 2023); and Verra's VCS Standard, *Program Guide*[4] (August 2023), and *Methodology Requirements*[5] (October 2023). The City has reviewed the registries' methodologies and has determined that protocols established pursuant to such methodologies – including updates to those protocols and methodologies as may occur from time to time by the registries in accordance with the registry documentation listed in the prior paragraph to ensure the continuing efficacy of the reduction activities – are eligible for use under this mitigation measure. The carbon offsets purchased to satisfy this measure must represent the reduction or sequestration of one MT CO_2e that is "not otherwise required" (CEQA Guidelines Section 15126.4[c][3]). The carbon offsets must achieve the standard of additional, real, permanent, quantifiable, verifiable, and enforceable reductions, which are defined for purposes of this mitigation measure as follows consistent with the applicable provisions in the California Code of Regulations, Title 17: 1. "Additional" means that the carbon offset is not otherwise required by law or regulation, and not any other GHG emissions reduction that otherwise would occur. 2. "Real" means that the GHG reduction underlying the carbon offset results from a demonstrable action or set of actions, and is quantified under the protocol or methodology using appropriate, accurate, and conservative methodologies that account for all GHG emissions sources and sinks within the boundary of the applicable carbon offset project, uncertainty, and the potential for activity-shifting leakage and market-shifting leakage.				

[3] https://acrcarbon.org/wp-content/uploads/2023/10/ACR-Standard-v8.0.pdf.
[4] https://verra.org/documents/vcs-program-guide-v4-4/.
[5] https://verra.org/documents/vcs-methodology-requirements-v4-4/.

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3. "Verifiable" means that the GHG reduction underlying the carbon offset is well documented, transparent, and set forth in a document prepared by an independent verification body that is accredited through the American National Standards Institute (ANSI). 4. "Permanent" means that the GHG reduction underlying the carbon offset is not reversible; or, when GHG reduction may be reversible, that a mechanism is in place to replace any reversed GHG emission reduction. 5. "Quantifiable" means the ability to accurately measure and calculate the GHG reduction relative to a project baseline in a reliable and replicable manner for all GHG emission sources and sinks included within the boundary of the carbon offset project, while accounting for uncertainty and leakage. 6. "Enforceable" means that the implementation of the GHG reduction activity must represent the legally binding commitment of the offset project developer to undertake and carry it out. The City has reviewed and determined that methodologies and protocols established by American Climate Registry, Climate Action Reserve, and Verra establish and require carbon offset projects to comply with standards designed to achieve additional, real, permanent, quantifiable, verifiable, and enforceable reductions. Additionally, the "Reporting and Enforcement Standards" below shall ensure that the requirements of this mitigation measure will be enforced, as the City has authority to hold the Applicant accountable and to take appropriate corrective action if it determines that any carbon offsets do not comply with the requirements herein. Carbon offsets secured from the CARB-accredited registries shall be prioritized in accordance with the following criteria: (1) offsets within the City; (2) offsets within the County, only if in-City offsets are unavailable; (3) offsets within the State of California, only if in-county				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
offsets are unavailable; (3) offsets within the United States, only if in-state offsets are unavailable.[6] The above definitions are provided as criteria and performance standards associated with the use of carbon offsets. Such criteria and performance standards are intended only to further construe the standards under CEQA for mitigation related to GHG emissions (see, e.g., State CEQA Guidelines Section 15126.4[a], [c]), and are not intended to apply or incorporate the requirements of any other statutory or regulatory scheme not applicable to the Project (e.g., the Cap-and-Trade Program). *Monitoring, Reporting, and Enforcement Standards* Prior to the timeline identified in the initial section of this mitigation measure, the Project Applicant or its designee shall submit documentation in the form of a report to the City that identifies the quantity of emission reductions required by this mitigation measure, as well as the carbon offset proposed for acquisition to achieve compliance with this measure. For purposes of demonstrating that each offset is additional, real, permanent, quantifiable, verifiable and enforceable, the reports shall include: (i) the applicable protocol(s) and methodologies associated with the carbon offsets, (ii) the third-party verification report(s) and statement(s) affiliated with the carbon offset projects, (iii) the unique serial numbers assigned by the registry(ies) to the carbon offset, which serves as evidence that the registry has determined the carbon offset project to have been implemented in accordance with the applicable protocol or methodology and ensures that the offsets cannot be further used in any manner, and (iv) the carbon offset meets the locational attributes				

[6] For purposes of this provision, offset credits will be deemed "unavailable" if they are either unobtainable generally from the CARB accredited registries, or if on a per-unit basis if such a credit is otherwise available: (a) for offset credits within the City of Garden Grove, more than 2 times as costly as offset credits within the County of Orange, but not within the City of Garden Grove; (b) for offset credits within the County of Orange, more than 5 times as costly as offset credits within California, but not within the County of Orange; or (c) for offset credits within the United States, sufficient offset credits within California are not available for purchase at any cost.

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
as specified by this mitigation measure and verified through a market survey report prepared by a carbon offset broker that identifies the carbon registry listings reviewed for carbon offset availability, including the related date of inquiry. The Project Applicant (or its designee) shall select and retain at least one independent, third-party expert on GHG mitigation and offsets to review the documentation provided by the Applicant (or its designee) relating to, among other data, construction- and operation-related emissions, and provide a report with analysis and recommendations to the City (with supporting materials), on whether the Project has complied with the off-site GHG emissions reduction measures set forth in this mitigation measure. The Project Applicant's (or its designee's) selection of each expert, who shall not be a current or former employee or agent of the Project Applicant (or its designee), shall be subject to the approval of the City Attorney, which shall not be unreasonably withheld. The Project Applicant (or its designee) shall retain the expert(s) for all offset credit submissions made to the City until all offsets required this mitigation measure are acquired and accepted by the City. If the City determines that the Project's carbon offsets at issue in the Project Applicant's (or their designee's) submission meet the requirements of this mitigation measure, the offsets required to be acquired by the Project will be proportionally reduced. Upon an affirmative finding from the City that the Project's carbon offsets are eligible for use under this measure, and within the applicable timeframe required by the first section of this mitigation measure, the Project Applicant (or their designee) shall provide to the City copies of the relevant portions of the GHG offset contracts demonstrating the applicable carbon offsets have been acquired. This will serve as the final documentation required to demonstrate compliance with this mitigation measure.				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
If the City determines that the Project's carbon offsets do not meet the requirements of this mitigation measure, the City shall provide a detailed explanation of the basis for the City's determination. Carbon offsets not approved by the City as meeting the requirements of this mitigation measure cannot be used to reduce Project GHG emissions and the Applicant will be required to submit qualifying carbon offsets accepted by the City prior to the applicable timeframe specified in the first section of this mitigation measure. *(CAPCOA Measure M-2)*				
Project Design Features				
PDF-4: Construction equipment should be maintained in proper tune.	During construction	City of Garden Grove		
PDF-5: All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as 5 minutes or longer.	During construction	City of Garden Grove		
PDF-8: For construction activities other than those addressed by MM-GHG-1 and MM-GHG-2, establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible.	During construction	City of Garden Grove		
PDF-10: Use haul trucks with on-road engines instead of off-road engines for on-site hauling.	During construction	City of Garden Grove		
PDF-11: The Project will comply with the mandatory requirements of the latest California Building Standards Code, Title 24, Part 6 (Energy Code) and Part 11 (California Green Building Standards Code [CALGreen]), including the provisions for bicycle parking, electric vehicle charging stations, energy efficiency, material conservation, and water/waste reduction.	During operations.	City of Garden Grove		
PDF-12: Install signage at loading docks requiring trucks to limit engine idling times to 5 minutes or less.	During operations	City of Garden Grove		
PDF-21: Engine idling time for all delivery vehicles and trucks must be limited to 5 minutes or less. Signage should be posted in the designated loading areas reflecting the idling restrictions.	During operations	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
PDF-27: Sustainable Building Materials and Contracting. The Project will prioritize low-impact, sustainably sourced, and recyclable materials across construction and interior finishes, including low-VOC paints, Forest Stewardship Council-certified wood, and recycled-content flooring. The Project is also implementing vendor standards that require environmental product declarations and third-party certifications to verify material sustainability. Materials shall be selected not only for their initial environmental footprint but also for durability and long-term performance, reducing the need for frequent replacement and associated waste. In addition, the Project Applicant or their designee will include bid language requiring the contractor to prioritize sourcing within the region (e.g., Orange County/Southern California) where pricing and availability are competitive, and to document major material and subcontractor origins in the construction closeout package.	During construction	City of Garden Grove		
PDF-28: The Project amenities shall be available to registered hotel guests only. There will be no day passes allowed.	Prior to project opening	City of Garden Grove		
PDF-29: The Project amenities include a self-service bicycle repair station adjacent to the guest and employee bicycle parking spaces.	During project construction for installation and during project operation for maintenance and provision of bicycle repair.	City of Garden Grove		
Transportation				
Mitigation Measures				
MM-TRA-1: Implement Commute Trip Reduction Marketing: The Project Applicant shall implement a marketing strategy to promote the Project site employer's Commute Trip Reduction (CTR) program. Information sharing and marketing promote and educate employees about their travel choices to the employment location beyond driving such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions.	Prior to project opening.	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
However, to ensure that CTR achieves VMT reduction of at least 4%, the following measures will be incorporated: a) The Applicant shall provide on site or online commuter information services to employees. The Applicant shall also distribute a quarterly newsletter with tips, success stories, and updates to ensure education and encouragement for the CTR program. b) The CTR shall require the Project Applicant or their designee to appoint a Commute Program Coordinator to oversee the implementation and management of the marketing strategy. c) The Applicant shall ensure on-site or online subsidized transit pass sales are available to all employees. d) The Applicant shall provide guaranteed ride home service by matching employees with other employees or providing access to platforms such as Rideharing.com and Lyft that connect riders for daily commutes with nearby drivers. e) A minimum of 10 preferential parking spaces for carpools/vanpools shall be provided. *(CAPCOA Measures T-7, T-9-B)*				
MM-TRA-2: Provide End-of-Trip Bicycle Facilities: The Project shall install and maintain end-of-trip bicycle facilities for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers. The provision and maintenance of secure bike parking and related facilities encourages commuting by bicycle, thereby reducing VMT and GHG emissions. The Project design includes on-site bicycle racks to accommodate a minimum of 38 short-term bicycle parking spaces and provide bicycle rentals for hotel guests on the ground level and 32 secure long-term bicycle parking spaces for employees; additionally, locker and shower facilities will be provided for employees. *(CAPCOA Measure T-10)*	During project construction for installation and during project operation for maintenance and provision of bicycle rentals.	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Project Design Features				
None.	N/A	N/A	N/A	N/A

Notes: LEED = Leadership in Energy and Environmental Design; GPCD = gallons per capita per day; GWP = global warming potential; EPA = U.S. Environmental Protection Agency; GHG = greenhouse gas; MT CO_2e = metric tons of carbon dioxide equivalent; VOC = volatile organic compound; N/A = not applicable.

EXHIBIT "C"

Findings of Fact and Statement of Overriding Considerations Pursuant to State CEQA Guidelines

Site B-2 Hotel Project

SCH NO. 2022060174

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APPENDIX

A Supplemental Mitigation Monitoring and Reporting Program

Final Supplemental EIR SCH No. 022060174

I. Introduction

The City of Garden Grove (City) City Council hereby certifies that it has reviewed and considered the information contained in the Final Supplemental Environmental Impact Report (Final SEIR) and the record of proceedings for the Site B-2 Hotel Project (Project). On February 13, 2024, pursuant to Public Resources Code Section 21168.9(c), Judge Melissa McCormick of the Orange County Superior Court issued the Writ of Mandate (the Writ) with respect to the City's 2022 Project approval and a Petition for Writ of Mandate (Petition) filed by Marlene Perez, Maria Guadalupe Ortiz, Unite Here Local 11, and VietRISE (*Perez et al. v. City of Garden Grove et al.*, OCSC Case No. 30-2022-01281816-CU-WM-CC). The scope of the Final SEIR is defined by the Writ and relevant provisions of the California Environmental Quality Act (CEQA).

The City Council certifies that the Final SEIR has been completed in compliance with and in consideration of (i) the Writ; (ii) CEQA, Public Resources Code Section 21000 et seq.; (iii) the state CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 et seq. (CEQA Guidelines); (iv) City regulations and requirements; and (iv) all other applicable laws. The City Council finds that the Final SEIR reflects the independent judgment of the City (Public Resources Code Section 21082.1[c][3]).

Pursuant to the Writ, the Project's significant greenhouse gas (GHG) and vehicle miles traveled (VMT) effects were identified in both the Draft SEIR (September 2025) and the Final SEIR (May 2026). Public Resources Code Section 21081 and CEQA Guidelines Section 15091 require that the lead agency prepare written findings for each identified significant impact, accompanied by a brief explanation of the rationale. Section 15091 states, in relevant part:

(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects accompanied by a brief explanation of the rationale for each finding. The possible findings are:

  (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final SEIR.

  (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

  (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final SEIR.

Whenever significant impacts cannot be mitigated to below a level of significance, as the following demonstrates is the case with respect to the Project, the decision-making agency is required to balance the benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse effects

may be considered "acceptable," and the agency may adopt a Statement of Overriding Considerations. CEQA Guidelines Section 15093 states, in relevant part:

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

In accordance with the Writ; CEQA (Public Resources Code Section 21081); and the CEQA Guidelines, including, without limitation, Sections 15091, 15093, and 15160, the City Council certifies the Final SEIR, adopts these Findings of Fact and Statement of Overriding Considerations, adopts the Supplemental Mitigation Monitoring and Reporting Program (Supplemental MMRP), and approves the Project. In adopting the Supplemental MMRP, the City Council finds that it meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate the significant effects of the Project.

II. Organization/Format/Nature of Findings

In compliance with the statutory requirements, these findings are organized as follows:

1. Introduction to the CEQA Findings and Facts in Support of Findings and Statement of Overriding Considerations for the Site B-2 Hotel Project Final SEIR.
2. Description of the Project, including an overview of the discretionary actions required for the Project approval and a statement of the Project Objectives.
3. Findings regarding the environmental impacts of the Project that were evaluated in accordance with the Writ and CEQA and were determined to have those significant or significant effects identified in the Final SEIR which the City has determined, after application of project design features (PDFs), applicable development requirements or feasible mitigation measures identified in the Final SEIR, are less than significant.
4. Findings regarding project alternatives.
5. Findings regarding the environmental impacts of the Project that were evaluated in accordance with the Writ and CEQA and were determined to have those significant effects identified in the Final SEIR which even with incorporation of all feasible mitigation measures and consideration of alternatives, the City has determined will have significant and unavoidable impacts and require the adoption of a Statement of Overriding Considerations to approve the Project.

Each category that discusses the Project's environmental impacts identifies the significance of the effects, PDFs, development or other legal requirements, and mitigation measures relevant to the specific effects being considered, and the findings and facts in support of those findings.

Any finding made by the City shall be deemed made, regardless of where it appears in this document or elsewhere in the record of proceedings. All of the language included in this document constitutes findings by the City, whether or not any particular sentence or clause includes a statement to that effect. The City intends that these findings be considered as an integrated whole and, whether or not any part of these findings fail to cross-reference or incorporate by reference any other part of these findings, that any finding required or committed to be made by the City with respect to any particular subject matter of the Final SEIR, shall be deemed to be made if it appears in any portion of these findings.

III. Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the Project consists of the following documents and other evidence, at a minimum:

- The Writ
- The NOP and all other public notices issued by the City in conjunction with the SEIR and the City approval process.
- The Draft SEIR including all technical appendices and reference materials.
- All written comments submitted by agencies or members of the pubic during the public review comment period (or otherwise) on the Draft SEIR.
- The Responses to Comments received on the Draft SEIR.
- The Mitigation Monitoring and Reporting Program.
- The Staff Report and related materials including the MND, written correspondence submitted to the City regarding the Project, Draft SEIR or Final SEIR, prepared resolutions adopted by the City of Garden Grove in connection with the Project and other project approval documents including conditions of approval.
- Matters of common knowledge to the City, including but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings, the Draft SEIR or Final SEIR.
- Any other relevant materials required to be in the record of proceedings by Section 21167.6(e) of the Public Resources Code.
- The Final SEIR.

IV. Location and Custodian of Documents

The official custodian of the documents and other materials that constitute the record of proceedings upon which the City's decision is based is identified as follows:

City of Garden Grove
Community Development Department
11222 Acacia Parkway
Garden Grove, California 92840

This information is provided in compliance with Section 21081.6(a)(2) of the Public Resources Code and with the California Code of Regulations, Title 14, Chapter 3, Section 15091(e).

V. Environmental Review and Public Participation

A. Notice of Preparation and Scoping Meeting

CEQA establishes mechanisms to inform the public and decision makers about the nature of a proposed project and the extent and types of impacts that the proposed project and alternatives would have on the environment should the proposed project or an alternative be implemented. Pursuant to CEQA Guidelines Section 15082, the City circulated a Notice of Preparation (NOP), published on April 18, 2025, to interested agencies, organizations, and parties. The NOP was also sent to the State Clearinghouse at the California Office of Planning and Research. The State Clearinghouse assigned a state identification number (SCH No. 2022060174).

The NOP is intended to encourage interagency communication regarding the proposed action so that agencies, organizations, and individuals are afforded an opportunity to respond with specific comments and/or questions regarding the scope and content of the EIR. A public scoping meeting was held on April 30, 2025, at 6:00 p.m. at the Garden Grove Community Meeting Center in the City of Garden Grove to gather additional public input. The 30-day public scoping period ended on May 19, 2025.

Comments received during the NOP public review period and the scoping meeting were considered as part of the preparation of the EIR. The NOP and written comments are included in Appendix A to the Final SEIR. Comments received are also summarized in Final SEIR Table 2-1.

B. Draft SEIR and Public Review

The Draft SEIR was prepared under the direction and supervision of the City. Public review of the Draft SEIR was intended to focus “on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated” as specified in the Writ and CEQA (14 CCR 15204). The Notice of Completion of the Draft SEIR was filed with the State Clearinghouse as required by CEQA Guidelines Section 15085. In addition, the Notice of Availability of the Draft SEIR was distributed pursuant to CEQA Guidelines Section 15087. The Draft SEIR and related technical appendices were available for review during the 45-day public review period, from September 22 to November 6, 2025, at the following locations:

City of Garden Grove
Economic Development and Housing Department
11222 Acacia Parkway
Garden Grove, California 92840
City of Garden Grove website:
https://ggcity.org/planning/environmental-documents

Interested agencies and members of the public submitted written comments on the adequacy of the Draft SEIR to the City's Economic Development and Housing Department.

VI. Responses to Comments

During the public review period, the City received a total of three comment letters from state and local agencies, organizations, and individuals on the Draft SEIR. Written responses have been prepared to all comments received during the comment period (Final SEIR, Chapter 2). A number of emails were sent to the City after the close of the public comment period, but they closely followed three primary themes: (1) use public land for affordable housing, (2) include affordable housing in the Project, and (3) the Project includes insufficient mitigation. The responses to these letters are included in Chapter 5 of the Final SEIR.

The City finds that the modifications made in the Final SEIR do not constitute significant new information requiring recirculation but rather, the information merely clarifies, amplifies, or makes insignificant modifications in an adequate EIR. Those modifications include edits to Mitigation Measure (MM) GHG-1, MM-GHG-3, MM-GHG-5, MM-GHG-7, MM-GHG-9, MM-GHG-11, and MM-TRA-2, edits to PDF-27, and the addition of two PDFs, PDF-1 and PDF-2, in response to public comments that will also be conditions of approval. Specifically, the City finds that the additional information (including the changes described above) does not show that any of the following would occur:

1. A new significant environmental impact would result from implementation of the Project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the Project, but the Project's proponents decline to adopt it.
4. The Draft SEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

In summary, the City hereby finds that no significant new information has been added to the Final SEIR since public notice was given of the availability of the Draft SEIR that would require recirculation of the SEIR.

In compliance with Section 15088(b) of the CEQA Guidelines, the City has met its obligation to provide written responses to comments to public agencies at least 10 days prior to certifying the Final SEIR.

VII. Project Location, Description, Objectives, and Approvals

A. Location

The Project site is approximately 3.72 acres of land located at the northwest corner of Harbor Boulevard and Twintree Avenue, along the west and east sides of, and on, Thackery Drive in the City of Garden Grove. Regional access to the Project site is provided by State Route 22 and Interstate 5. Local access to the Project site is provided via Harbor Boulevard and Twintree Avenue.

The Project site is a previously disturbed property where the north/northeastern parcels of the Project site are paved and used for excess parking for the adjacent Sheraton Hotel, whereas the remaining parcels are dirt pads with limited vegetation that are currently vacant. The Project site is located within a fully developed and urbanized area. The Project site is bounded by a hotel to the north, multi-family housing to the northwest, now vacant, previously developed lots to the east of Harbor Boulevard, commercial and residential uses to the south of Twintree Avenue and residential uses to the west.

B. Project Description

The Project proposes construction and operation of a full-service high-rise (maximum height of 350 feet) resort hotel with hotel program entertainment/pool deck (height of approximately 61 feet). The proposed hotel would include 500 guest suites with balconies. For the exclusive use of hotel patrons, the proposed hotel includes amenities such as a themed pool experience with lazy river; event space with a 600-person maximum occupancy theater; a grand ballroom; meeting rooms, food and beverage opportunities, character themed amenities, an arcade, and a spa and fitness center. The proposed Project would also include a five-level (approximately 61 feet) parking garage with four levels above grade and one level below grade as well as storage and loading areas. A total of 528 parking spaces would be provided within the parking garage.

The Project would implement both construction-related and operational project design features (PDFs) that help avoid or reduce the potential for significant impacts. Project PDFs are identified in the Mitigated Negative Declaration (MND) and additional PDFs from the SEIR were incorporated into the Supplemental MMRP. Consistent with the Writ, the MND PDFs, to the extent not modified and superseded by the Final SEIR and Supplemental MMRP adopted for the Final SEIR, continue to apply to the Project. The PDFs identified in the Final SEIR, which are incorporated into the Supplemental MMRP, include the following:

PDF-4 Construction equipment should be maintained in proper tune.

PDF-5 All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as five (5) minutes or longer.

PDF-8 Establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible.

PDF-10 Use haul trucks with on-road engines instead of off-road engines for on-site hauling.

PDF-11 The Project should comply with the mandatory requirements of the latest California Building Standards Code, Title 24, Part 6 (Energy Code) and Part 11 (California Green Building Standards Code [CALGreen]), including the provisions for bicycle parking, electric vehicle charging stations, energy efficiency, material conservation, and water/waste reduction.

PDF-12 Install signage at loading docks requiring trucks to limit engine idling times to 5 minutes or less.

PDF-21 Engine idling time for all delivery vehicles and trucks must be limited to 5 minutes or less. Signage should be posted in the designated loading areas reflecting the idling restrictions.

PDF-27 Sustainable Building Materials. The Project will prioritize low-impact, sustainably sourced, and recyclable materials across construction and interior finishes, including low-VOC paints, Forest Stewardship Council-certified wood, and recycled-content flooring. The Project is also implementing vendor standards that require environmental product declarations and third-party certifications to verify material sustainability. Materials shall be selected not only for their initial environmental footprint but also for durability and long-term performance, reducing the need for frequent replacement and associated waste.

PDF-28 The Project amenities shall be available to registered hotel guests only. There will be no day passes allowed.

PDF-29 The Project amenities include a self-service bicycle repair station adjacent to the guest and employee bicycle parking spaces.

C. Project Objectives

Section 15124(b) of the CEQA Guidelines requires that an EIR include a statement of the project objectives that "include[s] the underlying purpose of the project and may discuss the project benefits." The Draft SEIR included the following objectives:

- Design, develop, and construct a development on an underutilized property with all required infrastructure in the immediate proximity.
- Develop a destination hotel that incorporates sustainability features such as on-site solar energy, lower water use appliances and energy saving fixtures on a property within a transit priority area.
- Provide for an enhanced overnight guest experience with themed amenities attractive to families and other visitors who will use the project as a tourist destination location in and of itself.
- Develop a project that allows for efficient operations and logistics.
- Implement the project site's International West General Plan designation by including hotel, entertainment and resort elements to promote guest visits of multiple days.
- Develop a destination hotel in a location with convenient access to public transit and a shuttle system that connects the project to other tourist attractions in the area including those along the Harbor Boulevard Resort corridor.

- Support increased tourism in the City while also complementing other tourist destinations in surrounding communities.
- Generate a material amount of transient occupancy and property tax revenue for the City.
- Generate additional construction and operational jobs to support the local and regional economy.
- Develop a facility of sufficient size and with sufficient amenities to attract a partnership with a national or international theme park franchise.

VIII. Environmental Impacts

Pursuant to the Writ and CEQA and the CEQA Guidelines, the City as the lead agency under CEQA is responsible for certification of the SEIR and, as reflected in this document and the record of proceedings, has made the following findings:

1. The City Council has reviewed and considered the information in the Final SEIR, which has been completed in compliance with CEQA;
2. The Final SEIR reflects the City's independent judgment and analysis; and,
3. The City Council adopts the Supplemental MMRP (Attachment A) to reduce or avoid the significant and mitigable impacts of the Project.

Even with the imposition of the Supplemental MMRP, the Project will have significant and unavoidable impacts as described in the Final SEIR and these findings.

A. The Writ and MND Environmental Effect Determinations

In 2022, the City Council and/or Successor Agency approved the Project. Those approvals included an amendment of PUD-141-01 establishing development standards for the Project (PUD), a Site Plan approval of the Project design, a Street Vacation, declaration of the intent to vacate and abandon Thackery Drive, adoption of an MND and MMRP, and approval of Disposition and Development Agreements addressing the conveyance and development of the Project site (collectively, Approvals). Those Approvals, and the MND in particular, were challenged in litigation filed in Orange County Superior Court (*Perez et.al. v. City of Garden Grove et al.* OCSC Case No. 30-2022-01281816-CU-WM-CC.). That litigation led to the Court's entry of the Writ, a copy of which is attached to the Draft SEIR as Appendix B.

Pursuant to the Writ, except as specified in the language from the Writ quoted immediately below, all claims challenging the Approvals were dismissed with prejudice and the City and developer were directed to:

(a) prepare a focused review under CEQA of the Project's or modified Project's potentially significant Vehicle Miles Travelled (VMT) and Greenhouse Gas (GHG) impacts;

(b) assess whether modifications are needed to the Approvals, including any mitigation measures and conditions of approval, in light of that focused CEQA analysis; and

(c) approve, approve with modifications, or deny the PUD in open session during a publicly agendized meeting of the City Council pursuant to Municipal Code section 9.32.030.

The Project's potentially significant CEQA impact areas evaluated in the MND, that were validated by the Writ and did not require focused CEQA review, include Aesthetics, Agricultural and Forest Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology/Soils, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities/Service Systems, Wildfire, and Mandatory Findings of Significance. For all those topic areas, the Project impacts were determined to be less than significant and any and all objections to those determinations were dismissed by the Writ or the challenge period has expired. Consistent with the Writ, the Final SEIR conducted the focused review under CEQA of the Project's potentially significant VMT and GHG emissions impacts.

B. Environmental Effects Mitigated to Below a Level of Significance

Pursuant to Section 21081(a) of the Public Resources Code and Section 15091(a)(1) of the state CEQA Guidelines, the City finds that, for each of the significant effects described in this Section and as identified in the Final SEIR, changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the identified significant effects on the environment to less than significant levels. The significant effects and mitigation measures are stated fully in the Final SEIR and each of the mitigation measures have been imposed. These findings are explained below and are supported by substantial evidence in the record of proceedings. Analysis of the individual findings is set forth below and the record of proceedings includes the substantial evidence supporting the findings.

1. Transportation

Threshold of Significance

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

Mitigation Measures

MM-TRA-1 Implement Commute Trip Reduction Marketing: The Project Applicant shall implement a marketing strategy to promote the Project site employer's Commute Trip Reduction (CTR) program. Information sharing and marketing promote and educate employees about their travel choices to the employment location beyond driving such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions.

However, to ensure that CTR achieves VMT reduction of at least 4%, the following measures will be incorporated:

a) The Applicant shall provide on-site or online commuter information services to employees. The Applicant shall also distribute a quarterly newsletter with tips, success stories and updates to ensure education and encouragement for the CTR program.

b) The CTR shall require the Project Applicant or their designee to appoint a Commute Program Coordinator to oversee the implementation and management of the marketing strategy.

c) The Applicant shall ensure on-site or online subsidized transit pass sales are available to all employees.

d) The Applicant shall provide guaranteed ride home service by matching employees with other employees or providing access to platforms such as Rideharing.com and Lyft that connect riders for daily commutes with nearby drivers.

e) A minimum of 10 preferential parking spaces for carpools/vanpools shall be provided.

(CAPCOA Measures T-7 and 9B)

MM-TRA-2 Provide End-of-Trip Bicycle Facilities: The Project shall install and maintain end-of-trip bicycle facilities for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers. The provision and maintenance of secure bike parking and related facilities encourages commuting by bicycle, thereby reducing VMT and GHG emissions. The Project design includes on-site bicycle racks to accommodate a minimum of 38 short-term bicycle parking spaces and provide bicycle rentals for hotel guests on the ground level and 32 secure long-term bicycle parking spaces for employees; additionally, locker and shower facilities will be provided for employees. *(CAPCOA Measure T-10)*

Finding

The City finds that, with implementation of mitigation measure MM-TRA-1 and MM-TRA-2, changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment as the Project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). The City finds that these mitigation measures are feasible, are adopted and would reduce the vehicle miles travelled impacts and the related cumulative impacts of the proposed project to less than significant levels.

Facts in Support of Finding

The Project would have significant impacts related to conflict with CEQA Guidelines Section 15064.3, subdivision (b) that will be mitigated to below significance with the application of MM-TRA-1 and MM-TRA-2. Thus, as mitigated, the Project would have a less than significant impact as the Project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b). The SEIR evaluated the Project to determine whether a project specific vehicle miles traveled (VMT) analysis was required under the City's formally adopted VMT Guidelines. Those guidelines provide that projects within a Transit Priority Area (TPA) may be presumed to have a less than significant impact absent substantial evidence to the contrary unless one of four exceptions apply. Although the Project site is within a TPA and substantial evidence supported the conclusion that the four exceptions did not apply, the Final SEIR includes a Project-specific VMT model run and analysis that complies with the methodology established by the VMT Guidelines.

As required by the VMT Guidelines, the Final SEIR's Project specific VMT analysis evaluated the Project generated VMT and the Project effect on VMT. As the Final SEIR disclosed, and as specified by the VMT Guidelines, the Final SEIR's VMT analysis used the then current version of OCTAM with socio-economic data to perform a Project specific VMT model run. Using the OCTAM model, the Project generated VMT was calculated using the Origin/Destination

(OD) methodology (which quantifies the total VMT per service population) and the Production/Attraction (PA) methodology (which quantifies the home based work VMT per employee). Under the VMT Guidelines methodology for the OD analysis, the Project is evaluated against the Orange County Baseline OD VMT per service population impact threshold of 21.6. With a Project Baseline OD VMT per service population of 15.2, the Final SEIR demonstrates that the Project has a less than significant direct impact under the OD methodology.

With respect to the Project generated VMT using the PA methodology, the Final SEIR demonstrated that the Project generated HBW VMT per service population would be 15.3. As that amount of HBW VMT per employee exceeds the Orange County impact threshold of 14.6, the Final SEIR disclosed that Project's direct impacts under the PA methodology would be significant without mitigation. To reduce those potential impacts to less than significance, the attached Supplemental MMRP imposes MM-TRA-1 and MM-TRA-2. MM-TRA-1 imposes a commute trip reduction marketing requirement with a specific performance standard for the Project of at least a 4% VMT reduction through implementation of five specific measures identified in the mitigation measure. MM-TRA-2 requires the Project to install and maintain end of trip bicycle facilities for Project employees. Final SEIR Table 4.2-4, and the expert prepared technical analysis supporting the same, demonstrate that the Project required a 4.25% reduction in PA VMT to achieve a less than significant impact and the Project with imposition of MM-TRA-1 and MM-TRA-2 would achieve a 4.88% reduction. Therefore, the record reflects that Project with mitigation would have a less than significant direct VMT impact using the PA methodology.

Consistent with the VMT Guidelines, the Final SEIR's Project effect on VMT analysis uses the link based VMT methodology for the Project's geographic region. That approach uses the boundary method and link-level VMT within the City boundary. As the VMT Guidelines dictate, the methodology evaluates all trips, including those trips that do not begin or end in the designated boundary, and captures the effect of cut-through and/or displaced traffic. The Project effect on VMT is then calculated by dividing the citywide roadway VMT by the City's service population. The analysis showed that baseline Project effect on VMT per service population would be 10.96. As that amount of VMT does not exceed the baseline VMT per service population without the Project of 10.96, the direct Project effect on VMT would be less than significant.

Cumulative Transportation Impacts

The SEIR included a quantitative analysis of the Project's potential for cumulatively considerable impacts per City's VMT Guidelines. For Project generated VMT using the OD methodology, the Final SEIR demonstrated a less than significant cumulative impact at 13.6 OD VMT per service population compared to the impact threshold of 21.6. For Project generated VMT using the PA methodology, the Final SEIR's analysis disclosed a less than significant cumulative impact as the Project generates a HBW VMT per employee of 14.0 was measured against the Orange County HBW VMT per Employee Impact Threshold of 14.6. As the Project generated VMT in the cumulative condition is less than the respective impact thresholds, the cumulative Project generated VMT was determined to be less than significant. Under the Project effect on VMT approach in the cumulative condition, using the link based VMT methodology, the Final SEIR analysis disclosed that the "with Project" VMT per service population would be 11.20. As the "without Project" cumulative VMT per service population using the link method would be higher at 11.21, the Project's cumulative VMT effects would be less than significant without mitigation.

2. Greenhouse Gas Emissions

Threshold of Significance

- Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (GHG-2)

The SEIR assessed and made a determination as to whether the Project had the potential to conflict with the Southern California Association of Governments (SCAG) Connect SoCal 2024, California Air Resources Board (CARB) 2022 Scoping Plan, and applicable policies of the General Plan.

Mitigation Measures

MM-GHG-1 Construction Equipment Electrification. Prior to issuance of building permits, the Project Applicant's or designee's contractor shall submit an Equipment Emissions Minimization Plan for City of Garden Grove (City) approval that:

(1) Identifies all off-road equipment anticipated by phase.

(2) Requires generators, cranes, electric scissor/boom lifts, forklifts/telehandlers (where feasible), welders (where feasible), and electric/solar light towers when commercially available.

(3) Requires grid power for temporary construction.

(4) Where electric equipment is not available for a listed task, documents non-availability (size/class, delivery lead time, site constraints) and requires the cleanest feasible alternative (Tier 4 Final/zero-emission alternatives as available).

In addition, the Project shall limit air compressors used during the architectural coating/painting phase to equipment that is electric-powered. Compliance shall be demonstrated through equipment lists, rental records, and weekly logs and shall be summarized in a post-construction compliance memo for the Mitigation Monitoring and Reporting Program (MMRP) file. *(CAPCOA Measure C-1-A is a quantitative measure)*

MM-GHG-2 Construction Office Energy Efficiency. Prior to issuance of building permits, the Applicant or designee shall submit documentation to the City of Garden Grove that temporary construction field office(s) are equipped with energy efficient lighting such as compact fluorescent or LEDs and that heating and cooling units are Energy Star certified.

MM-GHG-3 Construction Debris Recycling. Prior to the start of construction, the Project's contractor shall develop a Construction Waste Management Plan (Plan) for submittal and approval to the City of Garden Grove. The Plan shall recycle or salvage non-hazardous construction debris including but not limited to wood, metal, concrete, asphalt, and other reusable materials generated during construction activities. The contractor shall implement the Plan to achieve a minimum diversion target of 75% of non-hazardous construction and demolition debris from landfills, exceeding the City's current 65% diversion requirement. (*CAPCOA Measure S-4 is a qualitative measure*)

MM-GHG-4 Electric Vehicle Charging Infrastructure. Prior to issuance of building permits, the Project Applicant or designee shall submit a site plan to the City of Garden Grove for approval noting the location of electric vehicle infrastructure and charging stations. Prior to issuance of the final certificate of occupancy, the Project Applicant or designee shall provide electric vehicle (EV) charging infrastructure within the Project site as required by the applicable California Green Building Standards Code, but that, at a minimum, meets or exceeds 2022 California Green Building Standards Code Tier 2 standards. Tier 2 requires approximately 225 parking spaces to be EV capable, and 75 spaces to be equipped with EV Supply Equipment (EVSE). The Project shall install a minimum of 225 EV capable spaces and 100 EVSE spaces. (*CAPCOA Measure T-14 is a qualitative measure)*

MM-GHG-5 Guest Vehicle Trip Reductions. Prior to issuance of building permits, the Project Applicant shall submit a site plan to the City of Garden Grove for approval identifying where pedestrian and bicycle connections to adjacent facilities will be provided and where bicycle parking spaces will be provided. The City shall verify the inclusion of pedestrian and bicycle infrastructure prior to the issuance of the final certificate of occupancy. The Project Applicant or designee shall ensure that, at a minimum, the following trip reduction measures are implemented during Project operations to reduce the number of auto-based trips generated by the Project and to encourage the use of transit, bicycling, and walking.

- Improve the walkability and design of the Project by providing pedestrian and bicycling connections within the Project site and to adjacent off-site facilities (e.g., sidewalks, crosswalks, wayfinding signage).
- Provide secure on-site bicycle racks to accommodate a minimum of 38 bicycle parking spaces and provide bicycle rentals for hotel guests.
- Alternative transportation services such bike rentals and transit information shall be seamlessly integrated into the guest experience, making alternative modes of travel easy to understand, access, and use.
- Hotel management/concierge should provide information that promotes walking, bicycling and public transit options to nearby attractions. This should include real-time transit information provided through dedicated monitors, interactive electronic displays, websites, or mobile applications identifying local bus routes and schedules, as well as wayfinding to the existing transit stops within the Project vicinity.
- Provide a dedicated shuttle service linking the hotel to nearby shopping and entertainment destinations, prioritizing battery-electric vehicles where route length and charging logistics allow; the program may be operated under a vendor contract with scheduled runs during peak guest activity and on-demand service for special events.
- Hotel management will make available transit passes for purchase and provide clear wayfinding to public transit and shuttle services.
- Qualitative assessments (e.g., user satisfaction surveys, walk audits, guest feedback) shall be regularly conducted to evaluate the effectiveness of trip reduction strategies.
- An annual report summarizing how transportation options are being used, guest perceptions, and planned improvements shall be submitted to the City.

(CAPCOA Measures T-34, T-38, T-43, and T-44 are qualitative measures)

MM-GHG-6 Limit Large Diesel Trucks During Operation. Prior to issuance of certificate of occupancy, the Project Applicant or designee shall submit a Truck Delivery Management Plan to the City of Garden Grove that documents how truck deliveries will be restricted and monitored. The Project Applicant or designee shall implement a monitoring program to restrict the number of large diesel trucks coming to the site (i.e. for deliveries, trash collection, or other services) to an average of 10 trucks per day or less. This restriction is specifically applicable to trucks classified as medium-heavy duty and heavy-heavy duty with gross vehicle weight (GVW) greater than 19,500 pounds. Annual reports summarizing heavy-duty truck trips shall be provided to the City of Garden Grove. *(CAPCOA Measure C-2)*

MM-GHG-7 Building Energy Efficiency Measures. Prior to issuance of building permits, the Project Applicant or designee shall submit documentation of building energy efficiency measures to the City of Garden Grove, such that a minimum of 15% above 2022 Title 24 Building Envelope Energy Efficiency Standards is achieved. Energy efficiency measures shall include, at a minimum, the following:

1. **LED Lighting –** High-lumen LED light fixtures shall be used exclusively for the lighting of spaces throughout the Project that require 8 to 10 watts per fixture.
2. Energy efficient lighting shall be incorporated into all on-site lighting and energy-efficient appliances shall be incorporated into Project operations.
3. **HVAC Optimization –** The HVAC system shall include the following:
    a. Electric heat pumps will be used for space heating and domestic hot water, with all systems integrated and monitored by the Project Building Management System for performance optimization, fault detection, and energy tracking.
    b. Smart thermostats, which include a motion sensor detector and door/window open sensors, will be installed in each guest room.
    c. The central plant will utilize a Combination Plant with SmartPlate EV.
4. **Glazing –** All glazing for the tower and exterior public spaces shall be installed with Low-E glass [U-factor (thermal transmittance) ≤ 0.28 and Solar Heat Gain Coefficient (SHGC) ≤ 0.23.
5. **Energy Management System –** The Project shall use advanced systems to monitor and optimize energy use in real time.
6. **Benchmarking and Monitoring –** The Project shall incorporate an Energy Star Portfolio Management system to track and manage energy consumption.
7. **Third-Party Verification/LEED Certification –** The Project shall obtain third-party HVAC commissioning verification or LEED certification of Gold to Platinum to verify energy savings.
8. **Battery Energy Storage –** The Project would include an on-site battery energy storage system occupying approximately 500 to 1,000 square feet, consisting of modular lithium-ion battery cabinets and associated electrical equipment. The system would be used for peak load management and grid resiliency and would be located within a screened utility area consistent with California Fire Code and Title 24 requirements.

(CAPCOA Measure E-1 is quantified; CAPCOA Measures E-7, E 9, E-22, E-24, and E25 are qualitative)

MM-GHG-8 Cool Roof/Deck. Prior to issuance of building permits, the Project applicant or designee shall submit plans to the City for approval that require cool roof and cool deck surfaces to be included as part of the Project for the podium and tower, consistent with the specifications provided below.

- Cool Roof Installation: All roofing materials shall meet or exceed the California Title 24, Part 6 requirements for cool roofs, based on roof slope:
  - Low-sloped roofs (≤ 2:12 pitch):
    - Aged Solar Reflectance (SR) ≥ 0.63
    - Thermal Emittance (TE) ≥ 0.75
    - Or Solar Reflectance Index (SRI) ≥ 75
  - Steep-sloped roofs (> 2:12 pitch):
    - Aged SR ≥ 0.20
    - TE ≥ 0.75
    - Or SRI ≥ 16
- Cool Deck Surfaces: All exterior hardscape surfaces exposed to sunlight (e.g., pool decks, patios, walkways) shall use high-albedo materials or cool surface coatings with:
  - Minimum SR of 0.29 or higher
- Or materials with a demonstrated surface temperature reduction of at least 10°F compared to conventional concrete or asphalt

To meet the above standards, the Project Applicant may implement one or more of the following:

- Use Energy Star®-rated roofing products or materials listed in the Cool Roof Rating Council (CRRC) directory.
- Apply reflective coatings or single-ply membranes with compliant SR and TE values.
- Install light-colored or permeable pavers, cool concrete, or coated surfaces for decks and walkways, such as permeable interlocking concrete pavers, porous asphalt, permeable concrete, geocell systems, or bio-asphalt.
- Incorporate green roofs or vegetated shading structures as alternative compliance pathways (subject to City approval).

Monitoring and Reporting shall include:

- Submittal of roofing and hardscaping material specifications to the City of Garden Grove Building Division prior to issuance of building permits.
- City inspectors shall verify installation during final inspection and prior to issuance of the final certificate of occupancy.

(CAPCOA Measure E-21 is a qualitative measure)

MM-GHG-9 Renewable Energy. The Project Applicant or designee shall install a solar photovoltaic system capable of generating a minimum of 267,000 kilowatt hours (kWh) per year prior to issuance of certificate of occupancy. *(CAPCOA Measure E 10-B is quantified)*

MM-GHG-10 Water Conservation. Prior to receiving the final certificate of occupancy, the Project Applicant or designee shall submit a Water Conservation Compliance Report to the City of Garden Grove for review and approval. The Project shall achieve a minimum 10% reduction in total water use compared to the baseline of 167 gallons per room per day as identified in the Water Supply Assessment (Psomas 2022). This equates to a target of no more than 150.3 GPCD at full occupancy. The Water Conservation Compliance Report shall include product specifications for all water-saving fixtures and systems, landscape and irrigation plans, greywater system design and capacity documentation, post-occupancy water use monitoring plan for the first 12 months after occupancy. To meet or exceed the performance standard, the Project may implement a combination of the following water conservation strategies:

- Low-Flow Water Fixtures for guest rooms and public areas
- Smart Irrigation System – outdoor landscaping shall include weather-based irrigation controllers and drought-resistant landscaping to minimize outdoor water use
- Greywater Recycling

(CAPCOA Measures W-2, W-5, and W-7 are quantified)

MM-GHG-11 Waste Reduction. Prior to issuance of the final certificate of occupancy, the Project Applicant or designee shall submit a Waste Management, Recycling, and Composting Plan to the City of Garden Grove for review and approval. The program shall be implemented on-site at the Project location and apply to all operational areas, including guest services, food and beverage operations, maintenance, and administrative functions. The waste reduction program shall be fully implemented during Project operations. The Plan shall specify a minimum diversion of 25% of municipal solid waste, including organics, generated on site from landfill disposal. The Waste Management, Recycling, and Composting Plan may include but not be limited to the following:

- Recycling Program
  - Provide labeled bins for recyclables and certified hauler contracts.
  - Promote recycled paper and other products like soap.
- Organics and Composting Program
  - Collect food scraps and compostables.
- Source Reduction Measures
  - Reduce single-use items and paper use.
  - Ban disposable (i.e., designed to be used once and discarded) foodware items and accessories.
  - Allow customers to bring their own reusable items.
  - Require hand soap in refillable containers.
  - Do not provide water in plastic bottles or disposable single-use cups.
  - Do not use expanded polystyrene (i.e., Styrofoam).
  - Require reusable napkins and tablecloths with recyclable disposable napkins only for takeout.
  - Provide hand dryers in areas accessible to customers.

- Require reusable laundry bags.
- Require reusable dishware for room service.
- Offer toiletries on request rather than automatically.
- Provide key cards made of non-plastic materials, including traditional metal keys or wood, bamboo, and paper options for chip-based cards.
- Incentivize returning keys to discourage waste.
- Provide non-plastic shower caps, razors, shaving cream, slippers, eye masks, and ear plugs.
- Remove minifridge items that use plastic.
- Eliminate the use of garbage bags if possible, or use garbage bags made of compostable material.
- Serve employee meals with reusable dishware and cutlery and provide reusable water bottles for all employees with accessible water bottle refill stations.
- Replace paper towels with reusable dish rags.

