



A G E N D A

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

August 19, 2021

COMMUNITY MEETING CENTER – COUNCIL CHAMBER
11300 STANFORD AVENUE

Members of the public who wish to comment on matters before the Commission, in lieu of doing so in person, may submit comments by emailing planning@ggcity.org 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. Members of the public are asked to consider very carefully before attending this meeting in person and are encouraged to wear face masks and maintain a six foot distance from others. Please do not attend this meeting if you have had direct contact with someone who has tested positive for COVID-19, or if you are experiencing symptoms such as coughing, sneezing, fever, difficulty breathing or other flu-like symptoms.

REGULAR SESSION – 7:00 P.M.

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

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

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

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

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

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

- A. ORAL COMMUNICATIONS - PUBLIC
- B. APPROVAL OF MINUTES: August 5, 2021

C. CONTINUED ITEM (Authorization for the Chair to execute Resolution shall be included in the motion.)

C.1. SITE PLAN NO. SP-104-2021
INTERPRETATION OF USE NO. IOU-004-2021

APPLICANT: 1784 CAPITAL HOLDINGS, LLC

LOCATION: NORTHWEST CORNER OF CHAPMAN AVENUE AND
WESTERN AVENUE AT 7441 CHAPMAN AVENUE

REQUEST: Site Plan approval to demolish an existing two-story industrial/office building, and in its place, construct a new 158,694 square foot, six-story self-storage facility on a 1.26-acre site. Also, a request for an Interpretation of Use to determine the compatibility of the proposed self-storage use within the Planned Unit Development No. PUD-103-76 (REV. 2018) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 - In-Fill Development Projects.

PLANNING COMMISSION RECOMMENDATION: Adopt a Resolution denying Interpretation of Use No. IOU-004-2021 and Site Plan No. SP-104-2021 pursuant to the Planning Commission's direction at the August 5, 2021 meeting.

D. MATTERS FROM COMMISSIONERS

E. MATTERS FROM STAFF

F. ADJOURNMENT

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

Meeting Minutes
Thursday, August 5, 2021

CALL TO ORDER: 7:01 p.m.

ROLL CALL:

Chair Perez
Vice Chair Lindsay
Commissioner Arestegui
Commissioner Cunningham
Commissioner Lehman
Commissioner Ramirez
Commissioner Soeffner

Absent: Cunningham, Lehman, Ramirez

PLEDGE OF ALLEGIANCE: Led by Commissioner Arestegui

ORAL COMMUNICATIONS – PUBLIC – None.

July 15, 2021 MINUTES:

Action: Received and filed.
Motion: Lindsay Second: Arestegui
Ayes: (4) Arestegui, Lindsay, Perez, Soeffner
Noes: (0) None
Absent: (3) Cunningham, Lehman, Ramirez

PUBLIC HEARING – SITE PLAN NO. SP-104-2021 AND INTERPRETATION OF USE NO. IOU-004-2021 FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF CHAPMAN AVENUE AND WESTERN AVENUE AT 7441 CHAPMAN AVENUE.

Applicant: 1784 CAPITAL HOLDINGS, LLC
Date: August 5, 2021

Request: Site Plan approval to demolish an existing two-story industrial/office building, and in its place, construct a new 158,694 square foot, six-story self-storage facility on a 1.26-acre site. Also, a request for an Interpretation of Use to determine the compatibility of the proposed self-storage use within Planned Unit Development No. PUD-103-76 (REV. 2018) zone. In conjunction with the request, the Planning

Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 – In-Fill Development Projects.

Action: A Staff Report was provided and a Public Hearing was held. Shane Swerdlow, of Craig Lawson Company, representing the Applicant, provided a presentation and addressed the Planning Commission. In response to questions from the Planning Commissioners, facts regarding the size, scale, intensity, height, and operational characteristics of the proposed use were provided by the Applicant and Staff. No other members of the public provided testimony at the Public Hearing and the Chairperson closed the Public Hearing. With the Public Hearing portion of the meeting closed, the Planning Commission directed staff to bring back a Resolution of Denial for the Planning Commission's consideration at the next regular meeting on the basis that the Planning Commission is unable to make the following required finding for approval of an Interpretation of Use: That the proposed use is similar in scale and operational characteristics to other uses permitted in the zone. Commissioners also asked staff to provide a comparison of the project's size to other storage facilities and industrial uses within the specific Planned Unit Development zone.

Motion: Perez **Second:** Lindsay

Ayes: (3) Arestegui, Lindsay, Perez

Noes: (1) Soeffner

Absent: (3) Cunningham, Lehman, Ramirez

MATTERS FROM COMMISSIONERS: None.