▪ Employee and Guest Education
  - Provide staff training and signage for guests.

▪ Monitoring and Reporting
  - Track waste and submit Annual Waste Diversion Report to the City of Garden Grove.

In addition, if the hotel/operations qualify as a covered edible food generator, the Project will contract with a food recovery organization/service and keep required records. If not covered, the Project will evaluate a partnership during operator onboarding and implement if feasible. *(CAPCOA Measure S-1/S-2 is quantified; CAPCOA Measure S-3 is a qualitative measure in CalEEMod and is not quantified in the operational analysis)*

MM-GHG-12 Zero Emission Landscape Equipment. During Project operations, the Project Applicant or designee shall ensure zero-emission landscape equipment (defined as equipment that does not emit tailpipe emissions during operation) is utilized. The Project Applicant or designee shall be responsible for ensuring that all landscape maintenance contractors and staff comply with this measure. All landscape maintenance activities associated with the Project shall utilize zero-emission landscaping equipment, such as electric-powered or battery-operated tools. This requirement applies to all landscaped areas within the Project site, including but not limited to courtyards, green spaces, perimeter landscaping, and rooftop gardens. The requirement shall be implemented prior to the commencement of landscape maintenance operations. To meet or exceed the performance standard, the Project may implement a combination of the following strategies:

Electric-Powered Equipment

▪ Use electric or battery-powered:
  - Leaf blowers.
  - Lawn mowers.

- Hedge trimmers.
- Edgers.
- Chainsaws.

Contractor Requirements

- Include zero-emission equipment requirements in all landscape maintenance contracts.
- Require contractors to provide documentation of equipment type and compliance.

On-Site Charging Infrastructure

- Install dedicated charging stations or outlets for landscape equipment.

Equipment Inventory and Tracking

- Maintain an inventory of all landscape equipment used on site.
- Submit an annual compliance report to the City of Garden Grove verifying that only zero-emission equipment is in use.

Training and Education

- Provide training to landscape maintenance staff on the proper use and maintenance of electric equipment.
- Display signage or include information in sustainability reports to promote awareness.

(CAPCOA Measure LL-1 is quantified)

MM-GHG-13 Prohibit Woodburning Devices, Natural Gas Fireplaces and Fire Pits. Prior to the issuance of building permits, the Project Applicant or designee shall submit building design plans for approval of the City showing the prohibition of on-site woodburning devices, natural gas fireplaces, fire pits, or other decorative combustion features throughout the Project site. Prior to the issuance of the final certificate of occupancy, the City shall confirm that this prohibition has been implemented.

MM-GHG-14 Refrigerant Management Program. Prior to issuance of mechanical permits, the Project Applicant or designee shall develop and submit a Refrigerant Management Program to the City of Garden for review and approval. The Project Applicant or designee shall be responsible for developing, implementing, and maintaining the refrigerant management program in coordination with HVAC contractors and facility operations staff. The Refrigerant Management Program shall include the use of low-GWP refrigerants (e.g., R-32 or better) and incorporate best management practices to reduce emissions from service, operation, and disposal of refrigerants. This measure shall apply to all refrigeration and HVAC systems installed and operated within the Project site, including guest rooms, common areas, kitchens, and mechanical rooms. The Project shall ensure that:

- 100% of installed HVAC and refrigeration systems use refrigerants with a GWP ≤≤ 750, consistent with California Air Resources Board (CARB) regulations.

- The refrigerant management program shall achieve a minimum 10% reduction in potential refrigerant emissions compared to standard industry practices, as demonstrated through leak rate tracking and maintenance logs.

To meet or exceed the performance standard, the Project may implement a combination of the following strategies:

Mechanical Equipment

- Install microchannel heat exchangers in A/C equipment in place of conventional heat exchangers.

Use of Low-GWP Refrigerants

- Select refrigerants such as R-32, R-454B, or other CARB-compliant alternatives with GWP ≤ 750.
- Avoid high-GWP refrigerants such as R-410A and R-404A.

Leak Detection and Prevention

- Install automatic leak detection systems for large-capacity systems.
- Conduct quarterly inspections and maintain leak logs.

Refrigerant Recovery and Disposal

- Use certified technicians for refrigerant recovery and disposal.
- Maintain documentation of recovered and recycled refrigerants.

Preventive Maintenance Program

- Implement a scheduled maintenance plan to inspect and service HVAC and refrigeration systems.
- Include refrigerant charge optimization and system performance checks.

Training and Certification

- Ensure all HVAC technicians are EPA Section 608 certified.
- Provide training on low-GWP refrigerant handling and leak prevention.

Third-Party Verification

- Obtain third-party verification of refrigerant management practices through programs such as GreenChill or LEED Enhanced Refrigerant Management credit.

Prior to issuance of certificate of occupancy, the City of Garden Grove will verify that the equipment specified in the Refrigerant Management Program has been installed. Ongoing compliance shall be performed by the Project Applicant or their designee. *(CAPCOA Measures R-1, R-4, R-5, R-6 are quantified, CAPCOA Measure R-7 is qualitative and not quantified)*

MM-TRA-1 Implement Commute Trip Reduction Marketing: The Project Applicant shall implement a marketing strategy to promote the Project site employer's Commute Trip Reduction (CTR) program. Information sharing and marketing promote and educate employees about their travel choices to the employment location beyond driving such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions.

However, to ensure that CTR achieves VMT reduction of at least 4%, the following measures will be incorporated:

a) The Applicant shall provide on site or online commuter information services to employees. The Applicant shall also distribute a quarterly newsletter with tips, success stories, and updates to ensure education and encouragement for the CTR program.
b) The CTR shall require the Project Applicant or their designee to appoint a Commute Program Coordinator to oversee the implementation and management of the marketing strategy.
c) The Applicant shall ensure on-site or online subsidized transit pass sales are available to all employees.
d) The Applicant shall provide guaranteed ride home service by matching employees with other employees or providing access to platforms such as Rideharing.com and Lyft which connect riders for daily commutes with nearby drivers.
e) A minimum of 10 preferential parking spaces for carpools/vanpools shall be provided.

(CAPCOA Measures T-7 and T-9-B are quantifiable measures, but no GHG reductions are taken for those measures)

MM-TRA-2: Provide End-of-Trip Bicycle Facilities: The Project shall install and maintain end-of-trip bicycle facilities for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers. The provision and maintenance of secure bike parking and related facilities encourages commuting by bicycle, thereby reducing VMT and GHG emissions. The Project design includes on-site bicycle racks to accommodate a minimum of 38 short-term bicycle parking spaces and provide bicycle rentals for hotel guests on the ground level and 32 secure long-term bicycle parking spaces for employees; additionally, locker and shower facilities will be provided for employees. *(CAPCOA Measure T-*10 is a quantifiable measure, but no GHG reduction is taken for this measure)

Project Design Features

Construction

PDF-4 Construction equipment should be maintained in proper tune.

PDF-5 All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as 5 minutes or longer. *(CAPCOA Measure C-2)*

PDF-8 For construction activities other than those addressed by MM-GHG-1 and MM-GHG-2, establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible. *(CAPCOA Measure C-1-A)*

PDF-10 Use haul trucks with on-road engines instead of off-road engines for on-site hauling.

Operations

PDF-11 The Project will comply with the mandatory requirements of the latest California Building Standards Code, Title 24, Part 6 (Energy Code) and Part 11 (California Green Building Standards Code [CALGreen]), including the provisions for bicycle parking, electric vehicle charging stations, energy efficiency, material conservation, and water/waste reduction.

PDF-12 Install signage at loading docks requiring trucks to limit engine idling times to 5 minutes or less.

PDF-21 Engine idling time for all delivery vehicles and trucks must be limited to 5 minutes or less. Signage should be posted in the designated loading areas reflecting the idling restrictions.

PDF-27 Sustainable Building Materials and Contracting. The Project will prioritize low-impact, sustainably sourced, and recyclable materials across construction and interior finishes, including low-VOC paints, Forest Stewardship Council-certified wood, and recycled-content flooring. The Project is also implementing vendor standards that require environmental product declarations and third-party certifications to verify material sustainability. Materials shall be selected not only for their initial environmental footprint but also for durability and long-term performance, reducing the need for frequent replacement and associated waste.

In addition, the Project Applicant or their designee will include bid language requiring the contractor to prioritize sourcing within the region (e.g., Orange County/Southern California) where pricing and availability are competitive, and to document major material and subcontractor origins in the construction closeout package.

PDF-28 The Project amenities shall be available to registered hotel guests only. There will be no day passes allowed.

PDF-29 The Project amenities include a self-service bicycle repair station adjacent to the guest and employee bicycle parking spaces.

Finding

The City finds that, with implementation of MM-GHG-1 through MM-GHG-14 and PDFs 4, 5, 8,10,11, 12, 21, 27, 28, and 29, changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the potentially significant effects on the environment. With the incorporation of the measures identified in the Supplemental MMRP, the Project would have a less than significant impact related to a conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. The City finds that these mitigation measures and PDFs are feasible, are adopted, and would reduce the potentially significant GHG impacts related to this significance threshold to a less than significant level.

Facts in Support of Finding

The Final SEIR's analysis of significance threshold GHG-2 showed that the Project would conflict with some of the applicable Connect SoCal 2024 Plan, the 2022 Scoping Plan, and the General Plan goals and policies adopted for

the purpose of reducing the emissions of GHGs. With respect to this threshold of significance and prior to imposition of applicable mitigation and the PDFs, potentially significant impacts would occur. With the application of MM-GHG-1 through MM-GHG-14, MM-TRA-1 and MM-TRA-2, and the applicable PDFs, the Project impact would be reduced to less than significant under significance threshold GHG-2. The Final SEIR analyzed the Project in relation to each of the relevant goals, policies, implementation measures and sectors from the above-referenced plans. Final SEIR Tables 4.1.6, 4.1.7, and 4.1.8 summarize the analysis and categorize the Project's potential to conflict with those plans into determinations of no conflict, not applicable, and no conflict with mitigation. Each categorization includes a summary of the analysis that supports the determination. For those areas where the determination was "no conflict with mitigation," the summary describes how the applicable mitigation measure or PDF eliminate the potential conflict. As disclosed in Tables 4.1.6, 4.1.7, and 4.1.8, the Project would support infill development and transit-adjacent land use patterns consistent with Connect SoCal 2024; avoid interference with implementation of state GHG reduction strategies identified in the 2022 Scoping Plan, including smart growth, transportation electrification, building efficiency, and reduction of high-GWP emissions; and be consistent with applicable Garden Grove General Plan goals and policies that provide GHG-reduction co-benefits related to air quality, conservation, circulation, and climate resilience. The analysis demonstrates that, as mitigated, the Project would have a less than significant impact because the Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

C. Effects Found to Be Significant and Unavoidable

CEQA Guidelines Section 15126.2(b) requires that an EIR describe any significant impacts that cannot be avoided, including those impacts that can be mitigated but not reduced to a less-than-significant level. As discussed in the Final EIR, implementation of the Project would result in significant impacts that cannot feasibly be mitigated below a level of significance with respect to threshold of significance GHG-1.

1. Greenhouse Gas Emissions

Threshold of Significance

- Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (GHG-1)

Mitigation Measures

The Supplemental MMRP imposes MM-GHG-1 through MM-GHG-14 as feasible mitigation measures, as well as PDFs 4, 5, 8, 10, 11, 12, 21, 27, 28, and 29, all of which would reduce the Project's impacts under significance threshold GHG-2 to less than significant. The Final SEIR discloses that those measures, while feasible and adopted, would not reduce the Project's impacts under significant threshold GHG-1 to a less than significant level. The Final SEIR also identified MM-GHG-15 as a potential mitigation measure that, if feasible, would reduce the Project's potential GHG impacts under threshold GHG-1 to less than significant. As discussed in the Final SEIR and demonstrated below, MM-GHG-15 imposes an obligation on the Project to acquire carbon offset credits.

MM-GHG-15 Carbon Offsets. The Project Applicant (or its designee) shall implement the following carbon offsets in accordance with the Project's construction and operational phases as outlined below.

Timeline for Acquisition of Carbon Offset Credits

Construction

Prior to issuance of grading permits, the Project Applicant (or its designee) shall purchase and retire carbon offsets in a quantity sufficient to offset all construction GHG emissions in a lump sum with the quantification, performance standards, and requirements set forth below. Alternatively, construction offsets may be purchased on an annual basis by purchasing the first phase of construction offsets prior to start of grading and then purchasing offsets for each following year by December 31 of the year preceding the new year in which construction will occur. Annual construction GHG emission offsets shall also be subject to the same quantification, performance standards, and requirements set forth below.

Operation

Prior to issuance of the final certificate of occupancy, the Project Applicant or its designee shall purchase and retire carbon offsets in a quantity sufficient to offset, for a 30-year period following occupancy of the Project, the construction and operational GHG emissions from the Project to the 1,400 MT CO_2e per year threshold, consistent with the quantification, performance standards and requirements set forth below. Alternatively, the Project Applicant or its designee may purchase and retire annual operational GHG offsets for a period of 30 years by December 31 of the year preceding each new year after the issuance of the final certificate of occupancy. Annual operational GHG emission offsets shall also be subject to the same quantification, performance standards, and requirements set forth below.

Quantification of GHG Emissions and Reductions Required

Construction

The estimated total construction GHG emissions to be offset are 3,362.30 MT CO_2e if purchased in a lump sum. If purchased on an annual basis, the following schedule provides the estimated annual emissions and date of compliance.

Year	Offsets Required (MT CO_2e)	Purchase and Retirement Deadline
1	402.52	Prior to issuance of grading permits
2	1,434.02	December 31 of Year 1
3	1,410.81	December 31 of Year 2
4	114.95	December 31 of Year 3
Total	3,362.30	N/A

Notes: MT CO_2e = metric tons of carbon dioxide equivalent; N/A = not applicable.

Operation

The estimated operational emissions are 7,408.02 MT CO_2e. To mitigate operational emissions below the 1,400 MT CO_2e per year threshold, the Project would purchase and retire one lump sum of 180,270.60 MT CO_2e of offsets (7,408.02 MT CO_2e − 6,009.02 [offsets] = 1,399 MT CO_2e

remaining); 6,009.02 MT CO_2e × 30-year life = 180,270.60 MT CO_2e; or that same total amount of credits in increments over the 30 years. The following schedule provides the estimated offset emissions and dates of compliance under the scenarios where credits are purchased and retired in a lump sum or on an annual basis.

Scenario	Offsets Required (MT CO_2e)	Purchase and Retirement Deadline
Lump sum	180,270.60	Prior to issuance of certificate of occupancy
Annual basis 30-year term	6,009.02	Prior to issuance of certificate of occupancy for Year 1 and December 31 of preceding year.

Note: MT CO_2e = metric tons of carbon dioxide equivalent.

If the Project Applicant or its designee selects the scenario where the credits are purchased on something other than in one lump sum initially, they can purchase and retire the remaining offsets required in a lump sum in accordance with the remaining term and conditions outlined herein.

Carbon Offset Standards – Eligible Registries, Acceptable Protocols, Defined Terms, and Geographic Priorities

"Carbon offset" shall mean an instrument, credit or other certification verifying the reduction of GHG emissions issued by the following CARB-accredited registries: Climate Action Reserve, the American Carbon Registry, or Verra (formerly, the Verified Carbon Standard); as well as credits issued for projects listed on the California Carbon Sequestration and Climate Resiliency Project Registry, which is maintained by the California Natural Resources Agency and may provide additional offsets. This shall include, but is not limited to, an instrument, credit or other certification issued by these registries for GHG reduction activities. The Project shall neither purchase offsets from the Clean Development Mechanism registry nor purchase offsets generated under Clean Development Mechanism protocols.

To be eligible under this mitigation measure, carbon offsets must satisfy the "Reporting and Enforcement Standards" below and demonstrate that each registry shall continue its existing practice of requiring the following for the development and approval of protocols or methodologies:

1. Adherence to established GHG accounting principles set forth in the International Organization for Standardization (ISO) 14064, Part 2 or the World Resources Institute/World Business Council for Sustainable Development (WRI/WBCSD) Greenhouse Gas Protocol for Project Accounting; and
2. Oversight of the implementation of protocols and methodologies that define the eligibility of carbon offset projects and set forth standards for the estimation, monitoring and verification of GHG reductions achieved from such projects. The protocols and methodologies shall:
    a. Be developed by the registries through a transparent public and expert stakeholder review process that affords an opportunity for comment and is informed by science;
    b. Incorporate standardized offset crediting parameters that define whether and how much emissions reduction credit a carbon offset project should receive, having identified conservative project baselines and the length of the crediting period and considered potential leakage and quantification uncertainties;

c. Establish data collection and monitoring procedures, mechanisms to ensure permanency in reductions, and additionality and geographic boundary provisions; and

d. Adhere to the principles set forth in the program manuals of each of the aforementioned registries, as such manuals are updated from time to time. The current registry documentation includes the Climate Action Reserve's *Reserve Offset Program Manual*[1] (April 2024) and *Climate Forward Program Manual*[2] (December 2021); the American Carbon Registry's *The ACR Standard, Requirements and Specifications for the Quantification, Monitoring, Reporting, Verification, and Registration of Project-Based GHG Emissions Reductions and Removals*[3] (July 2023); and Verra's VCS Standard, *Program Guide*[4] (August 2023), and *Methodology Requirements*[5] (October 2023).

The City has reviewed the registries' methodologies and has determined that protocols established pursuant to such methodologies – including updates to those protocols and methodologies as may occur from time to time by the registries in accordance with the registry documentation listed in the prior paragraph to ensure the continuing efficacy of the reduction activities – are eligible for use under this mitigation measure.

The carbon offsets purchased to satisfy this measure must represent the reduction or sequestration of one MT CO_2e that is "not otherwise required" (CEQA Guidelines Section 15126.4[c][3]). The carbon offsets must achieve the standard of additional, real, permanent, quantifiable, verifiable, and enforceable reductions, which are defined for purposes of this mitigation measure as follows consistent with the applicable provisions in the California Code of Regulations, Title 17:

1. "Additional" means that the carbon offset is not otherwise required by law or regulation, and not any other GHG emissions reduction that otherwise would occur.
2. "Real" means that the GHG reduction underlying the carbon offset results from a demonstrable action or set of actions, and is quantified under the protocol or methodology using appropriate, accurate, and conservative methodologies that account for all GHG emissions sources and sinks within the boundary of the applicable carbon offset project, uncertainty, and the potential for activity-shifting leakage and market-shifting leakage.
3. "Verifiable" means that the GHG reduction underlying the carbon offset is well documented, transparent, and set forth in a document prepared by an independent verification body that is accredited through the American National Standards Institute (ANSI).
4. "Permanent" means that the GHG reduction underlying the carbon offset is not reversible; or, when GHG reduction may be reversible, that a mechanism is in place to replace any reversed GHG emission reduction.
5. "Quantifiable" means the ability to accurately measure and calculate the GHG reduction relative to a project baseline in a reliable and replicable manner for all GHG emission sources

1 https://climateactionreserve.org/wp-content/uploads/2024/04/Reserve-Program-Manual-v9.2.pdf.
2 https://climateforward.org/wp-content/uploads/2021/12/Climate-Forward-Program-Manual-December-2021_12-FINAL.pdf.
3 https://acrcarbon.org/wp-content/uploads/2023/10/ACR-Standard-v8.0.pdf.
4 https://verra.org/documents/vcs-program-guide-v4-4/.
5 https://verra.org/documents/vcs-methodology-requirements-v4-4/.

and sinks included within the boundary of the carbon offset project, while accounting for uncertainty and leakage.

6. "Enforceable" means that the implementation of the GHG reduction activity must represent the legally binding commitment of the offset project developer to undertake and carry it out.

The City has reviewed and determined that methodologies and protocols established by American Climate Registry, Climate Action Reserve, and Verra establish and require carbon offset projects to comply with standards designed to achieve additional, real, permanent, quantifiable, verifiable, and enforceable reductions. Additionally, the "Reporting and Enforcement Standards" below shall ensure that the requirements of this mitigation measure will be enforced, as the City has authority to hold the Applicant accountable and to take appropriate corrective action if it determines that any carbon offsets do not comply with the requirements herein.

Carbon offsets secured from the CARB-accredited registries shall be prioritized in accordance with the following criteria: (1) offsets within the City; (2) offsets within the County, only if in-City offsets are unavailable; (3) offsets within the State of California, only if in-county offsets are unavailable; (3) offsets within the United States, only if in-state offsets are unavailable.[6]

The above definitions are provided as criteria and performance standards associated with the use of carbon offsets. Such criteria and performance standards are intended only to further construe the standards under CEQA for mitigation related to GHG emissions (see, e.g., state CEQA Guidelines Section 15126.4[a], [c]), and are not intended to apply or incorporate the requirements of any other statutory or regulatory scheme not applicable to the Project (e.g., the Cap-and-Trade Program).

Monitoring, Reporting, and Enforcement Standards

Prior to the timeline identified in the initial section of this mitigation measure, the Project Applicant or its designee shall submit documentation in the form of a report to the City that identifies the quantity of emission reductions required by this mitigation measure, as well as the carbon offset proposed for acquisition to achieve compliance with this measure. For purposes of demonstrating that each offset is additional, real, permanent, quantifiable, verifiable and enforceable, the reports shall include: (i) the applicable protocol(s) and methodologies associated with the carbon offsets, (ii) the third-party verification report(s) and statement(s) affiliated with the carbon offset projects, (iii) the unique serial numbers assigned by the registry(ies) to the carbon offset, which serves as evidence that the registry has determined the carbon offset project to have been implemented in accordance with the applicable protocol or methodology and ensures that the offsets cannot be further used in any manner, and (iv) the carbon offset meets the locational attributes as specified by this mitigation measure and verified through a market survey report prepared by a carbon offset

[6] For purposes of this provision, offset credits will be deemed "unavailable" if they are either unobtainable generally from the CARB accredited registries, or if on a per-unit basis if such a credit is otherwise available: (a) for offset credits within the City of Garden Grove, more than 2 times as costly as offset credits within the County of Orange, but not within the City of Garden Grove; (b) for offset credits within the County of Orange, more than 5 times as costly as offset credits within California, but not within the County of Orange; or (c) for offset credits within the United States, sufficient offset credits within California are not available for purchase at any cost.

broker that identifies the carbon registry listings reviewed for carbon offset availability, including the related date of inquiry.

The Project Applicant (or its designee) shall select and retain at least one independent, third-party expert on GHG mitigation and offsets to review the documentation provided by the Applicant (or its designee) relating to, among other data, construction- and operation-related emissions, and provide a report with analysis and recommendations to the City (with supporting materials), on whether the Project has complied with the off-site GHG emissions reduction measures set forth in this mitigation measure. The Project Applicant's (or its designee's) selection of each expert, who shall not be a current or former employee or agent of the Project Applicant (or its designee), shall be subject to the approval of the City Attorney, which shall not be unreasonably withheld. The Project Applicant (or its designee) shall retain the expert(s) for all offset credit submissions made to the City until all offsets required this mitigation measure are acquired and accepted by the City.

If the City determines that the Project's carbon offsets at issue in the Project Applicant's (or their designee's) submission meet the requirements of this mitigation measure, the offsets required to be acquired by the Project will be proportionally reduced. Upon an affirmative finding from the City that the Project's carbon offsets are eligible for use under this measure, and within the applicable timeframe required by the first section of this mitigation measure, the Project Applicant (or their designee) shall provide to the City copies of the relevant portions of the GHG offset contracts demonstrating the applicable carbon offsets have been acquired. This will serve as the final documentation required to demonstrate compliance with this mitigation measure.

If the City determines that the Project's carbon offsets do not meet the requirements of this mitigation measure, the City shall provide a detailed explanation of the basis for the City's determination. Carbon offsets not approved by the City as meeting the requirements of this mitigation measure cannot be used to reduce Project GHG emissions and the Applicant will be required to submit qualifying carbon offsets accepted by the City prior to the applicable timeframe specified in the first section of this mitigation measure. *(CAPCOA Measure M-2)*

Finding

Specific economic, legal, social, technological, or other considerations make infeasible the MM-GHG-15 identified in the Final SEIR. Therefore, notwithstanding the imposition of MM-GHG-1 through MM-GHG-15, the PDFs and MM-TRA-1 and MM-TRA-2, the Project's impact under significance threshold GHG-1 is considered significant and unavoidable.

Facts in Support of Finding

Consistent with significance threshold GHG-1, Final SEIR Section 4.1 and the related technical appendix evaluated whether the Project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. The Final SEIR discloses and discusses the regulatory, scientific and factual environmental setting relative to GHG emissions, including, without limitations, the science behind climate change, the sources of GHG emissions, potential effects of climate change, and applicable federal, state, regional, and local plans, policies, and regulations. As required by CEQA Guidelines Section 15064.4(a), the City made a "good faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of" GHG emissions

resulting from the Project. Consistent with that provision, the Final SEIR quantifies the Project's expected construction and operational GHG emissions.

CEQA Guidelines section 15064.7 provides that a lead agency like the City,"[w]hen adopting or using thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies, or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence." As the Final SEIR discusses and discloses, the City used a conservative methodology that is based on the methodology developed by the South Coast Air Quality Management District ("SCAQMD"), the air quality district for the area where the Project is located. Exercising its discretion as a lead agency, although a 3,000 metric tons of carbon dioxide equivalent ($MTCO_2e$) per year threshold was recommended by the SCAQMD methodology for all non-industrial projects, the Final SEIR conservatively utilized the SCAQMD developed Tier 3 threshold of 1,400 $MTCO_2e$ per year for commercial projects for the Project. The Final SEIR's conservative methodology applies the lowest numeric GHG emissions significance threshold identified by the SCAQMD guidance documents.

For purposes of disclosing the potentially significant GHG impacts under significance threshold GHG-1, the Final SEIR methodology involved the use of CalEEMod to calculate the annual GHG emissions based on the Project's construction and operations. The SEIR describes factors and Project features relevant to the calculation of emissions including, without limitations, the number of hotel rooms, the number of parking spaces, VMT estimates identified in the Final SEIR VMT analysis, a worst-case construction timeline, and Project amenities only being available to registered hotel guests. Operational emission estimates considered different Project sources of GHG emissions, including mobile, area, energy, water, wastewater, sold waste, refrigerants and stationary sources.

The unmitigated annual operational emissions plus amortized construction emissions totaled 8,124.48 $MTCO_2e$ which exceeds the 1,400 $MTCO_2e$ numerical significance threshold utilized by the City. Using CalEEMod and other information disclosed in the SEIR, the SEIR analyzed and disclosed the Project's GHG emissions with implementation of the identified mitigation measures and PDFs. That analysis identifies whether, under CalEEMod and other applicable guidance, a particular mitigation measure or PDF results in a quantifiable emission reduction or a qualitative benefit for purposes of the quantification of the Project's mitigated GHG emissions. The Final SEIR includes an explanation of reasons for characterizing a particular mitigation measure or PDF as qualitative in nature. The analysis of mitigated emissions without imposition of MM-GHG-15 shows that Project emissions would remain above the 1,400 $MTCO_2e$ significance threshold. The mitigated annual operational emissions without MM-GHG-15 plus amortized construction emissions totaled 7,520.09 $MTCO_2e$. Thus, the combination of the Supplemental MMRP imposing as binding, on-site obligations in the form of MM-GHG-1 through MM-GHG-14, MM-VMT-1 and MM-VMT-2 as well as the applicable PDFs, are insufficient to reduce the Project's GHG emissions below the 1,400 $MTCO_2e$ significance threshold.

Given that the Project would still exceed the significance threshold despite imposition of the mitigation measures and PDFs other than MM-GHG-15, the City also included MM-GHG-15 as a mitigation measure. The Final SEIR explains that carbon offset credits as mitigation was considered and incorporated following implementation of all feasible construction and operational (on-site) mitigation measures. The Draft SEIR incorporates feasible and effective PDFs and mitigation measures that directly reduce the Project's potentially significant GHG emissions, including mobile and energy-related GHG emissions. These measures were selected because they are feasible and capable of substantially reducing emissions, as required by CEQA Guidelines Section 15126.4(a)(1). CEQA does not require adoption of measures that are infeasible or fail to achieve meaningful reductions.

The Final SEIR clarifies that CEQA does not require a lead agency to adopt every potentially applicable GHG reduction measure identified in guidance documents, including the California Air Pollution Control Officers Association (CAPCOA) Quantifying Greenhouse Gas Mitigation Measures report. CAPCOA expressly recognizes that its measures are not prescriptive, are not universally feasible for all projects, and are intended to serve as a menu of potential strategies that must be evaluated considering project-specific constraints. The City determined, and the record supports, that the Project incorporated all CAPCOA-type measures that were feasible and effective for this Project. As noted in the Final EIR, CEQA does not require inclusion of any CAPCOA measures for a GHG analysis. The Draft SEIR analyzed and disclosed the Project's potentially significant GHG impacts with and without mitigation. That analysis included an evaluation of PDFs and feasible mitigation measures, some of which were based on measures identified in CalEEMod or on CAPCOA recommendations. The Project's PDFs and mitigation measures do not repeat CAPCOA language verbatim; rather, they were intentionally tailored to reflect Project-specific design features, construction methods, and operational characteristics. This approach is consistent with CEQA best practice and CAPCOA guidance, which anticipates that lead agencies will adapt recommended measures to suit individual projects.

The Final SEIR further explains that CEQA does not require rejection or exhaustion of every conceivable alternative mitigation approach before a lead agency may rely on carbon offset credits. Rather, CEQA requires the adoption of all feasible mitigation measures that would substantially lessen a significant impact. This approach is consistent with CEQA Guidelines sections 15021 and 15091, as well as with statewide and regional agency guidance.

The incorporation of carbon offset credits as mitigation is consistent with Tier 5 of the SCAQMD guidance and other CEQA guidance which includes implementation of a program of purchasing GHG offset credits. Specifically, the use of carbon offsets as a CEQA mitigation strategy for the reduction of GHG emissions was memorialized with the Senate Bill 97-directed amendments to the CEQA Guidelines, as adopted by Office of Planning and Research (now Office of Land Use and Climate Innovation) and the California Natural Resources Agency circa 2009. The use of offsite actions and credits, such as carbon offsets, to mitigate GHG impacts are based on the following:

- CEQA Section 15126.4 (c)(3) states that mitigation measures for GHG emissions may include "offsite measures, including offsets that are not otherwise required, to mitigate a project's emissions"
- CEQA Section 151370 (e) states that mitigation includes "Compensating for the impact by replacing or providing substitute resources or environments"
- The California Natural Resources Agency's Final Statement of Reasons for Regulatory Action for the CEQA Guidelines Amendments (2009) also supports the use of GHG credits: "Proposed subdivision (c)(3) recognizes the availability of various offsite mitigation measures. Such measures could include, among others, the purchase of carbon offsets, community energy conservation projects, and off-site forestry projects."

The adopted MM-GHG-15 requires the purchase and retirement of carbon offset credits from one of the following CARB-accredited registries: Climate Action Reserve, the American Carbon Registry, or Verra (formerly, the Verified Carbon Standard), as well as credits issued for projects listed on the California Carbon Sequestration and Climate Resiliency Project Registry, which is maintained by the California Natural Resources Agency. MM-GHG-15 requires the acquisition and retirement of the quantity of credits needed to reduce operational GHG emissions plus amortized construction emissions to below the 1,400 MT CO_2e significance threshold for the life of the Project (30 years). The City has determined that a 30-year project life is appropriate for the measure and presents the reasonable limits of scientific and evidentiary data for the Project, given current modeling tools, the changing

regulatory structure, the level of unknowns beyond 2050 with respect to regulatory programs mandating further reductions in GHG emissions, and other available information. MM-GHG-15 also details the performance standard, a locational hierarchy for carbon offset credits, and the specific requirements and procedures the City and Project owner must use to purchase and retire qualifying carbon offset credits. As expressly addressed in MM-GHG-15, and the record of Project proceedings reflect, the identified carbon offset credits qualify as additional, real, permanent, quantifiable, verifiable and enforceable.

Notwithstanding that the analysis demonstrates that the acquisition and retirement of qualifying carbon offset credits, as one of the range of measures imposed by the Supplemental MMRP, would reduce the Project's total GHG emissions below the GHG-1 significance threshold, the SEIR conservatively discloses that Project impacts would be treated as significant and unavoidable. As explained in the California Air Resources Board's 2023 white paper on carbon offset integrity and durability,[7] other jurisdictions have utilized carbon offset credits as feasible mitigation sufficient to reduce project impacts to less than significance. Various air quality management districts have also created policies or identified practices that recognize carbon offset credits as part of a menu of options to feasibly reduce the potentially significant GHG impacts of projects.

The City's significance determination recognizes the potential viability of GHG offset credits as a means of reducing to less than significant the Project's GHG impacts under significance threshold GHG-1. The City's determination also recognizes that technical, legal, political, economic and other forms of uncertainty exist as to whether a sufficient supply of qualifying carbon offset credits will exist for the 30 year life of the Project that would result in actual, quantifiable, and enforceable reductions of the Project-generated operational and construction GHG below the 1,400 MT CO_2e significance threshold. This determination of uncertainty applies to all carbon offset credit programs and is not specific to the carbon offset credit methodology and procedures identified in the Final SEIR. The MM-GHG-15 methodology and process are consistent with the approach to GHG mitigation used by other jurisdictions to satisfy CEQA's requirements. The determination of CEQA infeasibility also recognizes that qualifying offset projects may be subject to reversal, market variability, regulatory changes, or conditions beyond the control of the lead agency and Project owner that create doubt about the ability of MM-GHG-15 to sufficiently reduce Project impacts to a less than significant level. The City also adopts this infeasibility finding because uncertainty exists as to the long-term effectiveness of verification standards and monitoring.

For those and other reasons identified in the record of proceedings for the Project, the City concludes that, notwithstanding the imposition of MM-GHG-1 through MM-GHG-15, MM-TRA-1 and MM-TRA-2 and PDFs such as 4, 5, 8, 10, 11, 12, 21 27, 28, and 29, the Project's GHG emissions impacts under the GHG-1 threshold may remain significant and unavoidable.

Cumulative Greenhouse Gas Emissions Impacts

Global climate change is a cumulative impact by nature. A project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of GHGs. GHG emissions inherently contribute to cumulative impacts; therefore, any additional GHG emissions would result in a cumulative impact. The project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Therefore, the Project would result in a cumulatively considerable contribution to a

[7] CARB and California EPA (California Air Resources Board and California Environmental Protection Agency). 2023. "Local CEQA Mitigation Best Practices and Lessons Learned." Contract No. 21STC001. Prepared by M.R. Boswell. September 30, 2023. https://ww2.arb.ca.gov/sites/default/files/2023-11/CARB%2021STC001%20White%20Paper.pdf.

cumulative impact with regard to the generation of GHG emissions, and the cumulative impact would be significant and unavoidable despite the implementation of MM-GHG-1 through MM-GHG-15, MM-TRA-1, MM-TRA-2, and PDFs including 4, 5, 8, 10, 11, 12, 21, 27, 28, and 29.

D. Alternatives

CEQA Guidelines Section 15126.6(a) requires that an EIR "describe a range of reasonable alternatives to the proposed project, or to the location of the project, that would feasibly attain most of the basic objectives but would avoid or substantially lessen any of the significant environmental effects of the project, and evaluate the comparative merits of the alternatives." Section 15126.6(a) also provides that an EIR need not consider every conceivable alternative to a project; rather, an EIR must consider a reasonable range of alternatives that would foster informed decision-making and public participation. Accordingly, the Final SEIR presented a reasonable range of two alternatives listed below, and considered and rejected six potential alternatives.

1. Alternatives Considered but Rejected

The Final SEIR evaluated the following six alternatives that were considered during the SEIR preparation process but not carried forward for further analysis consistent with CEQA Guidelines Section 15126.6(c):

a) Alternative Site

Development of the project on an alternative site was not carried forward for more detailed consideration. The Alternative Site was considered but rejected because a review of available vacant parcels similar in size and in the vicinity of the project site was conducted. Finding an alternative vacant parcel in the project vicinity was important because of proximity to Disneyland and the Anaheim Convention Center, which both attract overnight guests and a need for hotel rooms in the general Project vicinity. The only other potential site in the general project vicinity resulting from that review was immediately east of the Project site. It was determined that the alternative site would not reduce, avoid or substantially lessen any Project impacts. Additionally, the alternative site is not owned by the City or Project applicant and the ability to acquire the site was unknown. In accordance with CEQA Guidelines Section 15126.6(f)(2), an EIR is only required to consider an alternative location if the project's potentially significant project effects would be avoided or substantially lessened by moving the project to another site. An alternative site would not have avoided or substantially lessened any identified Project impacts.

As the Final SEIR analyzes a reasonable range of alternatives, CEQA does not require full consideration of the Alternative Site Alternative when it is speculative whether such a feasible site exists that could accommodate the project and meet most project objectives, the applicant could feasibly acquire such a site if one existed and the project's potentially significant impacts would be avoided or substantially lessened at such a site.

b) Hotel-Only Alternative

The City considered an alternative that would result in the construction and operation of a hotel only, without the inclusion of the waterpark and additional resort amenities associated with the Project. The hotel-only alternative was not carried forward for more detailed consideration as the alternative would not substantially reduce the Project

impacts, including those related to VMT and GHG emissions. Additionally, the hotel-only alternative would not achieve many of the Project objectives, including the following:

- Develop a destination hotel that incorporates sustainability features such as on-site solar energy, lower water use appliances and energy saving fixtures on a property within a transit priority area.
- Provide for enhanced overnight guest experiences with themed amenities attractive to families and other visitors who will use the project as a tourist destination location in and of itself.
- Develop a facility of sufficient size and with sufficient amenities to attract a partnership with a national or international theme park franchise.

As the Final SEIR analyzes a reasonable range of alternatives, and the hotel-only approach would not satisfy the CEQA criteria for a feasible alternative for the reasons specified above and in the Final SEIR, CEQA does not require full consideration of the Hotel Only Alternative.

c) Resort-Only Alternative

The City considered an alternative that would result in the construction and operation of a resort on the Project site that does not include the accompanying hotel component. The resort-only alternative was not carried forward for more detailed consideration. This alternative would increase the number of vehicle trips associated with VMT because people would be traveling to and from the Project site on the same day, without staying the night. The increase in vehicle trips associated with VMT would lead to increased GHG emissions when compared with the proposed Project. As such, the increase in the number of vehicle trips associated with VMT, and GHG emissions associated with the resort-only alternative would not avoid or substantially lessen the Project's potential significant impacts. Furthermore, this alternative would not achieve the following Project objectives:

- Develop a destination hotel that incorporates sustainability features such as on-site solar energy, lower water use appliances and energy saving fixtures on a property within a transit priority area.
- Provide for enhanced overnight guest experiences with themed amenities attractive to families and other visitors who will use the project as a tourist destination location in and of itself.
- Implement the Project site's International West Mixed Use General Plan designation by including hotel, entertainment and resort elements to promote guest visits of multiple days.
- Develop a destination hotel in a location with convenient access to public transit and a shuttle system that connects the project to other tourist attractions in the area including those along the Harbor Boulevard Resort corridor.
- Generate a material amount of transient occupancy and property tax revenue for the City.

As the Final SEIR analyzes a reasonable range of alternatives, and the resort-only approach would not satisfy the CEQA criteria for a feasible alternative for the reasons specified above and in the Final SEIR, CEQA does not require full consideration of the Resort Only Alternative.

d) Residential Alternative

The City considered an alternative that would result in the construction and operation of a residential development on the Project site instead of the proposed resort hotel. The residential alternative site could result in fewer environmental impacts than the proposed Project relative to GHG emissions and VMT. This is because the Project

site is in proximity to transit and the exclusively residential use would likely not require a development specific VMT analysis as it would "screen out" from a full VMT analysis. The reduction in vehicle trips related to VMT would also lead to a decrease in GHG emissions. However, an exclusively residential alternative would be inconsistent with the General Plan. Further, the Project site is not one of the state-approved Housing Element sites the City identified as necessary to meet its Regional Housing Needs Assessment (RHNA) obligations. The Housing Element identifies many other properties within the City that are potentially available for that purpose. This alternative would not meet the following Project objectives:

- Develop a destination hotel that incorporates sustainability features such as on-site solar energy, lower water use appliances and energy saving fixtures on a property within a transit priority area.
- Provide for enhanced overnight guest experiences with themed amenities attractive to families and other visitors who will use the project as a tourist destination location in and of itself.
- Implement the project site's International West General Plan designation by including hotel, entertainment and resort elements to promote guest visits of multiple days.
- Develop a destination hotel in a location with convenient access to public transit and a shuttle system that connects the project to other tourist attractions in the area including those along the Harbor Boulevard Resort corridor.
- Support increased tourism in the City while also complementing other tourist destinations in surrounding communities.
- Generate a material amount of transient occupancy and property tax revenue for the City.
- Generate additional construction and operational jobs to support the local and regional economy.
- Develop a facility of sufficient size and with sufficient amenities to attract a partnership with a national or international theme park franchise.

As the Final SEIR analyzes a reasonable range of alternatives, and the residential-only approach would not satisfy the CEQA criteria for a feasible alternative for the reasons specified above and in the Final SEIR, CEQA does not require full consideration of the Residential Alternative.

e) Commercial Alternative

The City considered an alternative that would result in the construction and operation of a retail commercial development on the Project site. Under this alternative, the Project site would become a retail commercial destination, thereby increasing the potential for vehicle trips associated with VMT, and operational GHG vehicle emissions when compared with the proposed Project. The trip rate and associated VMT for retail commercial destinations is generally higher than that associated with the uses included within the Project. An increase in VMT would also generally result in increased operational GHG vehicle emissions. Additionally, this alternative would not meet the following Project objectives:

- Develop a destination hotel that incorporates sustainability features such as on-site solar energy, lower water use appliances and energy saving fixtures on a property within a transit priority area.
- Provide for enhanced overnight guest experiences with themed amenities attractive to families and other visitors who will use the Project as a tourist destination location in and of itself.
- Implement the Project site's International West Mixed Use General Plan designation by including hotel, entertainment and resort elements to promote guest visits of multiple days.

- Develop a destination hotel in a location with convenient access to public transit and a shuttle system that connects the project to other tourist attractions in the area including those along the Harbor Boulevard Resort corridor.
- Support increased tourism in the City while also complementing other tourist destinations in surrounding communities.
- Generate a material amount of transient occupancy and property tax revenue for the City.
- Develop a facility of sufficient size and with sufficient amenities to attract a partnership with a national or international theme park franchise.

As the Final SEIR analyzes a reasonable range of alternatives, and the commercial only approach would not satisfy the CEQA criteria for a feasible alternative for the reasons specified above and in the Final SEIR, CEQA does not require full consideration of the Commercial Alternative.

f) Mixed-Use Development Alternative

The City considered an alternative that would result in the construction and operation of a mixture of uses that could include a combination of residential, commercial, retail, and/or hotel. However, the majority of the Project site has a general plan designation of, and is zoned International West, which encourages hotel, entertainment, and resort uses on the Project site. The Project site is also not identified in the state-approved Housing Element as a property required for the City to satisfy its RHNA obligations. Similar, to the residential alternative discussed above, VMT associated with the potential residential component of a mixed-use development would likely be screened out and result in less than significant impacts due to the Project site's proximity to a major transit stop. The other potential components of a mixed-use development alternative, including retail, commercial, and/or hotel, would result in vehicle trips associated with VMT impacts that are similar to or greater than VMT associated with the Project. This would result in operational GHG emissions that are similar to the Project. While the hotel use might partially satisfy portions of some of the Project Objectives, this alternative would not achieve the following Project objectives:

- Develop a destination hotel that incorporates sustainability features such as on-site solar energy, lower water use appliances and energy saving fixtures on a property within a transit priority area.
- Provide for enhanced overnight guest experiences with themed amenities attractive to families and other visitors who will use the project as a tourist destination location in and of itself.
- Implement the project site's International West General Plan designation by including hotel, entertainment and resort elements to promote guest visits of multiple days.
- Develop a destination hotel in a location with convenient access to public transit and a shuttle system that connects the project to other tourist attractions in the area including those along the Harbor Boulevard Resort corridor.
- Support increased tourism in the City while also complementing other tourist destinations in surrounding communities.
- Generate a material amount of transient occupancy and property tax revenue for the City.
- Develop a facility of sufficient size and with sufficient amenities to attract a partnership with a national or international theme park franchise.

As the Final SEIR analyzes a reasonable range of alternatives, and the mixed-use development approach would not satisfy the CEQA criteria for a feasible alternative for the reasons specified above and in the Final SEIR, CEQA does not require full consideration of the Mixed-Use Development Alternative.

2. Reasonable Range of Alternatives

In addition to the alternatives considered but rejected from further consideration as described above, the Final SEIR evaluated a reasonable range of two alternatives for their ability to avoid or substantially lessen the impacts of the project identified in the EIR, as well as consideration of their ability to feasibly attain most of the basic objectives of the project as described in the Final SEIR Chapter 3, Section 3.1, Project Objectives. Public Resources Code Section 21081 provides that if one or more significant impacts will not be avoided or substantially lessened by adopting mitigation measures, the environmentally superior alternatives described in the EIR must be found infeasible if they are not adopted.

The City finds, after due consideration, that the two alternatives considered in the Final SEIR constitute a reasonable range of alternatives as required by CEQA. As set forth in the Final SEIR and below, the City finds as follows with respect to the two alternatives that have not been approved.

a. Alternative 1: No Project Alternative

CEQA Guidelines Section 15126.6(e) requires that an EIR evaluate a "No Project" alternative to allow decision makers to compare the impacts of approving a project with the impacts of not approving that project. Under the No Project Alternative, the project and associated improvements would not be implemented, and the property would remain as disturbed, previously developed property. This alternative does not preclude future development of the property in accordance with the site's existing land use designations.

Finding

The City finds that Alternative 1, the No Project Alternative, is undesirable and infeasible as it fails to satisfy the Project's underlying purpose and fails to meet any of the project objectives. Therefore, the No Project Alternative is rejected because specific economic, legal, social, technological or other considerations make the alternative infeasible.

Facts in Support of Finding

The significant impacts to VMT and GHG would be substantially lessened or avoided by the No Project Alternative compared to the Project. As this alternative would eliminate all of the significant impacts identified for the Project, it would qualify as the environmentally superior alternative. However, this alternative would also not meet any of the project objectives. This alternative would leave the site underutilized contrary to the IW General Plan designation. The alternative would not generate any temporary construction or permanent jobs, nor would it generate the tax and impact fee revenue the City has expected from development of the site. Leaving a prime site near public transit undeveloped is inconsistent with the City's goal of promoting the enhancement of the Harbor Boulevard corridor and the concentration of hotel and resort uses along Harbor Boulevard south of Chapman Street to bolster the City's attractiveness as a tourist destination. For these reasons and others detailed in the record before the City, the City rejects the No Project Alternative as both undesirable and infeasible from a public policy perspective.

b. Alternative 2: Reduced Project Alternative

CEQA Guidelines Section 15126.6(e)(2) states that if the No Project Alternative is identified as the environmentally superior alternative, then an environmentally superior alternative should be identified among the other alternatives. Alternative 2 is that other environmentally superior alternative. Alternative 2 would reduce impacts to GHG to a less than significant level. Alternative 2 would achieve that result by achieving an 85% reduction in total building square footage, resulting in 75 hotel rooms, and an 85% reduction in recreational water facilities (pool and lazy river) to serve the reduced hotel rooms. Other amenities such as the theater, larger meeting rooms, grand ballroom, arcade, and multiple restaurants would be eliminated due to size constraints imposed by the Reduced Project Alternative. Similarly, with the limited square footage, retail, a single restaurant and other amenities like a spa and fitness facility included within the Project would either be substantially reduced due to size constraints or likely not practical because of the substantially reduced number of guests. As such, the hotel developed under this alternative would be considered a limited-service hotel.

Finding

Besides the No Project Alterative, Alternative 2 is the environmentally superior alternative. While the Reduced Project Alternative would reduce the GHG impacts to a less than significant level, the alternative would not meet or only partially meet most of the Project objectives. The City rejects the alternative as undesirable. Alternative 2: Reduced Project Alternative is also rejected because specific economic, legal, social, technological or other considerations make the alternative infeasible.

Facts in Support of Finding

The significant impacts to GHG would be reduced to less than significant by the Reduced Project Alternative compared to the Project. The Reduced Project Alternative reduces the amount of development to a level where the GHG emissions would be below the established GHG emissions significance threshold the City identified in the Final SEIR. Therefore, the Final SEIR identifies the Reduced Project Alternative as the environmentally superior alternative. The City hereby rejects this alternative as infeasible as the reduced scale of the alternative would not allow it to meet or only partially meet most of the Project objectives including the following:

- Develop a destination hotel that incorporates sustainability features such as on-site solar energy, lower water use appliances and energy saving fixtures on a property within a transit priority area.
- Provide for enhanced overnight guest experiences with themed amenities attractive to families and other visitors who will use the project as a tourist destination location in and of itself.
- Develop a project that allows for efficient operations and logistics.
- Implement the project site's International West Mixed Use General Plan designation by including hotel, entertainment and resort elements to promote guest visits of multiple days.
- Develop a destination hotel in a location with convenient access to public transit and a shuttle system that connects the project to other tourist attractions in the area including those along the Harbor Boulevard Resort corridor.
- Support increased tourism in the City while also complementing other tourist destinations in surrounding communities.
- Generate a material amount of transient occupancy and property tax revenue for the City

- Develop a facility of sufficient size and with sufficient amenities to attract a partnership with a national or international theme park franchise.

According to industry data, theme park branded hotels and hotels with resort level types of amenities, typically range from many hundreds of rooms to more than several thousand, whereas the Reduced Project Alternative provides only 75 rooms. Especially in a more urban context like Garden Grove, where the Project site is relatively small, the above-referenced Project objectives would not be met with such a small number of hotel rooms. This alternative would also not maximize the use of the Project site and would generate less tax and impact fee revenue than the City has expected from development of the site. The Reduced Project Alternative would underutilize one of the larger undeveloped parcels in the City's IW land use designated area that allows a maximum floor area ratio (FAR) of 5.0. The Reduced Project Alternative would result in an FAR of only approximately 0.75 on the 3.72-acre Project site. For these reasons and others detailed in the record before the City, even though it is the environmentally superior alternative, the City rejects the Reduced Project Alternative as undesirable and infeasible for economic, legal, social, technological or other considerations referenced in these findings and the record of Project proceedings.

IX. Other CEQA Considerations

A. Growth-Inducing Impacts

CEQA Guidelines section 15126.2(e) mandates a discussion of the growth-inducing nature of the project evaluated in an EIR. Growth-inducing analysis is intended to address the potential for a project to "foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Growth inducement refers to facilitating planned growth or inducing unplanned growth. CEQA Guidelines Section 15126.2(e) provides that it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

Final SEIR section 5.4 addresses the potential for growth inducement due to the Project. In the City, the growth-inducing potential of a project would be considered significant if it stimulates population growth or a population concentration above what is assumed in local and regional land use plans, or in projections made by regional planning authorities, such as the Southern California Association of Governments.

Growth-inducing projects typically occur in isolated, undeveloped, or underdeveloped locations that necessitate extension of major infrastructure such as sewer and water facilities or roadways, or in locations that encourage premature or unplanned growth. The Project is a proposed redevelopment of previously developed, infill properties. Harbor Boulevard is a major commercial road and the General Plan has long contemplated development of the Project site for a hotel resort like the Project. All infrastructure necessary to serve the Project exists at or in the vicinity of the property, and the Project would not extend such facilities to other undeveloped or underdeveloped properties. The Project would not remove obstacles to growth by extending infrastructure to new areas, nor would it result in significant adverse environmental impacts due to the expansion of infrastructure, such as water supply facilities, wastewater treatment plants, roads, or freeways. The Project's utility and infrastructure improvements would not remove obstacles to growth or create additional capacity as they will only be to the property's connection points or for purposes of improvements required for the Project.

The Project requires a PUD for a portion of the Project site that was zoned residential. However, the entirety of the Project site, even the area zoned residential, has long been contemplated for a resort hotel use pursuant to the existing General Plan designation of IW. The IW contemplates a mix of uses, including resort, entertainment and hotel, appropriate for a major entertainment and tourism destination. Employment generated by the Project would likely come from within the City itself and/or surrounding region. Population or employment growth above applicable planning forecasts is not expected as the Project is consistent with the Project sites' existing General Plan designation. According to the Connect SoCal 2024 Demographics and Growth Forecast Technical Report, the City will experience an increase of 4,300 jobs between 2019 and 2035, and an additional increase of 5,500 jobs by 2050. The Project's increase of 446 employees at full buildout would represent approximately 10% of the anticipated increase in the number of jobs within the City by 2035 and approximately 5% of the anticipated increase in the number of jobs within the City by 2050.

SCAG's Connect SoCal policies are regional planning goals. They are not mandatory requirements and not every measure identified in the document is applicable to every project or property. A project is consistent with a regional plan if it does not substantially conflict with the plan's relevant policies. A project need not advance every goal contained in the plan to be found consistent, because different goals serve different purposes and many relate to specific types of activities.

The Project affirmatively advances several Connect SoCal objectives, including the following:

- Promoting infill development in a built-out urban area, reducing pressure for greenfield development
- Providing employment opportunities near existing transit and services, helping reduce regional commute distances
- Enhancing mobility options through TDM measures and proximity to high-frequency transit routes

The Project also conforms to the state-approved Housing Element as the Project site is not identified as one of the properties required for the City to meet its RHNA projections. Thus, the Project would not be growth-inducing for CEQA purposes as any growth resulting from the Project is within that already contemplated in the applicable local and regional plans. Thus, the Final SEIR satisfies CEQA's requirements with respect to the analysis and disclosure of potential growth-inducing impacts.

B. Significant Irreversible Effects

CEQA Guidelines Section 15126.2(d) requires a discussion of any significant irreversible environmental changes associated with a project. Irreversible effects include large commitment of nonrenewable resources, secondary impacts such as highway improvement that grant access to a previously inaccessible area or irreversible damage from environmental accidents associated with a project. As analyzed in Final SEIR Section 5.3, the Project would not result in significant irreversible environmental changes. The Project is an infill development on previously developed properties in an area where resort hotel development is consistent with the City General Plan designation. The Project does not require any extension of infrastructure to previously inaccessible areas or commit future generations to similar uses. The Project would contribute to or result in irreversible environmental change with respect to the development of the underutilized, presently vacant, property and use of new raw materials such as lumber, metals, and sand, some of which might be finite resources. Construction and operation of the Project would also incrementally reduce non-renewable supplies of fossil fuels and natural gas. However, the nature of the

irreversible environmental change would be relatively small on a local and regional, let alone a national or international scale such that the City finds the change would not be considered significant.

X. Other CEQA Findings

A. Supplemental Mitigation Monitoring and Reporting Program

1. General Finding

Pursuant to Section 21081.6 of the Public Resources Code, the City, in adopting these Findings, also adopts the Supplemental MMRP for the Project. The Supplemental MMRP is designed to ensure that, during project implementation, the City and other responsible parties will comply with the mitigation measures adopted in these Findings. The City hereby binds itself to cause the various mitigation measures and PDFs described in the Supplemental MMRP to be implemented in accordance with the Final SEIR and Supplemental MMRP. The measures identified in the Supplemental MMRP constitute a binding set of obligations upon the City's certification and approvals identified herein.

The City hereby finds that the Supplemental MMRP, which is incorporated into the project conditions of approval, meets the requirements of Public Resources Code Section 21081.6 by providing for the implementation and monitoring of project conditions intended to mitigate the significant environmental effects of the Project.

2. Regulatory Compliance

Federal, state, regional, and local laws contain certain regulatory compliance measures that must be adhered to in implementing the Project. The Final SEIR describes the regulatory setting within each chapter, which includes the details of regulatory compliance measures. Where regulatory compliance measures are required by law, the City has not separately proposed or adopted mitigation requiring regulatory compliance (as it would be declaratory of existing law). Nonetheless, the City finds that the Project must comply with all applicable regulatory compliance measures.

B. Certification of the Final Supplemental Environmental Impact Report, CEQA Guidelines Section 15090

The City Council certifies that the Final SEIR (SCH No. 2022060174) has been completed in compliance with CEQA and the CEQA Guidelines, that the Final SEIR was presented to the City Council, and that the City Council reviewed and considered the information contained therein and in the record of proceedings for the Project before approving the Project, and that the Final SEIR reflects the independent judgment and analysis of the City Council (CEQA Guidelines Section 15090).

XI. Statement of Overriding Considerations

Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Section 15093(a) and (b), the City is required to balance, as applicable, the economic, legal, social, technological, or other benefits, including regionwide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the Project. Only if the specific economic, legal, social, technological or other benefits of the Project, including regionwide or statewide environmental benefits, outweigh the Project's unavoidable adverse environmental effects, may the adverse environmental effects be considered "acceptable" (CEQA Guidelines Section 15093[a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the final EIR or elsewhere in the administrative record (CEQA Guidelines Section 15093[b])

Courts have upheld overriding considerations that were based on a variety of policy considerations including, but not limited to, new jobs, stronger tax base, and implementation of an agency's economic development goals, growth management policies, redevelopment plans, the need for housing and employment, conformity to locally adopted plans, and provision of construction jobs. As disclosed previously, the City's approval of the Project will result in significant and unavoidable adverse impacts with respect to GHG even with the adoption of all feasible mitigation. Under such circumstances, pursuant to Public Resources Code Section 21081(b) and Guidelines Section 15093, the City may only approve the Project if it adopts a statement of overriding considerations.

The City, (i) having independently reviewed the information in the Draft SEIR, Final SEIR and the record of proceedings; (ii) having made a reasonable and good faith effort to eliminate or substantially lessen the significant GHG impacts resulting from the Project to the extent feasible by adopting the mitigation measures identified in the Draft SEIR and Final SEIR; and (iii) having balanced the benefits of the Project against the significant environmental impacts, chooses to approve the Project, despite its significant and unavoidable environmental impacts, because, in its view, specific economic, legal, social, and other benefits of the Project outweigh the significant effects on the environment.

Each of the separate benefits of the Project, as stated herein, is determined to be, unto itself and independent of the other Project benefits, a basis for overriding all unavoidable and significant adverse environmental impacts identified in these Findings.

- **Consistency with the General Plan:** The proposed Project, which is located within the Grove District Anaheim Resort area, would help maintain consistency with and carry out the goals, objectives, and policies of the City General Plan by providing a 500-room hotel resort with substantial on-site amenities such as a lazy river and theater, retail, restaurants and meeting space to implement General Plan Policies such as LU-1.4., LU-9.1, ED-1, ED-1.1, and implementation measures such as LU-IMP-9A. By maintaining consistency with and implementing the goals, objectives, and policies of the City's General Plan, the proposed Project will provide opportunities for the development of tourism-related businesses, promote the enhancement of the Harbor Boulevard corridor, and add to the concentration of hotel and resort uses along Harbor Boulevard, south of Chapman Street, further bolstering the City's attractiveness as a tourist destination.

- **Consistency with the International West Mixed Use (IW) General Plan Designation:** The proposed Project would develop a hotel resort facility on a previously developed, but currently vacant property within the International West Mixed Use (IW) General Plan designated area. More commonly referred to as International West, the IW General Plan land use designation is intended to function as the City's resort area and was established to provide resort, entertainment, retail, and hotel uses appropriate for a major entertainment and tourism destination. The proposed Project provides the IW General Plan designated area with the exact type of development it was intended to foster. The proposed Project would be consistent with the IW General Plan designation.
- **Preserves Housing:** The proposed Project preserves properties designated in the adopted Housing Element to meet the City's RHNA for residential use by locating the Project's hotel and tourist-oriented development on a property identified by the IW General Plan designation. As previously mentioned, the IW General Plan designation is specifically intended to provide for a mix of uses, including resort, entertainment, retail, and hotel opportunities appropriate for a major entertainment and tourism destination. The proposed Project's location within the IW General Plan designation will provide the area with new hospitality, entertainment, resort and retail opportunities while preserving properties designated for residential use that exist elsewhere in the City. While the Project site allows for housing, it is not identified in the Housing Element Sites Inventory. As such, by building the hotel, it is not reducing or removing properties that have previously been identified for future housing growth in the Housing Element. The sites that have been identified are sufficient to meet the City's RHNA. The project would not minimize the City's ability to meet its RHNA.
- **Substantial Increase in Public Revenue and Economic Activity for the City and Surrounding Region:** In 2022, Tierra West Advisors, Inc. was retained by the City to prepare an Economic Development Report & Analysis (hereafter the "Economic Report") that analyzed the economic impact of the proposed Project on the City and the broader region using financial information available at the time (City of Garden Grove Economic Development Report & Analysis, August 28, 2022). This Economic Report has since been updated to provide refreshed and adjusted financial projections based on current financial information, assumptions and market conditions (hereafter the "Updated Economic Report") (City of Garden Grove Updated Economic Development Report & Analysis, April 2026). These combined analyses show that the construction and operation of the proposed Project will result in a substantial increase in public revenue and economic activity for the City and the surrounding region. Over the course of thirty (30) years, the proposed Project is estimated to generate approximately $416.2 million in combined tax revenue to the City, of which approximately $323.2 million will be net revenue retained by the City over the course of that time (Updated Economic Report, p. 11). The $323.2 million in net public revenue to the City will come in the form of new net transient occupancy tax revenue (projected at $243.2 million in total), sales tax revenue (projected at $68.6 million in total), and Project property tax revenue (projected at $11.5 million annually starting in 2028 and steadily increasing through Project completion) resulting from the proposed Project. (Updated Economic Report, p. 11). Importantly, this projected public revenue is not currently being generated by the vacant site as it exists today and will only materialize after the completion of the proposed Project (Economic Report, p. 7). Moreover, the economic output of the proposed Project for the City is significant. The Project is anticipated to generate approximately $4.575 billion in direct, indirect, and induced economic output within the City over the course of the 30-year Development Agreement (Updated Economic Report, p. 8). Additionally, the City estimates that the total estimated direct economic output of the Project will exceed $2.125 billion as a result of expenditures at the Project site and other spin-off sales within the City limits over the 30 years (Updated Economic Report, pp. 8–9). The Project's proximity to other major tourist attractions in the City and surrounding area including Disneyland and the Anaheim Convention Center will also provide the region with increased economic activity and tax revenue. The combined

economic impact of these recurring revenue sources will provide a stable, long-term funding source to support essential municipal services including public safety, parks and recreation, public works, and community development programs that benefit all City residents.

- **Reduce Vehicle Miles Traveled:** The proposed Project's location near public transit hubs along Harbor Boulevard implements state and local goals for reductions in vehicle miles traveled. The Project's close proximity to other major tourist attractions in the City and surrounding area including Disneyland and the Anaheim Convention Center will provide opportunities for employees and guests to use public transit or active non-motorized transportation, such as walking and bicycling, to get to and from their destinations, thereby reducing reliance on personal automobiles.
- **Promote Sustainability:** The proposed Project would promote sustainability by encouraging growth in a manner that encourages green buildings and complies with federal, state, and local environmental rules and regulations. The Project will promote the City's sustainability goals, including General Plan goals CON-4 and CON-5, by incorporating project design features or mitigation measures including on-site solar energy facilities projected to generate approximately 267,000 kilowatt hours (kWh) per year, cool roofs and decks, electrical vehicle charging infrastructure and enhanced water conservation measures.
- **Provides Employment Opportunities to the Local Community:** The proposed Project is expected to provide for a substantial increase in temporary construction and longer-term full-time operational jobs for the City. The proposed Project is expected to provide employment opportunities for a highly skilled workforce, especially opportunities within the trades and construction industries during the construction phase of the Project, with the projected creation of a number of temporary construction jobs, including vendors and haul truckers (Updated Economic Report, p. 9). In addition, the proposed Project is projected to create 380 full-time equivalent operational jobs including management, front desk and concierge, and housekeeping staff (Updated Economic Report, p. 9). Moreover, the proposed Project is expected to ignite other employment opportunities within the City and broader region, leading to a multiplier effect that is anticipated to create an additional 1,790 jobs in the local community and region consistent with SCAG and regional growth projections (Updated Economic Report, p. 11).

A. Conclusion

The City of Garden Grove has balanced the Project's benefits against the Project's significant unavoidable impacts. The City Council finds that the proposed Project's benefits outweigh the Project's significant unavoidable impacts, and that these impacts, therefore, are considered acceptable in light of the Project's benefits. The City Council finds that each of the benefits described above is an overriding consideration, independent of the other benefits, which warrants approval of the Project notwithstanding the Project's significant unavoidable impacts.

Attachment A

Supplemental Mitigation Monitoring and Reporting Program

Supplemental Mitigation Monitoring and Reporting Program

1 Introduction

California Public Resources Code (PRC) Section 21081.6 requires that, upon certification of an environmental impact report (EIR), "the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation" (PRC Sections 21000–21177).

This Supplemental Mitigation Monitoring and Reporting Program (MMRP) was developed in compliance with PRC Section 21081.6 and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000–15387), and includes the following information:

- A list of mitigation measures
- The timing for implementation of the mitigation measures
- The party responsible for implementing or monitoring the mitigation measures
- The date of completion of monitoring

The City of Garden Grove must adopt this Supplemental MMRP, or an equally effective program, if it approves the proposed Site B-2 Hotel Project (Project) with the mitigation measures that were adopted or made conditions of Project approval.

2 Supplemental MMRP Table

Table 1 presents the Supplemental MMRP, including the mitigation measures, timing for their implementation, the party or parties responsible for implementing or monitoring the mitigation measures, and date of completion. Each mitigation measure includes the corresponding California Air Pollution Control Officers' Association (CAPCOA) measure in italics immediately following the mitigation text to indicate alignment with recognized VMT and GHG best practices. Project design features (PDFs) that are incorporated into the Project relative to the analysis in the Draft Supplemental EIR are also provided in the table.

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Greenhouse Gas Emissions				
Mitigation Measures				
MM-GHG-1: Construction Equipment Electrification. Prior to issuance of building permits, the Project Applicant's or designee's contractor shall submit a Construction Equipment Emissions Minimization Plan for City of Garden Grove (City) approval that: (1) Identifies all off-road equipment anticipated by phase. (2) Requires generators, cranes, electric scissor/boom lifts, forklifts/telehandlers (where feasible), welders (where feasible), and electric/solar light towers when commercially available. (3) Requires grid power for temporary construction. (4) Where electric equipment is not available for a listed task, documents non-availability (size/class, delivery lead time, site constraints) and requires the cleanest feasible alternative (Tier 4 Final/zero-emission alternatives as available). In addition, the Project shall limit air compressors used during the architectural coating/painting phase to equipment that is electric-powered Compliance shall be demonstrated through equipment lists, rental records, and weekly logs and shall be summarized in a post-construction compliance memo for the Supplemental Mitigation Monitoring and Reporting Program (Supplemental MMRP) file. *(CAPCOA Measure C-1-A)*	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-2: Construction Office Energy Efficiency. Prior to issuance of building permits, the Applicant or designee shall submit documentation to the City of Garden Grove that temporary construction field office(s) are equipped with energy efficient lighting such as compact fluorescent or LEDs and that heating and cooling units are Energy Star certified.	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-3: Construction Debris Recycling. Prior to the start of construction, the Project's contractor shall develop a Construction Waste Management Plan (Plan) for submittal and approval to the City of Garden Grove. The Plan shall recycle or salvage non-hazardous construction debris including but not limited to wood, metal, concrete, asphalt, and other reusable materials generated during construction activities. The contractor shall implement the	Prior to the start of construction	City of Garden Grove		

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Plan to achieve a minimum diversion target of 75% of non-hazardous construction and demolition debris from landfills, exceeding the City's current 65% diversion requirement. *(CAPCOA Measure S-4)*				
MM-GHG-4: Electric Vehicle Charging Infrastructure. Prior to issuance of building permits, the Project Applicant or designee shall submit a site plan to the City of Garden Grove for approval noting the location of electric vehicle infrastructure and charging stations. Prior to issuance of the final certificate of occupancy, the Project Applicant or designee shall provide electric vehicle (EV) charging infrastructure within the Project site as required by the applicable California Green Building Standards Code, but that, at a minimum, meets or exceeds 2022 California Green Building Standards Code Tier 2 standards. Tier 2 requires approximately 225 parking spaces to be EV capable, and 75 spaces to be equipped with EV Supply Equipment (EVSE). The Project shall install a minimum of 225 EV capable spaces and 100 EVSE spaces. *(CAPCOA Measure T-14)*	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-5: Guest Vehicle Trip Reductions. Prior to issuance of building permits, the Project Applicant shall submit a site plan to the City of Garden Grove for approval identifying where pedestrian and bicycle connections to adjacent facilities will be provided and where bicycle parking spaces will be provided. The City shall verify the inclusion of pedestrian and bicycle infrastructure prior to the issuance of the final certificate of occupancy. The Project Applicant or designee shall ensure that, at a minimum, the following trip reduction measures are implemented during Project operations to reduce the number of auto-based trips generated by the Project and to encourage the use of transit, bicycling, and walking. ▪ Improve the walkability and design of the Project by providing pedestrian and bicycling connections within the Project site and to adjacent off-site facilities (i.e., sidewalks, crosswalks, wayfinding signage, etc.). ▪ Provide secure on-site bicycle racks to accommodate a minimum of 38 bicycle parking spaces and provide bicycle rentals for hotel guests.	Prior to the issuance of a building permits	City of Garden Grove		

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
▪ Alternative transportation services such bike rentals and transit information shall be seamlessly integrated into the guest experience, making alternative modes of travel easy to understand, access, and use. ▪ Hotel management/concierge should provide information that promotes walking, bicycling and public transit options to nearby attractions. This should include real-time transit information provided through dedicated monitors, interactive electronic displays, websites, or mobile applications identifying local bus routes and schedules, as well as wayfinding to the existing transit stops within the Project vicinity. ▪ Provide a dedicated shuttle service linking the hotel to nearby shopping and entertainment destinations, prioritizing battery-electric vehicles where route length and charging logistics allow; the program may be operated under a vendor contract with scheduled runs during peak guest activity and on-demand service for special events. ▪ Hotel management will make available transit passes for purchase and provide clear wayfinding to public transit and shuttle services. ▪ Qualitative assessments (e.g., user satisfaction surveys, walk audits, guest feedback) shall be regularly conducted to evaluate the effectiveness of trip reduction strategies. ▪ An annual report summarizing how transportation options are being used, guest perceptions, and planned improvements shall be submitted to the City. *(CAPCOA Measures T-34, T-38, T-43, and T-44)*				
MM-GHG-6: Limit Large Diesel Trucks During Operation. Prior to issuance of certificate of occupancy, the Project Applicant or designee shall submit a Truck Delivery Management Plan to the City of Garden Grove that documents how truck deliveries will be restricted and monitored. The Project Applicant or designee shall implement a monitoring program to restrict the number of large diesel trucks coming to the site (i.e. for deliveries, trash collection, or other services) to an average of 10 trucks per day or less. This restriction is specifically applicable to trucks classified as medium-heavy duty and heavy-heavy duty with gross vehicle weight (GVW)	Prior to the issuance of a certificate of occupancy	City of Garden Grove		

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
greater than 19,500 pounds. Annual reports summarizing heavy-duty truck trips shall be provided to the City of Garden Grove. *(CAPCOA Measure C-2)*				
MM-GHG-7: Building Energy Efficiency Measures. Prior to issuance of building permits, the Project Applicant or designee shall submit documentation of building energy efficiency measures to the City of Garden Grove, such that a minimum of 15% above 2022 Title 24 Building Envelope Energy Efficiency Standards is achieved. Energy efficiency measures shall include, at a minimum, the following: 1. LED Lighting – High-lumen LED light fixtures shall be used exclusively for the lighting of spaces throughout the Project that require 8 to 10 watts per fixture 2. Energy efficient lighting shall be incorporated into all on-site lighting and energy efficient appliances shall be incorporated into Project operations. 3. HVAC Optimization – The HVAC system shall include the following: a. Electric heat pumps will be used for space heating and domestic hot water, with all systems integrated and monitored by the Project Building Management System for performance optimization, fault detection, and energy tracking. b. Smart thermostats, which include a motion sensor detector and door/window open sensors, will be installed in each guest room. c. The central plant will utilize a Combination Plant with SmartPlate EV 4. Glazing – All glazing for the tower and exterior public spaces shall be installed with Low-E glass [U-factor (thermal transmittance) ≤ 0.28 and Solar Heat Gain Coefficient (SHGC) ≤ 0.23. 5. Energy Management System – The Project shall use advanced systems to monitor and optimize energy use in real time. 6. Benchmarking and Monitoring – The Project shall incorporate an Energy Star Portfolio Management system to track and manage energy consumption 7. Third-Party Verification/LEED Certification – The Project shall obtain third-party HVAC commissioning verification or LEED certification of Gold to Platinum to verify energy savings.	Prior to the issuance of building permits	City of Garden Grove		

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
8. Battery Energy Storage –The Project would include an on-site battery energy storage system occupying approximately 500 to 1,000 square feet, consisting of modular lithium-ion battery cabinets and associated electrical equipment. The system would be used for peak load management and grid resiliency consistent with California Fire Code and Title 24 requirements. *(CAPCOA Measure E-1 is quantified) (CAPCOA Measures E-7, E-9, E-22, E-24, and E25 are qualitative)*				
MM-GHG-8: Cool Roof/Deck. Prior to issuance of building permits, the Project Applicant or designee shall submit plans to the City for approval that require cool roof and cool deck surfaces to be included as part of the Project for the podium and tower, consistent with the specifications provided below. ▪ Cool Roof Installation: All roofing materials shall meet or exceed the California Title 24, Part 6 requirements for cool roofs, based on roof slope: ▪ Low-sloped roofs (≤ 2:12 pitch): - Aged Solar Reflectance (SR) ≥ 0.63 - Thermal Emittance (TE) ≥ 0.75 - Or Solar Reflectance Index (SRI) ≥ 75 ▪ Steep-sloped roofs (> 2:12 pitch): - Aged SR ≥ 0.20 - TE ≥ 0.75 - Or SRI ≥ 16 ▪ Cool Deck Surfaces: All exterior hardscape surfaces exposed to sunlight (e.g., pool decks, patios, walkways) shall use high-albedo materials or cool surface coatings with: - Minimum SR of 0.29 or higher - Or materials with a demonstrated surface temperature reduction of at least 10°F compared to conventional concrete or asphalt	Prior to the issuance of building permits	City of Garden Grove		

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
To meet the above standards, the Project Applicant may implement one or more of the following: ▪ Use Energy Star®-rated roofing products or materials listed in the Cool Roof Rating Council (CRRC) directory. ▪ Apply reflective coatings or single-ply membranes with compliant SR and TE values. ▪ Install light-colored or permeable pavers, cool concrete, or coated surfaces for decks and walkways, such as permeable interlocking concrete pavers, porous asphalt, permeable concrete, geocell systems, or bio-asphalt. ▪ Incorporate green roofs or vegetated shading structures as alternative compliance pathways (subject to City approval). Monitoring and Reporting shall include: ▪ Submittal of roofing and hardscaping material specifications to the City of Garden Grove Building Division prior to issuance of building permits. ▪ City inspectors shall verify installation during final inspection and prior to issuance of the final certificate of occupancy. *(CAPCOA Measure E-21)*				
MM-GHG-9: Renewable Energy. The Project Applicant or designee shall install a solar photovoltaic system capable of generating a minimum of 267,000 kilowatt hours (kWh) per year prior to issuance of certificate of occupancy. *(CAPCOA Measure E-10-B)*	Prior to the issuance of a certificate of occupancy	City of Garden Grove		
MM-GHG-10: Water Conservation. Prior to receiving the final certificate of occupancy, the Project Applicant or designee shall submit a Water Conservation Compliance Report to the City of Garden Grove for review and approval. The Project shall achieve a minimum 10% reduction in total water use compared to the baseline of 167 gallons per room per day as identified in the Water Supply Assessment (Psomas 2022). This equates to a target of no more than 150.3 GPCD at full occupancy. The Water Conservation Compliance Report shall include product specifications for all water-saving fixtures and systems, landscape and irrigation plans, greywater system design and capacity documentation, post-occupancy water use monitoring	Prior to receiving the final certificate of occupancy	City of Garden Grove		

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
plan for the first 12 months after occupancy. To meet or exceed the performance standard, the Project may implement a combination of the following water conservation strategies: ▪ Low-Flow Water Fixtures for guest rooms and public area ▪ Smart Irrigation System – outdoor landscaping shall include weather-based irrigation controllers and drought-resistant landscaping to minimize outdoor water use ▪ Greywater Recycling *(CAPCOA Measures W-2, W-5, and W-7)*				
MM-GHG-11: Waste Reduction. Prior to issuance of the final certificate of occupancy, the Project Applicant or designee shall submit a Waste Management, Recycling, and Composting Plan to the City of Garden Grove for review and approval. The program shall be implemented on-site at the Project location and apply to all operational areas, including guest services, food and beverage operations, maintenance, and administrative functions. The waste reduction program shall be fully implemented during Project operations. The Plan shall specify a minimum diversion of 25% of municipal solid waste, including organics, generated on site from landfill disposal. The Waste Management, Recycling, and Composting Plan may include but not be limited to the following: ▪ Recycling Program - Provide labeled bins for recyclables and certified hauler contracts. - Promote recycled paper and other products like soap. ▪ Organics and Composting Program - Collect food scraps and compostables. ▪ Source Reduction Measures - Reduce single-use items and paper use. - Ban disposable (i.e., designed to be used once and discarded) foodware items and accessories. - Allow customers to bring their own reusable items. - Require hand soap in refillable containers. - Do not provide water in plastic bottles or disposable single-use cups.	Prior to issuance of the final certificate of occupancy	City of Garden Grove		

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
- Do not use expanded polystyrene (i.e., Styrofoam). - Require reusable napkins and tablecloths with recyclable disposable napkins only for takeout. - Provide hand dryers in areas accessible to customers. - Require reusable laundry bags. - Require reusable dishware for room service. - Offer toiletries on request rather than automatically. - Provide key cards made of non-plastic materials, including traditional metal keys or wood, bamboo, and paper options for chip-based cards. - Incentivize returning keys to discourage waste. - Provide non-plastic shower caps, razors, shaving cream, slippers, eye masks, and ear plugs. - Remove minifridge items that use plastic. - Eliminate the use of garbage bags if possible, or use garbage bags made of compostable material. - Serve employee meals with reusable dishware and cutlery and provide reusable water bottles for all employees with accessible water bottle refill stations. - Replace paper towels with reusable dish rags. ▪ Employee and Guest Education - Provide staff training and signage for guests. ▪ Monitoring and Reporting - Track waste and submit Annual Waste Diversion Report to the City of Garden Grove. In addition, if the hotel/operations qualify as a covered edible food generator, the Project will contract with a food recovery organization/service and keep required records. If not covered, the Project will evaluate a partnership during operator onboarding and implement if feasible. *(CAPCOA Measure S-1/S-2) (CAPCOA Measure S-3 is a qualitative measure in CalEEMod and is not quantified in the operational analysis)*				

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
MM-GHG-12: Zero Emission Landscape Equipment. During Project operations, the Project Applicant or designee shall ensure zero-emission landscape equipment (defined as equipment that does not emit tailpipe emissions during operation) is utilized. The Project Applicant or designee shall be responsible for ensuring that all landscape maintenance contractors and staff comply with this measure. All landscape maintenance activities associated with the Project shall utilize zero-emission landscaping equipment, such as electric-powered or battery-operated tools. This requirement applies to all landscaped areas within the Project site, including but not limited to courtyards, green spaces, perimeter landscaping, and rooftop gardens. The requirement shall be implemented prior to the commencement of landscape maintenance operations. To meet or exceed the performance standard, the Project may implement a combination of the following strategies: **Electric-Powered Equipment** ▪ Use electric or battery-powered: - Leaf blowers. - Lawn mowers. - Hedge trimmers. - Edgers. - Chainsaws. **Contractor Requirements** ▪ Include zero-emission equipment requirements in all landscape maintenance contracts. ▪ Require contractors to provide documentation of equipment type and compliance. **On-Site Charging Infrastructure** ▪ Install dedicated charging stations or outlets for landscape equipment. **Equipment Inventory and Tracking** ▪ Maintain an inventory of all landscape equipment used on site. ▪ Submit an annual compliance report to the City of Garden Grove verifying that only zero-emission equipment is in use.	During operations	City of Garden Grove		

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Training and Education ▪ Provide training to landscape maintenance staff on the proper use and maintenance of electric equipment. ▪ Display signage or include information in sustainability reports to promote awareness. *(CAPCOA Measure LL-1)*				
MM-GHG-13: Prohibit Woodburning Devices, Natural Gas Fireplaces, and Fire Pits. Prior to the issuance of building permits, the Project Applicant or designee shall submit building design plans for approval of the City showing the prohibition of on-site woodburning devices, natural gas fireplaces, fire pits, or other decorative combustion features throughout the Project site. Prior to the issuance of the final certificate of occupancy, the City shall confirm that this prohibition has been implemented.	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-14: Refrigerant Management Program. Prior to issuance of mechanical permits, the Project Applicant or designee shall develop and submit a Refrigerant Management Program to the City of Garden for review and approval. The Project Applicant or designee shall be responsible for developing, implementing, and maintaining the refrigerant management program in coordination with HVAC contractors and facility operations staff. The Refrigerant Management Program shall include the use of low-GWP refrigerants (e.g., R-32 or better) and incorporate best management practices to reduce emissions from service, operation, and disposal of refrigerants. This measure shall apply to all refrigeration and HVAC systems installed and operated within the Project site, including guest rooms, common areas, kitchens, and mechanical rooms. The Project shall ensure that: ▪ 100% of installed HVAC and refrigeration systems use refrigerants with a GWP ≤ 750, consistent with California Air Resources Board (CARB) regulations. ▪ The refrigerant management program shall achieve a minimum 10% reduction in potential refrigerant emissions compared to standard industry practices, as demonstrated through leak rate tracking and maintenance logs.	Prior to the issuance of mechanical permits	City of Garden Grove		

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
To meet or exceed the performance standard, the Project may implement a combination of the following strategies: **Mechanical Equipment** ▪ Install microchannel heat exchangers in A/C equipment in place of conventional heat exchangers. **Use of Low-GWP Refrigerants** ▪ Select refrigerants such as R-32, R-454B, or other CARB-compliant alternatives with GWP ≤ 750. ▪ Avoid high-GWP refrigerants such as R-410A and R-404A. **Leak Detection and Prevention** ▪ Install automatic leak detection systems for large-capacity systems. ▪ Conduct quarterly inspections and maintain leak logs. **Refrigerant Recovery and Disposal** ▪ Use certified technicians for refrigerant recovery and disposal. ▪ Maintain documentation of recovered and recycled refrigerants. **Preventive Maintenance Program** ▪ Implement a scheduled maintenance plan to inspect and service HVAC and refrigeration systems. ▪ Include refrigerant charge optimization and system performance checks. **Training and Certification** ▪ Ensure all HVAC technicians are EPA Section 608 certified. ▪ Provide training on low-GWP refrigerant handling and leak prevention. **Third-Party Verification** ▪ Obtain third-party verification of refrigerant management practices through programs such as GreenChill or LEED Enhanced Refrigerant Management credit. Prior to issuance of certificate of occupancy, the City of Garden Grove will verify that the equipment specified in the Refrigerant Management Program has been installed. Ongoing compliance shall be performed by the Project Applicant or their designee. *(CAPCOA Measures R-1, R-4, R-5, R-6, and R-7)*				

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
MM-GHG-15: Carbon Offsets – The Project Applicant (or its designee) shall implement the following carbon offsets in accordance with the Project's construction and operational phases as outlined below. *Timeline for Acquisition of Carbon Offset Credits* **Construction** Prior to issuance of grading permits, the Project Applicant (or its designee) shall purchase and retire carbon offsets in a quantity sufficient to offset all construction GHG emissions in a lump sum with the quantification, performance standards, and requirements set forth below. Alternatively, construction offsets may be purchased on an annual basis by purchasing the first phase of construction offsets prior to start of grading and then purchasing offsets for each following year by December 31 of the year preceding the new year in which construction will occur. Annual construction GHG emission offsets shall also be subject to the same quantification, performance standards, and requirements set forth below. **Operation** Prior to issuance of the final certificate of occupancy, the Project Applicant or its designee shall purchase and retire carbon offsets in a quantity sufficient to offset, for a 30-year period following occupancy of the Project, the construction and operational GHG emissions from the Project to the 1,400 MT CO_2e per year threshold, consistent with the quantification, performance standards and requirements set forth below. Alternatively, the Project Applicant or its designee may purchase and retire annual operational GHG offsets for a period of 30 years by December 31 of the year preceding each new year after the issuance of the final certificate of occupancy. Annual operational GHG emission offsets shall also be subject to the same quantification, performance standards, and requirements set forth below. *Quantification of GHG Emissions and Reductions Required* **Construction**				

Table 1. Supplemental Mitigation Monitoring and Reporting Program

<table>
<tr><th>Mitigation Measures/Project Design Features</th><th>Implementation Timing</th><th>Agency Responsible for Monitoring</th><th>Initials</th><th>Date of Completion</th></tr>
<tr><td>
The estimated total construction GHG emissions to be offset are 3,362.30 MT CO_2e if purchased in a lump sum. If purchased on an annual basis, the following schedule provides the estimated annual emissions and date of compliance.
<table>
<tr><th>Year</th><th>Offsets Required (MT CO_2e)</th><th>Purchase and Retirement Deadline</th></tr>
<tr><td>1</td><td>402.52</td><td>Prior to issuance of grading permits</td></tr>
<tr><td>2</td><td>1,434.02</td><td>December 31 of Year 1</td></tr>
<tr><td>3</td><td>1,410.81</td><td>December 31 of Year 2</td></tr>
<tr><td>4</td><td>114.95</td><td>December 31 of Year 3</td></tr>
<tr><td>Total</td><td>3,362.30</td><td></td></tr>
</table>
Notes: MT CO_2e = metric tons of carbon dioxide equivalent; N/A = not applicable.

Operation

The estimated operational emissions are 7,408.02 MT CO_2e. To mitigate operational emissions below the 1,400 MT CO_2e per year threshold, the Project would purchase and retire one lump sum of 180,270.60 MT CO_2e of offsets (7,408.02 MT CO_2e − 6,009.02 [offsets] = 1,399 MT CO_2e remaining); 6,009.02 MT CO_2e × 30-year life = 180,270.60 MT CO_2e; or that same total amount of credits in increments over the 30 years. The following schedule provides the estimated offset emissions and dates of compliance under the scenarios where credits are purchased and retired in a lump sum or on an annual basis.
<table>
<tr><th>Scenario</th><th>Offsets Required (MT CO_2e)</th><th>Purchase and Retirement Deadline</th></tr>
<tr><td>Lump sum</td><td>180,270.60</td><td>Prior to issuance of certificate of occupancy</td></tr>
</table>
</td><td></td><td></td><td></td><td></td></tr>
</table>

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features			Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Annual basis 30-year term	6,009.02	Prior to issuance of certificate of occupancy for Year 1 and December 31 of preceding year				

Notes: MT CO_2e = metric tons of carbon dioxide equivalent; N/A = not applicable.

If the Project Applicant or its designee selects the scenario where the credits are purchased on something other than in one lump sum initially, they can purchase and retire the remaining offsets required in a lump sum in accordance with the remaining term and conditions outlined herein.

Carbon Offset Standards – Eligible Registries, Acceptable Protocols, Defined Terms, and Geographic Priorities

"Carbon offset" shall mean an instrument, credit or other certification verifying the reduction of GHG emissions issued by the following CARB-accredited registries: Climate Action Reserve, the American Carbon Registry, or Verra (formerly, the Verified Carbon Standard); as well as credits issued for projects listed on the California Carbon Sequestration and Climate Resiliency Project Registry, which is maintained by the California Natural Resources Agency and may provide additional offsets. This shall include, but is not limited to, an instrument, credit or other certification issued by these registries for GHG reduction activities. The Project shall neither purchase offsets from the Clean Development Mechanism registry nor purchase offsets generated under Clean Development Mechanism protocols.

To be eligible under this mitigation measure, carbon offsets must satisfy the "Reporting and Enforcement Standards" below and demonstrate that each registry shall continue its existing practice of requiring the following for the development and approval of protocols or methodologies:

1. Adherence to established GHG accounting principles set forth in the International Organization for Standardization (ISO) 14064, Part 2 or the World Resources Institute/World Business Council for Sustainable Development (WRI/WBCSD) Greenhouse Gas Protocol for Project Accounting; and

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
2. Oversight of the implementation of protocols and methodologies that define the eligibility of carbon offset projects and set forth standards for the estimation, monitoring and verification of GHG reductions achieved from such projects. The protocols and methodologies shall: a. Be developed by the registries through a transparent public and expert stakeholder review process that affords an opportunity for comment and is informed by science; b. Incorporate standardized offset crediting parameters that define whether and how much emissions reduction credit a carbon offset project should receive, having identified conservative project baselines and the length of the crediting period and considered potential leakage and quantification uncertainties; c. Establish data collection and monitoring procedures, mechanisms to ensure permanency in reductions, and additionality and geographic boundary provisions; and d. Adhere to the principles set forth in the program manuals of each of the aforementioned registries, as such manuals are updated from time to time. The current registry documentation includes the Climate Action Reserve's *Reserve Offset Program Manual*[1] (April 2024) and *Climate Forward Program Manual*[2] (December 2021); the American Carbon Registry's *The ACR Standard, Requirements and Specifications for the Quantification, Monitoring, Reporting, Verification, and Registration of Project-Based GHG Emissions Reductions and Removals*[3] (July 2023); and Verra's VCS Standard, *Program Guide*[4] (August 2023), and *Methodology Requirements*[5] (October 2023). The City has reviewed the registries' methodologies and has determined that protocols established pursuant to such methodologies – including				

1 https://climateactionreserve.org/wp-content/uploads/2024/04/Reserve-Program-Manual-v9.2.pdf
2 https://climateforward.org/wp-content/uploads/2021/12/Climate-Forward-Program-Manual-December-2021_12-FINAL.pdf
3 https://acrcarbon.org/wp-content/uploads/2023/10/ACR-Standard-v8.0.pdf
4 https://verra.org/documents/vcs-program-guide-v4-4/
5 https://verra.org/documents/vcs-methodology-requirements-v4-4/

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
updates to those protocols and methodologies as may occur from time to time by the registries in accordance with the registry documentation listed in the prior paragraph to ensure the continuing efficacy of the reduction activities – are eligible for use under this mitigation measure. The carbon offsets purchased to satisfy this measure must represent the reduction or sequestration of one MT CO_2e that is "not otherwise required" (CEQA Guidelines Section 15126.4[c][3]). The carbon offsets must achieve the standard of additional, real, permanent, quantifiable, verifiable, and enforceable reductions, which are defined for purposes of this mitigation measure as follows consistent with the applicable provisions in the California Code of Regulations, Title 17: 1. "Additional" means that the carbon offset is not otherwise required by law or regulation, and not any other GHG emissions reduction that otherwise would occur. 2. "Real" means that the GHG reduction underlying the carbon offset results from a demonstrable action or set of actions, and is quantified under the protocol or methodology using appropriate, accurate, and conservative methodologies that account for all GHG emissions sources and sinks within the boundary of the applicable carbon offset project, uncertainty, and the potential for activity-shifting leakage and market-shifting leakage. 3. "Verifiable" means that the GHG reduction underlying the carbon offset is well documented, transparent, and set forth in a document prepared by an independent verification body that is accredited through the American National Standards Institute (ANSI). 4. "Permanent" means that the GHG reduction underlying the carbon offset is not reversible; or, when GHG reduction may be reversible, that a mechanism is in place to replace any reversed GHG emission reduction. 5. "Quantifiable" means the ability to accurately measure and calculate the GHG reduction relative to a project baseline in a reliable and replicable manner for all GHG emission sources and sinks included within the boundary of the carbon offset project, while accounting for uncertainty and leakage.				