MATTERS FROM STAFF: Staff reminded Commissioners to fulfill their Anti-Harassment and Unconscious Bias trainings and that August 19th would be the next meeting to bring back the Resolution of Denial. Staff then gave a brief description of the agenda items for the September 2nd meeting and stated the September 29th special meeting for the Housing Element would be cancelled with the item to be presented at the October 7th regular meeting instead.

ADJOURNMENT: At 7:33 p.m. to the next Meeting of the Garden Grove Planning Commission on Thursday, August 19, 2021, at 7:00 p.m. in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Judith Moore
Recording Secretary

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	SITE LOCATION: Northwest corner of Chapman Avenue and Western Avenue, at 7441 Chapman Avenue
HEARING DATE: August 19, 2021	GENERAL PLAN: Industrial (I)
CASE NO.: Site Plan No. SP-104-2021 and Interpretation of Use No. IOU-004-2021	ZONE: Planned Unit Development No. PUD-103-76 (REV. 2018)
APPLICANT: 1784 Capital Holdings, LLC	CEQA DETERMINATION: Exempt: Section 15332 - In-Fill Development Projects
PROPERTY OWNER: JAH Holdings, LLC	APN: 131-651-36

REQUEST:

The applicant is requesting Site Plan approval to demolish an existing two-story office building, and replace it with a new, 158,694 square foot, six-level self-storage facility, with one (1) basement level and five (5) above-ground levels, on a 1.26-acre site, located at 7441 Chapman Avenue. In conjunction with this request, the applicant is also requesting approval of an Interpretation of Use determining that the proposed self-storage use is one of the permitted uses under Planned Unit Development No. PUD-103-76 (REV. 2018).

DISCUSSION:

On August 5, 2021, the Planning Commission held a public hearing to consider Site Plan No. SP-104-2021 and Interpretation of Use No. IOU-004-2021. Besides the applicant, there were no speakers from the public who came forward to speak in favor of, or in opposition to, the proposed project, and the public hearing was closed.

Three (3) of the four (4) Planning Commissioners present at the meeting commented on the size and scale of the project, crime and calls for service associated with self-storage facilities, the inessential need for more self-storage facilities, and the compatibility of a self-storage use within the industrial PUD. By a vote of 3-1, with three (3) commissioners absent, the Planning Commission determined that, based on the evidence in the record, it was unable to make the first required finding for approval of an Interpretation of Use (i.e., that the proposed use is similar in scale and operational characteristics to other uses permitted in the zone), and directed Staff to prepare a Resolution of Denial for the Commission's consideration.

NOS. SP-104-2021, IOU-004-2021

The list of permitted, or conditionally permitted, uses within Planned Unit Development No. PUD-103-76 (REV. 2018) does not expressly include self-storage facilities. Therefore, to approve the proposed Site Plan, the Planning Commission must first determine that the proposed use is permitted within the PUD. Municipal Code Section 9.32.030(D)(7) allows for Interpretations of Use to determine that whenever a use has not been specifically listed as a permitted, incidental, or conditional use in a particular zone, but similar uses exist in that zone, the Planning Commission can interpret whether the proposed use is permitted in that zone, and under what conditions. To approve an Interpretation of Use, the Planning Commission must find that: the proposed use is similar in scale and operational characteristics to other uses permitted in that zone, the proposed use is consistent with the intent of the General Plan and the zone, and the proposed use is compatible with other permitted uses.

In addition to the direction to prepare the Resolution of Denial, the Planning Commission requested further information on the existing uses in the surrounding PUD zone. Uses currently established in the PUD zone include, but are not limited to: food manufacturing, packaging, laboratory, distribution, office, general manufacturing, contractor storage facilities, and warehousing uses. According to Business License records, of the nine (9) warehousing uses currently established in the PUD, they range between 1,000 square feet and 84,000 square feet in size.

Furthermore, the Planning Commission also requested additional information on self-storage uses elsewhere in the City. There are currently four (4) self-storage uses in operation in the City, with an additional one (1) entitled, and awaiting future construction. A summary of the subject uses is found below:

Location	Business Name	Area	Height	Units
7441 Chapman Ave.*	N/A	158,694 sq. ft.	56'-4"	1,266 units
13632 Euclid St.	Garden Grove Secured Storage	78,716 sq. ft.	34'-0"	552 units
13551 Harbor Blvd.**	N/A	43,934 sq. ft.	32'-0"	856 units
11382 Trask Ave.	Allspace Self Storage	30,000 sq. ft.	24'-0"	240 units
12321 Western Ave.	Smart Stop Self-Storage	129,000 sq. ft.	25'-0"	897 units
11284 Westminster Ave.	Santa Storage	115,377 sq. ft.	35'-0"	886 units

*Proposed under Site Plan No. SP-104-2021 and Interpretation of Use No. IOU-004-2021.