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
6. "Enforceable" means that the implementation of the GHG reduction activity must represent the legally binding commitment of the offset project developer to undertake and carry it out. The City has reviewed and determined that methodologies and protocols established by American Climate Registry, Climate Action Reserve, and Verra establish and require carbon offset projects to comply with standards designed to achieve additional, real, permanent, quantifiable, verifiable, and enforceable reductions. Additionally, the "Reporting and Enforcement Standards" below shall ensure that the requirements of this mitigation measure will be enforced, as the City has authority to hold the Applicant accountable and to take appropriate corrective action if it determines that any carbon offsets do not comply with the requirements herein. Carbon offsets secured from the CARB-accredited registries shall be prioritized in accordance with the following criteria: (1) offsets within the City; (2) offsets within the County, only if in-City offsets are unavailable; (3) offsets within the State of California, only if in-county offsets are unavailable; (3) offsets within the United States, only if in-state offsets are unavailable.[6] The above definitions are provided as criteria and performance standards associated with the use of carbon offsets. Such criteria and performance standards are intended only to further construe the standards under CEQA for mitigation related to GHG emissions (see, e.g., State CEQA Guidelines Section 15126.4[a], [c]), and are not intended to apply or incorporate the requirements of any other statutory or regulatory scheme not applicable to the Project (e.g., the Cap-and-Trade Program). ***Monitoring, Reporting, and Enforcement Standards***				

[6] For purposes of this provision, offset credits will be deemed "unavailable" if they are either unobtainable generally from the CARB accredited registries, or if on a per-unit basis if such a credit is otherwise available: (a) for offset credits within the City of Garden Grove, more than 2 times as costly as offset credits within the County of Orange, but not within the City of Garden Grove; (b) for offset credits within the County of Orange, more than 5 times as costly as offset credits within California, but not within the County of Orange; or (c) for offset credits within the United States, sufficient offset credits within California are not available for purchase at any cost.

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Prior to the timeline identified in the initial section of this mitigation measure, the Project Applicant or its designee shall submit documentation in the form of a report to the City that identifies the quantity of emission reductions required by this mitigation measure, as well as the carbon offset proposed for acquisition to achieve compliance with this measure. For purposes of demonstrating that each offset is additional, real, permanent, quantifiable, verifiable and enforceable, the reports shall include: (i) the applicable protocol(s) and methodologies associated with the carbon offsets, (ii) the third-party verification report(s) and statement(s) affiliated with the carbon offset projects, (iii) the unique serial numbers assigned by the registry(ies) to the carbon offset, which serves as evidence that the registry has determined the carbon offset project to have been implemented in accordance with the applicable protocol or methodology and ensures that the offsets cannot be further used in any manner, and (iv) the carbon offset meets the locational attributes as specified by this mitigation measure and verified through a market survey report prepared by a carbon offset broker that identifies the carbon registry listings reviewed for carbon offset availability, including the related date of inquiry. The Project Applicant (or its designee) shall select and retain at least one independent, third-party expert on GHG mitigation and offsets to review the documentation provided by the Applicant (or its designee) relating to, among other data, construction- and operation-related emissions, and provide a report with analysis and recommendations to the City (with supporting materials), on whether the Project has complied with the off-site GHG emissions reduction measures set forth in this mitigation measure. The Project Applicant's (or its designee's) selection of each expert, who shall not be a current or former employee or agent of the Project Applicant (or its designee), shall be subject to the approval of the City Attorney, which shall not be unreasonably withheld. The Project Applicant (or its designee) shall retain the expert(s) for all offset credit submissions made to the City until all offsets required this mitigation measure are acquired and accepted by the City.				

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
If the City determines that the Project's carbon offsets at issue in the Project Applicant's (or their designee's) submission meet the requirements of this mitigation measure, the offsets required to be acquired by the Project will be proportionally reduced. Upon an affirmative finding from the City that the Project's carbon offsets are eligible for use under this measure, and within the applicable timeframe required by the first section of this mitigation measure, the Project Applicant (or their designee) shall provide to the City copies of the relevant portions of the GHG offset contracts demonstrating the applicable carbon offsets have been acquired. This will serve as the final documentation required to demonstrate compliance with this mitigation measure. If the City determines that the Project's carbon offsets do not meet the requirements of this mitigation measure, the City shall provide a detailed explanation of the basis for the City's determination. Carbon offsets not approved by the City as meeting the requirements of this mitigation measure cannot be used to reduce Project GHG emissions and the Applicant will be required to submit qualifying carbon offsets accepted by the City prior to the applicable timeframe specified in the first section of this mitigation measure. *(CAPCOA Measure M-2)*				
Project Design Features				
PDF-4: Construction equipment should be maintained in proper tune.	During construction	City of Garden Grove		
PDF-5: All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as 5 minutes or longer.	During construction	City of Garden Grove		
PDF-8: For construction activities other than those addressed by MM-GHG-1 and MM-GHG-2, establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible.	During construction	City of Garden Grove		
PDF-10: Use haul trucks with on-road engines instead of off-road engines for on-site hauling.	During construction	City of Garden Grove		

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
PDF-11: The Project will comply with the mandatory requirements of the latest California Building Standards Code, Title 24, Part 6 (Energy Code) and Part 11 (California Green Building Standards Code [CALGreen]), including the provisions for bicycle parking, electric vehicle charging stations, energy efficiency, material conservation, and water/waste reduction.	During operations.	City of Garden Grove		
PDF-12: Install signage at loading docks requiring trucks to limit engine idling times to 5 minutes or less.	During operations	City of Garden Grove		
PDF-21: Engine idling time for all delivery vehicles and trucks must be limited to 5 minutes or less. Signage should be posted in the designated loading areas reflecting the idling restrictions.	During operations	City of Garden Grove		
PDF-27: Sustainable Building Materials and Contracting. The Project will prioritize low-impact, sustainably sourced, and recyclable materials across construction and interior finishes, including low-VOC paints, Forest Stewardship Council-certified wood, and recycled-content flooring. The Project is also implementing vendor standards that require environmental product declarations and third-party certifications to verify material sustainability. Materials shall be selected not only for their initial environmental footprint but also for durability and long-term performance, reducing the need for frequent replacement and associated waste. In addition, the Project Applicant or their designee will include bid language requiring the contractor to prioritize sourcing within the region (e.g., Orange County/Southern California) where pricing and availability are competitive, and to document major material and subcontractor origins in the construction closeout package.	During construction	City of Garden Grove		
PDF-28: The Project amenities shall be available to registered hotel guests only. There will be no day passes allowed.	Prior to project opening	City of Garden Grove		
PDF-29: The Project amenities include a self-service bicycle repair station adjacent to the guest and employee bicycle parking spaces.	During project construction for installation and during project operation for maintenance and	City of Garden Grove		

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
	provision of bicycle repair.			
Transportation				
Mitigation Measures				
MM-TRA-1: Implement Commute Trip Reduction Marketing: The Project Applicant shall implement a marketing strategy to promote the Project site employer's Commute Trip Reduction (CTR) program. Information sharing and marketing promote and educate employees about their travel choices to the employment location beyond driving such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions. However, to ensure that CTR achieves VMT reduction of at least 4%, the following measures will be incorporated: a) The Applicant shall provide on site or online commuter information services to employees. The Applicant shall also distribute a quarterly newsletter with tips, success stories, and updates to ensure education and encouragement for the CTR program. b) The CTR shall require the Project Applicant or their designee to appoint a Commute Program Coordinator to oversee the implementation and management of the marketing strategy. c) The Applicant shall ensure on-site or online subsidized transit pass sales are available to all employees. d) The Applicant shall provide guaranteed ride home service by matching employees with other employees or providing access to platforms such as Rideharing.com and Lyft that connect riders for daily commutes with nearby drivers. e) A minimum of 10 preferential parking spaces for carpools/vanpools shall be provided. *(CAPCOA Measures T-7, T-9-B)*	Prior to project opening.	City of Garden Grove		
MM-TRA-2: Provide End-of-Trip Bicycle Facilities: The Project shall install and maintain end-of-trip bicycle facilities for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers.	During project construction for installation and	City of Garden Grove		

Table 1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
The provision and maintenance of secure bike parking and related facilities encourages commuting by bicycle, thereby reducing VMT and GHG emissions. The Project design includes on-site bicycle racks to accommodate a minimum of 38 short-term bicycle parking spaces and provide bicycle rentals for hotel guests on the ground level and 32 secure long-term bicycle parking spaces for employees; additionally, locker and shower facilities will be provided for employees. *(CAPCOA Measure T-10)*	during project operation for maintenance and provision of bicycle rentals.			
Project Design Features				
None.	N/A	N/A	N/A	N/A

Notes: LEED = Leadership in Energy and Environmental Design; GPCD = gallons per capita per day; GWP = global warming potential; EPA = U.S. Environmental Protection Agency; GHG = greenhouse gas; MT CO_2e = metric tons of carbon dioxide equivalent; VOC = volatile organic compound; N/A = not applicable.

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ATTACHMENT 5

RESOLUTION NO. 6134-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL APPROVE REVISIONS TO THE CONDITIONS OF APPROVAL FOR SITE PLAN NO. SP-107-2022 FOR THE SITE B2 PROJECT (NICKELODEON HOTEL RESORT) ON PROPERTIES LOCATED AT THE NORTHWEST CORNER OF HARBOR BOULEVARD AND TWINTREE AVENUE, EAST OF TAMERLANE DRIVE, AT 12241, 12261, 12271, 12291, 12311, 12321, AND 12323 HARBOR BOULEVARD, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, AND 12321 THACKERY DRIVE, THE VACATED THACKERY DRIVE, AND THE VACATED ALLEY, ASSESSOR'S PARCEL NOS. 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, AND 54.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on May 7, 2026, does hereby recommend that the City Council, pursuant to Paragraph 1(b) of the Stipulated Writ of Mandate entered by the Orange County Superior Court on February 13, 2024 (the "Stipulated Writ"), approve revisions to the Conditions of Approval for Site Plan No. SP-107-2022 for property located at the northwest corner of Harbor Boulevard and Twintree Avenue, east of Tamerlane Drive, at 12241, 12261, 12271, 12291, 12311, 12321, and 12323 Harbor Boulevard, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, and 12321 Thackery Drive, the vacated Thackery Drive, and the vacated alley, Assessor's Parcel Nos. 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 54 (the "Project"), subject to: (i) City Council certification of the Supplemental Environmental Impact Report pursuant to Paragraphs 1(a) and 1(b) of the Stipulated Writ; and (ii) City Council adoption and effectiveness of an ordinance approving, with modifications, Planned Unit Development No. PUD-141-01(A) pursuant to Paragraph 1(c) of the Stipulated Writ. BE IT FURTHER RESOLVED that the Planning Commission of the City of Garden Grove does hereby report as follows:

1. Kam Sang Company is the Applicant.

2. In 2022, the City approved Site Plan No. SP-107-2022, authorizing the construction of a full-service, high-rise hotel resort (the "Nickelodeon Hotel Resort") on a 3.72-acre site in the Grove District. The approved Project consists of a 500-room hotel resort with a themed pool experience including a lazy river and pool slide; event space with a 600-seat theater; 17,715 square feet of ballroom and meeting space; 22,296 square feet of hotel restaurant; 5,480 square feet of retail; themed amenities totaling 13,238 square feet; a 7,000 square-foot arcade; a spa and fitness center at 8,532 square feet; a five-level parking structure with 528 parking spaces; and related site improvements. The approved Project design is not changing.

3. To comply with Paragraph 1(a) of the Stipulated Writ, the City prepared a Supplemental Environmental Impact Report ("SEIR") providing a focused review of the Project's potentially significant Vehicle Miles

Traveled (VMT) and Greenhouse Gas (GHG) impacts. The SEIR was prepared and circulated in accordance with the California Environmental Quality Act ("CEQA"), Public Resources Code Section 21000 *et seq.*, and the CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 *et seq.* GHG impacts were identified as significant and unavoidable while VMT impacts were found to be less than significant with the incorporation of mitigation. Concurrently with this Resolution, the Planning Commission adopted Resolution No. 6133-26, recommending that the City Council, pursuant to Paragraphs 1(a) and 1(b) of the Stipulated Writ, certify the SEIR, adopt a Supplemental Mitigation Monitoring and Reporting Program, and adopt Findings of Fact including a Statement of Overriding Considerations. The facts and findings set forth in Resolution No. 6133 -26 are hereby incorporated by reference.

4. To comply with Paragraph 1(c) of the Stipulated Writ, the City Council must approve, approve with modifications, or deny Planned Unit Development No. PUD-141-01(A) at a publicly agendized meeting. The modifications to PUD-141-01(A) are limited to revisions to the Performance Standards to incorporate the project design features and mitigation measures identified in the SEIR. Concurrently with this Resolution, the Planning Commission adopted Resolution No. 6135-26, recommending that the City Council, pursuant to Paragraph 1(c) of the Stipulated Writ, reapprove Planned Unit Development No. PUD-141-01(A) with modifications limited to the Planned Unit Development Performance Standards to incorporate the mitigation measures and project design features identified in the SEIR. The facts and findings set forth in Resolution No. 6135-26 are hereby incorporated by reference.

5. The action approved pursuant to this Resolution is limited to revising the Conditions of Approval for the previously approved Site Plan No. SP-107-2022, consistent with Paragraph 1(b) of the Stipulated Writ, to incorporate the mitigation measures identified in the SEIR and other administrative updates. The site plan drawings, building footprint, height, layout, parking configuration, and architectural design are unchanged from those approved in 2022.

6. The Project site has a General Plan Land Use designation of International West Mixed Use (IW). The Project site consists of approximately 3.72 acres comprising nineteen (19) parcels, together with Thackery Drive and a public alley, which the City Council vacated under Street Vacation No. SV-002-2022 and integrated into the Project site. The entirety of the Project site is zoned Planned Unit Development No. PUD-141-01(A) pursuant to Ordinance No. 2938 (adopted September 13, 2022).

7. The Planning Commission reviewed existing land use, zoning, and General Plan designations of property in the vicinity of the Project site.

8. The Planning Commission reviewed the report submitted by City staff.

9. Pursuant to a legal notice, a public hearing was held on May 7, 2026, and all interested persons were given an opportunity to be heard.

10. The Planning Commission gave due and careful consideration to this matter during its meeting of May 7, 2026, and considered all oral and written testimony presented regarding the Project, the SEIR, and the Site Plan's revised Conditions of Approval.

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

FACTS:

The Project site consists of approximately 3.72 acres of land located on the northwest corner of Harbor Boulevard and Twintree Avenue, east of Tamerlane Drive. The Project is located in the Grove District, the City's resort area developed with hotels, restaurants, and commercial uses.

The Project site abuts Planned Unit Development No. PUD-141-01 and Multiple-Family Residential (R-3) zoned properties to the north, Single-Family Residential (R-1) zoned properties to the west, R-1 zoned properties and commercial uses in Planned Unit Development No. PUD-121-98 to the south across Twintree Avenue, and Planned Unit Development Nos. PUD-128-12 and PUD-121-12(A) to the east across Harbor Boulevard. Nearby properties are developed with single-family and multiple-family residential, retail, restaurant, and hotel uses.

The Project is referred to as the Site B2 Project. The former Garden Grove Redevelopment Agency and the City acquired the subject properties to facilitate the development of a hotel resort. On September 13, 2022, the City Council approved a Disposition and Development Agreement (DDA) to convey to the applicant approximately 1.5 acres of City-owned property, including the vacated alley and Thackery Drive. The applicant now owns the entirety of the 3.72-acre Project site.

The Project site consists of nineteen (19) parcels, including Thackery Drive and a public alley, which the City Council vacated under Street Vacation No. SV-002-2022 and integrated into the Project site. The entirety of the Project site is zoned Planned Unit Development No. PUD-141-01(A) pursuant to Ordinance No. 2938 (adopted September 13, 2022). Prior to Ordinance No. 2938, thirteen parcels were zoned PUD-141-01 and six parcels were zoned R-1 (Single-Family Residential).

In 2022, the City approved Site Plan No. SP-107-2022, authorizing the construction of the Nickelodeon Hotel Resort — a 500-room hotel resort with a themed pool experience including a lazy river and pool slide; event space with a 600-seat theater;

17,715 square feet of ballroom and meeting space; 22,296 square feet of hotel restaurant; 5,480 square feet of retail; themed amenities totaling 13,238 square feet; a 7,000 square-foot arcade; a spa and fitness center at 8,532 square feet; a five-level parking structure with 528 parking spaces; and related site improvements. Planned Unit Development No. PUD-141-01(A) was approved pursuant to Ordinance No. 2938 (adopted September 13, 2022) and covers the entirety of the Project site. PUD-141-01(A) establishes development standards regulating the number of hotel rooms, building height, building setbacks, landscaping, permitted uses, required parking, site circulation and access, signage, utilities, storage and refuse collection, and environmental mitigation measures. The Stipulated Writ requires the City Council to consider, with the benefit of the SEIR, modifications to PUD-141-01(A) limited to revisions to the Performance Standards to incorporate the mitigation measures identified in the SEIR.

FINDINGS AND REASONS:

Site Plan

The Planning Commission incorporates by reference the findings made in Planning Commission Resolution Nos. 6044-22 and 6045-22 and in City Council Resolution 9769-22 contingently approving Site Plan No. SP-107-2022 in 2022. Those findings remain valid and are not affected by the current action. The revised Conditions of Approval are limited to incorporating the mitigation measures identified in the SEIR and conforming administrative updates, and do not alter the Project design, use, or any aspect of the Site Plan approval that was the subject of those prior findings. In addition:

- The Site Plan, with the revised Conditions of Approval, will continue to comply with the spirit and intent of the provisions, conditions and requirements of the General Plan and Title 9, and other applicable ordinances and policies of the City will continue to be complied with.

- The Site Plan, with the revised Conditions of Approval, will continue to 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 revised Conditions of Approval incorporate mitigation measures identified in the SEIR and limited administrative updates and do not modify the approved site layout, access, circulation, or parking configuration.

- The Site Plan, with the revised Conditions of Approval, will continue to not adversely affect essential public facilities, such as streets and alleys, utilities, and drainage channels. The revised Conditions of Approval incorporate mitigation measures identified in the SEIR and limited administrative updates and do not modify any aspect of the Project affecting public infrastructure.

- The Site Plan, with the revised Conditions of Approval, will continue to not adversely impact the City's ability to perform its required public works functions. The revised Conditions of Approval incorporate mitigation measures

identified in the SEIR and limited administrative updates and impose no new burdens on the City's public works operations.

- The Site Plan with the revised Conditions of Approval, will continue to be compatible with the physical, functional, and visual quality of the neighboring uses and desirable neighborhood characteristics. The revised Conditions of Approval incorporate mitigation measures identified in the SEIR and limited administrative updates and do not alter the approved building design, massing, landscaping, or streetscape improvements.

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

In addition to the foregoing, the Planning Commission incorporates herein by this reference the facts and findings set forth in the staff report and in Resolution Nos. 6133-26 and 6135-26.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. To fulfill the purpose and intent of Planned Unit Development No. PUD-141-01(A) and the Municipal Code, and thereby promote the health, safety, and general welfare, the revisions to the Conditions of Approval shown in Exhibit "A" attached hereto are hereby recommended for adoption and shall apply to Site Plan No. SP-107-2022.

2. That Site Plan No. SP-107-2022, with the revised Conditions of Approval, shall be referred to for identification purposes as Site Plan No. SP-107-2022 (Rev. 2026).

BE IT FURTHER RESOLVED that if any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Garden Grove at a regular meeting held on May 7, 2026.

EXHIBIT "A"

Site Plan No. SP-107-2022 (Rev. 2026)

12241, 12261, 12271, 12291, 12311 and 12323/12321 Harbor Boulevard

12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, and 12321 Thackery Drive.

Vacated Thackery Drive and Public Alley

CONDITIONS OF APPROVAL

The following Conditions of Approval were originally adopted in 2022. Proposed changes to the original standards are shown with deletions shown in ~~strikethrough~~, and with additions shown in ***bold-italics-underline***.

GENERAL CONDITIONS

1. Each owner of the property shall execute, and the applicant shall record against the property, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval" as prepared by the City Attorney's Office, 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, Kam Sang Company, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Except as otherwise expressly provided herein, any changes to the Conditions of Approval require approval by the applicable hearing body

3. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

4. Approval of this Site Plan shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code and Planned Unit Development No. PUD-141-01(A) shall apply.

5. Except as expressly specified herein, Site Plan No. SP-107-2022 ***(Rev. 2026)*** shall be subject to all Performance Standards applicable to Planned Unit Development No. PUD-141-01(A) ("PUD Performance Standards"), which are hereby incorporated into these Conditions of Approval by this reference. These Conditions of Approval are intended to supplement the PUD Performance

Standards. In the event any actual or perceived conflict between any PUD Performance Standard and more specific provisions of these Conditions of Approval, the more specific provisions of these Conditions of Approval shall apply. The City's Community ~~and Economic~~ Development Director is authorized to make interpretations of these Conditions of Approval and to resolve any such actual or perceived conflicts.

6. Minor modifications to the Site Plan and/or these Conditions of Approval, which do not materially change the scope or intensity of the project and which will not result in new significant impacts that have not previously been addressed, may be approved by the Community ~~and Economic~~ Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community ~~and Economic~~ Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body. Any significant changes to setbacks, building heights, or building locations shall require preparation and City approval of a new shade and shadow study.

7. The applicant shall, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning the Project, including, without limitation, Site Plan No. SP-107-2022 ***(Rev. 2026)*** and the associated **Supplemental Environmental Impact Report, Supplemental** Mitigation Monitoring and Reporting Program, **and Findings** 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 pay any adverse financial award, which may issue against the City, including but not limited to any award of attorney fees to a party challenging such Project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

8. The applicant shall design the Project to comply with all mitigation measures and project design features specified in the Mitigated Negative Declaration ***and Supplemental Environmental Impact Report,*** and **the corresponding** Mitigation Monitoring and Reporting Program **and the Supplemental Mitigation Monitoring and Reporting Program**. In order to verify compliance with all applicable project mitigation measures and design features, these Conditions of Approval, and the PUD Performance Standards, the applicant shall submit plans to the City prior to plan check submittal as described in PUD Performance Standard No. 6.

Public Works Engineering Division

Project Design

9. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit per the requirements of the Orange County Health Department and the mitigation requirements of governing regulatory requirements. The report shall make recommendations for foundations and pavement structural section design of interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and the implementation of water quality for stormwater run-off, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.

10. Prior to the issuance of any grading or building permits, the applicant shall submit to the City for review and approval a final design Water Quality Management Plan that:

    a. Addresses required mitigation Site Design Best Management Practices (BMPs) based upon the latest Santa Ana Regional Water Quality Control Board (SARWQCB) Drainage Area Management Plan (DAMP) as identified in the geotechnical report recommendations and findings, including, but not limited to, infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas as required by the latest adopted County of Orange Technical Guidance Document (TGD).

    b. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.

    c. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.

    d. Incorporates structural and Treatment Control BMPs as defined in the DAMP.

    e. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.

    f. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.

g. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.

h. Provides a hydrological analysis with scaled map as well as hydrologic and hydraulic calculations to size storm drains per the Orange County RDMD standards.

11. Parkway culverts shall be designed per City of Garden Grove Standard Plan B-209. Storm drain lateral pipe connections to City-maintained storm drains within City right-of-way shall be RCP with a minimum diameter of 18-inches.

12. Grading and Street improvement plans prepared by a registered Civil Engineer are required. As required under Section 107 of the California Building Code (CBC), the grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to 30'-0" outside the boundary, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan showing all existing utility facilities, easements and proposed utility facilities. All on-site improvements shall be tied by horizontal dimensional control to the property boundary as established by survey. A minimum uninterrupted 20-foot wide throat access to the site is required from the street for commercial projects and shall meet the requirements of the California Fire Code throughout the site. Vehicle maneuvering, as demonstrated by Auto Turn along private streets and access ways, shall be demonstrated on the grading plan. Street improvement plans shall conform to all format and design requirements of the City Standard Drawings & Specifications.

13. The applicant shall coordinate with Planning Services Division and the Orange County Fire Authority to identify proper emergency vehicle access to the site and shall provide the Engineering Division a copy of the approval letters upon first submittal of the grading and street improvement plans.

14. Prior to the issuance of the street improvement encroachment permit and grading permit, provide subdivision completion bonds for all work constructed under the street improvements and grading permit for review and approval by the City Engineer, City Attorney, and City Finance Department (Risk Management). Alternate forms of security may be considered, solely at the discretion of the City Engineer and with the concurrence of the City Attorney and City Finance Department (Risk Management)

15. Prior to issuance of a grading permit, the applicant shall design overhead street lighting within the frontage of the development in conformance with City specifications and the approval of the City's Lighting Administrator. Location of lighting poles shall be shown on all the improvement plans and grading plan.

16. 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 and section 1110A of the California Building Code.

17. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502 and State mandated commercial organic recycling laws, including AB 1826 and its implementing regulations, and any other applicable State recycling laws related to refuse, recyclables, and/or organics, i.e., AB 939, AB 341, SB 1383:

    a. Paved with an impervious surface, designed not to allow run-on mixing of drainage from adjoining areas, designed to divert drainage from adjoining roofs and pavements to be directed around the area for trash roll-out, and screened or walled to prevent off-site transport of trash by water or wind.

    b. Provide solid roof or awning to prevent direct precipitation into the enclosure.

    c. Connection of trash area drains to the municipal storm drain system is prohibited. Drainage from the enclosure may be directed to a conforming grease or contaminant interceptor.

    d. Potential conflicts with fire code access requirements and garbage pickup routing for access activities shall be considered in implementation of design and source control. See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information.

    e. The trash enclosure and containers shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures, and concrete aprons for roll-out areas.

    f. 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.

    g. Pursuant to applicable state mandated laws, the applicant is required to contact and coordinate with the operations manager of the local recycling/trash company (Republic Services, 800-700-8610) to ensure the trash enclosure includes the appropriate size and number of containers for the disposal of items such as, but may not limited to, municipal solid waste (MSW), recyclables, and organic green waste.

    h. Based on the amount of waste disposed, per week, the applicant shall coordinate with the local recycling/trash company to ensure the adequate frequency of trash pick-up is serviced to the site for municipal solid waste

(MSW), recyclables, and organic green waste, including any other type of waste.

i. The applicant shall ensure large bulk items, intended for coordinated and scheduled pick-up by the local recycling/trash company, are not placed in areas that encroach into drive aisles, parking spaces, pedestrian pathways, or areas in the front of the property including areas public right-of-way (e.g., street, sidewalk), during and after construction. Any large bulk items shall be out of public vantage points.

j. The requirements for the trash enclosure and design criteria are bound and coordinated with the Water Quality Management Plan (WQMP), when required, as depicted on the project grading plan, which shall be incorporated into the WQMP by narrative description, exhibits and an Operation and Maintenance Plan (O&M).

k. Trash enclosure areas shall be of appropriate size and number in order to accommodate three (3) separate recycling containers according to the recycling regulations of AB 939, AB 341, AB 1826, and SB 1383.

18. Any new or required block walls and/or retaining walls shall be shown on the grading plans, both in plan-view and cross sections. Cross sections shall show vertical and horizontal relations of improvements (existing and proposed) on both sides of property lines. Required wall heights shall be measured vertically from the highest adjacent finished grade. Block walls shall be designed in accordance to City of Garden Grove Standard B-504, B-505, B-506 & B-508 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.

b. Openings for drainage through walls shall be shown in section details and approved by the City Engineer. Cross-lot drainage is not allowed.

19. The applicant shall remove any existing substandard driveway approaches, curbs, sidewalks, ADA ramps, pavement sections, tree well and landscaping, and construct Harbor Boulevard frontage improvements as identified below. Unless otherwise agreed in writing by the City and approved by the City Council, consistent with the provisions, performance standards, and limitations of Planned Unit Development No. PUD-141-01(A), all landscape, irrigation, sidewalk, signal modifications and lighting improvements installed within the public rights-of-way shall be maintained by the applicant and shall require the approval of the City Engineer, Street Division, and Planning Services Division.

a. A separate street improvement plan shall be prepared and submitted to the Engineering Division for the proposed improvements within the public right-of-way Harbor Boulevard/Twintree Avenue, which shall include any proposed landscaping and irrigation plans. All work shall be per City standards and specifications.

b. Existing substandard driveways (2 total) on Harbor Boulevard shall be removed and replaced with new curb, gutter, landscape, and sidewalk per City standards and specifications.

c. Construct curb and gutter when replacing any existing driveway approaches along the property frontage on Harbor Boulevard in accordance with City Standard Plan B-113 (Type C-8 Modified).

d. The applicant shall coordinate with Public Works Engineering Division to obtain direction on removal and replacement of any existing median or construction of new median improvements per City of Garden Grove Standard B-112 (Type A-8). The applicant shall design and construct median improvements consisting of a landscape/irrigation system fronting the project and completed to match existing median landscaping/irrigation to the other existing medians on Harbor Boulevard. The landscaping template will be provided to the applicant by Engineering Division.

e. Prior to occupancy, the applicant shall design and construct or modify existing raised island improvements at the main entrance on Harbor Boulevard to improve on site traffic circulation to be approved by the City Traffic Engineer.

f. Any further deviation from the approved traffic circles at the main entrance and in front of hotel lobby shall be approved by the City Traffic Engineer.

g. The new modified driveway approach to the site on Harbor Boulevard shall be constructed in accordance with Garden Grove Standard B-120.

h. The applicant shall remove the existing sidewalk panels fronting the project on Harbor Boulevard and replace it decorative Alicante patterned sidewalk per City Standard Plan B-137 consistent with the existing sidewalk in the Harbor resort area, in a manner meeting the approval of the City Engineer. Said sidewalk shall be separated from the street curb by a five-foot landscaped area designed in a manner consistent with the existing landscaping within the resort area meeting the approval of the Planning Services Division Manager.

i. The applicant shall remove and replace the street pavement from the edge of the westerly gutter fronting the property on Harbor Boulevard to the edge of the existing median per City Standard B-101.

j. The new landscaping in the Harbor Boulevard public right-of-way shall be consistent with the existing landscape pattern of the resort to the north of the project site, and as approved by Planning Services Division.

k. The applicant shall locate all existing public utilities across the property frontage and within the property boundary of the project prior to commencement of grading operation and mobilization.

l. The applicant shall coordinate with the Planning Services Division and Public Works Street Division before placing any type of tree within public right-of-way and proposed landscape area.

m. Street signs shall be installed as required and approved by the City Traffic Engineer.

n. In addition to payment of fair share costs required pursuant to the Planned Unit Development Performance Standards, in the event the traffic signal at the main entrance to the Project has already been installed and modifications to the approved plans necessitate modifications to the installed traffic signal, the applicant shall be fully responsible to pay for the entire cost to design, purchase, and construct such modifications to the traffic signal, as reasonably determined by the City Engineer.

20. The applicant shall remove any existing substandard driveway approaches, curbs, sidewalks, ADA ramps, pavement sections, tree well and landscaping, and construct Twintree Avenue frontage improvements as identified below. All landscape, irrigation, sidewalk, signal modifications or full signal installation, if necessary, and lighting improvements installed within the public rights-of-way, shall be maintained by the applicant and shall require the approval of the City Engineer, Street Division, and Planning Services Division.

a. A separate street improvement plan shall be prepared and submitted to the Engineering Division for the proposed improvements within the public right-of-way on Twintree Avenue, which shall include any proposed landscaping and irrigation plans. All work shall be per City standards and specifications.

b. Existing substandard driveways (3 total) on Twintree Avenue shall be removed and replaced with new curb, gutter, landscape, and sidewalk per City standards and specifications.

c. The single new driveway approach to the site on Twintree Avenue shall be constructed in accordance with Garden Grove Standard B-121. Standard B-121 call for a minimum width of 30-feet for commercial projects, with any deviation from the standard to be approved by the City Traffic Engineer and detailed on the plan showing all modifications.

d. The new driveway approach on Twintree Avenue shall be limited to left turn-out and right turn-in only access. The drive approach shall be designated in a manner to allow emergency vehicle access.

e. The applicant shall remove all existing damaged sidewalk panels fronting the project on Twintree Avenue and replace it with new sidewalk panels in accordance with City of Garden Grove Standard B-106. The owner/contractor shall verify the removal and replacement sections of the sidewalk concrete panels with public works inspector prior to start of construction. Said sidewalk shall be separated from the street curb by a six-foot landscaped area designated in a manner meeting the approval of the Planning Services Division.

f. The applicant shall construct curb and gutter when replacing any existing driveway approach along the property frontage on Twintree Avenue in accordance with City Standard Plan B-114 (Type D-6).

g. One new wheelchair ramp and landing shall be constructed per latest Caltrans Standard Plan A88A at the northwest corner of Harbor Boulevard and Twintree Avenue.

h. The applicant shall locate all existing public utilities across the property frontage and within the property boundary of the project prior to commencement of grading operation and mobilization.

i. The applicant shall coordinate with the Planning Services Division and Public Works Street Division before placing any type of tree within public right-of-way and proposed landscape area.

j. Street signs shall be installed as required and approved by the City Traffic Engineer.

21. The width of all private streets with rolled curb & gutter shall be measured from the flowline to flowline of the gutter per City of Garden Grove Standard B-116. Catch basin and parkway drain standards shall be modified to match the design geometrics of rolled curb as required and approved by the City Engineer.

22. A minimum three-foot-by-three-foot-wide maneuvering area shall be provided at the end of a dead-end parking aisle serving more than fine (5) consecutive stall and shall consist of nine-foot-by-nineteen-foot-wide turnaround space.

Permit Issuance

23. 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.

24. A separate street permit is required for work performed within the public right-of-way.

25. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.

26. 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. Construction vehicles should be parked off traveled roadways in a designated parking area. Parking areas, whether on-site or off-site, shall be included and covered by the erosion control and the Storm Water Pollution Prevention plan (SWPPP).

27. Prior to issuance of a grading permit, the applicant shall submit and obtain approval of a worksite traffic control plan for all the proposed improvements within public right-of-way, and shall be subject to the review and approval of the City Traffic Engineer.

28. In accordance to City of Garden Grove Municipal Code (Chapter 9.48.030), the applicant is required to underground all existing and proposed on-site and off-site utility facilities fronting the project which the developer is developing or redeveloping. All existing improvements and utilities shall be shown as part of the grading submittal package in the topography section.

29. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the

project site and be available for City review on request. The assigned WDID number must appear on the cover sheet of the project grading plan.

Project Construction/Operation

30. The applicant shall coordinate with City's Public Works Department (Engineering, Water Services and Streets Division) and set-up appointments for pre-construction inspections for all the on-site and off-site improvements prior to commencement of grading operation and mobilization.

31. In accordance with the Orange County Storm Water Program manual, the applicant and/or its contractors shall provide dumpsters on-site during construction unless an Encroachment Permit is obtained for placement in street.

32. The applicant and its contractor shall be responsible for protecting all existing horizontal and vertical survey controls, monuments, ties (centerline and corner) and benchmarks located within the limits of the project. If any of the above require removal; relocation or resetting, the 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 its contractor shall also re-set the tie monuments where curb or curb ramps are removed and replaced or new ramps are installed. The Applicant and its contractor shall be liable for, at his expense, any resurvey required due to his negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls. Temporary Benchmarks shall not be used for Vertical control. Benchmarks shall be to the National Geodetic Vertical Datum (NGVD).

33. Heavy construction truck traffic and hauling trips, and any required lane closures shall occur outside peak travel periods. Peak travel periods are considered to be from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.

34. 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 the applicant is prepared to implement and maintain 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.

e. Identify responsible contractor and individuals for maintaining the new landscape and irrigation improvements for a period of five (5) years following the acceptance of the improvements by the City.

Building and Safety Division Services Division

35. All plans shall conform to the latest California (CA) Building Standards Code (CBC) at time of permit application.

36. The building shall be equipped with an automatic fire sprinkler system per CBC Chapter 9 and CA Fire Code.

37. A soil report complying with CBC Chapter 18 shall be required and shall be submitted for review at time of building permit application.

38. A Geo-technical peer review of the soil report shall be required, and shall be complete prior to building permit application.

39. Building commissioning shall be required per CA Energy Standards.

40. Exterior path-of-travels and interior accessible routes shall comply with CBC Chapter 11B.

41. All rooms/spaces/elements shall be on an accessible routed per CBC Chapter 11B.

42. Fire rated construction shall comply with CBC Chapter 7.

43. The project shall comply with the CA Green Code.

Public Works Water Services Division

44. New water service installations 2-inch and smaller, shall be installed by the City of Garden Grove at owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted. Fire services and larger water services 3-inch and larger, shall be installed by developer/owner's contractor per City Standards.

45. Water meters shall be located within the City right-of-way or within dedicated waterline easement. Fire services and large water services 3-inch and larger,

shall be installed by contractor with Class A or C-34 license, per City water standards and be inspected by approved Public Works inspection.

46. Domestic water and fire water shall tie into the existing 12-inch water main on Harbor Blvd.

47. If a looped water system is proposed, each point of connection to the City water main shall have a backflow prevention device per City standards.

48. Existing 6-inch water main and water services located in Thackery Drive shall be removed and 6" x 6" tee connection in the intersection of Thackery Drive and Twintree Avenue shall be abandoned per City Standards and Specifications.

49. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. Any carbonation dispensing equipment shall have a RPPD device. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross-connection inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD device.

50. It shall be the responsibility of owner/developer to abandon any existing private water well(s) per Orange County Health Department requirements. Abandonment(s) shall be inspected by Orange County Health Department inspector after permits have been obtained.

51. A composite utility site plan shall be part of the water plan approval.

52. Water system on-site, not protected by backflow prevention device, shall be constructed per City Standards by developer and dedicated to the City. Bonding will be required.

53. There shall be a minimum 15-foot clearance of building footings from water main. Clearances less than 15 feet shall be reviewed and approved by Water Engineering.

54. There shall be no structures or utilities built, on or crossing, water or sewer main easements.

55. New utilities shall have a minimum 5-foot horizontal and a minimum 1-foot vertical clearance from water main and appurtenances.

56. There shall be a minimum clearance from sewer main and water main of 10 feet from outside-of-pipe to outside-of-pipe.

57. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.

58. Any fire service and private fire hydrant lateral shall have above-ground backflow device with a double-check valve assembly. Device shall be tested immediately after installation and once a year thereafter by a certified backflow device tester and the results to be submitted to Public Works, Water Services Division. Device shall be on private property and is the responsibility of the property owner. The above-ground assembly shall be screened from public view as required by the Planning Division.

59. No permanent structures, trees or deep-rooted plants shall be placed over sewer main or water main.

60. Location and number of fire hydrants shall be as required by Water Services Division and the Orange County Fire Authority.

61. Commercial food use of any type shall require the installation of an approved grease interceptor prior to obtaining a business license. Plumbing plan for grease interceptor shall be routed to environmental services for review.

62. A properly-sized grease interceptor shall be installed on the sewer lateral and maintained by the property owner. There shall be a separate sanitary waste line that will connect to the sewer lateral downstream of the grease interceptor. All other waste lines shall be drained through the grease interceptor. Grease interceptor shall be located outside of the building and accessible for routine maintenance. Owner shall maintain comprehensive grease interceptor maintenance records and shall make them available to the City of Garden Grove upon demand.

63. Food grinders (garbage disposal devices) are prohibited per Ordinance 6 of the Garden Grove Sanitary District Code of Regulations. Existing units are to be removed.

64. Owner shall install new sewer lateral with clean-out at right-of-way line. Lateral shall tie in to the 18-inch sewer main on Harbor Boulevard. Lateral in public right-of-way shall be 6-inch minimum diameter, extra strength VCP with wedgelock joints, and shall have a minimum 2% slope or minimum 2 ft/s (feet/second) velocity.

65. Existing 8-inch sewer mains and laterals on Thackery Drive and public alley shall be removed, and the connections to manholes on Twintree Avenue shall be plugged per City Standards and Specifications.

66. All perpendicular crossings of the sewer shall maintain a vertical separation of minimum 12-inch below the water main, outer-diameter to outer-diameter. All exceptions to the above require a variance from the State Water Resources Control Board.

Planning Services Division

67. The applicant shall submit detailed plans, showing the proposed location of utilities and mechanical equipment to the Community ~~and Economic~~ Development Department, Planning Services Division for review and approval prior to submitting plans into the Building and Safety Division Plan Check process. The project shall also be subject to the following:

    a. All on-site and off-site utilities (off-site refers to the areas within public right-of-way to the center line of the streets adjacent to the subject property), within the perimeter of the site and to the centerline of the adjacent streets shall be installed or relocated underground.

    b. Above-ground utility equipment (e.g., electrical, gas, telephone, cable TV) shall not be located in the street setbacks along Harbor Boulevard and Twintree Avenue, and shall be screened to the satisfaction of the Community ~~and Economic~~ Development Department.

    c. No roof-mounted mechanical equipment, including but not limited to dish antennas, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community ~~and Economic~~ Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.

    d. All ground- or wall-mounted mechanical equipment shall be screened from view from any place on, or off, the site.

    e. No exterior piping, plumbing, or mechanical ductwork shall be permitted on any exterior façade and/or be visible from any public right-of-way or adjoining property. Roof rain gutters are permitted. The rain gutters shall follow the natural architectural lines of the building.

68. All landscaping shall be consistent with the landscape requirements within the development standards set forth in Planned Unit Development No. PUD-141-01(A). The applicant shall submit a complete and detailed landscaping plan with irrigation systems included for review and approval by the Community ~~and Economic~~ Development Department prior to the issuance of a building permit. Drought tolerant plantings are encouraged. The landscape plan shall include the type (both common and botanical names), size, location,

and quantity of all proposed plant material. All proposed landscaping shall be planted prior to the finalization of the building permit. The plan shall be consistent with the landscape requirements set forth and/or incorporated in the Garden Grove Municipal Code. All landscape irrigation shall comply with the City's Landscape Ordinance, associated Water Efficiency Guidelines and all recent applicable revisions from the State of California on water conservation measures shall be to the landscape plans. The landscape plan is also subject to the following:

a. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaping areas shown on the plan. Subsurface systems are encouraged. The irrigation plan for any new trees shall have a deep-water irrigation system that shall be specified on the landscape plan. A detail of the deep-water irrigation system shall be provided for review. If sprinklers are used, they shall be low flow/precipitation sprinkler heads for water conservation.

b. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box, and sixty percent (60%) of the trees at 15-gallon, the remaining five percent (5%) may be of any size. These trees shall be incorporated into the landscaped frontages of all streets. Where clinging vines are considered for covering walls, drought tolerant vines shall be used.

c. Clinging vines shall be installed within the landscape planters along the perimeter block walls to deter graffiti.

d. Trees planted within ten (10) feet of any public right-of-way shall be planted in a root barrier shield. All landscaping along street frontages adjacent to driveways shall be of the low-height variety to ensure safe sight clearance.

e. Landscaping along Harbor Boulevard, including within the public-of-way, shall include two rows of Date Palm Trees (minimum brown trunk height of 25 feet), canopy trees (minimum 24-inch box), shrubs, and ground covers. Landscape materials shall match the landscape materials used within the project located at the southwest corner of Harbor Boulevard and Chapman Avenue unless the City adopts a landscape design for Harbor Boulevard. The Community ~~and Economic~~ Development Director may approve minor modifications to the foregoing standards as to height, size, and placement of the palm trees along Harbor Boulevard.

f. Landscaping along Twintree Avenue, including within the public right-of-way shall include canopy trees (minimum 24-inch box), shrubs, and ground covers. Landscape materials shall match the landscape

materials used along the Harbor Boulevard, and shall be properly maintained.

g. Flexibility to the height of the palm trees, and their placement along Harbor Boulevard, shall be reviewed and approved by the Community ~~and Economic~~ Development Director.

h. All landscape areas, including the areas located within the public right-of-way along Harbor Boulevard and Twintree Avenue, are the responsibility of the developer/operator of the hotel.

i. The landscape plan shall incorporate and maintain for the life of the project those means and methods to address water run-off also identified as Low Impact Development provisions, in accordance with Chapter 6.40 of the Garden Grove Municipal Code, and the regulations and technical documents incorporated and required thereunder, including, but not limited to any application of Water Quality Management Plans (WQMP), Drainage Area Management Plans (DAMP) and any other water conservation measures applicable to this type of development.

j. At the time of irrigation installation, the irrigation system shall comply with all applicable provisions of the City's Water Conservation Ordinance, the City's Municipal Code landscape provisions, and all applicable state regulations.

k. All above-ground utilities (e.g. water backflow devices, electrical transformers, irrigation equipment) shall be shown on the landscaping plan in order to ensure proper landscape screening will be provided.

69. Hours and days of construction and grading shall be ***as follows, and all work shall comply with the noise regulations*** as set forth in Chapter 8.47 of the City of Garden Grove Municipal Code~~, except as follows~~:

a. Monday through ~~Saturday~~***Friday*** - not before 7:00 a.m. and not after ~~8~~***7***:00 p.m. (of the same day).

b. ***Saturday – not before 9:00 a.m. and not after 6:00 p.m. (of the same day).***

c. Sunday and Federal Holidays – ***no construction shall occur***.

70. There shall be no deliveries from or to the premises before 7:00 a.m. and after 10:00 p.m., seven days a week. Signage shall be posted in the designed loading areas reflecting these delivery hours.

71. The parking structure shall be designed to be architecturally compatible with the hotel's architectural design and shall integrate similar design features, details, and materials. The louvered or perforated wall paneling required as part of the project design feature shall be architecturally compatible and integrated with the design of the hotel building. All sides of a parking structure that are in view from adjacent properties and the public rights-of-way shall be architecturally enhanced. The parking structure shall be well illuminated, including having the interior of the parking garage painted a light color, and designed to meet City parking standards for drive-aisle width, stall sizes, and height clearances. The design of the parking structure stairwells shall architecturally match the design of the parking structure, and shall be designed to reduce visibility to the adjacent residential properties.

72. A minimum of 480 parking spaces are required to serve the Project at the full permitted build-out based on the proposed number of hotel rooms and proposed square footages of uses analyzed in the Shared Parking Study. In the event the applicant proposes to modify the number of hotel rooms or the square footages of the other proposed uses beyond those analyzed in the Shared Parking Study, or the applicant proposes to reduce the number of required parking spaces, a new shared parking analysis shall be prepared and approved by the City. The applicant shall implement the recommendations of the Shared Parking Study and/or any subsequent shared parking analyses approved by the City.

73. The service and sale of alcoholic beverages within the hotel, hotel restaurants, and hotel ballroom/meeting rooms shall be subject to approval of a Conditional Use Permit.

74. Any new or required block walls and/or retaining wall(s) shall be shown on the grading plans. Block walls shall be developed to City Standards or designed by a Registered Engineer and shall be measured from on-site finished grade. The applicant shall provide the following:

    a. All block walls constructed on the project site shall be of slump stone or split-face block with decorative caps, subject to Community ~~and Economic~~ Development Department's approval, shall maintain a maximum height of 8-feet as measured from the property's finished grade.

    b. An eight-foot high block wall shall be constructed along the northwest and western property lines, adjacent to the residential properties. The block wall located adjacent to the Twintree Avenue driveway entrance shall comply with the vehicular line-of-sight clearances designed to the satisfaction of the City's Traffic Engineer.

c. Any new block walls constructed along the Twintree Avenue property line (southern property line) shall maintain a five-foot setback from the property line.

d. At no time shall a wall be placed within nine-feet from the property line.

e. The applicant shall work with adjacent property owners in designing and constructing the required perimeter block wall to avoid having double walls, and to minimize any impact that it might cause to the existing landscaping on the neighbor's side as much as possible. The perimeter block wall shall be constructed and situated entirely within the subject property. In the event that the applicant cannot obtain approval from the adjacent property owners, the applicant shall construct the new wall with a decorative cap to be placed between the new and existing walls. In the event the location of a new wall adjacent to an existing wall or fence has the potential to affect the landscape planter, then the Developer shall work with City Staff to address this situation.

f. The Community ~~and Economic~~ Development Director may authorize minor modifications to the required wall heights and setbacks set forth above as authorized pursuant to the Ordinance approving Planned Unit Development No. PUD-141-01(A). Notwithstanding the foregoing, with exception of the block wall on the westerly or northwesterly property line shall comply with all standards required as by mitigation measures pursuant to the mitigated negative declaration and identified in the ~~m~~**M**itigation ~~m~~**M**onitoring **and Reporting** ~~p~~**P**rogram.

75. Building color and material samples shall be submitted to the Planning Services Division for review and approval prior to issuance of building permits. All buildings shall incorporate decorative design features, architectural enhancements, and other design elements that are designed to the satisfaction of the Community ~~and Economic~~ Development Department.

76. The developer shall comply with all provisions of the Community ~~and Economic~~ Development Department including, but not limited to, the following:

a. The facades of the hotel shall be designed with sound attenuation features including the use of dual pane windows and limiting, when possible, the use of windows and vents. These features shall be approved by the Community ~~and Economic~~ Development Department prior to the issuance of building permits.

b. Prior to the finalization of working drawings, the developer shall submit to the Community ~~and Economic~~ Development Department detailed and dimensioned plot plans, floor plans, exterior elevations, and landscape plans which reflect the above conditions of approval, including **those**

project design features in the Mitigated Negative Declaration and Supplemental Environmental Impact Report and those mitigation measures in the Mitigation Monitoring and Reporting Program and the Supplemental Mitigation Monitoring and Reporting Program. The plans shall indicate cross-sections of all streets within the development, landscape materials, wall materials, and building materials proposed for the project. Each unit shall have phone jacks and cable-TV outlets in all hotel rooms. Mechanical equipment, including air conditioning units, pool equipment, sump pump, etc., shall not be located closer than five feet of any side or rear property line and shall not be located in the front landscape setback. Air conditioning units and all other mechanical shall be completely screened from public view from the street and/or common open space area.

c. Should the developer elect to build the project in more than one phase, then a phasing plan shall be submitted to the Community ~~and Economic~~ Development Department prior to issuance of building permits. The phasing plan shall include, but not be limited to, a site plan showing the phasing areas, protection of finished units, and protection for related safety issues concerning pedestrians and non-construction vehicles. The perimeter improvements including landscaping, walls, street improvements, and underground utilities, shall be completed in the first phase. The phasing plan shall be approved by the Community ~~and Economic~~ Development, OCFA, and Public Works Departments prior to issuance of building permits.

d. If at any time after the construction of the hotels, the City receives complaints about the light and glare reflected by the hotel's windows, the developer/operator shall remedy the situation to the reasonable satisfaction of the Community ~~and Economic~~ Development Department.

77. The project shall comply with the following refuse storage requirements:

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

b. The refuse storage and collection areas shall be designed to comply with the City's B-502 trash enclosure standard, or with an alternative design approved by the Public Works Engineering Division.

c. The refuse storage areas shall be properly maintained. The refuse storage enclosure doors shall be kept closed and secured, except during trash disposal or pickup. Trash pickups and automated parking lot cleaning/sweeping, shall occur between the hours of 8:00 a.m. and 6:00

p.m. The applicant shall provide sufficient trash bins and pick-ups to accommodate the site.

d. The refuse storage area shall have a unifying color and exterior finish that matches, and are integrated, with the proposed development. The proposed roof design of the trash enclosure shall be architecturally compatible with the design of the development. The Planning Services Division shall review and approve the design of the proposed roof and the material(s). The proposed roof and materials shall also comply with the building code requirements.

78. No satellite dish antennas shall be installed on said premises unless and until plans have been submitted to and approved by the Community ~~and Economic~~ Development Department, Planning Services Division, which may require proper screening to hide such appurtenances from public view.

79. All service doors shall be kept closed at all times during hours of operation except in case of emergency or to permit deliveries. Panic hardware on doors shall comply with all City Code requirements.

80. Litter shall be removed daily from the project site including adjacent public sidewalks and all parking areas under the control of the applicant. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.

81. The applicant shall abate all graffiti vandalism within the premises. The applicant shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the applicant as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.

82. The developer/owner shall submit signed letters acknowledging receipt of the decision for Site Plan No. SP-107-2022 ***(Rev. 2026)***, and their agreement with all conditions of approval.

83. In accordance with Garden Grove Municipal Code Sections 9.32.160 and 9.40.070.A, respectively, the rights granted pursuant to Site Plan No. SP-107-2022 ***(Rev. 2026)*** shall be valid for a period of two ***(2)*** years from the effective date of this approval. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of the Municipal Code, the rights conferred by Site Plan No. SP-107-2022 ***(Rev. 2026)*** shall become null and void if the subject development and construction necessary and incidental thereto is not

commenced within one (1) ~~years~~ year of the expiration of the appeal period and thereafter diligently advanced until completion of the project. In the event construction of the project is commenced, but not diligently advanced until completion, the rights granted pursuant to Site Plan No. SP-107-2022 ***(Rev. 2026)*** shall expire if the building permits for the project expire.

84. Prior to commencement of Project operations, the applicant shall evaluate the viability of installing high visibility crosswalks at the location of the three existing crosswalks at the intersection of Twintree Lane and Harbor Boulevard to increase the visibility of pedestrian crossings, and shall submit the results of that evaluation to the City's Public Works Department, Engineering Division. The City shall determine, in its reasonable discretion, whether installation of high visibility crosswalks at those locations is merited. If the City determines that installation is merited, the applicant shall install high visibility crosswalks at those locations prior to commencement of Project operations, in coordination with the California Department of Transportation, to the reasonable satisfaction of the City's Public Works Department, Engineering Division.

ATTACHMENT 6

RESOLUTION NO. 6135-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL REAPPROVE PLANNED UNIT DEVELOPMENT NO. PUD-141-01(A) WITH MODIFICATIONS LIMITED TO THE PLANNED UNIT DEVELOPMENT PROVISIONS AND DEVELOPMENT AND PERFORMANCE STANDARDS TO INCORPORATE THE MITIGATION MEASURES AND PROJECT DESIGN FEATURES IDENTIFIED IN THE SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT, FOR THE SITE B2 PROJECT (NICKELODEON HOTEL RESORT) LOCATED ON AN APPROXIMATELY 3.72-ACRE SITE AT THE NORTHWEST CORNER OF HARBOR BOULEVARD AND TWINTREE AVENUE, EAST OF TAMERLANE DRIVE, AT 12241, 12261, 12271, 12291, 12311 12323, AND 12321 HARBOR BOULEVARD, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, AND 12321 THACKERY DRIVE, THE VACATED THACKERY DRIVE, AND THE VACATED ALLEY, ASSESSOR'S PARCEL NOS. 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, AND 54.

WHEREAS, the Site B2 Project (Nickelodeon Hotel Resort) (the "Project") consists of the development of a full-service, high-rise hotel resort on an approximately 3.72 acre site known as Site B2, located at the northwest corner of Harbor Boulevard and Twintree Avenue, east of Tamerlane Drive, at 12241, 12261, 12271, 12291, 12311 and 12323/12321 Harbor Boulevard, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, and 12321 Thackery Drive, the vacated Thackery Drive, and the vacated alley (Assessor's Parcel Numbers: 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 54) and comprised of a 500-room hotel resort with a themed pool experience including a lazy river and pool slide; event space with a 600-seat theater; 17,715 square feet of ballroom and meeting space; 22,296 square feet of hotel restaurant; 5,480 square feet of retail; themed amenities totaling 13,238 square feet; a 7,000 square-foot arcade; a spa and fitness center at 8,532 square feet; a five-level parking structure with 528 parking spaces; and related site improvements; and

WHEREAS, on July 7, 2022, Planning Commission of the City of Garden Grove adopted Resolution No. 6044-22 recommending that the City Council adopt a Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program for the Project and approve Planned Unit Development No. PUD-141-01(A) to create a sub-area within Planned Unit Development No. PUD-141-01 comprised of the Project Site and to establish provisions and development and performance standards for the subject site to facilitate development of the Project; and

WHEREAS, on August 23, 2022, the City Council of the City of Garden Grove adopted Resolution No. 9768-22 adopting a Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program for the Project, adopted Resolution No. 9769-22 contingently approving Site Plan No. SP-107-2022, and introduced an Ordinance to approve Planned Unit Development No. PUD-141-01(A) (collectively, the "2022 Approvals"); and

WHEREAS, on September 13, 2022, the Garden Grove City Council adopted Resolution No. 9772-22 approving Street Vacation No. SV-002-2022 and adopted Ordinance No. 2938 approving Planned Unit Development No. PUD-141-01(A); and

WHEREAS, on September 22, 2022, Marlene Perez, Maria Guadalupe Ortiz, and Unite Here Local 11 filed a Petition for Writ of Mandate in the Orange County Superior Court challenging the 2022 Approvals on CEQA and other grounds, and Petitioner VietRISE later joined the litigation (OCSC Case No. 30-2022-01281816-CU-WM-CXC) (the "Petition"); and

WHEREAS, the parties reached a settlement agreement and, as a result, the Court entered a Stipulated Writ of Mandate on February 13, 2024 (the "Stipulated Writ"); pursuant to Public Resources Code Section 21168.9(c), the Stipulated Writ left the 2022 Approvals in place; the Stipulated Writ further requires the City, if it and the Real Parties in Interest decide to proceed with the Project, to: (a) prepare a focused CEQA review of the Project's potentially significant VMT and GHG impacts; (b) assess whether modifications are needed to the 2022 Approvals, including mitigation measures and conditions of approval, in light of that focused CEQA analysis; and (c) approve, approve with modifications, or deny the PUD at a publicly agendized City Council meeting pursuant to Garden Grove Municipal Code Section 9.32.030; all other claims in the Petition were waived, released, and dismissed with prejudice; and

WHEREAS, to comply with Paragraph 1(a) of the Stipulated Writ, the City prepared a Supplemental Environmental Impact Report ("SEIR") providing a focused review of the Project's potentially significant Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) impacts, in compliance with the California Environmental Quality Act, California Public Resources Code Section 21000 *et seq.* ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 *et seq*.; the SEIR was prepared and circulated in accordance with CEQA and the CEQA Guidelines; GHG impacts were identified as significant and unavoidable; VMT impacts were identified as less than significant with the incorporation of mitigation; the SEIR reflects the City's independent judgment and analysis; and

WHEREAS, to comply with Paragraph 1(b) of the Stipulated Writ, a Supplemental Mitigation Monitoring and Reporting Program has been prepared listing the mitigation measures to be monitored during Project implementation, and the modifications to PUD-141-01(A) recommended herein incorporate those mitigation measures and the project design features identified in the SEIR into the revised Performance Standards; and

WHEREAS, concurrent with its adoption of this Resolution, the Planning Commission also adopted (A) Resolution No. 6133-26 recommending that the City Council, pursuant to Paragraphs 1(a) of the Stipulated Writ, certify the SEIR, adopt a Supplemental Mitigation Monitoring and Reporting Program, and adopt Findings of Fact including a Statement of Overriding Considerations; and (B) Resolution No. 6134-26 recommending that the City Council, pursuant to Paragraph 1(b) of the Stipulated Writ, approve revisions to the Conditions of Approval for Site Plan No.

SP-107-2022 (Rev. 2026); the facts and findings set forth in Resolution Nos. 6133-26 and 6134-26 are hereby incorporated into this Resolution by reference; and

WHEREAS, additional entitlements will be needed to fully implement the Project, including a tentative tract map to consolidate the project site and a conditional use permit or permits to allow the sale of alcoholic beverages in the hotel, restaurants, and ballroom and meeting space; in addition, a development agreement between the City and the applicant in conjunction with the tentative tract map may also be considered; and

WHEREAS, the Planning Commission of the City of Garden Grove held a duly noticed public hearing on May 7, 2026, and considered all oral and written testimony presented regarding the Project.

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

1. The Planning Commission hereby recommends the City Council adopt an Ordinance in a form substantially similar to the draft Ordinance attached hereto as Exhibit "A" reapproving Planned Unit Development No. PUD-141-01(A) with modifications limited to the Planned Unit Development Provisions and Development and Performance Standards to incorporate the mitigation measures and project design features identified in the SEIR.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Garden Grove, as required under Municipal Code Section 9.32.030, does hereby report as follows:

FACTS:

The project site consists of 3.72 acres located in the Grove District resort area, on the northwest corner of Harbor Boulevard and Twintree Avenue. The project site abuts Planned Unit Development No. PUD-141-01 and Multiple-Family Residential (R-3) zoned properties to the north, Single-Family Residential (R-1) zoned properties to the west, R-1 zoned properties and commercial uses in Planned Unit No. PUD-121-98 to the south across Twintree Avenue, and Planned Unit Development Nos. PUD-128-12 and PUD-121-12(A) to the east across Harbor Boulevard. Nearby properties are developed with single-family and multiple-family residential, retail, restaurant, and hotel uses.

The project site consists of nineteen (19) parcels, together with Thackery Drive and a public alley, which the City Council vacated under Street Vacation No. SV-002-2022 and integrated into the project site. The entirety of the project site is zoned Planned Unit Development No. PUD-141-01(A) pursuant to Ordinance No. 2938 (adopted September 13, 2022). Prior to Ordinance No. 2938, thirteen parcels were zoned PUD-141-01 and six parcels were zoned R-1 (Single-Family Residential). The project site has a General Plan Land Use designation of International West Mixed Use (IW).

The project site is referred to as the Site B2 Project. The former Garden Grove Redevelopment Agency and the City acquired the subject properties to facilitate the

development of a hotel resort. On September 13, 2022, the City Council approved a Disposition and Development Agreement (DDA) to convey to the applicant approximately 1.5 acres of City-owned property, including the vacated alley and Thackery Drive. The applicant now owns the entirety of the 3.72-acre project site.

In 2022, the City approved PUD-141-01(A) pursuant to Ordinance No. 2938, establishing development standards for the entirety of the project site to facilitate the construction of the Nickelodeon Hotel Resort. PUD-141-01(A) establishes development standards regulating the number of hotel rooms, building height, building setbacks, landscaping, permitted uses, required parking, site circulation and access, signage, utilities, storage and refuse collection, and environmental mitigation measures.

To comply with the Stipulated Writ, the City prepared the SEIR analyzing the Project's VMT and GHG impacts. The modifications to PUD-141-01(A) recommended herein are limited to revisions to the Planned Unit Development Provisions and Development and Performance Standards to incorporate the mitigation measures and project design features identified in the SEIR. No other changes to PUD-141-01(A) are proposed.

FINDINGS AND REASONS:

1. PUD-141-01(A), as modified, is consistent with the City's General Plan.

   A Planned Unit Development is a precise plan, adopted by ordinance that provides the means for the regulation of buildings, structures, and uses of land to facilitate the implementation of the General Plan by creating site-specific zoning regulations and development standards. The regulations of the PUD are intended to provide for a diversity of uses, relationships, and open spaces in an innovative land plan and design, while ensuring compliance with the provisions of the Municipal Code.

   The project site has a General Plan Land Use Designation of International West Mixed Use (IW), which is intended to promote the development of resorts, entertainment, retail, restaurants, and hotels along Harbor Boulevard. PUD-141-01(A) implements the IW land use designation by establishing development standards that facilitate the development of the hotel resort. The modifications to PUD-141-01(A) incorporate the mitigation measures and project design features identified in the SEIR and do not alter the Project's consistency with the General Plan. The Project is consistent with the goals and policies of the General Plan Land Use Element, Community Design Element, Economic Development Element, and Circulation Element, including the following:

   Goal LU-1: The City of Garden Grove is a well-planned community with sufficient land uses and intensities to meets the needs of anticipated growth and achieve the community's vision.

The Project is located in the Grove District resort area, a focus area within the General Plan Land Use Element intended to be developed with restaurants, retail, entertainment, hotels, and other tourism-supporting uses. PUD-141-01(A) supports the intent of the focus area and establishes development standards for the Project that integrate with the surrounding community.

Policy LU-1.4: Encourage a wide variety of retail and commercial uses, such as restaurant and cultural arts/entertainment, in appropriate locations.

The Project is located in the Grove District, which encourages restaurants, retail, entertainment, and hotel uses along Harbor Boulevard. The Nickelodeon Hotel Resort features 500 hotel rooms with themed amenities, restaurants, and event spaces, adding to the hospitality services in the City's resort area and attracting local and regional visitors.

Policy LU-1.5: Encourage active and inviting pedestrian-friendly street environments that include a variety of uses within commercial and mixed-use areas.

The Project is located in the City's Grove District, developed with hotel, restaurant, and retail uses. The Project provides a pedestrian-friendly street environment through landscaping and a decorative public sidewalk pattern specific to the resort area. The landscape pattern along Harbor Boulevard includes a double row of palm trees, canopy trees with up-lighting, shrubs, and groundcover that create an inviting environment for pedestrians.

Goal LU-4: Uses compatible with one another.

The Project is located in the City's Grove District, which encourages restaurants, retail, entertainment, and hotel uses along Harbor Boulevard. The Nickelodeon Hotel Resort features 500 hotel rooms with themed amenities, restaurants, and event spaces, adding to the hospitality services in the City's resort area and attracting local and regional visitors.

Policy LU-4.5: Require that commercial developments adjoining residential uses be adequately screened and buffered from residential areas.

The project site directly abuts residential uses to the northwest and west. PUD-141-01(A) incorporates specific mitigation measures and project design features to minimize impacts on adjacent residential uses, including noise generated from the hotel, parking structure, and pool deck, ensuring adequate screening and buffering.

Policy LU-5.1: Work with property owners of vacant commercially zoned property to develop their sites into appropriate, economically viable projects.

The project site was previously vacant. PUD-141-01(A) facilitates the construction of the hotel development, integrating the entirety of the site into a single, cohesive development and reimagining an otherwise vacant property as an economically viable use.

Policy LU-6.2: Encourage a mix of retail and commercial services along major corridors and in centers to meet the community needs.

The Project is located in the City's Grove District along Harbor Boulevard, a major corridor. The Nickelodeon Hotel Resort features 500 hotel rooms, themed amenities, restaurants, and event spaces, helping meet the community's needs for hotel, restaurant, and retail uses.

Goal LU-9: Creation of tourism and entertainment-related destination area that will benefit all residents, businesses, and visitors.

The Project is located in the Grove District along Harbor Boulevard. The Nickelodeon Hotel Resort features 500 hotel rooms with unique themed amenities that attract residents and local and regional visitors, and introduces new employment opportunities to the local community.

Policy LU-9.1: Capture the benefits of the tourist trade generated by the Disneyland Resort and the Anaheim Convention Center.

The project site is approximately 1.3 miles from the Anaheim Convention Center and 2.4 miles from the Disneyland Resort. PUD-141-01(A) facilitates the development of a themed hotel that complements these major tourist destinations and the tourism-supporting uses along Harbor Boulevard.

Policy LU-9.6 Locate tourist or entertainment related uses with adequate access to freeways or major arterials to encourage both local and regional patronage.

The Project is located on Harbor Boulevard, a major arterial connecting to State Route 22 and Interstate 5. Harbor Boulevard intersects other major arterial streets including Chapman Avenue, Garden Grove Boulevard, Trask Avenue, and Westminster Avenue, providing convenient access for local and regional visitors.

Policy CD-1.5: Prepare and implement design guidelines for special districts or areas with unique character in the City of Garden Grove.

The Project is located in the Grove District resort area along Harbor Boulevard, a focus area within the General Plan Land Use Element. PUD-141-01(A) includes provisions requiring the Project to be consistent with the adopted Harbor Boulevard urban design standards, including a specialty patterned sidewalk, street trees, lighting, and other landscaping in the public right-of-way, further integrating the Project into the surrounding neighborhood.

Policy CD-4.5: Encourage new public and private parking facilities to meet aesthetic and functional standards beneficial to the urban environment.

The Project includes a multi-level parking structure shielded from public view by the hotel's service and amenity areas, which are located in front of and on top of the parking structure, limiting the visual impact of the parking structure on adjacent public rights-of-way and residential uses to the west.

Policy CD-5: Landmarks contribute to the character and image of Garden Grove.

PUD-141-01(A) facilitates the development of a hotel with an iconic serpentine shape, silhouette, and Nickelodeon-themed elements unique to the hotel, contributing to the character and image of Garden Grove and the skyline along Harbor Boulevard.

Goal CD-7: Unique and distinct districts will further enhance and strengthen the City's identity.

PUD-141-01(A) facilitates a development that is iconic and integrated into the urban design of the Harbor Boulevard corridor, supporting the intent of the Grove District focus area.

Policy CD-7.1 Encourage future development and redevelopment projects to reinforce district scale, identity, and urban form.

Hotels in the Grove District vary in design, massing, and building height, with each brand incorporating its own unique architectural design. The Project features a contemporary design that complements and reflects the Nickelodeon brand, creating a themed resort environment through enhanced architectural elements that integrate with the vision of the resort district.

Goal ED-1: Opportunities for development of tourism-related businesses shall be enhanced.

The Project is located approximately 1.3 miles south of the Anaheim Convention Center and 2.4 miles south of Disneyland, in the middle of a tourism-centric area along Harbor Boulevard. PUD-141-01(A) facilitates the development of a hotel with related amenities that carries on the intent of the Grove District and the Anaheim Resort area.

Policy ED-1.1 Continue to encourage the development and expansion of hotel facilities in key corridors of the City (i.e., Harbor Boulevard).

The Project is located in the Grove District along Harbor Boulevard, a major corridor. The subject site has been designated for hotel use since 2001. PUD-141-01(A) facilitates the development of a new 500-room themed hotel that meets the intent of the Grove District and the IW land use designation.

Policy CIR-5.4: Provide appropriate pedestrian access throughout the City of Garden Grove.

The Project is located on Harbor Boulevard. PUD-141-01(A) includes provisions to improve pedestrian access, including urban design and landscaping consistent with Harbor Boulevard within the Grove District.

Policy CIR-9.2: Provide landscaped medians and greenbelts along major arterials, highways, and freeways, when economically feasible.

PUD-141-01(A) includes provisions requiring the Project to be consistent with the adopted Harbor Boulevard urban design standards, including a specialty patterned sidewalk, street trees, lighting, and other landscaping in the public right-of-way, continuing the adopted design palette of Harbor Boulevard.

2. The location, design, and the proposed uses of PUD-141-01(A), as modified, are compatible with the character of the existing development in the vicinity and will be well integrated into its setting.

   The Project is located in the City's Grove District, a resort destination developed with hotel, restaurant, and entertainment uses. The Project is compatible with existing hotel developments in the area and enhances the hospitality services in the Grove District. The hotel offers themed amenities unique to the Nickelodeon brand, including a pool with a lazy river, pool slides, a 600-seat theater, and entertainment venues.

   The Grove District features elevated architectural design across individual hotel brands. The Project proposes an architectural style evocative of the Nickelodeon brand and provides landscaping and a decorative sidewalk pattern specific to the Grove District, creating a lively streetscape that unifies the hotel uses along Harbor Boulevard.

   PUD-141-01(A) incorporates specific mitigation measures and project design features to minimize impacts on adjacent uses, ensuring that adjacent uses are adequately screened and buffered from the hotel.

3. PUD-141-01(A), as modified, will produce a stable and desirable environment and will not cause undue traffic congestion on surrounding streets.

   PUD-141-01(A) develops the currently vacant project site to the fullest intent of the IW land use designation. The Project revitalizes vacant properties in the Grove District with a contemporary architectural design and hotel amenities evocative of the Nickelodeon brand. Landscaping along Harbor Boulevard and Twintree Avenue is compatible with the resort area landscape pattern, creating a lively streetscape and attractive environment.

A Traffic Impact Study was prepared for the Project. The SEIR identifies appropriate mitigation measures to minimize undue traffic congestion on surrounding streets.

A Shared Parking Study was prepared to determine the peak parking demand of the Project. The study determined that the peak parking demand is estimated at 471 parking spaces on weekdays and 480 parking spaces on weekends. The Project provides 528 parking spaces, sufficient to accommodate the peak demand. The Project also implements a valet parking program to increase onsite parking capacity during peak periods.

4. PUD-141-01(A), as modified, makes provision for both public and private open spaces.

   The development and performance standards of PUD-141-01(A) include provisions for the protection and long-term maintenance of public and private open spaces. The Project provides landscaping along Harbor Boulevard and Twintree Avenue compatible with the resort area landscape pattern, including a double row of palm trees, canopy trees with up-lighting, shrubs, groundcover, and a decorative public sidewalk pattern. The Project also includes hotel open space amenities including a pool deck with a lazy river and pool slides.

5. PUD-141-01(A), as modified, makes provision for the protection and maintenance of private areas reserved for common use.

   Through the Performance Standards, development standards, and conditions of approval, all necessary agreements for the protection and maintenance of private areas reserved for common use are in place prior to the start of construction and are required to be adhered to for the life of the Project.

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

   The City has not adopted zoning to implement the IW land use designation. PUD-141-01(A) therefore implements the IW land use designation by establishing site-specific development standards tailored to facilitate the development of the hotel resort. The modifications to PUD-141-01(A) incorporate the mitigation measures and project design features identified in the SEIR through revised Performance Standards, maintaining the superior design quality that the PUD was established to achieve.

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

In addition to the foregoing, the Planning Commission incorporates herein by this reference, the facts and findings set forth in the staff report and in Resolution Nos. 6133-26 and 6134-26, and in Resolution No. 6044-22.

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. PUD-141-01(A), as proposed to be modified, possesses characteristics would indicate justification of the request in accordance with Municipal Code Sections 9.16.03.020 and 9.32.030.

EXHIBIT "A"

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE REAPPROVING PLANNED UNIT DEVELOPMENT NO. PUD-141-01(A) WITH MODIFICATIONS LIMITED TO THE PLANNED UNIT DEVELOPMENT PROVISIONS AND DEVELOPMENT AND PERFORMANCE STANDARDS FOR THE SITE B2 HOTEL PROJECT FOR PROPERTIES LOCATED AT THE NORTHWEST CORNER OF HARBOR BOULEVARD AND TWINTREE AVENUE, EAST OF TAMERLANE DRIVE, AT 12241, 12261, 12271, 12291, 12311, 12323, AND 12321 HARBOR BOULEVARD, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, AND 12321 THACKERY DRIVE, THE VACATED THACKERY DRIVE, AND THE VACATED ALLEY (ASSESSOR PARCEL NUMBERS: 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, AND 54).

City Attorney Summary

This Ordinance reapproves Planned Unit Development No. PUD-141-01(A) with modifications limited to the Planned Unit Development Provisions and Development and Performance Standards that apply to an approximately 3.7-acre site in the City of Garden Grove commonly known as the Site B2 Hotel Project site, located at the northwest corner of Harbor Boulevard and Twintree Avenue, east of Tamerlane Drive, at 12241, 12261, 12271, 12291, 12311, 12323 and 12321 Harbor Boulevard, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, and 12321 Thackery Drive, the vacated Thackery Drive, and the vacated alley (Assessor Parcel Numbers: 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 54). On September 13, 2022, the Garden Grove City Council adopted Ordinance No. 2938 approving Planned Unit Development No. PUD-141-01(A) to facilitate development of a full-service, high-rise hotel resort consisting of a 500-room hotel resort with a themed pool experience with a lazy river and a pool slide; event space with a 600-seat theater; 17,715 square feet of ballroom/meeting space; 22,296 square feet of hotel restaurant; 5,480 square feet of retail; themed amenities totaling 13,238 square feet; a 7,000 square-foot arcade; a spa and fitness center at 8,532 square feet; a five-level parking structure with 528 parking spaces; and related site improvements. This Ordinance implements Paragraph 1(c) of the Stipulated Writ of Mandate entered by the Orange County Superior Court on February 13, 2024 in the matter identified as OCSC Case No. 30-2022-01281816-CU-WM-CXC by reapproving Planned Unit Development No. PUD-141-01(A) with modifications to the Planned Unit Development Provisions and Development and Performance Standards to incorporate those mitigation measures and project design features identified in the Supplemental Environmental Impact Report prepared to comply with the Stipulated Writ of Mandate.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE HEREBY FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, the Site B2 Project (Nickelodeon Hotel Resort) (the "Project") consists of the development of a full-service, high-rise hotel resort on an approximately 3.72 acre site known as Site B2, located at the northwest corner of Harbor Boulevard and Twintree Avenue, east of Tamerlane Drive, at 12241, 12261, 12271, 12291, 12311 and 12323/12321 Harbor Boulevard, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, and 12321 Thackery Drive, the vacated Thackery Drive, and the vacated alley (Assessor's Parcel Numbers: 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 54) (collectively, the "Project Site") and comprised of a 500-room hotel resort with a themed pool experience including a lazy river and pool slide; event space with a 600-seat theater; 17,715 square feet of ballroom and meeting space; 22,296 square feet of hotel restaurant; 5,480 square feet of retail; themed amenities totaling 13,238 square feet; a 7,000 square-foot arcade; a spa and fitness center at 8,532 square feet; a five-level parking structure with 528 parking spaces; and related site improvements; and

WHEREAS, on July 7, 2022, Planning Commission of the City of Garden Grove adopted Resolution No. 6044-22 recommending that the City Council adopt a Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program for the Project and approve Planned Unit Development No. PUD-141-01(A) to create a sub-area within Planned Unit Development No. PUD-141-01 comprised of the Project Site and to establish provisions and development and performance standards for the subject site to facilitate development of the Project; and

WHEREAS, on August 23, 2022, the City Council of the City of Garden Grove adopted Resolution No. 9768-22 adopting a Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program for the Project, adopted Resolution No. 9769-22 contingently approving Site Plan No. SP-107-2022, and introduced an Ordinance to approve Planned Unit Development No. PUD-141-01(A) (collectively, the "2022 Approvals"); and

WHEREAS, on September 13, 2022, the Garden Grove City Council adopted Resolution No. 9772-22 approving Street Vacation No. SV-002-2022 and adopted Ordinance No. 2938 approving Planned Unit Development No. PUD-141-01(A); and

WHEREAS, on September 22, 2022, Marlene Perez, Maria Guadalupe Ortiz, and Unite Here Local 11 filed a Petition for Writ of Mandate in the Orange County Superior Court challenging the 2022 Approvals on CEQA and other grounds, and Petitioner VietRISE later joined the litigation (OCSC Case No. 30-2022-01281816-CU-WM-CXC) (the "Petition"); and

WHEREAS, the parties reached a settlement agreement and, as a result, the Court entered a Stipulated Writ of Mandate on February 13, 2024 (the "Stipulated Writ"); pursuant to Public Resources Code Section 21168.9(c), the Stipulated Writ left

the 2022 Approvals in place; the Stipulated Writ further requires the City, if it and the Real Parties in Interest decide to proceed with the Project, to: (a) prepare a focused CEQA review of the Project's potentially significant VMT and GHG impacts; (b) assess whether modifications are needed to the 2022 Approvals, including mitigation measures and conditions of approval, in light of that focused CEQA analysis; and (c) approve, approve with modifications, or deny the PUD at a publicly agendized City Council meeting pursuant to Garden Grove Municipal Code Section 9.32.030; all other claims in the Petition were waived, released, and dismissed with prejudice; and

WHEREAS, to comply with Paragraph 1(a) of the Stipulated Writ, the City prepared a Supplemental Environmental Impact Report ("SEIR") providing a focused review of the Project's potentially significant Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) impacts, in compliance with the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 et seq.; the SEIR was prepared and circulated in accordance with CEQA and the CEQA Guidelines; GHG impacts were identified as significant and unavoidable; VMT impacts were identified as less than significant with the incorporation of mitigation; the SEIR reflects the City's independent judgment and analysis; and

WHEREAS, to comply with Paragraph 1(b) of the Stipulated Writ, a Supplemental Mitigation Monitoring and Reporting Program has been prepared listing the mitigation measures to be monitored during Project implementation, and the modifications to PUD-141-01(A) recommended herein incorporate those mitigation measures and the project design features identified in the SEIR into the revised Performance Standards; and

WHEREAS, following a public hearing held on May 7, 2026, the Planning Commission adopted (A) Resolution No. 6133-26 recommending that the City Council, pursuant to Paragraphs 1(a) and 1(b) of the Stipulated Writ, certify the SEIR, adopt a Supplemental Mitigation Monitoring and Reporting Program, and adopt Findings of Fact including a Statement of Overriding Considerations; (B) Resolution No. 6134-26 recommending that the City Council, pursuant to Paragraph 1(b) of the Stipulated Writ, approve revisions to the Conditions of Approval for Site Plan No. SP-107-2022 (Rev. 2026); and (C) Resolution No. 6135-26 recommending that the City Council, pursuant to Paragraph 1(c) of the Stipulated Writ of Mandate and Garden Grove Municipal Code Section 9.32.030, adopt an Ordinance reapproving Planned Unit Development No. PUD-141-01(A) with modifications limited to the Planned Unit Development Provisions and Development and Performance Standards to incorporate the mitigation measures and project design features identified in the SEIR. The facts and findings set forth in Resolution Nos. 6133-26, 6134-26, and 6135-26 are hereby incorporated into this Ordinance by reference; and

WHEREAS, pursuant to a legal notice, a Public Hearing regarding the Project and the Supplemental Environmental Impact Report was held by the City Council on _____ __, 2026, and all interested persons were given an opportunity to be heard; and

WHEREAS, on _____, 2026, the City Council adopted Resolution No. _____ certifying a Supplemental Environmental Impact Report, Adopting a Supplemental Mitigation Monitoring and Reporting Program, and Adopting Findings, Including a Statement of Overriding Considerations, for the Project, and Resolution No. _____ contingently approving revisions to the Conditions of Approval for Site Plan No. SP-107-2022; and

WHEREAS, the City Council gave due and careful consideration to the matter during its meeting of _____ __, 2026, and considered all oral and written testimony presented; and

WHEREAS, the City Council hereby incorporates by reference the findings and reasons set forth in Planning Commission Resolution No. 6135-26 and makes the following findings regarding Planned Unit Development No. PUD-141-01(A):

A. PUD-141-01(A), as modified, is consistent with the City's General Plan.

B. That the location, design and proposed uses of PUD-141-01(A), as modified, are compatible with the character of existing development in the vicinity and will be well integrated into its setting.

C. PUD-141-01(A), as modified, will produce a stable and desirable environment and will not cause undue traffic congestion on surrounding or access streets.

D. PUD-141-01(A), as modified, makes provision for both public and private open spaces.

E. PUD-141-01(A), as modified, makes provision for the protection and maintenance of private areas reserved for common use.

F. That the quality of the project achieved through the planned unit development zoning is greater than could be achieved through traditional zoning.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, HEREBY ORDAINS AS FOLLOWS:

Section 1. Recitals. The City Council finds that the above recitals are true and correct.

Section 2. Environmental Review. City Council Resolution No. _____ Certifying a Supplemental Environmental Impact Report, Adopting a Supplemental Mitigation Monitoring and Reporting Program, and Adopting Findings, Including a Statement of Overriding Considerations, for the Project is incorporated herein by reference with the same force and effect as if set forth in full herein.

Section 3. Findings Incorporated by Reference. The findings, facts and reasons stated in Planning Commission Resolution Nos. 6044-22 and 6135-26, and in Ordinance No. 2938, copies of which are on file in the office of the City Clerk, are incorporated herein by reference with the same force and effect as if set forth in full herein.

Section 4. Reapproval. Planned Unit Development No. PUD-141-01(A) is hereby reapproved, subject to the modified provisions and development and performance standards attached hereto as "Exhibit A." Except as otherwise modified pursuant to this Ordinance, the provisions of Ordinance No. 2938, adopted on September 13, 2022, shall continue in full force and effect.

Section 5. Modification. As set forth in Ordinance No. 2938, in the event the proposed Site B2 Hotel Project is not developed for any reason, the property owner(s) shall continue to have the right to develop that portion of the site subject to that certain Development Agreement between the City of Garden Grove and Palm Court Lodging, LLC, dated February 26, 2002, and recorded in the Official Records of the County of Orange on March 21, 2002, as document number 20020231935, in accordance with Planned Unit Development No. PUD-141-01 and the vested rights conferred by said Development Agreement. In addition, those residential uses, if any, that were permitted on the parcels comprising the Project site under the General Plan Land Use designation(s) or zoning ordinances of the City as in effect on January 1, 2018, shall remain permitted uses, subject to the applicable development standards and review and approval in accordance with the Garden Grove Municipal Code and State law.

Section 6. Zoning. The Project Site shall continue to be zoned Planned Unit Development No. PUD-141-01(A) as shown on the Zoning Map attached as Exhibit "A" to Ordinance No. 2938.

Section 7. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each other section, subsection, subdivision, sentence, clause, phrase, word or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

Section 8. Effective Date. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

EXHIBIT "A"

Planned Unit Development No. PUD-141-01(A)

Modified
Planned Unit Development Provisions and Development and Performance Standards

A. Purpose and Intent

The purpose and intent of Planned Unit Development No. PUD-141-01(A) is to facilitate the development of a hotel resort consisting of 500 hotel rooms within a full-service, high-rise hotel resort with entertainment; a themed pool deck with a lazy river and a pool slide; event space with a 600-seat theater; 17,715 square feet of ballroom and meeting space; 22,296 square feet of hotel restaurants; 5,480 square feet of retail; themed amenities totaling 13,238 square feet; a 7,000 square-foot arcade; an 8,532 square-foot spa and fitness center; and a parking structure. This Planned Unit Development subarea expands the scope of potential development intensity on the covered property and is not intended to modify or reduce the permitted intensity of residential uses otherwise permitted on any portion of the property, if any, or to extinguish the existing rights, if any, granted pursuant to that certain Development Agreement entered into between the City of Garden Grove and Palm Court Lodging, LLC, dated February 26, 2002, recorded in the Official Records of the County of Orange on March 21, 2002, at Document No. 20020231935.

B. Maximum Square Footages

The aggregate square footages of the banquet and meeting space, hotel restaurants, retail, and hotel amenities permitted within PUD-141-01(A) shall not exceed the following maximums:

- Ballroom/Meeting Space — 17,715 Square Feet
- Restaurant — 22,296 Square Feet
- Retail — 5,480 Square Feet
- Hotel Amenities:
  - Theater (Nick Studio) — 600 Seats
  - Entertainment Venue (Studio Hall) — 6,448 Square Feet
  - Arcade (Nick Arcade) — 7,000 Square Feet
  - Spa/Fitness — 8,532 Square Feet

C. Permitted Uses

The following uses shall be permitted or conditionally permitted within PUD-141-01(A):

- Hotels, hotels with ballroom and meeting space, restaurants, and ancillary hotel uses such as gift shops, coffee and beverage dispensary, swimming pool, spa, and fitness room.

- Hotels with entertainment shall be limited as an accessory use to the ballroom and meeting space, and shall be subject to a Conditional Use Permit.

- Alcohol sales on-site and off-site are subject to all provisions of Title 9 of the Municipal Code, including, but not limited to, Conditional Use Permit (CUP) approval.

- Restaurants with or without alcoholic beverage sales. Restaurants with alcoholic beverage sales are subject to a Conditional Use Permit.

- Restaurants with entertainment shall be subject to a Conditional Use Permit.

- Outside vending such as hot dog carts, merchandise carts, and similar free-standing/mobile vending carts are subject to Conditional Use Permit approval.

- Parking lots and parking structures to serve the project.

- Any proposed use that is not listed shall be subject to an Interpretation of Use pursuant to Section 9.32.030 of the Municipal Code that shall be reviewed by the Zoning Administrator.

- Those residential uses, if any, that were permitted under the General Plan Land Use designation(s) or zoning ordinances of the City as in effect on January 1, 2018, shall remain permitted uses, subject to the applicable development standards and review and approval in accordance with the Garden Grove Municipal Code and State law.

D. Setbacks

The minimum building setbacks shall be as follows:

1. Front Setback: Minimum building setback from the Harbor Boulevard property line (ultimate right-of-way) shall be nine feet (9’-0”).

2. Side Street Setback: Minimum building setback along Twintree Avenue shall be ten feet (10’-0”) from the property line.

3. Interior Side and Rear Setbacks: No minimum setback shall be required adjacent to commercial uses. A minimum ten-foot (10’-0”) setback is required adjacent to any property line with an adjoining residential use.

Building elements such as structural components, architectural features, or roof projections shall not encroach into the required perimeter setback areas.

E. Maximum Building Height

Building heights shall be determined through a Shade and Shadow Study, and approved through a Site Plan review.

F. Landscaping

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

Harbor Boulevard Landscape Treatment: Landscaping along Harbor Boulevard, including within the public right-of-way, shall include two rows of Date Palm Trees with a minimum brown trunk height of twenty-five feet (25'-0"), canopy trees (24-inch box minimum), shrubs, and groundcovers. Landscape materials shall match the landscape materials used within the Grove District area. The landscape area shall include up-lighting on the trees. All aspects and elements of the Harbor Boulevard Landscape Treatment shall be included on the required Project landscape and irrigation plans and shall be reviewed and approved by the Community Development Department and the Public Works Department prior to the beginning of site construction. The Community Development Director may approve minor modifications to the foregoing standards as to height, size, and placement of the palm trees along Harbor Boulevard.

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

The landscape plan shall incorporate and provide for maintenance for the life of the project those means and methods required to address water runoff, also identified as Low Impact Development provisions, in accordance with Chapter 6.40 of the Garden Grove Municipal Code, and the regulations and technical documents incorporated and required thereunder, including, but not limited to, any applicable Water Quality Management Plan (WQMP), the Orange County Drainage Area Management Plan (DAMP), and any other water conservation measures applicable to this type of development.

Landscaping shall be provided within the project boundaries, as well as along Harbor Boulevard and Twintree Avenue. The landscape treatment along Harbor Boulevard shall include a double row of palm trees with canopy trees, shrubs, and groundcover consistent with the Grove District Anaheim Resort landscape plan for Harbor Boulevard. The landscape treatment along Twintree Avenue shall incorporate canopy trees, shrubs, and groundcover similar to the landscape treatment on Harbor Boulevard.

The required width of the public sidewalk and parkway improvements on Harbor Boulevard and Twintree Avenue shall be determined by the Public Works Department, Engineering Division, to ensure a consistent pattern consistent with the right-of-way improvements for the resort district.

The property owner shall be responsible for all installation and long-term maintenance of all landscaping on the property during and after the construction period. Said responsibility shall extend to any landscaping, sidewalk, curb, and pavement of the site, and shall extend to the public right-of-way adjacent to the site, subject to the parameters and limitations set forth in the Performance Standards attached hereto as Exhibit "B." All planting areas shall be kept free of weeds, debris, and graffiti.

G. Boundary:

The site's boundary for maintenance, landscaping, and improvements is that area around the project site that extends to the property line along adjacent properties, and where the project is adjacent to public right-of-way, the boundary shall extend to the curb of each street respectively, subject to the parameters and limitations set forth in the Performance Standards attached hereto as Exhibit "B."

H. Maintenance:

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

I. Circulation and Access

The site shall provide one (1) access point on Harbor Boulevard and one (1) access point on Twintree Avenue, and subsequent improvements as identified in the mitigation measures of the SEIR adopted pursuant to the Stipulated Writ of Mandate. The final location of the emergency access shall be determined prior to submittal of plans for building and grading permits and shall be subject to approval by the Community Development Director.

The Harbor Boulevard entrance shall serve as the main entrance to the project site for all guests, visitors, and hotel employees. Tourist buses and shuttle buses shall also use the Harbor Boulevard entrance for access. The Twintree Avenue entrance shall serve as a secondary vehicular entrance only and shall be restricted for use by emergency vehicles, maintenance vehicles, and trash and delivery trucks only.

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

The Project shall provide an internal vehicular circulation system designed to comply with the City's minimum drive-aisle standards, accommodating two-way traffic and providing appropriate access for trash trucks and emergency vehicles.

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

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

J. Required Parking:

Except as provided below, the hotel project shall provide a minimum of 480 parking spaces. This parking requirement is based on the total number of hotel rooms and aggregate square footages of the hotel resort uses analyzed in the Shared Parking Study attached as Appendix J to the Initial Study prepared for PUD-141-01(A), including:

- A maximum of 500 hotel rooms
- A maximum of 17,715 square feet of ballroom/meeting space
- A maximum of 22,296 square feet of hotel restaurant space
- A maximum of 5,480 square feet of retail
- A 600-seat theater (Nick Studio)
- A maximum 6,448 square feet of family entertainment (Studio Hall)
- A maximum of 8,532 square feet of spa space

In the event of changes in the aforementioned square footages that may affect the total required parking, such as a square footage increase beyond those analyzed in the Shared Parking Study, or if a reduction to the total required parking spaces is proposed based on a reduction to the number of hotel rooms or use square footages, an updated shared parking study shall be prepared to determine the required minimum number of parking spaces. The updated shared parking study and associated change in the number of required parking spaces may be reviewed and approved by the Community Development Director.

The owners and/or tenants of the hotel project shall implement the required mitigation measures identified in the Supplemental Mitigation Monitoring and Reporting Program adopted pursuant to the Stipulated Writ of Mandate to minimize impacts to parking.

In the event a significant addition or expansion of uses or the development of a different project than what was analyzed in the SEIR adopted pursuant to the

Stipulated Writ of Mandate is proposed, a new site-specific parking analysis shall be prepared for City review and approval.