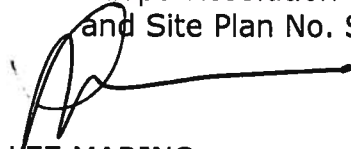
**Approved under Site Plan No. SP-087-2020 and Parcel Map No. PM-2023-2020, and awaiting construction.

Pursuant to the direction of the Planning Commission, Staff has prepared an alternative draft Resolution of Denial based on facts presented the Planning Commission at the public hearing on August 5, 2021. Copies of the August 5, 2021 Planning Commission Staff Report and all other documents submitted into the record during the public hearing are attached.

RECOMMENDATION:

If the Planning Commission wishes to deny the proposed project consistent with the direction provided by the Planning Commission at its August 5, 2021 meeting, it is recommended that the Planning Commission take the following action:

1. Adopt Resolution No. 6028-21 denying Interpretation of Use IOU-004-2021 and Site Plan No. SP-104-2021.



LEE MARINO
Planning Services Manager



By: Preet Kaskla
Assistant Planner

- Attachment 1: Planning Commission Staff Report dated August 5, 2021
- Attachment 2: Initial Draft Planning Commission Resolution of Approval
- Attachment 3: Exhibit "A" Conditions of Approval as part of the initial Planning Commission Resolution of Approval
- Attachment 4: Exhibit "A" Modification to the Conditions of Approval for the hours of operation
- Attachment 5: Draft Planning Commission Resolution of Denial

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT STAFF REPORT

AGENDA ITEM NO.: C.1.	SITE LOCATION: Northwest corner of Chapman Avenue and Western Avenue, at 7441 Chapman Avenue
HEARING DATE: August 5, 2021	GENERAL PLAN: Industrial (I)
CASE NOS.: Site Plan No. SP-104-2021 and Interpretation of Use No. IOU-004-2021	ZONE: Planned Unit Development No. PUD-103-76 (REV. 2018)
APPLICANT: 1784 Capital Holdings, LLC	CEQA DETERMINATION: Exempt: Section 15332 - In-Fill Development Projects
PROPERTY OWNER: JAH Holdings, LLC	APN NO.: 131-651-36

REQUEST:

The applicant is requesting Site Plan approval to demolish an existing two-story office building, and replace it with a new, 158,694 square foot, six-level self-storage facility, with one (1) basement level and five (5) above-ground levels, on a 1.26-acre site, located at 7441 Chapman Avenue. In conjunction with this request, the applicant is also requesting approval of an Interpretation of Use determining that the proposed self-storage use is one of the permitted uses under Planned Unit Development No. PUD-103-76 (REV. 2018).

BACKGROUND:

The subject site is an approximately 1.26-acre property located on the northwest corner of Chapman Avenue and Western Avenue, at 7441 Chapman Avenue. The site has a General Plan Land Use designation of Industrial (I), and is zoned Planned Unit Development No. PUD-103-76 (REV. 2018). The subject property is within PUD "Sub-District 4," which allows for industrial and office uses. The site is currently improved with an unoccupied two-story office building.

The subject site abuts industrial uses on Planned Unit Development No. PUD-103-76 (REV. 2018) zoned properties to the north and west, industrial uses on Industrial (M-1) zoned properties to the east, across Western Avenue, and industrial uses on Planned Unit Development No. PUD-105-71 Rev.90 zoned properties to the south, across Chapman Avenue.

In 1976, the City adopted Ordinance No. 1501 to approve Planned Unit Development No. PUD-103-76, rezoning 212 acres of agricultural and industrial properties for the development of an office/industrial complex, commonly referred to as the Irvine Industrial Complex. In 1983, the subject property was developed along with

Unclassified Use Permit No. UUP-101-83 for the development of a cable and telecommunications facility that included an office building, maintenance vehicle storage yard, and telecommunication service antennae and satellites.

In 2018, the City adopted Ordinance No. 2898, revising the permitted uses in Sub-District 4 of PUD-103-76 to allow for general office uses, in addition to the previously permitted industrial uses. The 2018 ordinance revised the official zoning designation to the current zoning of PUD-103-76 (REV. 2018).

The existing two-story building was most recently occupied by Spectrum. The cable telecommunications company vacated the building earlier in 2021. The building has remained vacant since.

Now, the applicant is requesting Site Plan approval to demolish all existing improvements, and construct a new, 158,694 square foot, six-level self-storage facility, with one (1) basement level and five (5) above-ground levels, and related site improvements. Additionally, because self-storage/mini-warehouses are not explicitly listed as a permitted use in Planned Unit Development No. PUD-103-76 (REV. 2018), the applicant is requesting an Interpretation of Use to find that such facilities are compatible with the permitted uses allowed under said PUD zoning.

PROJECT STATISTICS:

	Provided	Required
<u>Minimum Lot Size</u>	55,089 sq. ft. (1.26 acres)	27,500 sq. ft. (0.63 acres)
<u>Lot Frontage</u>	162'-0"	N/A
<u>Setbacks</u>		
Front (East)	73'-0"	17'-0"
Rear (West)	12'-0"	0'-0"
Side (North)	3'-0"	0'-0"
Side (South)	32'-8"	30'-0"
<u>Parking</u>	14 spaces	**9 spaces
<u>Building Height</u>	56'-4"	60'-0"
<u>Lot Coverage</u>	48.6%	50% Maximum
<u>Landscaping Area</u>	14,260 sq. ft. (25.9%)	N/A

*Parking requirements derived from Garden Grove Municipal Code Section 9.16.040.150.D.2 for "Mini-Warehouses"

DISCUSSION:

SITE PLAN:

Site Design and Circulation

The project will consist of constructing a 158,694 square foot self-storage building on an existing 1.26-acre property. The storage building will be located toward the northwest corner of the site, with parking and landscaping fronting toward Chapman

Avenue and Western Avenue. The entirety of the street frontage along Chapman Avenue and Western Avenue, save for driveway and pedestrian access points, will be landscaped.

The primary entrance for the self-storage facility fronts Chapman Avenue to the south. Self-storage units will be provided across six (6) levels, one (1) level being subsurface, and five (5) levels above-ground. Three (3) elevators and two (2) staircases provide access to the various levels. On the first floor (ground-level), the building will feature an indoor loading/unloading area, restrooms, office, and a live-in manager's dwelling unit, in addition to storage units. The subsurface level, and the uppermost four (4) stories are reserved strictly for self-storage units. Units will range between 25 square feet and 250 square feet in size. A breakdown of the storage units is below.

Level	Number of Storage Units
<u>Basement</u>	203 Storage Units
<u>Ground Level</u>	161 Storage Units
<u>2</u>	220 Storage Units
<u>3</u>	225 Storage Units
<u>4</u>	225 Storage Units
<u>5</u>	232 Storage Units
Total	1,266 Storage Units

Municipal Code Section 9.16.020.050.BJ.5 requires a live-in manager's unit on property to be architecturally compatible with the rest of the storage facility. The proposed project meets this requirement by providing an approximately 615 square foot unit on the ground floor of the storage building. The unit is accessed from the exterior of the storage building, on the east side, facing Western Avenue. The unit features a living area, kitchen, one (1) bedroom, and one (1) bathroom. The proposed unit layout satisfies the Municipal Code requirements.

Vehicle traffic can access the site from either Chapman Avenue via a new thirty-five-foot (35'-0") wide driveway, or Western Avenue via a new thirty-foot (30'-0") wide driveway. A drive aisle varying between twenty-seven feet (27'-0") and thirty feet (30'-0") in width provides the primary vehicular circulation on-site, wrapping around the southeastern corner of the building and connecting the two (2) driveways. An indoor loading/unloading area, large enough for two (2) "box truck" type vehicles, is provided adjacent to the main entrance. Standard parking spaces are provided abutting the building on the southern side, and along the Western Avenue frontage to the east. The City's Engineering Division has reviewed the on- and off-site vehicle circulation, and has not raised any concerns with the project design.

The design of the building will also provide new pedestrian access from Chapman Avenue. The accessible path of travel will cross the drive aisle before reaching the front entrance of the storage building. This pedestrian access also connects to the accessible parking spaces in the parking lot. Bicycle parking will also be provided near the main entrance of the building.

Parking and Traffic

PUD-103-76 (REV. 2018) does not specify parking requirements for self-storage uses. Therefore, the parking requirements are derived from Municipal Code Section 9.16.040.150.D.2 for "Mini-Warehouses," which requires one (1) parking space per 250 square feet of gross floor area of manager's office and residence, plus 2 covered spaces for manager's residence. The proposed office is approximately 1,050 square feet in size, and the manager's residence is approximately 615 square feet. In total, including the covered parking spaces, nine (9) parking spaces are required for the use. The subject site provides fourteen (14) striped parking spaces. This is a surplus of five (5) parking spaces.

A traffic impact analysis was also conducted and prepared by a licensed traffic engineering firm. The analysis evaluated trip generation, potential vehicle miles travelled (VMT), and Level of Service (LOS) impacts. Based on the results of the traffic impact analysis, the proposed self-storage project would not have a significant traffic impact. The City's Traffic Engineering Division reviewed the analysis, and concurred with the report's findings.