K. Parking Structure Design

The parking structure shall be designed to be architecturally compatible with onsite buildings, utilizing similar design features, details, and materials. All sides of a parking structure in view from adjacent properties and public right-of-way shall be architecturally enhanced. The parking structure shall be well illuminated, including having the interior painted a light color, and designed to meet City parking standards for drive-aisle width, stall sizes, and height clearances. Within the structure, an emergency communication system shall be installed and maintained that allows emergency services such as police, fire, and paramedics to use communication devices throughout the enclosed areas. The design of the parking structure shall also incorporate the mitigation measures and project design features identified in the SEIR adopted pursuant to the Stipulated Writ of Mandate.

L. Perimeter Walls

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

A new eight-foot (8'-0") tall block wall shall be constructed on the western and northwestern property lines, adjacent to the residential properties. The developer shall work with adjacent property owners in designing and constructing the perimeter block walls to avoid double walls and to minimize any impact on existing landscaping on the neighbor's side. The perimeter block wall shall be constructed and situated entirely within the subject property. In the event that the developer cannot obtain approval from the adjacent property owners, the new wall may be constructed with a decorative cap placed between the new and existing walls.

Any new block walls constructed along the Twintree Avenue property line shall maintain a five-foot (5'-0") setback from the property line.

At no time shall a block wall be placed within nine feet of the Harbor Boulevard property line.

Any block wall located adjacent to a driveway shall ensure that the appropriate line-of-sight is maintained as determined by the Public Works Department, Engineering Division.

The Community Development Director may authorize minor modifications to the required wall heights and setbacks to accommodate permitted differences between submitted development plans and the project plans. Notwithstanding the foregoing, the block wall on the westerly and northwesterly property lines shall comply with all standards required by the mitigation measures and project design features identified in the SEIR and Supplemental Mitigation Monitoring and Reporting Program adopted pursuant to the Stipulated Writ of Mandate.

M. Signs and Graphic Standards

All signage, including sign type and allowable sign area, shall be in accordance with Chapter 9.20 of Title 9 of the Municipal Code as allowed by the C-1 zone.

The total allowable sign area shall be calculated per Chapter 9.20.060.B of Title 9 of the Municipal Code. Signs may be mounted flush with the wall surface or perpendicular to the wall (blade sign).

Freestanding signs shall comply with the Overlay Design Standards for the International West Resort Area per Section 9.20.045 of the Municipal Code.

A sign program governing all site signage, inclusive of wall signage, common area signage, freestanding signs, and directional signs, is required. The sign program shall be approved by the Community Development Director, or his or her designee, prior to occupancy of the site and shall remain in effect for the duration of the project. All changes to the approved sign program shall be approved by the Community Development Director, or his or her designee.

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

N. Utilities

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

O. Storage and Refuse Collection

All staging and storage areas for the hotel and hotel uses shall be provided within the hotel's loading area. No outside storage area shall be provided, nor shall there be any outside storage of goods or merchandise at any time. Designated staging areas (loading/unloading) for general deliveries of goods sold on the site may be created, but these staging areas shall not block or hinder vehicle or pedestrian traffic or restrict emergency vehicles or emergency access.

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

P. Environmental Mitigation Measures

The overall development and subsequent occupancy and operation of the site shall be subject to those environmental mitigation measures identified in (1) the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Site B2 Hotel Project, adopted pursuant to Resolution No. 9768-22 adopted by the Garden Grove City Council on August 23, 2022, and which are summarized in Exhibit "A"

attached hereto; and (2) the Supplemental Environmental Impact Report and Supplemental Mitigation Monitoring and Reporting Program for the Site B2 Hotel Project, adopted pursuant to Resolution No. _____ adopted by the Garden Grove City Council on _____, 2026, which are summarized in Exhibit "B" attached hereto.

Q. Covenants, Conditions, and Restrictions (CC&Rs)

If the project site is subdivided to create separate units of ownership within PUD-141-01(A), Covenants, Conditions, and Restrictions or a similar legal document ("Declaration") approved by the City Attorney and the City Manager, or his or her designee, governing the maintenance, use, operation, and development of the entire site, shall be recorded prior to or concurrently with recordation of the subdivision map. Minimum required provisions of such Declaration shall be included in the Conditions of Approval of the subdivision map, if applicable, and shall include or address the following in a form acceptable to the City:

- The development provisions and development standards for PUD-141-01(A) and/or any subsequent amendments to such provisions or standards;
- All PUD Performance Standards and conditions of approval to approved land use permits for the project;
- All applicable CEQA mitigation measures applicable to the project;
- All applicable provisions required to be contained in a "declaration" or similar document required to be recorded pursuant to the disposition and development agreement governing the property;
- Covenants and provisions requiring and providing for maintenance of all buildings, amenities, sidewalks, drive aisles, lighting, landscaping, and other improvements on the site and applicable portions of the public right-of-way according to established standards;
- Reciprocal easements for ingress, egress, parking, utilities, and drainage benefitting the various land uses and property interests on the site;
- Easements permitting and addressing any contemplated encroachments or permitted construction across lot and parcel lines;
- Provisions for the deterrence and/or abatement of graffiti vandalism consistent with best management practices approved by the City;
- Provisions ensuring tenants and property owners a means of contacting persons responsible for site maintenance, repairs, trash pick-up, and other related matters;
- Provisions expressly assigning and allocating responsibility and funding and performance of the continued operation and maintenance of the site,

improvements on the site, and all required water quality best management practices;

- Provisions acceptable to the City regarding property owners' and/or the property owners' association's responsibilities for compliance with all applicable water quality laws and regulations;

- A provision or provisions giving the City the right, but not the obligation, to enforce provisions of the Declaration, Planned Unit Development provisions, and related land use permit approvals by any legal or equitable means; authorizing the City to levy special assessments against the properties in connection with its enforcement actions; and providing that the City shall be entitled to recover its attorneys' fees incurred in connection with enforcement;

- A provision permitting entry by police and fire personnel upon common areas and/or portions of the site held open to the public for the purpose of enforcing state and local laws; an

- A provision or provisions prohibiting termination or substantial amendment of the Declaration without prior written approval of the City.

R. Absence of Provisions and Standards

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

S. Development Plans and Permits

Except as otherwise expressly provided herein, all development within the subarea shall be subject to approval of a subdivision map, site plan, and/or other land use permits, as applicable, in accordance with Chapter 9.32 of the Garden Grove Municipal Code. Any required reservation of land, dedication or right-of-way, payment of development impact fees, easement(s), and/or site improvement work in the public right-of-way shall be properly addressed in the permit approval process and made a condition of approval of such permit(s), as applicable.

T. Associated Performance Standards

In order to fulfill the purpose and intent of Planned Unit Development No. PUD-141-01(A), the Performance Standards attached hereto as Exhibit "C" shall apply as conditions to the approval of any future hotel resort development, including any ancillary buildings, uses, and/or subdivision of property covered by PUD-141-01(A). The performance standards shall be applicable to the future development of the site, including the initial construction drawings, plan check

review, during construction, after completion of the project, and for the life of the development. To the extent not inconsistent with the purpose, intent, and specific standards and requirements of PUD-141-01(A), the Community Development Director may authorize minor modifications to the Performance Standards. This Section shall not be interpreted to in any way limit the authority of the City to impose additional conditions of approval pursuant to subsequent project-specific City approvals.

Exhibit "A"

SITE B-2 HOTEL PROJECT

MITIGATED NEGATIVE DECLARATION

MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) identifies Mitigation Measures required to be implemented for the Site B-2 Hotel Project (proposed project). These Mitigation Measures were identified in the **Site B-2 Hotel Final Initial Study/Mitigated Negative Declaration**. For each Mitigation Measure, the MMRP identifies the potentially significant impact per environmental category, the related mitigation measure, the implementation entity, the monitoring and verification entity, and timing requirements.

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs		MONITORING			VERIFICATION	
			Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
AESTHETICS							
Light and Glare							
Introduce new source of substantial light or glare	AES-1	Prior to final site plan approval, a site specific light and glare study shall be prepared and approved by the Community and Economic Development Director, or his or her designee, to ensure that the proposed project will be in compliance with the City's Zoning Code related to lighting designs. The light and glare study shall include technologically advanced hotel/resort lighting measures in its detailed design plans. These measures may include, without limitation, installation of exterior screening such as shielding attached to the luminaire, building, or site structures; using anti-reflective glass or glass	Project Applicant	Community and Economic Development Department/ Public Works Department	Prior to final site plan approval		

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs		MONITORING			VERIFICATION	
			Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
		treated with an anti-reflective coating; and shielding lights with visors to reduce light trespass, glare impact and visual distraction. Additionally, the light and glare study shall incorporate measures necessary for the proposed project's compatibility with the goals and policies (i.e., Policy SAF-2.1 and SAF-IMP-2A) in the General Plan for providing adequate lighting to maintain a safe public environment. These measures may include, without limitation, placement of pedestrian-level lighting throughout the project site; and provision of signage and markings within the project site for pedestrian safety.					
BIOLOGICAL RESOURCES							
MBTA Nesting Birds							
Raptors and other nesting birds protected under the federal Migratory Bird Treaty Act encountered during tree removal activity	BIO-1	With the potential for nesting birds protected under the Migratory Bird Act Treaty (MBTA) and California Fish and Game Code (CFGC) to occur in ornamental trees within the project site and surrounding area, tree removal during construction shall occur outside of the nesting bird	Project Applicant	Community and Economic Development Department /Public Works Department	Prior to grading and building construction		

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	season (generally, February 15 through September 1). If avoiding the nesting season is not practicable, the following additional measures shall be employed: a. A pre-construction nesting bird survey shall be conducted by a qualified biologist within 3 days prior to the start of construction activities to determine whether active nests are present within or directly adjacent to the construction zone. All active nests found shall be recorded. b. If active nests are detected during the survey, the qualified biologist shall establish an appropriate buffer and monitor the active nests within the buffers at a minimum of once per week to determine whether the birds are being disturbed. If signs of disturbance or stress are observed, the qualified biologist shall immediately implement adaptive measures to reduce disturbance. These measures shall be determined by the					

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs		MONITORING			VERIFICATION	
			Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
		qualified biologist and could include, without limitation, increasing buffer distance, temporarily halting construction activities until fledging is confirmed, or placing visual screens or sound dampening structures between the nest and construction activity.					
CULTURAL RESOURCES							
Archaeological Resources							
Archaeological resources encountered during ground-disturbing activities	CR-1	In the event archeological resources are found during construction, all attempts will be made to preserve in place or leave resources in an undisturbed state in compliance with all applicable laws. In the event that archeological resources are identified and cannot be preserved in place, a qualified archaeologist will be contacted to evaluate and determine appropriate treatment for the resource in accordance with Public Resources Code (PRC) Section 21083.2(i). Work in the vicinity of the discovery (15-meter radius) will halt until the appropriate assessment and treatment of the resource is	Project Applicant	Community and Economic Development Department /Public Works Department	During grading and building construction		

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs		MONITORING			VERIFICATION	
			Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
		determined by the archaeologist (work can continue elsewhere on the project site).					
Human Remains Discovery							
Unknown and unanticipated human remains encountered during ground-disturbing activities	CR-2	If human remains are discovered, work in the immediate vicinity of the discovery shall be suspended and the Orange County Coroner shall be contacted. If the remains are deemed Native American in origin, the Coroner will contact the NAHC and identify a Most Likely Descendant pursuant to PRC Section 5097.98 and California Code of Regulations Section 15064.5. Work will only commence after consultation and treatment have been concluded. Work may continue on other parts of the project site while consultation and treatment are conducted.	Project Applicant	Community and Economic Development Department /Public Works Department	During grading and building construction		
ENERGY							
Inefficient or wasteful energy consumption or conflict with the City's energy goals	Refer to Mitigation Measures GHG-2 through GHG-6						

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs		MONITORING			VERIFICATION	
			Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
GEOLOGY AND SOILS							
Paleontological Resources							
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature	G-1	In the event paleontological resources are found during construction, all attempts will be made to preserve in place or leave resources in an undisturbed state in compliance with applicable laws. In the event that fossil specimens are encountered on the site and cannot be preserved in place, a qualified paleontologist will be contacted and work in the vicinity of the discovery (15-meter radius) will halt until the appropriate assessment and treatment of the resource is determined by the paleontologist (work can continue elsewhere on the project site). If recommended by the project paleontologist, monitoring may be implemented, collection of specimens or appropriate sediment samples may be conducted, and remains may be curated at a repository, in accordance with Society of Vertebrate Paleontology guidelines.	Project Applicant	Community and Economic Development Department /Public Works Department	During grading and building construction		

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs		MONITORING			VERIFICATION	
			Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
GREENHOUSE GAS EMISSIONS							
Generate greenhouse gas emission, either directly or indirectly, that may have a significant impact on the environment or conflict with Assembly Bill 32 or California Air Resources Board's 2017 Scoping Plan Update	GHG-1	The number of large diesel trucks coming to the site (i.e., for deliveries, trash collection or other services) shall be limited to 20 trucks per day or less. This restriction is specifically applicable to trucks classified as medium-heavy duty and heavy-heavy duty with gross vehicle weight (GVW) greater than 19,500 pounds.	Project Applicant	Community and Economic Development Department /Public Works Department	During grading and building construction / On going		
	GHG-2	Onsite renewable energy sources (i.e., solar panels) shall be installed capable of generating up to 25% of the project's total electricity demand.	Project Applicant	Community and Economic Development Department /Public Works Department	During grading and building construction / On going		
	GHG-3	Prior to receiving a Certificate of Occupancy, the proposed project shall demonstrate to the satisfaction of the Garden Grove Building and Safety Division that water conservation strategies have been implemented, including low flow fixtures and toilets, water efficient irrigation systems, drought tolerant/native landscaping, and pool water recycling systems.	Project Applicant	Community and Economic Development Department /Public Works Department	Prior to receiving a Certificate of Occupancy		

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	GHG-4 Waste management, recycling and composting programs shall be implemented to divert up to 50% of waste away from a landfill.	Project Applicant	Community and Economic Development Department /Public Works Department	During grading and building construction / On going		
	GHG-5 Electric landscaping equipment, such as leaf blowers and pressure washers shall be used.	Project Applicant	Community and Economic Development Department /Public Works Department	During grading and building construction / On going		
	GHG-6 No onsite natural gas fireplaces or fire pits shall be installed.	Project Applicant	Community and Economic Development Department /Public Works Department	During grading and building construction / On going		
	GHG-7 Trip reduction measures and project design features shall be implemented to reduce the number of auto-based trips generated by the project and to encourage the use of transit, bicycling, and walking through the following measures. 1. Improve the walkability and design of the project by providing	Project Applicant	Community and Economic Development Department /Public Works Department	During grading and building construction / On going		

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	pedestrian and bicycling connections within the project site and to adjacent off-site facilities (i.e., sidewalks, crosswalks, wayfinding signage, etc.). 2. Provide traffic calming measures (i.e., marked crosswalks, raised crosswalks, raised intersections, count-down signal timers, curb extensions, speed tables, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers, etc.) 3. Provide secure onsite bicycle racks and provide bicycle rentals for hotel guests. 4. Provide transit/shuttle service for guests to local area attractions. The shuttle service shall operate on a regular daily basis and be offered to all guests staying at the hotel. 5. Hotel management/concierge					

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	should provide information that promotes walking, bicycling and public transit options to nearby attractions. This should include information on local bus routes and schedules and wayfinding to the existing transit stops along Harbor Boulevard.					
NOISE						
Construction Noise Reduction						
Generate temporary noise levels in exceedance of ambient conditions at the residential uses surrounding the project site	N-1 Prepare and submit a construction management plan to the City of Garden Grove prior to starting construction. The construction management plan shall ensure all contractors implement construction best management practices to reduce construction noise levels. Best management practices shall include, but not be limited to, the following: • All construction equipment shall be equipped with mufflers and other suitable noise attenuation devices (e.g., engine shields). • Where feasible, electric hook-ups shall be provided to avoid the use of	Project Applicant	Community and Economic Development Department / Public Works Department	Prior to grading and building construction		

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	generators. If electric service is determined to be infeasible for the site, only whisper-quiet generators shall be used (i.e., inverter generators capable of providing variable load.) • Use electric air compressors and similar power tools rather than diesel equipment, where feasible. • Locate staging area, generator areas, and stationary construction equipment as far from the adjacent residential homes, as feasible. • Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 5 minutes. • Provide notifications and signage in readily visible locations along the perimeter of construction sites that indicate the dates and duration of construction activities, as well as provide a telephone number where neighbors can inquire about the					

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs		MONITORING			VERIFICATION	
			Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
		construction process and register complaints to a designated construction noise disturbance coordinator. • All construction activities shall take place during daytime hours, between 7:00 a.m. to 8:00 p.m., per the requirements of the City of Garden Grove conditions of approval. • No impact pile driving or blasting activities shall be permitted on the project site during construction.					
	N-2	Construct the eight (8) foot high masonry block noise barrier wall along the western and northwestern property lines during the first phase of construction, prior to performing any excavation or grading activities.	Project Applicant	Community and Economic Development Department / Public Works Department	During the first phase of construction, prior to performing any excavation or grading activities		
	N-3	Install a temporary noise barrier wall along the northern and southern property lines of the project site to shield adjacent sensitive receptors from construction noise. The temporary barrier should be	Project Applicant	Community and Economic Development Department / Public Works Department	During the first phase of construction, prior to performing any excavation or		

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs		MONITORING			VERIFICATION	
			Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
		installed at the first phase of construction, prior to performing any excavation or grading activities and shall remain till the construction is completed. The temporary noise barrier shall be a minimum of six (6) feet high and present a solid face area such as by installing sound absorptive material or blankets which can be installed in multiple layers for improved noise insulation.			grading activities		
TRANSPORTATION							
Left-Turn Queue							
Substantially increase hazards due to a geometric design or incompatible uses	TR-1	Coordinate with the City of Anaheim to determine if the project is required to make a fair-share contribution to extend the left-turn capacity up to 266 feet at the intersection of Harbor Boulevard and Orangewood Avenue.	Project Applicant	Public Works Department	Prior to final building permits		
	TR-2	Pay full cost to extend the left-turn capacity up to 169 feet at the intersection of West Street and Chapman Avenue.	Project Applicant	Public Works Department	Prior to final building permits		
	TR-3	Pay full cost to extend the left-turn capacity up to 105 feet at the intersection of Harbor Boulevard and Lampson Avenue.	Project Applicant	Public Works Department	Prior to final building permits		

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs		MONITORING			VERIFICATION	
			Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	TR-4	Pay full cost to extend the left-turn capacity up to 133 feet at the intersection of Haster Street and Lampson Avenue.	Project Applicant	Public Works Department	Prior to final building permits		
	TR-5	Pay full cost to extend the left-turn capacity up to 381 feet at the intersection of Harbor Boulevard and Trask Avenue.	Project Applicant	Public Works Department	Prior to final building permits		
TRIBAL CULTURAL RESOURCES							
Substantial adverse change in the significance of a tribal cultural resource pursuant to Public Resources Code § 21074	TCR-1	If any tribal cultural resources are encountered within the project site, interested Native American parties established in the contact program, in compliance with Assembly Bill 52 (AB 52), will be notified. The City of Garden Grove will coordinate with interested Native American parties, as established during AB 52 consultation, to determine whether the resources constitute tribal cultural resources and solicit any comments the Native American parties may have regarding appropriate treatment and disposition of the resources. All attempts will be made to preserve tribal cultural resources in place or leave resources in an undisturbed	Project Applicant	Community and Economic Development Department / Public Works Department	During grading and building construction		

IDENTIFIED IMPACT	MITIGATION MEASURES/PDFs	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	state in compliance with all applicable laws. Work in the vicinity of the discovery (15-meter radius) will halt until the appropriate assessment and treatment of the resource is determined in consultation with Native American parties (work can continue elsewhere on the project site).					

EXHIBIT "B"

4 Supplemental Mitigation Monitoring and Reporting Program

4.1 Introduction

California Public Resources Code (PRC) Section 21081.6 requires that, upon certification of an environmental impact report (EIR), "the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation" (PRC Sections 21000–21177).

This Supplemental Mitigation Monitoring and Reporting Program (MMRP) was developed in compliance with PRC Section 21081.6 and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000–15387), and includes the following information:

- A list of mitigation measures
- The timing for implementation of the mitigation measures
- The party responsible for implementing or monitoring the mitigation measures
- The date of completion of monitoring

The City of Garden Grove must adopt this Supplemental MMRP, or an equally effective program, if it approves the proposed Site B-2 Hotel Project (Project) with the mitigation measures that were adopted or made conditions of Project approval.

4.2 Supplemental MMRP Table

Table 4-1 presents the Supplemental MMRP, including the mitigation measures, timing for their implementation, the party or parties responsible for implementing or monitoring the mitigation measures, and date of completion. Each mitigation measure includes the corresponding California Air Pollution Control Officers' Association (CAPCOA) measure in italics immediately following the mitigation text to indicate alignment with recognized VMT and GHG best practices. Project design features (PDFs) that are incorporated into the Project relative to the analysis in the Draft Supplemental EIR are also provided in the table.

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Greenhouse Gas Emissions				
Mitigation Measures				
MM-GHG-1: Construction Equipment Electrification. Prior to issuance of building permits, the Project Applicant's or designee's contractor shall submit a Construction Equipment Emissions Minimization Plan for City of Garden Grove (City) approval that: (1) Identifies all off-road equipment anticipated by phase. (2) Requires generators, cranes, electric scissor/boom lifts, forklifts/telehandlers (where feasible), welders (where feasible), and electric/solar light towers when commercially available. (3) Requires grid power for temporary construction. (4) Where electric equipment is not available for a listed task, documents non-availability (size/class, delivery lead time, site constraints) and requires the cleanest feasible alternative (Tier 4 Final/zero-emission alternatives as available). In addition, the Project shall limit air compressors used during the architectural coating/painting phase to equipment that is electric-powered Compliance shall be demonstrated through equipment lists, rental records, and weekly logs and shall be summarized in a post-construction compliance memo for the Supplemental Mitigation Monitoring and Reporting Program (Supplemental MMRP) file. *(CAPCOA Measure C-1-A)*	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-2: Construction Office Energy Efficiency. Prior to issuance of building permits, the Applicant or designee shall submit documentation to the City of Garden Grove that temporary construction field office(s) are equipped with energy efficient lighting such as compact fluorescent or LEDs and that heating and cooling units are Energy Star certified.	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-3: Construction Debris Recycling. Prior to the start of construction, the Project's contractor shall develop a Construction Waste Management Plan (Plan) for submittal and approval to the City	Prior to the start of construction	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
of Garden Grove. The Plan shall recycle or salvage non-hazardous construction debris including but not limited to wood, metal, concrete, asphalt, and other reusable materials generated during construction activities. The contractor shall implement the Plan to achieve a minimum diversion target of 75% of non-hazardous construction and demolition debris from landfills, exceeding the City's current 65% diversion requirement. *(CAPCOA Measure S-4)*				
MM-GHG-4: Electric Vehicle Charging Infrastructure. Prior to issuance of building permits, the Project Applicant or designee shall submit a site plan to the City of Garden Grove for approval noting the location of electric vehicle infrastructure and charging stations. Prior to issuance of the final certificate of occupancy, the Project Applicant or designee shall provide electric vehicle (EV) charging infrastructure within the Project site as required by the applicable California Green Building Standards Code, but that, at a minimum, meets or exceeds 2022 California Green Building Standards Code Tier 2 standards. Tier 2 requires approximately 225 parking spaces to be EV capable, and 75 spaces to be equipped with EV Supply Equipment (EVSE). The Project shall install a minimum of 225 EV capable spaces and 100 EVSE spaces. *(CAPCOA Measure T-14)*	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-5: Guest Vehicle Trip Reductions. Prior to issuance of building permits, the Project Applicant shall submit a site plan to the City of Garden Grove for approval identifying where pedestrian and bicycle connections to adjacent facilities will be provided and where bicycle parking spaces will be provided. The City shall verify the inclusion of pedestrian and bicycle infrastructure prior to the issuance of the final certificate of occupancy. The Project Applicant or designee shall ensure that, at a minimum, the following trip reduction measures are implemented during Project operations to reduce the number of auto-based trips generated by the Project and to encourage the use of transit, bicycling, and walking.	Prior to the issuance of a building permits	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
▪ Improve the walkability and design of the Project by providing pedestrian and bicycling connections within the Project site and to adjacent off-site facilities (i.e., sidewalks, crosswalks, wayfinding signage, etc.). ▪ Provide secure on-site bicycle racks to accommodate a minimum of 38 bicycle parking spaces and provide bicycle rentals for hotel guests. ▪ Alternative transportation services such bike rentals and transit information shall be seamlessly integrated into the guest experience, making alternative modes of travel easy to understand, access, and use. ▪ Hotel management/concierge should provide information that promotes walking, bicycling and public transit options to nearby attractions. This should include real-time transit information provided through dedicated monitors, interactive electronic displays, websites, or mobile applications identifying local bus routes and schedules, as well as wayfinding to the existing transit stops within the Project vicinity. ▪ Provide a dedicated shuttle service linking the hotel to nearby shopping and entertainment destinations, prioritizing battery-electric vehicles where route length and charging logistics allow; the program may be operated under a vendor contract with scheduled runs during peak guest activity and on-demand service for special events. ▪ Hotel management will make available transit passes for purchase and provide clear wayfinding to public transit and shuttle services. ▪ Qualitative assessments (e.g., user satisfaction surveys, walk audits, guest feedback) shall be regularly conducted to evaluate the effectiveness of trip reduction strategies. ▪ An annual report summarizing how transportation options are being used, guest perceptions, and planned improvements shall be submitted to the City.				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
(CAPCOA Measures T-34, T-38, T-43, and T-44)				
MM-GHG-6: Limit Large Diesel Trucks During Operation. Prior to issuance of certificate of occupancy, the Project Applicant or designee shall submit a Truck Delivery Management Plan to the City of Garden Grove that documents how truck deliveries will be restricted and monitored. The Project Applicant or designee shall implement a monitoring program to restrict the number of large diesel trucks coming to the site (i.e. for deliveries, trash collection, or other services) to an average of 10 trucks per day or less. This restriction is specifically applicable to trucks classified as medium-heavy duty and heavy-heavy duty with gross vehicle weight (GVW) greater than 19,500 pounds. Annual reports summarizing heavy-duty truck trips shall be provided to the City of Garden Grove. *(CAPCOA Measure C-2)*	Prior to the issuance of a certificate of occupancy	City of Garden Grove		
MM-GHG-7: Building Energy Efficiency Measures. Prior to issuance of building permits, the Project Applicant or designee shall submit documentation of building energy efficiency measures to the City of Garden Grove, such that a minimum of 15% above 2022 Title 24 Building Envelope Energy Efficiency Standards is achieved. Energy efficiency measures shall include, at a minimum, the following: 1. LED Lighting – High-lumen LED light fixtures shall be used exclusively for the lighting of spaces throughout the Project that require 8 to 10 watts per fixture 2. Energy efficient lighting shall be incorporated into all on-site lighting and energy efficient appliances shall be incorporated into Project operations. 3. HVAC Optimization – The HVAC system shall include the following: a. Electric heat pumps will be used for space heating and domestic hot water, with all systems integrated and monitored by the Project Building Management System for performance optimization, fault detection, and energy tracking.	Prior to the issuance of building permits	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
b. Smart thermostats, which include a motion sensor detector and door/window open sensors, will be installed in each guest room. c. The central plant will utilize a Combination Plant with SmartPlate EV 4. Glazing – All glazing for the tower and exterior public spaces shall be installed with Low-E glass [U-factor (thermal transmittance) ≤ 0.28 and Solar Heat Gain Coefficient (SHGC) ≤ 0.23. 5. Energy Management System – The Project shall use advanced systems to monitor and optimize energy use in real time. 6. Benchmarking and Monitoring – The Project shall incorporate an Energy Star Portfolio Management system to track and manage energy consumption 7. Third-Party Verification/LEED Certification – The Project shall obtain third-party HVAC commissioning verification or LEED certification of Gold to Platinum to verify energy savings. 8. Battery Energy Storage –The Project would include an on-site battery energy storage system occupying approximately 500 to 1,000 square feet, consisting of modular lithium-ion battery cabinets and associated electrical equipment. The system would be used for peak load management and grid resiliency consistent with California Fire Code and Title 24 requirements. *(CAPCOA Measure E-1 is quantified) (CAPCOA Measures E-7, E-9, E-22, E-24, and E25 are qualitative)*				
MM-GHG-8: Cool Roof/Deck. Prior to issuance of building permits, the Project Applicant or designee shall submit plans to the City for approval that require cool roof and cool deck surfaces to be included as part of the Project for the podium and tower, consistent with the specifications provided below. ▪ Cool Roof Installation: All roofing materials shall meet or exceed the California Title 24, Part 6 requirements for cool roofs, based on roof slope:	Prior to the issuance of building permits	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
▪ Low-sloped roofs (≤ 2:12 pitch): - Aged Solar Reflectance (SR) ≥ 0.63 - Thermal Emittance (TE) ≥ 0.75 - Or Solar Reflectance Index (SRI) ≥ 75 ▪ Steep-sloped roofs (> 2:12 pitch): - Aged SR ≥ 0.20 - TE ≥ 0.75 - Or SRI ≥ 16 ▪ Cool Deck Surfaces: All exterior hardscape surfaces exposed to sunlight (e.g., pool decks, patios, walkways) shall use high-albedo materials or cool surface coatings with: - Minimum SR of 0.29 or higher - Or materials with a demonstrated surface temperature reduction of at least 10°F compared to conventional concrete or asphalt To meet the above standards, the Project Applicant may implement one or more of the following: ▪ Use Energy Star®-rated roofing products or materials listed in the Cool Roof Rating Council (CRRC) directory. ▪ Apply reflective coatings or single-ply membranes with compliant SR and TE values. ▪ Install light-colored or permeable pavers, cool concrete, or coated surfaces for decks and walkways, such as permeable interlocking concrete pavers, porous asphalt, permeable concrete, geocell systems, or bio-asphalt. ▪ Incorporate green roofs or vegetated shading structures as alternative compliance pathways (subject to City approval). Monitoring and Reporting shall include:				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
▪ Submittal of roofing and hardscaping material specifications to the City of Garden Grove Building Division prior to issuance of building permits. ▪ City inspectors shall verify installation during final inspection and prior to issuance of the final certificate of occupancy. *(CAPCOA Measure E-21)*				
MM-GHG-9: Renewable Energy. The Project Applicant or designee shall install a solar photovoltaic system capable of generating a minimum of 267,000 kilowatt hours (kWh) per year prior to issuance of certificate of occupancy. *(CAPCOA Measure E-10-B)*	Prior to the issuance of a certificate of occupancy	City of Garden Grove		
MM-GHG-10: Water Conservation. Prior to receiving the final certificate of occupancy, the Project Applicant or designee shall submit a Water Conservation Compliance Report to the City of Garden Grove for review and approval. The Project shall achieve a minimum 10% reduction in total water use compared to the baseline of 167 gallons per room per day as identified in the Water Supply Assessment (Psomas 2022). This equates to a target of no more than 150.3 GPCD at full occupancy. The Water Conservation Compliance Report shall include product specifications for all water-saving fixtures and systems, landscape and irrigation plans, greywater system design and capacity documentation, post-occupancy water use monitoring plan for the first 12 months after occupancy. To meet or exceed the performance standard, the Project may implement a combination of the following water conservation strategies: ▪ Low-Flow Water Fixtures for guest rooms and public area ▪ Smart Irrigation System – outdoor landscaping shall include weather-based irrigation controllers and drought-resistant landscaping to minimize outdoor water use ▪ Greywater Recycling *(CAPCOA Measures W-2, W-5, and W-7)*	Prior to receiving the final certificate of occupancy	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
MM-GHG-11: Waste Reduction. Prior to issuance of the final certificate of occupancy, the Project Applicant or designee shall submit a Waste Management, Recycling, and Composting Plan to the City of Garden Grove for review and approval. The program shall be implemented on-site at the Project location and apply to all operational areas, including guest services, food and beverage operations, maintenance, and administrative functions. The waste reduction program shall be fully implemented during Project operations. The Plan shall specify a minimum diversion of 25% of municipal solid waste, including organics, generated on site from landfill disposal. The Waste Management, Recycling, and Composting Plan may include but not be limited to the following: ▪ Recycling Program - Provide labeled bins for recyclables and certified hauler contracts. - Promote recycled paper and other products like soap. ▪ Organics and Composting Program - Collect food scraps and compostables. ▪ Source Reduction Measures - Reduce single-use items and paper use. - Ban disposable (i.e., designed to be used once and discarded) foodware items and accessories. - Allow customers to bring their own reusable items. - Require hand soap in refillable containers. - Do not provide water in plastic bottles or disposable single-use cups. - Do not use expanded polystyrene (i.e., Styrofoam). - Require reusable napkins and tablecloths with recyclable disposable napkins only for takeout. - Provide hand dryers in areas accessible to customers. - Require reusable laundry bags. - Require reusable dishware for room service.	Prior to issuance of the final certificate of occupancy	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
- Offer toiletries on request rather than automatically. - Provide key cards made of non-plastic materials, including traditional metal keys or wood, bamboo, and paper options for chip-based cards. - Incentivize returning keys to discourage waste. - Provide non-plastic shower caps, razors, shaving cream, slippers, eye masks, and ear plugs. - Remove minifridge items that use plastic. - Eliminate the use of garbage bags if possible, or use garbage bags made of compostable material. - Serve employee meals with reusable dishware and cutlery and provide reusable water bottles for all employees with accessible water bottle refill stations. - Replace paper towels with reusable dish rags. ▪ Employee and Guest Education - Provide staff training and signage for guests. ▪ Monitoring and Reporting - Track waste and submit Annual Waste Diversion Report to the City of Garden Grove. In addition, if the hotel/operations qualify as a covered edible food generator, the Project will contract with a food recovery organization/service and keep required records. If not covered, the Project will evaluate a partnership during operator onboarding and implement if feasible. *(CAPCOA Measure S-1/S-2) (CAPCOA Measure S-3 is a qualitative measure in CalEEMod and is not quantified in the operational analysis)*				
MM-GHG-12: Zero Emission Landscape Equipment. During Project operations, the Project Applicant or designee shall ensure zero-emission landscape equipment (defined as equipment that does not emit tailpipe emissions during operation) is utilized. The Project Applicant or designee shall be responsible for ensuring that all	During operations	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
landscape maintenance contractors and staff comply with this measure. All landscape maintenance activities associated with the Project shall utilize zero-emission landscaping equipment, such as electric-powered or battery-operated tools. This requirement applies to all landscaped areas within the Project site, including but not limited to courtyards, green spaces, perimeter landscaping, and rooftop gardens. The requirement shall be implemented prior to the commencement of landscape maintenance operations. To meet or exceed the performance standard, the Project may implement a combination of the following strategies: **Electric-Powered Equipment** ▪ Use electric or battery-powered: - Leaf blowers. - Lawn mowers. - Hedge trimmers. - Edgers. - Chainsaws. **Contractor Requirements** ▪ Include zero-emission equipment requirements in all landscape maintenance contracts. ▪ Require contractors to provide documentation of equipment type and compliance. **On-Site Charging Infrastructure** ▪ Install dedicated charging stations or outlets for landscape equipment. **Equipment Inventory and Tracking** ▪ Maintain an inventory of all landscape equipment used on site. ▪ Submit an annual compliance report to the City of Garden Grove verifying that only zero-emission equipment is in use. **Training and Education** ▪ Provide training to landscape maintenance staff on the proper use and maintenance of electric equipment.				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
▪ Display signage or include information in sustainability reports to promote awareness. *(CAPCOA Measure LL-1)*				
MM-GHG-13: Prohibit Woodburning Devices, Natural Gas Fireplaces, and Fire Pits. Prior to the issuance of building permits, the Project Applicant or designee shall submit building design plans for approval of the City showing the prohibition of on-site woodburning devices, natural gas fireplaces, fire pits, or other decorative combustion features throughout the Project site. Prior to the issuance of the final certificate of occupancy, the City shall confirm that this prohibition has been implemented.	Prior to the issuance of building permits	City of Garden Grove		
MM-GHG-14: Refrigerant Management Program. Prior to issuance of mechanical permits, the Project Applicant or designee shall develop and submit a Refrigerant Management Program to the City of Garden for review and approval. The Project Applicant or designee shall be responsible for developing, implementing, and maintaining the refrigerant management program in coordination with HVAC contractors and facility operations staff. The Refrigerant Management Program shall include the use of low-GWP refrigerants (e.g., R-32 or better) and incorporate best management practices to reduce emissions from service, operation, and disposal of refrigerants. This measure shall apply to all refrigeration and HVAC systems installed and operated within the Project site, including guest rooms, common areas, kitchens, and mechanical rooms. The Project shall ensure that: ▪ 100% of installed HVAC and refrigeration systems use refrigerants with a GWP ≤ 750, consistent with California Air Resources Board (CARB) regulations. ▪ The refrigerant management program shall achieve a minimum 10% reduction in potential refrigerant emissions compared to standard industry practices, as demonstrated through leak rate tracking and maintenance logs.	Prior to the issuance of mechanical permits	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
To meet or exceed the performance standard, the Project may implement a combination of the following strategies: **Mechanical Equipment** ▪ Install microchannel heat exchangers in A/C equipment in place of conventional heat exchangers. **Use of Low-GWP Refrigerants** ▪ Select refrigerants such as R-32, R-454B, or other CARB-compliant alternatives with GWP ≤ 750. ▪ Avoid high-GWP refrigerants such as R-410A and R-404A. **Leak Detection and Prevention** ▪ Install automatic leak detection systems for large-capacity systems. ▪ Conduct quarterly inspections and maintain leak logs. **Refrigerant Recovery and Disposal** ▪ Use certified technicians for refrigerant recovery and disposal. ▪ Maintain documentation of recovered and recycled refrigerants. **Preventive Maintenance Program** ▪ Implement a scheduled maintenance plan to inspect and service HVAC and refrigeration systems. ▪ Include refrigerant charge optimization and system performance checks. **Training and Certification** ▪ Ensure all HVAC technicians are EPA Section 608 certified. ▪ Provide training on low-GWP refrigerant handling and leak prevention. **Third-Party Verification** ▪ Obtain third-party verification of refrigerant management practices through programs such as GreenChill or LEED Enhanced Refrigerant Management credit. Prior to issuance of certificate of occupancy, the City of Garden Grove will verify that the equipment specified in the Refrigerant				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Management Program has been installed. Ongoing compliance shall be performed by the Project Applicant or their designee. *(CAPCOA Measures R-1, R-4, R-5, R-6, and R-7)*				
MM-GHG-15: Carbon Offsets – The Project Applicant (or its designee) shall implement the following carbon offsets in accordance with the Project's construction and operational phases as outlined below. ***Timeline for Acquisition of Carbon Offset Credits*** **Construction** Prior to issuance of grading permits, the Project Applicant (or its designee) shall purchase and retire carbon offsets in a quantity sufficient to offset all construction GHG emissions in a lump sum with the quantification, performance standards, and requirements set forth below. Alternatively, construction offsets may be purchased on an annual basis by purchasing the first phase of construction offsets prior to start of grading and then purchasing offsets for each following year by December 31 of the year preceding the new year in which construction will occur. Annual construction GHG emission offsets shall also be subject to the same quantification, performance standards, and requirements set forth below. **Operation** Prior to issuance of the final certificate of occupancy, the Project Applicant or its designee shall purchase and retire carbon offsets in a quantity sufficient to offset, for a 30-year period following occupancy of the Project, the construction and operational GHG emissions from the Project to the 1,400 MT CO_2e per year threshold, consistent with the quantification, performance standards and requirements set forth below. Alternatively, the Project Applicant or its designee may purchase and retire annual operational GHG offsets for a period of 30 years by December 31 of the year preceding each new year after the issuance of the final certificate of occupancy. Annual operational GHG				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
emission offsets shall also be subject to the same quantification, performance standards, and requirements set forth below. *Quantification of GHG Emissions and Reductions Required* **Construction** The estimated total construction GHG emissions to be offset are 3,362.30 MT CO_2e if purchased in a lump sum. If purchased on an annual basis, the following schedule provides the estimated annual emissions and date of compliance.				

Year	Offsets Required (MT CO_2e)	Purchase and Retirement Deadline
1	402.52	Prior to issuance of grading permits
2	1,434.02	December 31 of Year 1
3	1,410.81	December 31 of Year 2
4	114.95	December 31 of Year 3
Total	**3,362.30**	

Notes: MT CO_2e = metric tons of carbon dioxide equivalent; N/A = not applicable.

Operation

The estimated operational emissions are 7,408.02 MT CO_2e. To mitigate operational emissions below the 1,400 MT CO_2e per year threshold, the Project would purchase and retire one lump sum of 180,270.60 MT CO_2e of offsets (7,408.02 MT CO_2e − 6,009.02 [offsets] = 1,399 MT CO_2e remaining); 6,009.02 MT CO_2e × 30-year life = 180,270.60 MT CO_2e; or that same total amount of credits in increments over the 30 years. The following schedule provides the estimated offset emissions and dates of compliance under the scenarios where credits are purchased and retired in a lump sum or on an annual basis.

Scenario	Offsets Required (MT CO_2e)	Purchase and Retirement Deadline
Lump sum	180,270.60	Prior to issuance of certificate of occupancy
Annual basis 30-year term	6,009.02	Prior to issuance of certificate of occupancy for Year 1 and December 31 of preceding year

Notes: MT CO_2e = metric tons of carbon dioxide equivalent; N/A = not applicable.

If the Project Applicant or its designee selects the scenario where the credits are purchased on something other than in one lump sum initially, they can purchase and retire the remaining offsets required in a lump sum in accordance with the remaining term and conditions outlined herein.

Carbon Offset Standards – Eligible Registries, Acceptable Protocols, Defined Terms, and Geographic Priorities

"Carbon offset" shall mean an instrument, credit or other certification verifying the reduction of GHG emissions issued by the following CARB-accredited registries: Climate Action Reserve, the American Carbon Registry, or Verra (formerly, the Verified Carbon Standard); as well as credits issued for projects listed on the California Carbon Sequestration and Climate Resiliency Project Registry, which is maintained by the California Natural Resources Agency and may provide additional offsets. This shall include, but is not limited to, an instrument, credit or other certification issued by these registries for GHG reduction activities. The Project shall neither purchase offsets from the Clean Development Mechanism registry nor purchase offsets generated under Clean Development Mechanism protocols.

To be eligible under this mitigation measure, carbon offsets must satisfy the "Reporting and Enforcement Standards" below and demonstrate that each registry shall continue its existing practice of requiring the following for the development and approval of protocols or methodologies:

1. Adherence to established GHG accounting principles set forth in the International Organization for Standardization (ISO) 14064,

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Part 2 or the World Resources Institute/World Business Council for Sustainable Development (WRI/WBCSD) Greenhouse Gas Protocol for Project Accounting; and 2. Oversight of the implementation of protocols and methodologies that define the eligibility of carbon offset projects and set forth standards for the estimation, monitoring and verification of GHG reductions achieved from such projects. The protocols and methodologies shall: a. Be developed by the registries through a transparent public and expert stakeholder review process that affords an opportunity for comment and is informed by science; b. Incorporate standardized offset crediting parameters that define whether and how much emissions reduction credit a carbon offset project should receive, having identified conservative project baselines and the length of the crediting period and considered potential leakage and quantification uncertainties; c. Establish data collection and monitoring procedures, mechanisms to ensure permanency in reductions, and additionality and geographic boundary provisions; and d. Adhere to the principles set forth in the program manuals of each of the aforementioned registries, as such manuals are updated from time to time. The current registry documentation includes the Climate Action Reserve's *Reserve Offset Program Manual*[1] (April 2024) and *Climate Forward Program Manual*[2] (December 2021); the American Carbon Registry's *The ACR Standard, Requirements and Specifications for the Quantification, Monitoring, Reporting, Verification, and Registration of Project-Based GHG Emissions Reductions and*				

1 https://climateactionreserve.org/wp-content/uploads/2024/04/Reserve-Program-Manual-v9.2.pdf.
2 https://climateforward.org/wp-content/uploads/2021/12/Climate-Forward-Program-Manual-December-2021_12-FINAL.pdf.

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Removals[3] (July 2023); and Verra's VCS Standard, *Program Guide*[4] (August 2023), and *Methodology Requirements*[5] (October 2023). The City has reviewed the registries' methodologies and has determined that protocols established pursuant to such methodologies – including updates to those protocols and methodologies as may occur from time to time by the registries in accordance with the registry documentation listed in the prior paragraph to ensure the continuing efficacy of the reduction activities – are eligible for use under this mitigation measure. The carbon offsets purchased to satisfy this measure must represent the reduction or sequestration of one MT CO_2e that is "not otherwise required" (CEQA Guidelines Section 15126.4[c][3]). The carbon offsets must achieve the standard of additional, real, permanent, quantifiable, verifiable, and enforceable reductions, which are defined for purposes of this mitigation measure as follows consistent with the applicable provisions in the California Code of Regulations, Title 17: 1. "Additional" means that the carbon offset is not otherwise required by law or regulation, and not any other GHG emissions reduction that otherwise would occur. 2. "Real" means that the GHG reduction underlying the carbon offset results from a demonstrable action or set of actions, and is quantified under the protocol or methodology using appropriate, accurate, and conservative methodologies that account for all GHG emissions sources and sinks within the boundary of the applicable carbon offset project, uncertainty, and the potential for activity-shifting leakage and market-shifting leakage.				

[3] https://acrcarbon.org/wp-content/uploads/2023/10/ACR-Standard-v8.0.pdf.
[4] https://verra.org/documents/vcs-program-guide-v4-4/.
[5] https://verra.org/documents/vcs-methodology-requirements-v4-4/.