Landscaping

PUD-103-76 (REV. 2018) does not specify a minimum amount of landscaping that is required on-site, but requires that any area on the site that is not covered by roadways, parking, walkways, and buildings to be landscaped. Landscaping to the interior of the site must be of sufficient variety and design to accentuate and enhance the development. The proposed site design will provide a total of approximately 14,260 square feet of landscaping on-site (25.9% of the overall site). The landscaping is provided in a variety of areas across the site, including adjacent to the parking areas so as to limit their visual impacts. The on-site landscaping design will consist of a mixture of trees, shrubs, and groundcover.

Furthermore, PUD-103-76 (REV. 2018) requires one (1) tree for every thirty lineal feet (30'-0") along interior property lines if a zero-foot (0'-0") setback is not proposed. The proposed building features a three-foot (3'-0") setback along the northern property line, and a twelve-foot (12'-0") setback along the western property line. For the purposes of planting trees, the proposed three-foot (3'-0") setback is assumed to be practically equivalent to a zero-foot (0'-0") setback, which is permitted in PUD-103-76 (REV. 2018). As a result, the tree-planting requirements of the PUD zone do not apply along the northern property line. Low-lying vegetation and groundcover will still be added in this area instead. The twelve-foot (12'-0") setback to the west, however, is adequate to plant trees, and will satisfy the PUD requirements.

The applicant is required to submit a landscape and irrigation plan to the City that complies with the landscaping requirements of Title 9 of the Municipal Code, including the Landscape Water Efficiency Guidelines. All landscaping shall be watered by means of an automatic irrigation system meeting the City's Landscape Water

Efficiency Guideline requirements. A separate landscape application will be submitted, and a building permit will be obtained for the proposed landscaping.

Building Architecture

Characterized by a boxy footprint, flat roof, and large, vertical windows accentuating the corners of the building, the storage building takes on a contemporary design. Windows puncture the building on the third and fourth floor to enliven the interior of the building. Inclined columns and canopies further articulate the corners of the building, while alternating materials wrap around the entirety of the building. Marquee awnings wrap around the building on three sides, and shade the upper-story windows. At the highest point, the building stands approximately fifty-six feet (56'-4") tall, within the maximum allowable building height of sixty feet (60'-0") for the PUD.

The neutral color scheme consists of shades of red, grey, and black colors, which contributes to the building's contemporary design. A brick veneer wraps around the bottom of the building, with multiple bands on the upper floors adding further intrigue. The parapet, awnings, doors, columns, and window trim are all constructed of metal, trimmed black to add contrast.

INTERPRETATION OF USE:

Pursuant to Section V.A. of the PUD-103-76 (REV. 2018) development standards ("Purpose and Intent"), unless it is specifically prohibited, "any industrial use and activity will be permitted in all four (4) land use areas of the Planned Unit Development provided it is so designed and constructed that the operations, uses and activities do not cause or produce a nuisance to adjacent sites..." Section V.B. of the PUD development standards ("Permitted Uses") contains a general list of uses that are expressly permitted within the PUD. This list includes: "Industries engaged in the distribution and/or storage or warehousing" (emphasis added). This is similar to the definition of "Warehouse and Storage" set forth in Garden Grove Municipal Code Section 9.04.060, which is defined as "industries engaged in the distribution and/or storage or warehousing."

The applicant is proposing to engage in storage or warehousing, yet self-storage facilities are not expressly listed as permitted uses in the PUD, and are defined as a "Warehouse-Mini" use, rather than as a "Warehouse and Storage" use in the Municipal Code. As defined in Garden Grove Municipal Code Section 9.04.060, "Mini-warehouse" means any warehouse in which individual storage areas are less than 1,000 square feet in size, including self-storage services. Individual storage space is defined as any compartmentalized structure with four walls and a roof structure. Since neither self-storage, nor "Warehouse-Mini," facilities are expressly listed as a permitted use in the PUD-103-76 (REV. 2018) zone, an Interpretation of Use is warranted to find that the proposed self-storage, or "Warehouse-Mini" use is substantially similar to the "storage or warehousing" uses, or other industrial uses, that are expressly allowed in the PUD.

Section 9.32.030.D.7 of the Municipal Code allows for Interpretations of Use to determine that whenever a use has not been specifically listed as a permitted use, incidental use, or conditional use in a particular zone, but similar uses exist in that zone, the Planning Commission can interpret whether the proposed use is permitted in that zone, and under what conditions. To make that interpretation, the proposed use must be: (1) similar in scale and operational characteristics to other uses permitted in that zone, (2) consistent with the intent of the General Plan and the zone district, and (3) compatible with other permitted uses.