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
3. "Verifiable" means that the GHG reduction underlying the carbon offset is well documented, transparent, and set forth in a document prepared by an independent verification body that is accredited through the American National Standards Institute (ANSI). 4. "Permanent" means that the GHG reduction underlying the carbon offset is not reversible; or, when GHG reduction may be reversible, that a mechanism is in place to replace any reversed GHG emission reduction. 5. "Quantifiable" means the ability to accurately measure and calculate the GHG reduction relative to a project baseline in a reliable and replicable manner for all GHG emission sources and sinks included within the boundary of the carbon offset project, while accounting for uncertainty and leakage. 6. "Enforceable" means that the implementation of the GHG reduction activity must represent the legally binding commitment of the offset project developer to undertake and carry it out. The City has reviewed and determined that methodologies and protocols established by American Climate Registry, Climate Action Reserve, and Verra establish and require carbon offset projects to comply with standards designed to achieve additional, real, permanent, quantifiable, verifiable, and enforceable reductions. Additionally, the "Reporting and Enforcement Standards" below shall ensure that the requirements of this mitigation measure will be enforced, as the City has authority to hold the Applicant accountable and to take appropriate corrective action if it determines that any carbon offsets do not comply with the requirements herein. Carbon offsets secured from the CARB-accredited registries shall be prioritized in accordance with the following criteria: (1) offsets within the City; (2) offsets within the County, only if in-City offsets are unavailable; (3) offsets within the State of California, only if in-county				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
offsets are unavailable; (3) offsets within the United States, only if in-state offsets are unavailable.[6] The above definitions are provided as criteria and performance standards associated with the use of carbon offsets. Such criteria and performance standards are intended only to further construe the standards under CEQA for mitigation related to GHG emissions (see, e.g., State CEQA Guidelines Section 15126.4[a], [c]), and are not intended to apply or incorporate the requirements of any other statutory or regulatory scheme not applicable to the Project (e.g., the Cap-and-Trade Program). *Monitoring, Reporting, and Enforcement Standards* Prior to the timeline identified in the initial section of this mitigation measure, the Project Applicant or its designee shall submit documentation in the form of a report to the City that identifies the quantity of emission reductions required by this mitigation measure, as well as the carbon offset proposed for acquisition to achieve compliance with this measure. For purposes of demonstrating that each offset is additional, real, permanent, quantifiable, verifiable and enforceable, the reports shall include: (i) the applicable protocol(s) and methodologies associated with the carbon offsets, (ii) the third-party verification report(s) and statement(s) affiliated with the carbon offset projects, (iii) the unique serial numbers assigned by the registry(ies) to the carbon offset, which serves as evidence that the registry has determined the carbon offset project to have been implemented in accordance with the applicable protocol or methodology and ensures that the offsets cannot be further used in any manner, and (iv) the carbon offset meets the locational attributes				

[6] For purposes of this provision, offset credits will be deemed "unavailable" if they are either unobtainable generally from the CARB accredited registries, or if on a per-unit basis if such a credit is otherwise available: (a) for offset credits within the City of Garden Grove, more than 2 times as costly as offset credits within the County of Orange, but not within the City of Garden Grove; (b) for offset credits within the County of Orange, more than 5 times as costly as offset credits within California, but not within the County of Orange; or (c) for offset credits within the United States, sufficient offset credits within California are not available for purchase at any cost.

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
as specified by this mitigation measure and verified through a market survey report prepared by a carbon offset broker that identifies the carbon registry listings reviewed for carbon offset availability, including the related date of inquiry. The Project Applicant (or its designee) shall select and retain at least one independent, third-party expert on GHG mitigation and offsets to review the documentation provided by the Applicant (or its designee) relating to, among other data, construction- and operation-related emissions, and provide a report with analysis and recommendations to the City (with supporting materials), on whether the Project has complied with the off-site GHG emissions reduction measures set forth in this mitigation measure. The Project Applicant's (or its designee's) selection of each expert, who shall not be a current or former employee or agent of the Project Applicant (or its designee), shall be subject to the approval of the City Attorney, which shall not be unreasonably withheld. The Project Applicant (or its designee) shall retain the expert(s) for all offset credit submissions made to the City until all offsets required this mitigation measure are acquired and accepted by the City. If the City determines that the Project's carbon offsets at issue in the Project Applicant's (or their designee's) submission meet the requirements of this mitigation measure, the offsets required to be acquired by the Project will be proportionally reduced. Upon an affirmative finding from the City that the Project's carbon offsets are eligible for use under this measure, and within the applicable timeframe required by the first section of this mitigation measure, the Project Applicant (or their designee) shall provide to the City copies of the relevant portions of the GHG offset contracts demonstrating the applicable carbon offsets have been acquired. This will serve as the final documentation required to demonstrate compliance with this mitigation measure.				

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
If the City determines that the Project's carbon offsets do not meet the requirements of this mitigation measure, the City shall provide a detailed explanation of the basis for the City's determination. Carbon offsets not approved by the City as meeting the requirements of this mitigation measure cannot be used to reduce Project GHG emissions and the Applicant will be required to submit qualifying carbon offsets accepted by the City prior to the applicable timeframe specified in the first section of this mitigation measure. *(CAPCOA Measure M-2)*				
Project Design Features				
PDF-4: Construction equipment should be maintained in proper tune.	During construction	City of Garden Grove		
PDF-5: All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as 5 minutes or longer.	During construction	City of Garden Grove		
PDF-8: For construction activities other than those addressed by MM-GHG-1 and MM-GHG-2, establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible.	During construction	City of Garden Grove		
PDF-10: Use haul trucks with on-road engines instead of off-road engines for on-site hauling.	During construction	City of Garden Grove		
PDF-11: The Project will comply with the mandatory requirements of the latest California Building Standards Code, Title 24, Part 6 (Energy Code) and Part 11 (California Green Building Standards Code [CALGreen]), including the provisions for bicycle parking, electric vehicle charging stations, energy efficiency, material conservation, and water/waste reduction.	During operations.	City of Garden Grove		
PDF-12: Install signage at loading docks requiring trucks to limit engine idling times to 5 minutes or less.	During operations	City of Garden Grove		
PDF-21: Engine idling time for all delivery vehicles and trucks must be limited to 5 minutes or less. Signage should be posted in the designated loading areas reflecting the idling restrictions.	During operations	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
PDF-27: Sustainable Building Materials and Contracting. The Project will prioritize low-impact, sustainably sourced, and recyclable materials across construction and interior finishes, including low-VOC paints, Forest Stewardship Council-certified wood, and recycled-content flooring. The Project is also implementing vendor standards that require environmental product declarations and third-party certifications to verify material sustainability. Materials shall be selected not only for their initial environmental footprint but also for durability and long-term performance, reducing the need for frequent replacement and associated waste. In addition, the Project Applicant or their designee will include bid language requiring the contractor to prioritize sourcing within the region (e.g., Orange County/Southern California) where pricing and availability are competitive, and to document major material and subcontractor origins in the construction closeout package.	During construction	City of Garden Grove		
PDF-28: The Project amenities shall be available to registered hotel guests only. There will be no day passes allowed.	Prior to project opening	City of Garden Grove		
PDF-29: The Project amenities include a self-service bicycle repair station adjacent to the guest and employee bicycle parking spaces.	During project construction for installation and during project operation for maintenance and provision of bicycle repair.	City of Garden Grove		
Transportation				
Mitigation Measures				
MM-TRA-1: Implement Commute Trip Reduction Marketing: The Project Applicant shall implement a marketing strategy to promote the Project site employer's Commute Trip Reduction (CTR) program. Information sharing and marketing promote and educate employees about their travel choices to the employment location beyond driving such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions.	Prior to project opening.	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
However, to ensure that CTR achieves VMT reduction of at least 4%, the following measures will be incorporated: a) The Applicant shall provide on site or online commuter information services to employees. The Applicant shall also distribute a quarterly newsletter with tips, success stories, and updates to ensure education and encouragement for the CTR program. b) The CTR shall require the Project Applicant or their designee to appoint a Commute Program Coordinator to oversee the implementation and management of the marketing strategy. c) The Applicant shall ensure on-site or online subsidized transit pass sales are available to all employees. d) The Applicant shall provide guaranteed ride home service by matching employees with other employees or providing access to platforms such as Rideharing.com and Lyft that connect riders for daily commutes with nearby drivers. e) A minimum of 10 preferential parking spaces for carpools/vanpools shall be provided. *(CAPCOA Measures T-7, T-9-B)*				
MM-TRA-2: Provide End-of-Trip Bicycle Facilities: The Project shall install and maintain end-of-trip bicycle facilities for employee use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers. The provision and maintenance of secure bike parking and related facilities encourages commuting by bicycle, thereby reducing VMT and GHG emissions. The Project design includes on-site bicycle racks to accommodate a minimum of 38 short-term bicycle parking spaces and provide bicycle rentals for hotel guests on the ground level and 32 secure long-term bicycle parking spaces for employees; additionally, locker and shower facilities will be provided for employees. *(CAPCOA Measure T-10)*	During project construction for installation and during project operation for maintenance and provision of bicycle rentals.	City of Garden Grove		

Table 4-1. Supplemental Mitigation Monitoring and Reporting Program

Mitigation Measures/Project Design Features	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Project Design Features				
None.	N/A	N/A	N/A	N/A

Notes: LEED = Leadership in Energy and Environmental Design; GPCD = gallons per capita per day; GWP = global warming potential; EPA = U.S. Environmental Protection Agency; GHG = greenhouse gas; MT CO_2e = metric tons of carbon dioxide equivalent; VOC = volatile organic compound; N/A = not applicable.

EXHIBIT "C"

PERFORMANCE STANDARDS

Planned Unit Development No. PUD-141-01(A)

The following performance standards shall apply as conditions of approval to any future hotel resort development and/or subdivision of property covered by this Planned Unit Development. These performance standards were originally adopted in 2022 and modified in 2026. The 2026 modifications to the original 2022 standards are shown with deletions shown in ~~strikethrough~~, and with additions shown in ***bold-italics-underline***:

1. The term "applicant," as referenced herein, shall refer to both the developer, tenant/business operators and the property owners, including subsequent purchasers and/or tenants of the project. The applicant and subsequent owner/operators of such business shall adhere to the performance standards for the life of the project, regardless of property ownership. Any changes of the performance standards require approval by the hearing body.

2. All performance standards shall be implemented at the applicant's expense, except where specified in the individual performance standards.

3. All mitigation measures that are part of the Mitigated Negative Declaration ***and the Supplemental Environmental Impact Report*** that ~~was~~ ***were*** **adopted or** certified in conjunction with approval of Planned Unit Development No. PUD-141-01(A) shall be implemented.

4. The project is subject to the Mitigation Monitoring and Reporting Program adopted by the City Council as part of the Mitigated Negative Declaration ***and the Supplemental Environmental Impact Report*** adopted by the City in conjunction with Planned Unit Development No. PUD-141-01(A). In order to assist the City to verify that all required project mitigation measures and project design features are complied with in a timely manner, a project-specific mitigation-monitoring program for monitoring all applicable project-related mitigation measures shall be prepared by the developer/applicant and approved by the Planning Services Division prior to issuance of building permits. Said mitigation monitoring program shall be implemented during project construction through completion. The developer shall provide the City with a quarterly report demonstrating adherence to all mitigation measures. Said person shall provide a report to the City when requested.

5. The project shall comply with the following project design features (PDF) identified in the Mitigated Negative Declaration ***and the Supplemental Environmental Impact Report***:

Construction PDFs

PDF-1 Prior to starting construction, the project applicant shall submit a Construction Management Plan to the City of Garden Grove that specifies how all construction design features will be implemented.

PDF-2 The project applicant must follow the standard South Coast Air Quality Management District (SCAQMD) rules (Rule 403) and requirements applicable to fugitive dust control, which include, but are not limited to the following:

1. All active construction areas shall be watered two (2) times daily.

2. Speed on unpaved roads shall be reduced to less than 15 miles per hour (mph).

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

4. Any onsite stockpiles of debris, dirt or other dusty material shall be covered or watered twice daily.

5. All operations on any unpaved surface shall be suspended if winds exceed 15 mph.

6. Access points shall be washed or swept daily.

7. Construction sites shall be sandbagged for erosion control.

8. Apply nontoxic chemical soil stabilizers according the manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).

9. Cover all trucks hauling dirt, sand, soil, or other loose materials, and maintain at least 2 feet of freeboard space in accordance with the requirements of California Vehicle Code (CVC) section 23114.

10. Pave or provide construction access roads at least 100 feet onto the site from the main road and use gravel aprons at truck exits.

11. Replace the ground cover of disturbed areas as quickly possible.

PDF-3 All diesel construction equipment should have Tier 4 low emission "clean diesel" engines (OEM or retrofit) that include diesel oxidation catalysts and diesel particulate filters that meet the latest California Air Resources Board (CARB) best available control technology.

PDF-4 Construction equipment should be maintained in proper tune.

PDF-5 All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as five (5) minutes or longer.

PDF-6 Minimize the simultaneous operation of multiple construction equipment units, to the maximum extent feasible.

PDF-7 The use of heavy construction equipment and earthmoving activity should be suspended during Air Alerts when the Air Quality Index reaches the "Unhealthy" level.

PDF-8 Establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible.

PDF-9 Establish staging areas for the construction equipment that as far from adjacent residential homes, as feasible.

PDF-10 Use haul trucks with on-road engines instead of off-road engines for onsite hauling.

Operational PDFs

PDF-11 The project should comply with the mandatory requirements of the latest California Building Standards Code, Title 24, Part 6 (Energy Code) and Part 11 (California Green Building Standards Code [CALGreen]), including the provisions for bicycle parking, electric vehicle charging stations, energy efficiency, material conservation, and water/waste reduction.

PDF-12 Install signage at loading docks requiring trucks to limit engine idling times to 5 minutes or less.

PDF-13 The project applicant must install an eight (8) foot high masonry block noise barrier wall along the western and northwestern property line. The property line wall will be constructed using

masonry block and the barrier's weight must be at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. All gaps (except for weep holes) must be filled with grout or caulking to avoid flanking.

PDF-14 All central plant heating, ventilation, and air conditioning (HVAC) equipment, mechanical pumps and pool equipment must be fully enclosed inside the building structure.

PDF-15 The hotel themed pool attraction and outdoor pool deck operation will be open only during daytime hours (7:00 a.m. – 10:00 p.m.).

PDF-16 A minimum eight (8) foot high noise barrier shielding wall should be installed and maintained along all sides of the perimeter of the outdoor patio and pool deck area on level six (6) to shield noise associated with pool activities. The barrier's weight should be at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. All gaps (except for weep holes) should be filled with grout or caulking to avoid flanking. Noise control barrier may be constructed using one, or any combination of the following materials:

- Masonry block
- Stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; and/or
- Transparent glass (5/8 inch thick), acrylic, polycarbonate, or other transparent material with sufficient weight per square foot.

PDF-17 The project should provide one row of vegetation along the north, west, and south sides of the interior pool deck wall on level six (6) by planting evergreen trees/shrubs. A dense vegetation barrier can help provide some sound absorption and visual screening to further help reduce noise levels impacting the adjacent residential homes surrounding the project site. Vegetation should be at least as high as the wall (8 feet).

PDF-18 Outdoor speakers on the pool deck must be predominantly located and concealed within the landscape. All outdoor speakers must be located not greater than eight (8) feet high above the

pool deck and directed inwards towards the pool or lazy river area.

PDF-19 The project access on Twintree Avenue must be restricted to emergency access, maintenance vehicles, trash, and delivery trucks only. All employee and guest access to the project site, including tourist buses and shuttles, must be via Harbor Boulevard.

PDF-20 Delivery, loading/unloading activity, and trash pick-up hours shall be limited to daytime hours (7:00 a.m. – 10:00 p.m.) only, per the requirements of Garden Grove Municipal Code Section 8.47.060(I). Signage should be posted in the designated loading areas reflecting these hour restrictions.

PDF-21 Engine idling time for all delivery vehicles and trucks must be limited to 5 minutes or less. Signage should be posted in the designated loading areas reflecting the idling restrictions.

PDF-22 A 4-foot high noise shielding wall must be installed on the perimeter of each floor of the parking structure facing the residential neighborhood to the west, north and south.

PDF-23 The drive aisle surfaces within the parking structure must have a textured finish or treatment that helps minimize tire squeal.

PDF-24 The exterior façade of the parking structure must include louvered or perforated wall paneling to help conceal parking structure activities and reduce noise levels. Paneling should cover the entire upper portions of the parking structure openings of each floor facing the west, north and south.

PDF-25 The project must comply with the California Title 24 Sound Transmissions requirements for exterior walls, roofs, and common separating assemblies (e.g., floor/ceiling assemblies and demising walls).

a. Walls, partitions, and floor-ceiling assemblies separating sleeping units from each other or from public or service areas shall have a sound transmission class (STC) of not less than 50, or not less than 45 if field tested.

b. Floor-ceiling assemblies between sleeping units shall have an impact insulation class (IIC) rating of not less than 50, or not less than 45 if field tested.

c. Interior noise levels due to exterior sources shall not exceed a community noise equivalent level (CNEL) or a day-night level (LDN) of 45 A-weighted decibel (dBA), in any habitable room.

PDF-26 For proper acoustical performance, the project must utilize standard building practices to ensure all exterior windows, doors, and sliding glass doors have a positive seal and leaks/cracks are kept to a minimum.

PDF-27 Sustainable Building Materials. The Project will prioritize low-impact, sustainably sourced, and recyclable materials across construction and interior finishes, including low-VOC paints, Forest Stewardship Council-certified wood, and recycled-content flooring. The Project is also implementing vendor standards that require environmental product declarations and third-party certifications to verify material sustainability .Materials shall be selected not only for their initial environmental footprint but also for durability and long-term performance, reducing the need for frequent replacement and associated waste.

PDF-28 The Project amenities shall be available to registered hotel guests only. There will be no day passes allowed.

PDF-29 The Project amenities include a self-service bicycle repair station adjacent to the guest and employee bicycle parking spaces.

6. In order to verify compliance with the applicable project mitigation measures, project design features, development standards, and performance standards, the developer shall submit a full set of construction plans to the Community ~~and Economic~~ Development Department for review prior to plan check submittal. The plans shall include a dimensioned and detailed site plan, a floor plan, elevations, a landscaping plan, and a lighting plan, each of which complies with all the appropriate requirements.

Public Works Engineering Division

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

7. The applicant shall receive approval of a subdivision map (Tentative Tract Map) in order to reconfigure the project site prior to submitting any type of construction plans to the City of Garden Grove.

8. The project main entrance shall be aligned with the future hotel development project (Site C) across Harbor Boulevard per approved traffic study. The applicant shall coordinate with the Engineering Division to obtain approved street improvement plans and signal/striping plans. Unless otherwise agreed in writing by the City and approved by the City Council, as recommended in the Site "B2" Hotel Traffic Impact Study prepared for the Project by RK Engineering Group, Inc., dated April 27, 2022 ("Traffic Study"), the applicant shall make a fair-share contribution to the costs to install a traffic signal at the project main entrance. Provided the Site C project at the northeast corner of Harbor Boulevard and Twintree Lane is developed and the traffic signal installed prior to construction of the subject project, the applicant's fair share contribution shall be fifty percent (50%) of the total cost to design, purchase, and install the traffic signal, as reasonably determined by the City Engineer. As stated in the Traffic Study, in the event the Site C project does not get developed and the traffic signal has not been installed prior to application of building permits for the subject project, then, unless otherwise agreed in writing by the City and approved by the City Council, the applicant shall be fully responsible to pay for the entire costs of signal installation, not just a fair share. The applicant's contribution towards the cost of this traffic signal shall be paid to the City prior to the issuance of building permits.

9. As recommended in the Traffic Study, unless otherwise agreed in writing by the City and approved by the City Council, the applicant shall make a fair-share contribution to the costs to install and modify the traffic signal at the intersection of Harbor Boulevard and Twintree Lane. Provided the Site C project at the northeast corner of Harbor Boulevard and Twintree Lane is developed and the traffic signal installed prior to construction of the subject project, the applicant's fair share contribution shall be fifty percent (50%) of the total cost to design, purchase, and install the traffic signal, as reasonably determined by the City Engineer. As stated in the Traffic Study, in the event the Site C project does not get developed and the modified traffic signal has not been installed prior to application of building permits for the subject project, then, unless otherwise agreed in writing by the City and approved by the City Council, the applicant shall be fully responsible to pay for the entire costs of modified signal installation, not just a fair share. The applicant's contribution towards the cost of this traffic signal shall be paid to the City prior to the issuance of building permits.

10. The applicant shall meet and confer and negotiate in good faith with the City to reach an agreement or agreements that address design and installation, limitations, maintenance obligations, and the respective responsibilities of the applicant and the City regarding Project-related improvements that are constructed in or encroach into the public right-of way, including, but not limited to, signal modification or full signal installation at the main entrance on Harbor Boulevard, if necessary, signal modification at the intersection of Harbor Boulevard and Twintree Avenue, if necessary, decorative pavers,

landscaping, median improvements, irrigation and other improvements. Public street improvements shall be protected from water infiltration and migration by impervious barriers where pervious BMP's are installed. (TGD – INF-3) Such agreements shall be consistent with the provisions of Planned Unit Development No. PUD-141-01(A), applicable Project conditions of approval, and other agreements entered into by the City regarding the Project.

11. The applicant shall be responsible for maintaining the new landscape and irrigation improvements in the public right-of-way adjacent to the Project boundaries for a period of five (5) years following the issuance of a certificate of occupancy for the Project. All plant materials and irrigation systems installed by the applicant shall be maintained for a period of five consecutive years. All plants that show signs of failure to grow at any time during the life of the 5-Year Landscape Maintenance Period, or those plants so injured or damaged as to render them unsuitable for the purpose intended, as determined by the City Engineer, shall be immediately replaced in kind at the expense of the developer or contractor. The applicant shall prepare and execute an enforceable agreement memorializing the foregoing obligations, in a form approved by the City Manager, prior to the issuance of any building permit for the Project.

12. The applicant shall coordinate with the Engineering Division to confirm the ultimate width and location of the right-of-way from the street centerline to the parkway limit and corner cut-off at intersections as required by the City General Plan. If needed, the applicant shall dedicate right-of-way and corner cut-off from the existing right-of-way line fronting the project to the ultimate right-of-way for future ultimate street improvements. Applicant shall record said easement in a format conforming to City policy guidelines under the approval authority of the City Engineer and City Attorney. The applicant shall submit to the Engineering Division an updated title report along with copies of the recorded instruments listed in the title report, as well as reference maps and exhibits used to prepare the legal description. Dedication exhibits shall include closure calculations along with a detailed plat for review and approval of the street dedication exhibits by the City Engineer.

13. All vehicular access drives to the site shall be provided in locations approved by the City Traffic Engineer. (Policies and Procedures – TE-17)

14. Any new drive approaches to the site shall be constructed in accordance with Garden Grove Standard B-120 as they conform to land use and roadway designation.

15. Median Design and Opening Spacing shall be in accordance with City's Traffic Policy & Procedures TE-11.

16. Raised Median Design shall be in accordance with City's Traffic Policy & Procedures TE-64 and City's Standard B-128 and B-132.

17. Turning Template shall be in accordance with City's Traffic Policy & Procedures TE-14.

18. Driveway Opening Policy shall be in accordance with City's Traffic Policy & Procedures TE-8.

19. Sight Distance Standards shall be in accordance with City's Traffic Policy & Procedures TE-13.

20. Median Nose Flare Designs shall be in accordance with City's Traffic Policy & Procedures TE-36.

21. Private Property Tow Away Sign Design shall be in accordance with City's Traffic Policy & Procedures TE-19.

22. No Parking Fire Lane Sign Design shall be in accordance with City's Traffic Policy & Procedures TE-20.

23. Parking lot layout shall be in accordance with City Standard B-311 & B-312.

24. The applicant shall comply with the following improvements and recommendations of the approved Traffic Study:

    a. The applicant shall coordinate with the City of Anaheim to determine if the project is required to make a fair-share contribution to extend the left-turn capacity up to 266 feet of Harbor Boulevard/Orangewood Avenue.

    b. Unless otherwise agreed in writing by the City and approved by the City Council, the applicant is responsible for full cost to extend the southbound left-turn capacity up to 169 feet at the intersection of West Street/Chapman Avenue.

    c. Unless otherwise agreed in writing by the City and approved by the City Council, the applicant shall be responsible to pay full cost to extend the eastbound left-turn capacity up to 105 feet at the intersection of Harbor Boulevard/Lampson Avenue.

    d. Unless otherwise agreed in writing by the City and approved by the City Council, the applicant shall be responsible to pay full cost to extend the northbound left-turn capacity up to 133 feet at the intersection of Haster Street/Lampson Avenue.

e. Unless otherwise agreed in writing by the City and approved by the City Council, the applicant shall be responsible to pay full cost to extend the southbound left-turn capacity up to 381 feet at the intersection of Harbor Boulevard/Trask Avenue.

f. The applicant shall improve the walkability and design of the project by providing pedestrian and bicycling connections within the project site and to adjacent off-site facilities (i.e., sidewalk, crosswalk, wayfinding signage, etc.).

g. The applicant shall provide traffic calming measures (i.e., marked crosswalk, raised crosswalk, raised intersections, count-down signal timers, curb extensions, speed tables, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers, etc.).

h. The applicant shall provide secure on-site bicycle racks and provide bicycle rentals for hotel guests.

i. The applicant shall provide transit/shuttle service for guests to local area attractions. The shuttle service shall operate on a regular basis and be offered to all guests staying at the hotel.

j. Hotel management/concierge shall provide information that promotes walking, bicycling and public transit options to nearby attractions. This should include information on local bus routes and schedules, and wayfinding, to the existing transit stops along Harbor Boulevard.

k. The applicant shall ensure adequate radius is provided for appropriate vehicles (fire trucks, buses, limousines, trash trucks, etc.) to navigate the project access and roundabout.

l. The project shall provide adequate drive aisle and lane widths.

m. Parking spaces should not be located near or within the roundabout. If absolutely necessary, the spaces near the roundabout should be valet-operated and used for long-term parking. In any case, adequate clearance and space should be provided for vehicles navigating the roundabout.

n. The entrance roundabout should be designed appropriately and per engineering standards for roundabouts, including geometric elements such as Center Island, travel lanes, deflections and inscribed circles. Appropriate design needs to be considered and implemented for all appropriate modes of transportation including pedestrian and bicycles.

o. The applicant shall provide appropriate and adequate wayfinding and signage for drivers to easily navigate the entrance and exit.

p. During times of high activity for the project and/or the adjacent Sheraton Hotel, the applicant shall provide adequate valet staff and means to ensure traffic does not spill back onto the roundabout or Harbor Boulevard and impede the flow of vehicles.

q. Prior to final circulation design, the applicant shall provide detail plans, including drive aisle dimensions and roundabout details, for review by a registered traffic engineer.

Building and Safety Division Services Division

The following provisions of the Building and Safety Division shall be met:

25. The project shall comply with the latest requirements of the California Building Code (CBC), the California Green Building Code, the California Energy Standards, Fire Code, and all California Model Codes.

Orange County Fire Authority (OCFA)

The following provisions of the Orange County Fire Authority be met:

26. The applicant shall comply with all applicable Orange County Fire Authority (OCFA) requirements, including, but not limited to, the High-Rise Building provisions of the California Fire Code, California Building Code, and OCFA Guidelines and Fire Master Plan.

27. Prior to submitting plans to the City of Garden Grove for plan check review, the applicant shall coordinate with OCFA for review of preliminary plans to ensure that the plans are designed to address all applicable code requirements.

28. An Architect of Record shall be hired for this project. The Architect of Record shall develop detailed preliminary plans that comply with all applicable codes.

29. The preliminary plans shall include a site plan that demonstrates compliance with OCFA Guideline for Fire Master Plans. The fire lane may not go under any portion of the structure and the locations necessary for laddering to the roof deck shall be located 20 to 40 feet from the building. The fire access roadway may not be on the adjacent property unless the owner of that property grants the City of Garden Grove an emergency access easement for the purpose of emergency access to the hotel property.

30. A Fire Protection Engineer (FPE) of Record shall be hired for this project. The FPE shall review the preliminary plans, which will be drawn by the Architect of

Record, and shall determine if there are any design problems that may prevent fire life-safety systems from being designed and installed in a code compliant way. The FPE shall also determine the type of smoke-control system that will be most appropriate for this project and confirm that a smoke control system design will be feasible, given the challenges, which are unique to this project.

31. The applicant shall provide a Water Availability Form signed by a representative of the local purveyor to demonstrate if the existing water supply meets or exceeds the fire-flow requirement. When the information described above is complete, OCFA will be able to provide traditional project conditions, to replace these preliminary conditions, including a comprehensive list of the plan types that will be required to be submitted to OCFA for this project, and when each plan type must be submitted. A grading permit should not be issued prior to OCFA's approval of a Fire Master Plan.

Planning Services Division

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

32. The operation of the hotel shall comply with the performance standards of Planned Unit Development No. PUD-141-01(A), the project design features, and mitigation measures adopted for PUD-141-01(A). This includes complying with all provisions of Alcoholic Beverage Control Act. In addition, this provision also governs the entertainment venues, the ballroom and meeting space, restaurants, and the indoor/outdoor areas. In regard to specific activities within the hotel's entertainment venues, the ballroom/meeting space, and hotel amenity, and pool deck areas, regardless of the type of event conducted, no event or activity shall at any time be or become a nuisance, disturbance or, or cause complaints for hotel guests or occupants of the surrounding area/properties, or in any way endanger the public health, safety, or welfare.

33. The applicant shall apply for and receive approval of Conditional Use Permits for the sale of alcoholic beverages within the hotel, hotel restaurants, and ballroom/meeting space.

34. The applicant shall prepare a reciprocal access easement agreement, covenant agreement, or similar deed restriction (an "REA") for review and approval by the Community Development Director and City Attorney, which provides for reciprocal access between the project site and the adjacent hotel property to the north (12221 Harbor Boulevard). The applicant shall record the REA and provide City with a copy of the recorded REA prior to the issuance of building permits.

35. If any required parking spaces that serve the adjacent hotel development, the Sheraton Hotel at 12221 Harbor Boulevard, are removed to accommodate the proposed project, the applicant shall ensure that the parking spaces are

relocated and placed on the adjacent hotel project site to continue to serve the existing hotel. The Community Development Department shall review and approval the location of all new parking spaces.

36. The vehicular access on Twintree Avenue shall be restricted for emergency access, maintenance vehicle access, and trash and delivery trucks access only. All employees and guests shall access the project site, including tourist buses and shuttles, from the Harbor Boulevard access.

37. The driveways on Harbor Boulevard and Twintree Avenue shall be designed with enhanced concrete treatment. All details of the decorative entry shall be submitted on the required landscape plans for review and approval of the Community Development Department.

38. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the City's Planning Services Division. Lighting adjacent to residential properties shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all drive aisles and entrances to the development per City standards for street lighting. Lighting in the common areas shall be directed, positioned, or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences. The applicant shall also submit a site specific light and glare study for review and approval by Community Development Department prior to issuance of building permit.

39. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust), which includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, the use of methanol, natural gas, propane, or butane vehicles instead of gasoline or diesel powered equipment, where feasible, the use of solar or low-emission water heaters, and the use of low-sodium parking lot lights, to ensure compliance with Title 24.

40. During construction, if paleontological or archaeological resources are found, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with applicable law. In the event that fossil specimens or cultural resources are encountered on the site during construction and cannot be preserved in place, the applicant shall contact and retain, at applicant's expense, a qualified paleontologist or archaeologist, as applicable, acceptable to the City to evaluate and determine appropriate treatment for the specimen or resource, and work in the vicinity of the discovery shall halt until appropriate assessment and treatment of the specimen or resource is determined by the paleontologist or archeologist (work can continue elsewhere on the project site). Any mitigation, monitoring, collection, and specimen/resource treatment measures recommended by the paleontologist/archaeologist shall be implemented by the applicant at its own cost.

41. The applicant shall comply with the Migratory Bird Treaty Act (MBTA), and Sections 3503, 3503.5 and 3515 of the California Fish and Game Code, which require the protection of active nests of all bird species, prior to the removal of any on-site landscaping, including the removal of existing trees.

42. 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 the Project, including, but not limited to, Planned Unit Development No. PUD-141-01(A), the associated Mitigation Monitoring and Reporting Program for the Project, and/or any land use permit approved by the City to facilitate development of the Project. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including, but not limited, to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

Electronically Filed by Superior Court of California, County of Orange, 02/15/2024 03:51:00 PM.
30-2022-01281816-CU-WM-CXC - ROA # 129 - DAVID H. YAMASAKI, Clerk of the Court By O. Lopez, D
Page 429 of 474

ATTACHMENT 7

Fee Exempt Per Gov. Code § 6103

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WOODRUFF & SMART
ATTORNEYS AT LAW
COSTA MESA

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

MARLENE PEREZ; VIETRISE; MARIA GUADALUPE ORTIZ; UNITE HERE LOCAL 11,

Petitioners,

v.

CITY OF GARDEN GROVE; CITY OF GARDEN GROVE AS SUCCESSOR AGENCY TO THE AGENCY FOR COMMUNITY DEVELOPMENT; GARDEN GROVE HOUSING AUTHORITY; ALL PERSONS INTERESTED IN THE MATTER OF THE SEPTEMBER 13, 2022 APPROVALS OF DISPOSITION OR SALE OF 12291 AND 12311 THACKERY DRIVE AND THE DISPOSITION AND DEVELOPMENT AGREEMENT FOR SALE OR DEVELOPMENT OF 3.72 ACRES AND ALL RELATED APPROVALS FOR THE SITE B2 PROJECT; DOES 1 through 4,

CASE NO.: 30-2022-01281816-CU-WM-CXC

ASSIGNED FOR ALL PURPOSES TO THE HONORABLE MELISSA R. MCCORMICK
DEPARTMENT: CX104

NOTICE OF ENTRY OF ORDER APPROVING WRIT OF MANDATE

HEARING DATES PENDING:
Type: Trial
Date: March 25, 2024
Time: 9:00 a.m.
Dept. CX-104

DATE ACTION FILED: September 22, 2022
TRIAL DATE: March 25, 2024

ATTACHMENT 7

Respondents.

NEWAGE GARDEN GROVE II, LLC; KAM SANG COMPANY; DOES 5 through 10,

Real Parties in Interest,

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:

PLEASE TAKE NOTICE that on February 13, 2024, the Court approved the parties' stipulated Writ of Mandate in the above referenced matter. Attached hereto as Exhibit "A" is a copy of the Writ signed by the Court.

DATED: February 15, 2024 WOODRUFF & SMART, APC

By: _____

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Allison E. Burns
Gregory Maestri
Attorneys for Respondents,
CITY OF GARDEN GROVE; CITY OF GARDEN GROVE AS SUCCESSOR AGENCY TO THE AGENCY FOR COMMUNITY DEVELOPMENT and GARDEN GROVE HOUSING AUTHORITY

WOODRUFF & SMART
ATTORNEYS AT LAW
COSTA MESA

ATTACHMENT 7

EXHIBIT A

ATTACHMENT 7

Fee Exempt Per Gov. Code § 6103

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WOODRUFF, SPRADLIN & SMART
ATTORNEYS AT LAW
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SUPERIOR COURT FOR THE STATE OF CALIFORNIA

FOR THE COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

MARLENE PEREZ; VIETRISE; MARIA GUADALUPE ORTIZ; UNITE HERE LOCAL 11,

Petitioners,

v.

CITY OF GARDEN GROVE; CITY OF GARDEN GROVE AS SUCCESSOR AGENCY TO THE AGENCY FOR COMMUNITY DEVELOPMENT; GARDEN GROVE HOUSING AUTHORITY; ALL PERSONS INTERESTED IN THE MATTER OF THE SEPTEMBER 13, 2022 APPROVALS OF DISPOSITION OR SALE OF 12291 AND 12311 THACKERY DRIVE AND THE DISPOSITION AND DEVELOPMENT AGREEMENT FOR SALE OR DEVELOPMENT OF 3.72 ACRES AND ALL

CASE NO.: 30-2022-01281816-CU-WM-CXC

ASSIGNED FOR ALL PURPOSES TO THE HONORABLE MELISSA R. MCCORMICK
DEPARTMENT: CX104

STIPULATION AND WRIT OF MANDATE

DATE ACTION FILED: September 22, 2022

ATTACHMENT 7

RELATED APPROVALS FOR THE SITE B2 PROJECT; DOES 1 through 4,

Respondents.

NEWAGE GARDEN GROVE II, LLC; KAM SANG COMPANY; DOES 5 through 10,

Real Parties in Interest,

RESPONDENTS CITY OF GARDEN GROVE et al. ("City" or "Respondents")), NEWAGE GARDEN GROVE II, LLC AND KAM SANG COMPANY (collectively, "RPI") and PETITIONERS MARLENE PEREZ; VIETRISE, MARIA GUADALUPE ORTIZ; UNITE HERE LOCAL 11 (collectively, "Petitioners"), by and through their respective attorneys, hereby agree and stipulate as follows:

1. On September 22, 2022, Petitioners filed a Verified Petition for Writ of Mandate, Complaint for Invalidation, Injunctive and Declaratory Relief. On November 15, 2022, Petitioners filed a Verified First Amended Petition for Writ of Mandate, Complaint for Invalidation, Injunctive and Declaratory Relief (the "Petition").

2. The Petition challenges on various grounds, including, without limitation, California Environmental Quality Act ("CEQA") and City codes and plans, Respondents approval of a Mitigated Negative Declaration and various other actions taken by the City Council with respect to the sale of the property and development of the project described in the Petition (the "Project"). The Project includes rezoning through land use entitlements including a Planned Unit Development amendment (PUD-141-01(A)) ("PUD"), Site Plan review (SP-107-2022) ("SP"), Street Vacation of a street and public alley (SV-002-2002) ("SV") (collectively "Entitlements"), as well as a Disposition and Development Agreement for sale of City-owned land ("DDA") (collectively "Approvals").

3. On November 23, 2023, the Court issued an Order establishing the briefing schedule and hearing date for this case in response to the parties' joint stipulation. Under that Order, the writ hearing is scheduled for March 25, 2024.

WOODRUFF, SPRADLIN & SMART
ATTORNEYS AT LAW
COSTA MESA

4. Prior to and since issuance of that Order, the parties have been engaged in settlement discussions.

5. The parties are entering into this Stipulation and [Proposed] Writ to reflect the settlement reached by the parties with respect to the resolution of this case in a manner whereby the Court retains jurisdiction with respect to subsequent actions on the Approvals including analysis of the Project's Vehicle Miles Travelled ("VMT") and Greenhouse Gas ("GHG") impacts under CEQA, as set forth in Proposed Writ paragraph 2 below. All other claims and arguments regarding the Project, compliance with CEQA with respect to the Project, or the Approvals, that were raised in the Petition or that could have been raised, are waived, released and dismissed with prejudice.

6. Specifically, the parties stipulate and agree to the terms set forth in the [Proposed] Writ below.

7. The parties understand and stipulate that the settlement reflected in this Stipulation and [Proposed] Writ is a compromise and that no party's actions under or pursuant to this Stipulation or otherwise shall be construed as an admission of liability with respect to the Petition.

8. Except as agreed to by the parties outside the confines of this Stipulation, the parties stipulate and agree that each party shall bear its own costs, fees and expenses of all kinds incurred up to the date the Writ is signed, including, without limitation, attorneys' fees, arising out of or related to the Project or the Petition (collectively, "Costs") and that no party will seek to recover from the other party to the Petition any Costs.

9. This Stipulation may be signed in counterparts and signatures delivered electronically shall be treated as originals.

/ / /

/ / /

/ / /

/ / /

/ / /

/ / /

ATTACHMENT 7

DATED: February 12 , 2024

By:*/s/ Ricia R. Hager*
Ricia R. Hager
WOODRUFF & SMART, APC
Allison E. Burns
Gregory Maestri
STRADLING YOCCA CARLSON & RAUTH LLP
Attorneys for Defendants,
CITY OF GARDEN GROVE; CITY OF GARDEN GROVE AS SUCCESSOR AGENCY TO THE AGENCY FOR COMMUNITY DEVELOPMENT and GARDEN GROVE HOUSING AUTHORITY

DATED: February 12, 2024

BUCHALTER,
A Professional Corporation

By: */s/ Brian Fish*
Brian Fish
Chandra A. Roam
Attorneys for Real Parties-in-Interest, NEWAGE GARDEN GROVE II, LLC; and KAM SANG COMPANY, INC.

DATED: February 9, 2024

LAW OFFICE OF GIDEON KRACOV

By */s/ Gideon Kracov*
Gideon Kracov
Jordan R. Sisson
Attorneys for Petitioners,
MARLENE PEREZ, VIETRISE, MARIA GUADALUPE ORTIZ, and UNITE HERE LOCAL 11

WOODRUFF, SPRADLIN & SMART
ATTORNEYS AT LAW
COSTA MESA

ATTACHMENT 7

WRIT

The parties having entered into the above written stipulation and good cause appearing therefore, IT IS HEREBY ORDERED that:

1. If Respondents and Real Party in Interest decide to proceed with the Project, including any modified version of the Project, Respondents shall (a) prepare a focused review under CEQA of the Project's or modified Project's potentially significant Vehicle Miles Travelled (VMT) and Greenhouse Gas (GHG) impacts; (b) assess whether modifications are needed to the Approvals, including any mitigation measures and conditions of approval, in light of that focused CEQA analysis; and (c) approve, approve with modifications, or deny the PUD in open session during a publicly agendized meeting of the City Council pursuant to Municipal Code section 9.32.030.

2. Unless the parties subsequently agree to a dismissal of the Writ proceedings with prejudice and the Court enters that dismissal, the Court retains jurisdiction consistent with Public Resources Code section 21168.9(b) with respect to any challenge (i) to the actions taken by Respondents pursuant to Paragraph 1 of this Writ or (ii) to Respondents' failure to comply with Paragraph 1. All other claims and arguments relating to the Project, compliance with CEQA with respect to the Project, or the Approvals, that were or could have been raised in the Petition, including without limitation any claims or arguments in the Petition's First Cause of Action other than VMT and GHG and all claims and arguments in the Petition's Second and Third Causes of Action, are hereby waived, released and dismissed with prejudice.

3. To the extent that Respondents take further action to proceed with the Project or a modified version of the Project, Respondents are directed to make and file a return to this Writ summarizing any actions taken by Respondents to comply with Paragraph 1 of this Writ no later than the date that is ninety (90) days after taking those actions.

4. Objections, if any, to the return to the Writ shall be filed with the Court and served on Respondents and Real Parties in Interest no later than thirty (30) days after service of the

WOODRUFF, SPRADLIN & SMART
ATTORNEYS AT LAW
COSTA MESA

ATTACHMENT 7

applicable return to the Writ. Any reply to those objections shall be filed with the Court and served on the objecting party no later than thirty (30) days after service of the objections.

5. Pursuant to Public Resources Code section 21168.9(c), the Court does not direct Respondents to exercise their lawful discretion in any particular way.

6. Respondents and Real Parties in Interest may not make any physical changes to the environment as it relates to the property proposed for development under the Project pending discharge of this Writ in accordance with the terms of this Writ or, alternatively, the parties subsequently agreeing to dismissal of these proceedings with prejudice and the Court entering that dismissal.

7. Except as provided for in the parties' Stipulation above, each party shall bear its own costs, fees and expenses of all kinds incurred up to the date this Writ is signed, including, without limitation, attorneys' fees, arising out of or related to the Project or the Petition (collectively, "Costs") and no party shall seek to recover from the other parties to the Petition any Costs.

Let the foregoing peremptory writ of administrative mandate issue.

DATED: February 13, 2024

MELISSA R. MCCORMICK
JUDGE OF THE SUPERIOR COURT

WOODRUFF, SPRADLIN & SMART
ATTORNEYS AT LAW
COSTA MESA

ATTACHMENT 7

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am over the age of 18 and not a party to the within action; I am employed by WOODRUFF & SMART in the County of Orange at 555 Anton Boulevard, Suite 1200, Costa Mesa, CA 92626-7670.

On February 15, 2024, I served the foregoing document(s) described as: **NOTICE OF ENTRY OF ORDER APPROVING STIPULATION AND WRIT OF MANDATE**

☐ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list;

☐ **(BY MAIL)** I placed said envelope(s) for collection and mailing, following ordinary business practices, at the business offices of WOODRUFF & SMART, and addressed as shown on the attached service list, for deposit in the United States Postal Service. I am readily familiar with the practice of WOODRUFF & SMART for collection and processing correspondence for mailing with the United States Postal Service, and said envelope(s) will be deposited with the United States Postal Service on said date in the ordinary course of business.

☒ **(BY ELECTRONIC SERVICE - STATE)** by causing the foregoing document(s) to be electronically served on the individual(s) listed on the attached service list by submitting an electronic version of the document to One Legal, LLC through the user interface at www.onelegal.com.

☐ **(BY OVERNIGHT DELIVERY)** I placed said documents in envelope(s) for collection following ordinary business practices, at the business offices of WOODRUFF & SMART, and addressed as shown on the attached service list, for collection and delivery to a courier authorized by GSO/GLS and/or FedEx to receive said documents, with delivery fees provided for. I am readily familiar with the practices of WOODRUFF & SMART for collection and processing of documents for overnight delivery and said envelope(s) will be deposited for receipt by GSO/GLS and/or FedEx on said date in the ordinary course of business.

☐ **(BY PERSONAL SERVICE)** I delivered such envelope(s) by hand to the offices of the addressee(s).

☒ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 15, 2024, at Costa Mesa, California.

/s/ Katie E. Kane
Katie E. Kane

ATTACHMENT 7

MARLENE PEREZ et al. v. CITY OF GARDEN GROVE et al.
CASE NO. 30-2022-01281816-CU-WM-CXC

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Attorneys for **Real Parties-in-Interest, NEWAGE GARDEN GROVE II, LLC; and KAM SANG COMPANY, INC.**

WOODRUFF & SMART
ATTORNEYHS AT LAW
COSTA MESA

ATTACHMENT 8

City of Garden Grove



ECONOMIC DEVELOPMENT REPORT & ANALYSIS

B-2 Site - NewAge Garden Grove II, LLC

Nickelodeon Resort Hotel

Prepared Pursuant to Government Code Sections §53083 and §52201

August 28, 2022

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INTRODUCTION

In 2013, Assembly Bill 562 ("AB 562") added Section §53083 to the Government Code. This law requires cities and counties to post a report on their website before approving an economic development subsidy of $100,000 or more to a business entity on or after January 1, 2014.[1] The law specifies that the report must be posted on the local agency's website for the entire term of the subsidy.

In furtherance of the encouragement of economic development, Assembly Bill 806, adopted in 2016, amended Section §52201 to the Government Code. This law, similar to Section §53083, requires that public agencies who dispose of properties to create economic benefit for the community may do so, provided the legislative body approves the action and certain findings are completed.

The Legislature intended that both §53093 and §52201 promote economic development for local communities while also promoting transparency and accountability in economic development subsidies, similar to annual financial reporting and local fiscal decisions.

This report includes summary information for the proposed project and project public assistance. The information is consistent as required by AB 562- §53083 and AB 806 - §52201 which include a fiscal review and estimated reuse value as necessary to determine the projected revenue generated to benefit the City as well as the cost as part of the economic development plan for the B2-Nickelodeon Resort Hotel Development Project ("Project"). Therefore, this report is intended to address the requirements of Government Codes §53083 and §52201, and is being made available to the public prior to consideration of the proposed Agreement and authorization of the economic development subsidy.