The proposed self-storage use is similar in scale and operation to other uses permitted in PUD-103-76 (REV. 2018). While the proposed use features smaller individual leasable spaces than the storage and warehousing use automatically permitted in the zone, the scale of the overall building is similar. The proposed building meets the minimum lot size, setback requirements, lot coverage, height, and other development standards of the PUD zoning. Similarly, the operation of the building will be compatible with other uses in the zone, with access to the building limited between 5:00 a.m. and 10:00 p.m., limiting potential impacts to adjacent uses. Furthermore, the Municipal Code has a higher parking ratio for mini-storage than standard storage uses. The proposed use meets these parking requirements, further limiting the impacts of their operation on nearby uses.

The General Plan land use designation of the property is Industrial (I), which is intended to encourage general industrial uses. The intent of the PUD-103-76 (REV. 2018) zone, and the subject Sub-District 4, is to allow for a combination of office and industrial businesses, with minimal impact on the surrounding area. This zone implements the General Plan land use designation. The M-1 (industrial) zone, which allows for mini-warehouse storage, and is located across Western Avenue from the subject property, also implements the Industrial (I) General Plan land use designation. The proposed self-storage facility is an industrial use, with minimal daily on-site activity, consistent with the intent of the Industrial land use designation, and PUD zoning.

The proposed use is compatible with other permitted uses. The Municipal Code automatically permits self-storage facilities in the M-1 (Industrial) and M-P (Industrial Park) zones, as well as industrial PUDs. There are multiple self-storage facilities currently in operation in the City, with most of them located in industrial zones. The proposed use is substantially the same as these previously permitted uses elsewhere in the City. The proposed use meets all of the Municipal Code requirements for "Warehouse-Mini" uses. The proposed use would be compatible with the permitted uses in the City.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

CEQA's Class 32 exemption applies to in-fill development projects (CEQA Guidelines §15332.). A project can qualify for a Class 32 exemption if the proposed project: is consistent with applicable General Plan designation and all general plan policies, as well as with applicable zoning designation and regulations; the proposed development occurs within city limits on a project site of no more than five acres

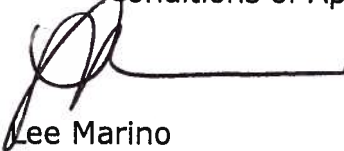
substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare, or threatened species; the approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services (CEQA Guidelines §15332.).

Subject to the approval of the Interpretation of Use considering self-storage facilities to be a permitted use, the project is consistent with General Plan and Municipal Code policies and regulations. The subject site is located fully within an urbanized area in the City, on a 1.26-acre site. The subject site was surveyed, and does not have any known habitat for endangered, threatened, or rare species of wildlife. Traffic, noise, air quality, and water quality studies have been prepared by licensed firms to study the impact of the proposed development, and no significant impacts have been identified. Lastly, the Public Works Department has reviewed the proposed development, and found that it can be adequately served by all required utilities and public services. Collectively, it can be determined that the project can be exempted from further CEQA action under the Class 32 exemption.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following action:

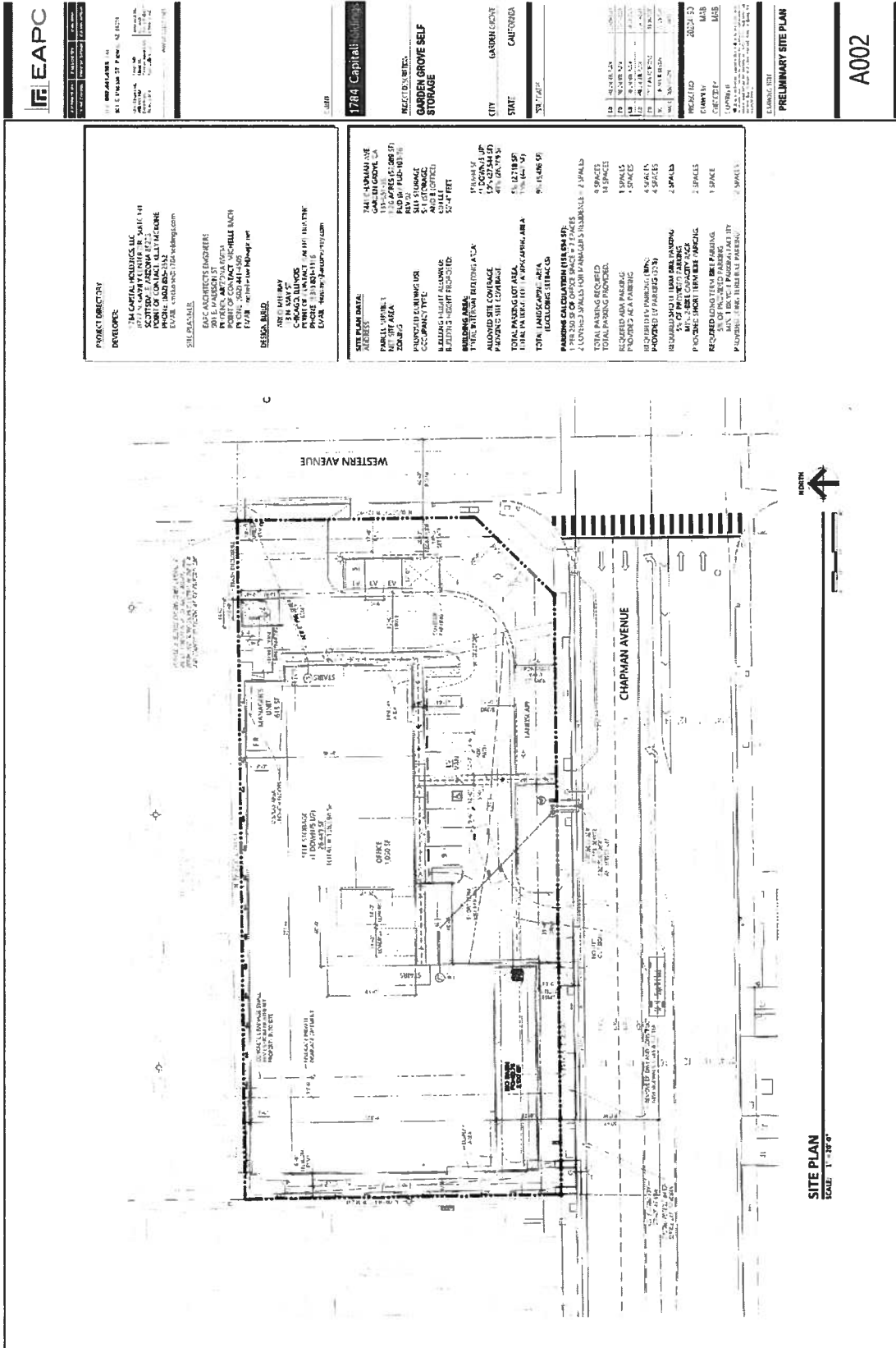
- Adopt Resolution No. 6028-21 approving Site Plan No. SP-104-2021, and Interpretation of Use No. IOU-004-2021, subject to the recommended Conditions of Approval.



Lee Marino
Planning Services Manager



By: Priit Kaskla
Assistant Planner



PROJECT DIRECTORY

DEVELOPER:
 THE CAPITAL HOLDINGS, LLC
 178A CAPITAL BLVD, GARDEN GROVE, CA 92647
 PHONE: (714) 941-1115
 EMAIL: info@capitalholdings.com

SITE AVAILABLE:
 EDC ARCHITECTS ENGINEERS
 178A CAPITAL BLVD, GARDEN GROVE, CA 92647
 PHONE: (714) 941-1115
 EMAIL: info@capitalholdings.com

DESIGNER:
 EDC ARCHITECTS ENGINEERS
 178A CAPITAL BLVD, GARDEN GROVE, CA 92647
 PHONE: (714) 941-1115
 EMAIL: info@capitalholdings.com

178A Capital Blvd

REGISTRATION:
 GARDEN GROVE SELF STORAGE

CITY: GARDEN GROVE
STATE: CALIFORNIA

741 (COMM) USE
 GARDEN GROVE, CA
 178A CAPITAL BLVD
 178B CAPITAL BLVD
 178C CAPITAL BLVD
 178D CAPITAL BLVD
 178E CAPITAL BLVD
 178F CAPITAL BLVD
 178G CAPITAL BLVD
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 178O CAPITAL BLVD
 178P CAPITAL BLVD
 178Q CAPITAL BLVD
 178R CAPITAL BLVD
 178S CAPITAL BLVD
 178T CAPITAL BLVD
 178U CAPITAL BLVD
 178V CAPITAL BLVD
 178W CAPITAL BLVD
 178X CAPITAL BLVD
 178Y CAPITAL BLVD
 178Z CAPITAL BLVD

PROPOSED BUILDING USE:
 GARDEN GROVE SELF STORAGE

BUILDING HEIGHT ALLOWED:
 32'-0" FEET

BUILDING AREA:
 178,000 SQ FT

TOTAL BASED GROSS AREA:
 178,000 SQ FT

TOTAL LANDSCAPE AREA (INCLUDING UTILITY CO):
 178,000 SQ FT

PARKING CALCULATION (PER CALIF. CODE):
 1 PER 200 SQ FT OF OFFICE SPACE = 2 SPACES
 2 OFFICE SPACES PER 100,000 SQ FT OF OFFICE SPACE = 4 SPACES