PROJECT DESCRIPTION

In 2016, the City of Garden Grove entered into an Exclusive Negotiation Agreement (ENA) between the City and NewAge Garden Grove, LLC ("Developer") for the development of approximately 3.72 acres of real property in the City. The ENA provided for the Developer to reduce site acreage, redesign the project, complete the environmental review of the Project and determine the economic feasibility of the project. The Developer encountered a number of development constraints, including rising costs due to worldwide demand for construction materials and associated commodities, then complication due Covid pandemic related impacts. It concluded that the most feasible site for development is a 3.72-acre parcel of the original 10 acre anticipated development site. The 3.72-acre site is comprised of approximately 2.22 acres ("Agency Property") being conveyed to the Developer pursuant to the Agency DDA and approximately 1.5 acres owned by the City ("City Property") being conveyed to the Developer pursuant to the City DDA (Site Map, Exhibit "A"). The Agency Property and City Property are collectively referred to as the "Site" for this Report.

The proposed AAA Four Diamond Hotel Project is anticipated to include 500 guest suites with balconies; themed pool experience with lazy river; storage and loading area at 8,600 square feet; event space with a 600-person theater; a grand ballroom at 9,490 square feet; two meeting rooms at 4,194 square feet and 4,031 square feet; a variety of food and beverage opportunities to be placed throughout the hotel totaling 22,296 square feet; themed amenities totaling 13,238 square feet; 7,000-square foot arcade; and a spa and fitness center at 8,532 square feet. The project is estimated to welcome approximately 750,000 hotel patrons and resort guests per year.

REPORTING REQUIREMENTS OF GOVERNMENT CODE SECTION 53083

Government Code Section 53083 requires that economic development programs involving public revenue sharing assistance include the following information:

1. The name and address of all business entities, except for sole proprietorships, which are beneficiaries of the subsidy, if applicable.
2. The start and end dates and schedule for the subsidy, if applicable.
3. A description of the subsidy, including the estimated total amount of the expenditure of public funds by, or of revenue lost to, the local agency as a result of the subsidy.
4. A statement of the public purposes for the subsidy.
5. Projected tax revenue to the local agency as a result of the subsidy.
6. Estimated number of jobs created by the subsidy, broken down by full-time, part-time, and temporary positions.

REPORTING REQUIREMENTS OF GOVERNMENT CODE SECTION 52201

Government Code Section 52201 requires that economic development programs involving public revenue sharing assistance include the following information:

1. A copy of the proposed acquisition, sale, or lease
2. A summary that describes and specifies all of the following:
    a. The cost of the agreement to the city, county, or city and county, including land acquisition costs, clearance costs, relocation costs, the costs of any improvements to be provided by the city, county, or city and county, plus the expected interest on any loans or bonds to finance the agreements.
    b. For the sale or lease of property, the estimated value of the interest to be conveyed or leased, determined at the highest and best uses permitted under the general plan or zoning.
    c. For the sale or lease of property, the estimated value of the interest to be conveyed or leased, determined at the use and with the conditions, covenants, and development costs required by the sale or lease. The purchase price or present value of the lease payments which the lessor will be required to make during the term of the lease. If the sale price or total rental amount is less than the fair market

value of the interest to be conveyed or leased, determined at the highest and best use, then the city, county, or city and county shall provide as part of the summary an explanation of the reasons for the difference.

d. An explanation of why the acquisition, sale, or lease of the property will assist in the creation of economic opportunity, with reference to all supporting facts and materials relied upon in making this explanation.
e. The resolution approving the acquisition, sale, or lease shall be adopted by a majority vote unless the legislative body has provided by ordinance for a two-thirds vote for that purpose and shall contain a finding that the acquisition, sale, or lease of the property will assist in the creation of economic opportunity. For the sale or lease of property, the resolution shall also contain one of the following findings:
    i. The consideration is not less than the fair market value at its highest and best use.
    ii. The consideration is not less than the fair reuse value at the use and with the covenants and conditions and development costs authorized by the sale or lease.
    iii. The provisions of this section are an alternative to any other authority granted by law to cities to dispose of city-owned property.

REQUIREMENTS- GOVERNMENT CODE SECTION 53083

BENEFICIARIES - 1

The business entity that would be a beneficiary of the Economic Development Subsidy is NewAge Garden Grove ll, LLC. ("Developer") and Kam Sang Company, Inc. as the Developer's Managing Partner. The company's headquarters is located at 411 East Huntington Drive, Suite 305, Arcadia, CA 91006.

EFFECTIVE DATES AND SCHEDULE -2

The B-2 development project has been part of the City's planning effort over the past 20 years. Over time the size of the project area and scope of development has evolved and resulted in the proposed Nickelodeon Resort Hotel Project on approximately a 3.72-acre site. The resort project is designed to accommodate a AAA Four Diamond Hotel as compared to the previous projects that included designs and accommodations of a standard 2-star hotel project. The current Disposition and Development Agreement (DDA) outlines a transient occupancy tax (TOT) revenue sharing agreement that assume project commencement and development in mid-year 2023 and will be ready for occupancy in 2026. The DDA is anticipated to commence the year of Project opening in 2026 and will be in place for up to thirty (30) years, at which time the DDA will end.

ECONOMIC DEVELOPMENT SUBSIDY DESCRIPTION – 3

The proposed Economic Development assistance is based solely on the completion of the Nickelodeon Resort Hotel on a site that is currently vacant and undeveloped. The assistance of public revenues for the project is based on those tax revenues not currently being generated or available to the City and will materialize only after the completion of the Nickelodeon Resort Hotel Project.

It is important to note that the proposed public assistance is based strictly on two key components: 1) project completion, and 2) project generated transient occupancy tax (TOT) collected by the City. It is important to note, the TOT revenue source, and other revenue sources such as sales tax and property tax, are NOT currently being generated from the Site, which has been vacant for almost 2 decades.

All revenue sharing assistance amounts will be solely generated by Site development. If approved, the terms for sharing the Transient Occupancy Tax (TOT) generated public revenue is documented in the Disposition and Development Agreement and include a covenant that address the detail of the public revenue sharing terms.

The Developer has proposed, that in order to make the Development feasible and a reality, the City provide a public revenue sharing program based on TOT tax generation. Generally, tax sharing programs allow public agencies to reinvest a portion of public revenues generated from Site development into an identified project that requires assistance. Public reinvestment and assistance provides for a sustainable and feasible new community asset, such as the resort hotel proposed in the City. The Developer has identified a public revenue sharing amount of up to a maximum of $93 million which will account for a feasible development.

Over thirty (30) years the Project is estimated to generate in Transient Occupancy Tax, Sales Tax, Measure O Tax, and Project Property Tax of approximately $329.4 million. This public revenue would not be otherwise generated if the Nickelodeon Resort Hotel Project is not developed.

The Developer, in order to achieve a feasible project, including Developer equity and third (3rd) party financing, requires a public revenue sharing agreement that allows up to a maximum of $93 million in project assistance over a term not to exceed thirty (30) years.

A summary of Project total public revenue generated, proposed public assistance to the Project, and Project net public revenue generated (approximately $236.4 million retained by the City) is provided in **Table 1** below. The precise terms of the assistance are addressed in the Development and Disposition Agreement (DDA) that is attached to this report.

Table 1

Project Generated Gross Tax Revenues Over 30 Year Term: City Reciepts/Total		
	Property Tax	$7,769,801
	Sales Tax & Measure O	$62,147,092
	Transient Occupancy Tax (TOT)	$259,433,489
	Gross Estimated Tax Collected	**$329,350,383**
Project Economic Development Subsidy Over 30 Year Term: Developer Assistance		
	Property Tax	$0
	Sales Tax & Measure O	$0
	Transient Occupancy Tax (TOT)	$93,000,000
	Gross Economic Assistance	**$93,000,000**
Project Generated Gross Tax Revenues Over 30 Year Term: City Net Revenue & General Fund Reciepts Retention		
	Property Tax	$7,769,801
	Sales Tax & Measure O	$62,147,092
	Transient Occupancy Tax (TOT)	$166,433,489
	Gross Estimated Tax - General Fund Revenue	**$236,350,383**

STATEMENT OF PUBLIC PURPOSES -4

The loss of redevelopment has left the City of Garden Grove, as well as all cities statewide, with a loss of local resources to encourage economic development and maintain City services. The California Legislature and Governor Brown made the decision to terminate redevelopment which removed the single largest economic tool available to local agencies. Following the decision to terminate statewide redevelopment, the Governor and Legislature recognized the necessity of cities, counties and the State to encourage employment, retain jobs and companies in California.

With the adoption of Assembly Bill 562 in 2013, and codified as California Government Code Section §53083, the California Legislature recognized the authority of local officials to use their regulatory powers, direct spending, and tax policies to influence where, when, and how the private sector invests capital and improves real property.

The City has concluded that the Project would serve as a continued catalyst for the City hotel corridor and provide a significant net positive financial impact on the entire local economy. It is estimated that the total permanent direct, indirect and induced economic output of the Project during the 30-year public assistance program will provide approximately $2 billion in project generated financial contribution to the City and region. Additionally, the City and region will realize an estimated 2,800 jobs.

The B-2 adopted Planned Unit Development and the Disposition Development Agreement (DDA) provide a comprehensive set of plans, design guidelines, regulatory standards, and administrative and implementation programs which act as a regulatory 'bridge' between the City of Garden Grove's General Plan and project level development within the DDA.

The B-2/Nickelodeon Resort Hotel design guidelines within the DDA provide for and requires a high-quality AAA Four Diamond Resort Hotel to be constructed on the identified Site. The resort will contain 500 guest suites with balconies, themed pool experience with lazy river, 600-person theater, grand ballroom, meeting rooms, variety of food and beverage opportunities, themed amenities, 7,000-square foot arcade, and a spa and fitness center.

The City has concluded that the Development and its adjacency to the Disneyland resort and hotels that welcomes over 17 million visitors a year, the Great Wolfe attraction and Resort hotel and adjacency to two (2) major Freeways, I-5 and 91, will serve as a catalyst for future City developments that will continue to provide a net positive impact on the local economy. The City estimates that the total estimated direct economic output of the Project will exceed $1.75 billion, produced by expenditures at the Resort and other spin-off sales within the City limits through the 30 years of the public assistance agreement.

Additionally, the total direct economic output generated by construction of the Project is expected to exceed $277 million within the City limits.

30-YEAR CITY TAX REVENUE PROJECTION - 5

Throughout the construction period and the first 30 years of operation, the Nickelodeon Resort Hotel Development Project is expected to generate approximately $236.4 million in City tax revenue. Of this, $166.4 million (70.4%) is TOT, $7.8 million (3.3%) is property tax, and $62.1 million (26.3%) is sales tax. The table on the following page summarizes the City's projected tax revenues generated by the Project through the 30th year of operation.

Project Generated Gross Tax Revenues Over 30 Year Term: City Net Revenue & General Fund Reciepts Retention	
Property Tax	$7,769,801
Sales Tax & Measure O	$62,147,092
Transient Occupancy Tax (TOT)	$166,433,489
Gross Estimated Tax - General Fund Revenue	**$236,350,383**

ESTIMATED NUMBER OF JOBS CREATED - 6

The Nickelodeon Resort Hotel Development is both a local and regional catalytic project. Over a 30 year period, the completed Nickelodeon Resort Hotel Development will have a financial impact within the City and region in excess of $2 billion dollars. Benefits attributable to the Project will include jobs created and revenues generated from Project hotel stays, retail sales, spin off of jobs , and tourism expenditures for services such as dining, fuel, attractions, and other visitor demands. The Development is expected to create and support over two thousand jobs, many which will be local.

Project construction is estimated to exceed $277 million dollars. The Development is expected to create approximately 1,000 jobs through construction and permanent full time equivalent positions. In addition to the direct jobs created by the Project, indirect and induced jobs generated for the community, area, and region are expected to be one thousand eight hundred (1,800) jobs.

This innovative project will ignite other development within the local and regional vicinity. This spin off effect will create further investment, local jobs, and amenities for residents and public revenues.

The Development is estimated to generate the following number of direct full-time equivalent jobs as well as indirect and induced jobs as a result of the development which is directly dependent upon the City's Economic Development assistance program:

Job Creation Estimation	
,hwigx$rhwigx$erh$rhygih$sfw-	
	Full Time Equivalent (fte)
Project	
Construction Jobs	600
Hotel Jobs	
Full Time	380
Project Total	**980**
Local Community & Region	
Local Spin-Off/ Multiplier Effect	**1,790**
Project Related Total Estimated Job Creation	**2,770**

**EPI - estimated job creation - 10 jobs per $1 million expended*

REQUIREMENTS- GOVERNMENT CODE SECTION §52201

COPY OF THE PROPOSED ACQUISTION, SALE OR LEASE – 1

The agreement, Disposition and Development Agreement (DDA) is between The City of Garden Grove and the NewAge Garden Grove II, LLC. The DDA is included as Attachment A.

The business entity that would be the beneficiary of the Economic Development Subsidy is NewAge Garden Grove ll, LLC. ("Developer") with Kam Sang Company, Inc., as its Managing Partner. The company's headquarters is located at 411 East Huntington Drive, Suite 305, Arcadia, CA 91006.

A summary of the DDA is as follows:

- The DDA includes the purchase price, indemnity and insurance provisions, and other provisions customary to disposition and development of property as entered into by the City.
- City shall contribute to the Developer, based on the Covenant in the DDA, public assistance consideration payments in an amount equal to sixty percent (60%) of the Transient Occupancy Tax ("TOT") collected and remitted to the City during the 30-year Operating Period based on the applicable TOT rate and City TOT collection, with respect to the Proposed Project. The DDA and covenant provides for a public assistance amount of up to $93 million with a term not to exceed 30 years. The public assistance amount could be achieved in less than 30 years. Conversely, if the 30-year tax sharing term expires and the $93 million has not been achieved by the project, the amount of public assistance will be less.
- The Developer's submittal indicates the costs to develop the hotel rooms will meet or exceed the minimum requirements of $250,000 per key for shell costs and $45,000 per key for FF&E costs.
- Developer shall comply with the Prevailing Wage Statutes and use not less than 40% for union labor.
- The Developer shall purchase the 19 parcels associated with the Resort hotel for $920,000.
- It is estimated that the total resort costs will be approximately $277 million dollars for land, soft costs, and construction of resort hotel, parking and associated resort attractions.

See Attachment A for the Complete DDA.

SUMMARIES THAT DESCRIBE AND ADDRESS THE FOLLOWING 5 PROJECT AREAS - 2

2a)

The cost of the agreement to the city, including land acquisition costs, clearance costs, relocation costs, the costs of any improvements to be provided by the City plus the expected interest on any loans or bonds to finance the agreements.

The Site being developed contains 19 parcels that have been acquired over the past 2 decades.

The common addresses of the parcels involved in the DDA are: 12241, 12261, 12271, 12291, 12311, and 12323 Harbor Boulevard and 12246, 12252,12262,12282, 12292, 12312, 12322, 12251, 12261, 122281, 12291, 12311, and 12321 Thackery Drive. The combined parcels are approximately 3.72 acres.

The acquisition costs related to the 19 parcels, including parcel acquisition purchase prices, relocation, demolition, and associated costs are approximately $9.7 million (excluding interest and other financial costs) as documented by the City.

CITY RELATED ACQUISITION COSTS	
Acquisition costs	$8,349,384
Appraisal	$81,800
Relocation	$734,798
Demoltion /Site Clearance	$528,472
TOTAL	**$9,694,454**

The City and Developer have agreed as part of the terms of the DDA and the feasibility of the Resort Hotel development, that the Developer will pay the City $920,000 for the 3.72-acre site.

DEVELOPER LAND PURCHASE PRICE DISPOSTION AND DEVELOPMENT AGREEMENT	
Acquisition costs	**$920,000**

The price being paid by the Developer for the site to achieve project feasibility indicates that the City will provide a net land contribution of approximately $8,774, 500.

CITY PROJECT LAND COST BASED ON DISPOSITION AND DEVELOPMENT AGREEMENT	
Net Land Cost to City	**$8,774,454**

The DDA also provides that City and Developer will enter into a covenant that provides public assistance payments that are derived from TOT generated by the AAA Four Diamond Resort Hotel Project to the Developer. The sharing of a Transient Occupancy Tax (TOT) generated by the resort hotel is regarded as public assistance under both Government Code §53083 and §52201.

The terms of the DDA and public assistance formula is based on an amount equal to sixty percent (60%) of the Transient Occupancy Tax (TOT) collected and remitted to the City during the 30-year

operating period. The public assistance is based on the applicable TOT rate and City TOT collection, which will vary from year to year of the Project subject to hotel occupancy and TOT rate charged by the City.

The DDA and covenant provides for a public assistance amount of up to $93 million. The assistance is limited to TOT collected from the resort hotel over 30 years. The public assistance amount could be achieved in less than 30 years. Conversely, if the 30-year tax sharing term expires and the $93 million has not been achieved by the project, the amount of public assistance will be less than the projected $93 million.

Based on the land costs incurred by the City and the amount of public assistance in the form of TOT sharing covenant in the DDA, the Developer is expected to receive up to $103 million in public assistance over a 30 year period. Based upon the net present value (NPV) of the public assistance provided to the Developer for the Project, the land contribution and TOT public assistance has an approximate NPV of $56.3 million. The public assistance NPV value of $56.3 million is representative of the estimated assistance in today's values.

The City does not anticipate that it will incur any loans, interest, or bonds associated with the DDA and public assistance.

2b)
For the sale of property, the estimated value of the interest to be conveyed, determined at the highest and best uses permitted under the general plan or zoning.

In July 2022, the City commissioned multiple appraisals by RP Laurain & Associates (RPLA). RPLA was tasked to assist the City in estimating the value for the interest to be conveyed pursuant to the DDA and Government Code §53083 and §52201. Based on the information provided by RPLA, the estimated Site value is $9.7 million.

As noted above in 2a, the Developer is purchasing the development site for $920,000. Therefore the amount of net value of the interest being conveyed is the difference between $9.7 million and the $920,000. The DDA, as part of the public assistance is conveying the development Site for approximately 9.5% of the value of the site as estimated through the valuations presented by RPLA.

2c)
For the sale of property, the estimated value of the interest to be conveyed, determined at the use and with the conditions, covenants, and development costs required by the sale. The purchase price to be made as part of the agreement. If the sale price is less than the fair market value of the interest to be conveyed, determined at the highest and best use, then the city, county, or city and county shall provide as part of the summary an explanation of the reasons for the difference.

The DDA and related covenants require that the Developer construct a AAA Four Diamond Hotel, full service, Nickelodeon Resort Hotel that is a significantly higher quality project than was initially envisioned in the B-2 Planned Unit Development area and original DDA. The cost differential

between the AAA Four Diamond Resort Hotel and a standard 2-star hotel, with the amenities addressed in the Nickelodeon DDA, is expected to have total project costs that are a minimum of double the cost to two-thirds more to provide the described resort hotel and associated amenities. The full service 4-star Nickelodeon Resort Hotel as defined in the DDA will include 500 upscale guest suites with balconies, themed pool experience with lazy river, a 600-person maximum occupancy theater, a grand ballroom, meeting rooms, a variety of food and beverage opportunities to be placed throughout the hotel, themed amenities, game arcade, and a spa and fitness center. The project is estimated to welcome approximately 750,000 hotel patrons and resort guests per year.

The DDA anticipates that the site will be transferred to the Developer at $920,000 which is approximately 9.5% of the fair market value of the Site based upon RPLA appraisals, which indicate an estimated fair market of $9.7 million.

The DDA terms and covenants require that the Developer deliver a AAA Four Diamond Resort Hotel quality project. The fair market value for the land cannot be realized due to the development requirements and cost of construction. Tierra West Advisors has estimated that the AAA Four Diamond full service Resort Hotel project costs required in the DDA, as compared to a standard 2-star limited service hotel, is approximately 45% to 65% more in development costs. The development costs are attributable to the finishes provided in lobby, individual rooms, meeting areas, water park features, resort attractions, and provisions required to provide a 4-star Resort.

The following is a brief comparison between the estimated cost to construct the 4-star Nickelodeon Resort Hotel and a 2-star limited service standard hotel as determined through Tierra West Advisors' research.

4 STAR RESORT HOTEL VS 2 STAR HOTEL COMPARISON		
Land Value	$10,600,000	$10,600,000
construction costs *FFE/contingency*	$214,700,000	$96,615,000
Soft Costs	$29,800,000	$10,430,000
PreDev/Fin costs	$22,400,000	$11,200,000
Total Project Costs	$277,500,000	$128,845,000
Cost Per Room - 500	$555,000	$257,690

As noted, land value remains constant, but the impact to construction costs and soft costs, especially in the area of design related to attractions, water features, amenities, rooms and general upgrades required for AAA Four Diamond rated resort hotel projects impact development costs significantly.

2d)

An explanation of why the sale of the property will assist in the creation of economic opportunity, with reference to all supporting facts and materials relied upon in making this explanation.

The Site has been assembled over the past 2 decades and during the time the parcels have been vacant and not generating any form of revenue. The City has actively pursued development of these parcels. However, impediments, such as Developer failure to proceed, recession, and loss of Redevelopment have made the development of these parcels infeasible. Following the decision to terminate Redevelopment, the Legislature recognized the necessity of cities, counties and the State to encourage employment, and retain jobs and companies in California.

The adoption of Government Code Sections §53083 and §52201 by the California Legislature recognized the authority of local officials to use their regulatory powers, direct spending, and tax policies to influence where, when, and how the private sector invests capital and improves real property.

The City has concluded that the Project would serve as a continued catalyst for the City hotel corridor and provide a significant net positive financial impact on the entire local economy. It is estimated that the total permanent direct, indirect and induced economic output of the Project during the 30 year public assistance program will provide approximately $2 billion in project generated financial contribution to the City and region. Additionally, the City and region will realize an estimated 2,800 jobs.

Job Creation Estimation

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	Full Time Equivalent (fte)
Project	
Construction Jobs	600
Hotel Jobs	
Full Time	380
Project Total	**980**
Local Community & Region	
Local Spin-Off/ Multiplier Effect	**1,790**
Project Related Total Estimated Job Creation	**2,770**

**EPI - estimated job creation - 10 jobs per $1 million expended*

The B-2 adopted Planned Unit Development and the Disposition Development Agreement (DDA) provide a comprehensive set of plans, design guidelines, regulatory standards, and administrative and implementation programs which will serve as the development plan to complete the resort hotel on a site that has been vacant over a 2 decade period.

The B-2/Nickelodeon Resort Hotel design guidelines within the DDA provide for and require a high-quality AAA Four Diamond Resort Hotel to be constructed on the identified Site. The resort will contain 500 guest suites with balconies, themed pool experience with lazy river, 600-person theater, grand ballroom, meeting rooms, variety of food and beverage opportunities, themed amenities, 7,000-square foot arcade, and a spa and fitness center.

The City has concluded that the Development and its adjacency to the Disneyland resort and hotels that welcomes over 17 million visitors a year, the Great Wolfe attraction and Resort hotel and adjacency to two (2) major Freeways, I-5 and 91, will serve as a catalyst for future City developments that will continue to provide a net positive impact on the local economy. The City estimates that the total estimated direct economic output of the Project will exceed $1.75 billion, produced by expenditures at the Resort and other spin-off sales within the City limits through the 30 years of the public assistance agreement.

Additionally, the total direct, economic output generated by construction of the Project is expected to exceed $277 million within the City limits.

The Site is currently undeveloped and not currently providing any economic impact to the City or region. The 4-star Nickelodeon Resort Hotel is anticipated to provide net revenues to the City as noted below:

Project Generated Gross Tax Revenues Over 30 Year Term: City Net Revenue & General Fund Reciepts Retention	
Property Tax	$7,769,801
Sales Tax & Measure O	$62,147,092
Transient Occupancy Tax (TOT)	$166,433,489
Gross Estimated Tax - General Fund Revenue	**$236,350,383**

2e)

The resolution approving the acquisition, sale, shall be adopted by a majority vote unless the legislative body has provided by ordinance for a two-thirds vote for that purpose and shall contain a finding that the sale of the property will assist in the creation of economic opportunity. For the sale or lease of property, the resolution shall also contain one of the following findings:

i. The consideration is not less than the fair market value at its highest and best use.
ii. The consideration is not less than the fair reuse value at the use and with the covenants and conditions and development costs authorized by the sale or lease.
iii. The provisions of this section are an alternative to any other authority granted by law to cities to dispose of city-owned property.

The total project development costs and financial returns are such that the fair reuse value of the land is less than the fair market value of the land. The City's consultant, HTL Hospitality Advisors reviewed the costs for the Nickelodeon Resort Hotel development as presented by the Developer and prepared an independent development cost analysis as described by the terms of the DDA. The Developer and HTL have indicated that the project costs for the Nickelodeon Resort Hotel is $277 million, which assumes a contingency to accommodate the unique project development aspects of the proposed Resort. The unusual designs, custom fabrication, amenities, fixturization, equipment for all aspects of the Resort will most likely lead to development cost increases that may exceed the estimated developments costs to construct the AAA Four Diamond Nickelodeon Resort Hotel as defined in the DDA and Developer presentations.

PROJECTED NICKELODEON RESORT HOTEL DEVELOPMENT COSTS	
Land Value - FMV	$10,600,000
Project Development Cost	$254,200,000
contingency	$12,700,000
Total Project Costs	$277,500,000
estimate per key - 500	$555,000

For the purposes of this reuse analysis, Tierra West Advisors has assumed that the Developer, based on its strong successful track record in the hotel industry and other special use developments, will be successful in maintaining and managing project and development costs at $266.9 million. Total project costs with land at fair market value and construction is estimated at $277.5 million.

HTL developed a detailed operating proforma for the Nickelodeon Resort Hotel to provide and independent review of the operations of the resort over a 10-year period. The cash flow analysis was designed to compare the information provided by the Developer as well as to determine a value

of the resort project based on net cash flow derived from the project to determine Project value. Net cash flow used to determine values of operating business is traditionally based on earnings before interest, tax and amortization (EBITA).

The Developer and HTL, as is typical of most financial operating pro formas analyses developed by investors, advisors, banks and other entities, assumes that a business will require a few years for ramp up of the operation to allow for stabilization of the operations of the business. HTL developed its standard 10 year operating pro forma that calculated the present value, applying a 13% discount rate and assumed sale of the project in the 10th year (standard financial assumption applied by investors, developers, lending institutions and consultants to determine value and calculate reuse value). The operating proforma resulted in a present value of $162.3 million of net receipts.

As noted, total development costs of the Resort and fair market value of the land involved is projected to be $265.5 million. The operating proformas prepared by HTL and the Developer indicate that the total present value of net operating cash flow, EBITA, over a 10-year analyses provides $162.3 million in net receipts.

The differential between the total cost of development of $265.3, excluding contingencies, and present value of net cash flow over 10 years of operations is $162.3 million. The difference between total project costs and net cash flow from operations is approximately $103 million.

PROJECT FEASIBILITY FINANCIAL GAP OR SHORTFALL	
Total Project Costs *(excluding construction contingency)*	$265,300,000
Less - Present Value of 10 Year Net Cash Flow	$162,300,000
Project Shortfall	$103,000,000
estimate per key - 500	$206,000

In order to develop the Nickelodeon Resort Hotel development, the project must be financially feasible. The Project development costs less the present value of the Project in the 10th year, indicates that the Project is not feasible without public assistance. The financial shortfall of $103 million, as demonstrated in the chart above, must be addressed to make the project a reality.

The City and Developer have agreed to address the Project financial shortfall in the terms of the DDA. The DDA provides that the project cost shortfall be addressed through 2 primary public economic development assistance components:

1) provide the land required to develop the resort project at less than fair market value of $10.6 million, but at a fair reuse value of $920,000 to allow for project feasibility and financeable; and,

2) provide public assistance based on the operation of the hotel through a TOT sharing agreement that would provide up to $93 million dollars over a term not to exceed 30 years.

The public assistance in the form of offering the site at its fair reuse value based on the covenants and conditions and development costs and the proposed TOT public assistance revenue sharing program provide the necessary financial support to make the Nickelodeon Resort Hotel a feasible project and future reality.

PROJECT FEASIBILITY PUBLIC ASSISTANCE PROVIDE FAIR MARKET LAND VALUE CONTRIBUTION & TOT PUBLIC ASSISTANCE	
*Land Value Contribution**	$10,000,000
TOT Sharing over 30 Years	$93,000,000
Total Warranted Project Public Assistance	$103,000,000
estimate per key - 500	$206,000

(including costs incurred by City for assemblage)

Therefore, the consideration for the Site is not less that than the fair reuse value based at the use and with the covenants and conditions and development costs authorized by the sale or lease.

CONCLUSIONS FOR ECONOMIC DEVELOPMENT REPORT FOR AB 562- §53083 and AB 806 - §52201

The proposed AAA Four Diamond Nickelodeon Resort Hotel will provide a significant financial revenue generator and job creation for the City.

- Over the 30-year study period the City is anticipated to receive over $236.4 million in related tax revenues from TOT, Sales, and Property Taxes.
- During this period the Project will provide 1,000 jobs through construction and direct jobs at the Resort.
    - Indirect and induced jobs as a result of the Resort Hotel is anticipated to exceed 1,800 jobs in the region.
- The City is receiving the fair reuse value for the land involved in the transaction due to the gap in development and operational costs.
- The public assistance provided through the TOT sharing agreement in the DDA is appropriate for this project and consistent with public agencies and hotel developments.
- The proposed public assistance to financially support the Project is based on and subject to the Developer and Project completion
- Public Assistance in these formats is common practice, especially involving full Service AAA Four Diamond resort hotels such as the proposed Nickelodeon Resort Hotel in Garden Grove.



ATTACHMENT 9

TIERRA WEST ADVISORS

UPDATED ECONOMIC DEVELOPMENT REPORT & ANALYSIS
Nickelodeon Resort & Hotel

City of Garden Grove
11222 Acacia Pkwy,
Garden Grove, CA 92840

April 28, 2026

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PURPOSE OF UPDATED DOCUMENT

In August 2022, Tierra West Advisors, Inc. ("Tierra West") was retained by the City of Garden Grove ("City") to provide an Economic Development Report and Analysis related to the NewAge Garden Grove II, LLC "Nickelodeon Resort Hotel" Project (the "Original Report"). Research and analysis were done using financial information available at that time. The Project was approved on September 13, 2022.

On September 22, 2022, Marlene Perez, Maria Guadalupe Ortiz, and Unite Here Local 11 (collectively, "Petitioners") filed a Petition for Writ of Mandate, Complaint for Invalidation, Injunctive and Declaratory Relief in Orange County Superior Court challenging the City Council's actions on California Environmental Quality Act (CEQA) and other grounds (the "Petition"). Petitioner VietRISE later joined the litigation. Prior to trial, the parties reached a settlement, which the Court entered as a Stipulated Writ of Mandate on February 13, 2024 ("Stipulated Writ"). Pursuant to Public Resources Code Section 21168.9(c), the Stipulated Writ left the City's 2022 approvals in place and did not direct the City to exercise its discretion in any particular way. Instead, the Stipulated Writ requires the City, if it and the Real Parties in Interest decide to proceed with the Project, to: (a) prepare a focused CEQA review of the Project's potentially significant Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) impacts; (b) assess whether modifications are needed to the prior approvals, including mitigation measures and conditions of approval, in light of that focused CEQA analysis; and (c) approve, approve with modifications, or deny the PUD at a publicly agendized City Council meeting pursuant to Garden Grove Municipal Code Section 9.32.030. All other claims were waived, released, and dismissed with prejudice.

In compliance with the Stipulated Writ, the City has prepared a Supplemental Environmental Impact Report (SEIR) providing a focused analysis of the Project's Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) impacts. The Project is now before the Planning Commission for recommendations to the City Council, and the City Council for action in compliance with the Stipulated Writ.

As requested by City Staff, Tierra West is providing an updated report with the purpose of updating and refreshing certain financial information, assumptions, and projections contained in the report in order to ensure that all fiscal data utilized in the Original Report reflects more current market conditions, cost factors, and revenue estimates. As noted in the Original Report, the analysis includes detailed financial projections related to tax revenues, development costs, and public assistance components associated with the Project.

Since the preparation of the Original Report, changes in economic conditions, including but

not limited to construction costs, financing assumptions, and revenue projections, necessitate updates. All other sections, findings, and conclusions of the original report remain in effect unless specifically modified.

INTRODUCTION

In 2013, Assembly Bill 562 ("AB 562") added Section 53083 to the Government Code. This law requires cities and counties to post a report on their website before approving an economic development subsidy of $100,000 or more to a business entity on or after January 1, 2014. The law specifies that the report must be posted on the local agency's website for the entire term of the subsidy.

In furtherance of the encouragement of economic development, Assembly Bill 806, adopted in 2016, amended Government Code Section §52201. This law, like Section 53083, requires that public agencies who dispose of properties to create economic benefit for the community may do so, provided the legislative body approves the action and certain findings are completed.

The Legislature intended that both Sections 53083 and 52201 promote economic development for local communities while also promoting transparency and accountability in economic development subsidies, like annual financial reporting and local fiscal decisions.

In 2022, Tierra West prepared the Original Report in compliance with Government Code Sections 53083 and 52201. This Updated Economic Development Report & Analysis (the "Updated Report") updates the 2022 report prepared pursuant to Government Code Sections 53083 and 52201 to provide current economic and fiscal benefit data in support of the Statement of Overriding Considerations required by CEQA in connection with the Supplemental Environmental Impact Report prepared pursuant to the Stipulated Writ of Mandate. The Updated Report includes a fiscal review and estimated reuse value as necessary to determine the projected revenue generated to benefit the City as well as the cost as part of the economic development plan for the Project.

CHANGES AND METHODOLOGY

A. Project Timing

Construction start date updated: 2026 → 2028
Opening year updated: 2028 → 2030
Disposition and Development Agreement ("DDA") term remains 30 years, now aligned to 2030 opening.

B. Development Costs

Total development Costs: $287,600,000 → $343,000,000 (inclusive of land value / exclusive of contingency)

Total development costs were updated based on revised underlying inputs, including hard costs, soft costs, and land value. These adjustments reflect current market conditions and updated cost assumptions.

Hard Costs: $236,000,000 → ~$286,675,000

Original hard costs (2022) were estimated based on a 2026 construction date. To update the cost estimate for a 2028 construction start date, Tierra West used the following methodology:

1. Uninflated the original costs from 2026 to 2022 "real" dollars.
2. Used historical construction costs change YoY to inflate "real" 2022 cost to 2026 using actual cost change data over the time period. The exact period used for this adjustment was August 2022 – January 2026.
3. Used estimates to inflate the costs further from 2026 to 2028.

For Step 1, Tierra West reviewed the Original Report workpapers to identify the escalation assumptions applied to project future costs. These escalation factors were reversed to return all costs to a 2022 baseline.

Tierra West then utilized historical data from the California Construction Cost Index ("CCI"), published by the California Department of General Services, to escalate costs from 2022 to 2026. This resulted in an approximate cumulative increase of 20% over the period.

For forward projections, Tierra West applied an annual hard cost escalation rate of approximately 4.25%, derived from a range of anticipated construction cost increases over the next 2.5 years and supported by industry data and professional judgment.

Soft Costs: $41,000,000 → ~$45,700,000

Original soft costs (2022) were estimated based on a 2026 construction date. To update the cost estimate for a 2028 construction start date, Tierra West used the following methodology:

1. Uninflated the original costs from 2026 to 2022 "real" dollars.

2. Used historical professional services costs change YoY to inflate "real" 2022 cost to 2026 using actual cost change data over the period. The exact period used for this adjustment was August 2022 – January 2026.
3. Used estimates to inflate the costs further from 2026 to mid-year 2028.

For Step 1, Tierra West reviewed the Original Report workpapers to identify the escalation assumptions applied to project future costs at that time. These escalations were reversed to return all costs to a 2022 baseline.

Tierra West then applied historical data from the U.S. Federal Reserve's Services Less Energy Services Consumer Price Index ("CPI") for the Anaheim–Santa Ana–Irvine region to adjust costs from 2022 to 2026. This index is commonly used as a proxy for changes in professional services pricing. Based on this data, cumulative growth of approximately 14% was applied over the period.

For forward-looking assumptions, Tierra West applied an estimated annual soft cost escalation rate of approximately 3.25%, which falls within a reasonable range of projected cost growth over the next 2.5 years.

FMV of Land: $10,600,000 → ~$10,600,000 **(NO CHANGE)**

The original land value was derived from a third-party appraisal commissioned by the City. Tierra West maintained this value for consistency, as any potential variation was determined to be nominal. Retaining the appraised value preserves the original valuation methodology and avoids introducing inconsistencies into the analysis.

C. <u>Hotel Revenue Projections (ADR / OCCUPANCY)</u>

Average Daily Rate ("ADR"): $255 → $292

Tierra West used the following methodology:

1. Uninflated the original ADR from 2030 to 2022 ADR.
2. Used historical ADR data to change 2022 ADR to 2026.
3. Used estimates to inflate the costs further from 2026 to 2030.

To update ADR, Tierra West first normalized the original projection to a 2022 baseline by reversing embedded escalation assumptions. Historical ADR growth in the Anaheim–Garden Grove submarket was then applied to estimate ADR in current (2026) dollars, based on observed hotel rate performance over the period.

For forward projections (2026–2030), Tierra West applied a reasonable growth assumption consistent with long-term hotel market trends, inflation expectations, and the positioning of comparable resort-oriented properties in the Disneyland submarket.

A premium was applied to reflect the flagged, resort-style positioning of the proposed Project. The comparable dataset was refined to exclude non-resort hotels, with greater weight assigned to properties most similar in product type, branding, and amenities. Semi-resort properties were included but given lesser weighting relative to fully comparable resort-style hotels.

This approach maintains the integrity of the original operating assumptions while ensuring that ADR reflects current pricing levels and anticipated market conditions at opening.

Occupancy Year 1: 60% → 60% **(NO CHANGE)**

Tierra West maintained a Year 1 occupancy assumption of 60%. Retaining this assumption preserves the original operating framework developed by HTL and the Developer.

Occupancy (Terminal Value): 79% → 75%

Tierra West adjusted the terminal occupancy value slightly down, based on market data. The magnitude of the change was small.

Tierra West adjusted the terminal occupancy assumption from 79% to 75% based on a review of market performance data for comparable full-service and resort-oriented hotels in the Anaheim–Garden Grove submarket.

This adjustment reflects stabilized occupancy levels observed in the post-pandemic operating environment, increased supply and competitive dynamics within the resort and convention-oriented hotel market, along with operating characteristics of large-format destination resorts, which may stabilize slightly below peak urban or limited-service benchmarks.

The adjustment is modest in magnitude and was made to align the projection with current market conditions while maintaining consistency with the original ramp-up and stabilization structure.

D. Public Assistance

Total Public Assistance: $102,680,000 → $102,680,000 **(NO CHANGE)**

The amount of Public Assistance remains unchanged. It consists of Land Value (unchanged) minus the payment for land (unchanged) plus the maximum amount of the payment equal to sixty percent (60%) of the Transient Occupancy Tax ("TOT") collected and remitted to the City during the Operating Period, as defined in the DDA (unchanged).

These amounts were agreed upon within the DDA and are not expected to change.

E. General Fund Benefit (Transient Occupancy Tax / Sales Tax / Property Tax)

Transient Occupancy Tax (Gross): ~ $259,400,000.00 → ~ $336,150,000.00

TOT generated was based on the change in hotel revenue inputs (ADR / Occupancy).

Transient Occupancy Tax (Net to City): ~$166,400,000.00 → ~ $243,150,000.00

TOT Net to City is equal to the total TOT collected minus the maximum total amount of the payment equal to 60% of the TOT collected and remitted to the City ($93,000,000.00).

Sales Tax: ~$64,716,000.00 → ~$68,556,000.00

Note: this number represents only the City's share of sales tax + Measure O (2%).

Sales tax associated with the Project is derived from two primary sources: hotel-related taxable sales, including food and beverage and merchandise, and retail sales generated from approximately 5,400 square feet of on-site retail space.

The methodology used to update taxable sales estimates combined revised hotel revenue projections with original proportional relationships between revenue and taxable sales, adjusted to reflect current market conditions for comparable resort-style branded hotels. This adjustment resulted in a slight decline in the proportion of hotel-related taxable sales over the period, consistent with observed trends and informed professional judgment.

Retail sales were updated based on estimated sales per square foot derived from comparable high-traffic environments, including resort destinations and amusement-oriented retail settings. Tierra West modeled this component consistent with retail performance observed in similar experiential environments.

Growth in retail sales offset the modest decline in hotel-related taxable sales, resulting in an overall cumulative increase in total taxable sales of approximately 6%.

Property Tax: ~$7,769,800.00 → ~$11,508,000.00

Tierra West applied a methodology consistent with the original report to establish a baseline assessed value for the Project. The assessed value of improvements was escalated using the same approach applied to hard costs; First from 2022 to 2026 using the CCI, and then from 2026 to 2028 using projected trend growth in construction costs.

Approximately 30% of soft costs were included in the estimated assessed value, consistent with typical treatment of capitalizable project components.

In addition, Tierra West incorporated a partial completion assessment for the construction period (2028–2030). As property tax assessments typically begin upon commencement of construction, an estimated value was applied during this period to simulate phased construction progress, beginning at approximately 25% completion in 2028 and increasing through project delivery.

F. Economic Impact

Financial Impact within City: ~$3.75B → ~$4.575B

Changed proportionally to other factors within updated report (22% cumulative growth).

Direct Economic Output within City: ~$1.75B → ~$2.135B

Changed proportionally to other factors within updated report (22% cumulative growth).

G. Feasibility / Gap Analysis

Total Costs: ~$277,000,000.00 → ~$359,630,000.00

Total Costs excluding land and contingency: ~$254,200,000.00 → ~**$**332,400,000.00

Total costs were changed according to the change in cost inputs referenced in item B. Development Costs

Project Shortfall: ~$103,000,000.00 ($206,000.00 per key) → ~$121,910,000.00 ($243,820.00 per key)

The feasibility and gap analysis (Project Shortfall) is based on the original operating pro forma developed by the Developer and HTL. Tierra West elected not to reconstruct the operating model to preserve the integrity of the underlying assumptions and avoid introducing potential inconsistencies.

Instead, the previously derived 10-year NPV was adjusted by applying a proportional escalation factor corresponding to the observed increase in total development costs (approximately 30%). This approach maintains consistency between cost and value relationships while updating the analysis to current economic conditions.

The resulting 10-year operating NPV is approximately $210.5 million. When compared to total development costs of approximately $359.6 million ($332.4 million excluding land value and contingency), the analysis continues to demonstrate a development gap necessitating public assistance.

H. Job Creation **(NO CHANGE)**

Project (NO CHANGE)

Construction Jobs: 600 → 600

Hotel (Full time Equivalent): 380 → 380

Local Community and Region (NO CHANGE)

Local Spin-Off / Multiplier Effect: 1790 → 1790

Tierra West determined that there is no reasonable basis to adjust employment estimates solely due to the passage of time; therefore, original employment assumptions were maintained.

UPDATED TABLES ON FOLLOWING PAGE

UPDATED TABLES

Appears on page 8 of original report:

Project Generated Gross Tax Revenues Over 30 Year Term: City Receipts / Total		
Property Tax	$	11,507,920.00
Sales & Measure O	$	68,560,000.00
Transient Occupancy Tax (TOT)	$	336,153,380.00
Gross Estimated Tax Collected	$	416,221,300.00
Project Economic Development Subsidy Over 30 Year Term: Developer Assistance		
Property Tax	$	-
Sales Tax & Measure O	$	-
Transient Occupancy Tax (TOT)	$	93,000,000.00
Gross Economic Assistance	$	93,000,000.00
Project Generated Gross Tax Revenues Over 30 Year Term: City Net Revenue & General Funds Receipts Retention		
Property Tax	$	11,507,920.00
Sales Tax & Measure O	$	68,560,000.00
Transient Occupancy Tax (TOT)	$	243,153,380.00
NET REVENUES RETAINED BY CITY	$	323,221,300.00

Appears on page 10 of original report:

Project Generated Gross Tax Revenues Over 30 Year Term: City Net Revenue & General Funds Receipts Retention		
Property Tax	$	11,507,920.00
Sales Tax & Measure O	$	68,560,000.00
Transient Occupancy Tax (TOT)	$	243,153,380.00
NET REVENUES RETAINED BY CITY	$	323,221,300.00

Appears on page 11 & 17 of original report (UNCHANGED):

JOB CREATION ESTIMATION (Direct, Indirect, and Induced Jobs)	
Project	
Construction Jobs	600
Hotel Jobs (Full Time)	380
Project Total	**980**
Local Community & Region	
Local Spin-Off / Multiplier Effect	**1790**
Project Related Total Estimated Job Creation	**2770**

Appears on page 13 of original report (UNCHANGED):

CITY RELATED ACQUISITION COSTS		
Acquisition Costs	$	8,349,384.00
Appraisal	$	81,800.00
Relocation	$	734,798.00
Demolition/Site Clearance	$	528,472.00
TOTAL	$	9,694,454.00

Appears on page 13 of original report (UNCHANGED):

DEVELOPER LAND PURCHASE PRICE DISPOSITION AND DEVELOPMENT AGREEMENT		
Acquisition Costs	$	920,000.00

Appears on page 14 of original report (UNCHANGED):

CITY PROJECT LAND COST BASED ON DISPOSITION AND DEVELOPMENT AGREEMENT		
Net Land Cost to City	$	8,774,454.00

Appears on page 18 of original report:

Project Generated Gross Tax Revenues Over 30 Year Term: City Net Revenue & General Funds Receipts Retention		
Property Tax	$	11,507,920.00
Sales Tax & Measure O	$	68,560,000.00
Transient Occupancy Tax (TOT)	$	243,153,380.00
NET REVENUES RETAINED BY CITY	$	323,221,300.00

Appears on page 18 of original report:

PROJECTED NICKELODEON RESORT HOTEL DEVELOPMENT COSTS		
LAND VALUE - FMV	$	10,600,000.00
PROJECT DEVELOPMENT COSTS	$	332,410,000.00
Contingency	$	16,620,000.00
Total Project Costs	$	359,630,000.00
Est. Per Key (500)	$	719,260.00