TOTAL PARKING REQUIRED:
 14 SPACES

PROPOSED PARKING:
 14 SPACES

PROPOSED PARKING (PER CALIF. CODE):
 14 SPACES

PROPOSED PARKING (PER CALIF. CODE):
 14 SPACES

PROPOSED PARKING (PER CALIF. CODE):
 14 SPACES

PROPOSED PARKING (PER CALIF. CODE):
 14 SPACES

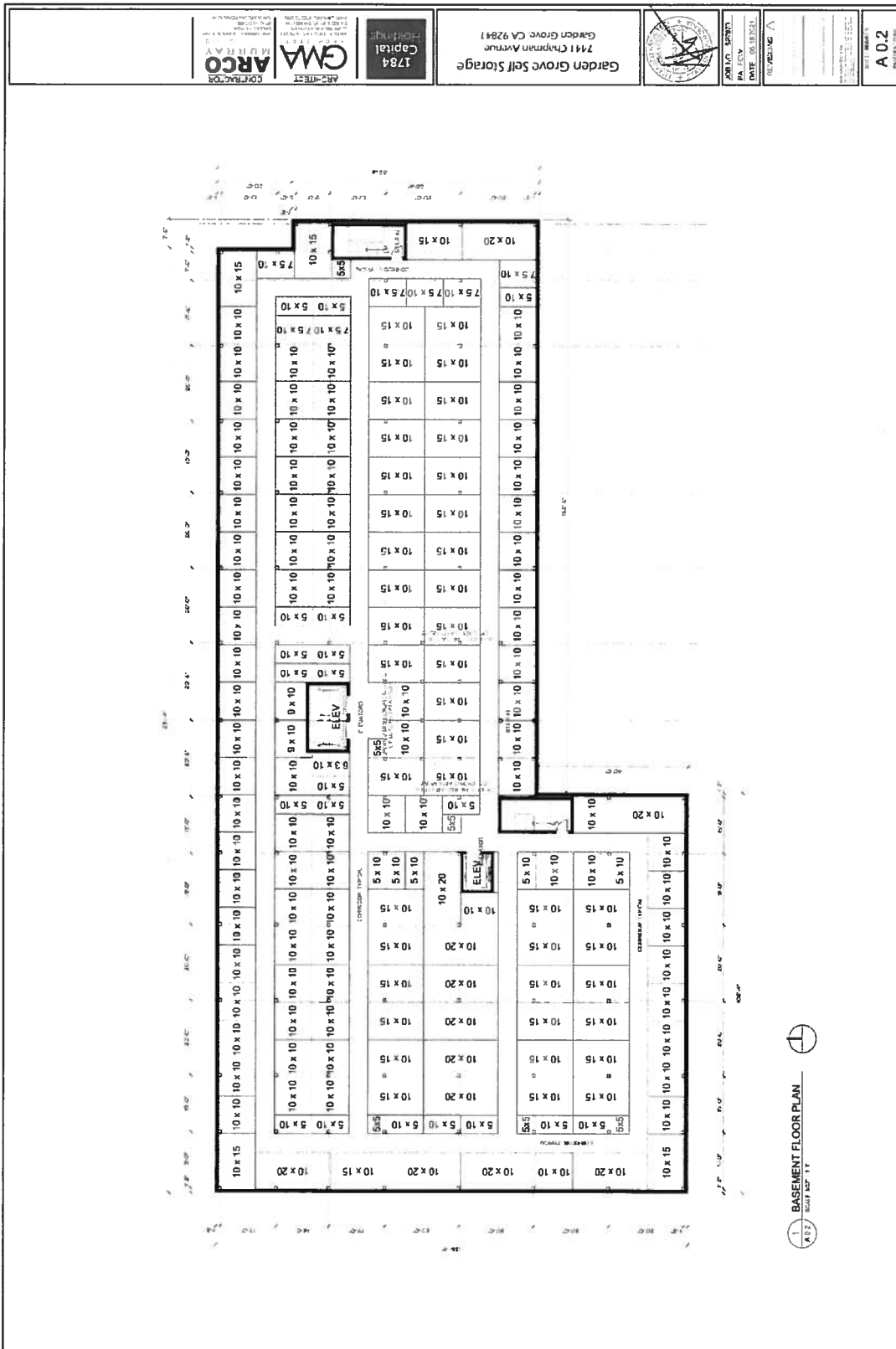
PROPOSED PARKING (PER CALIF. CODE):
 14 SPACES

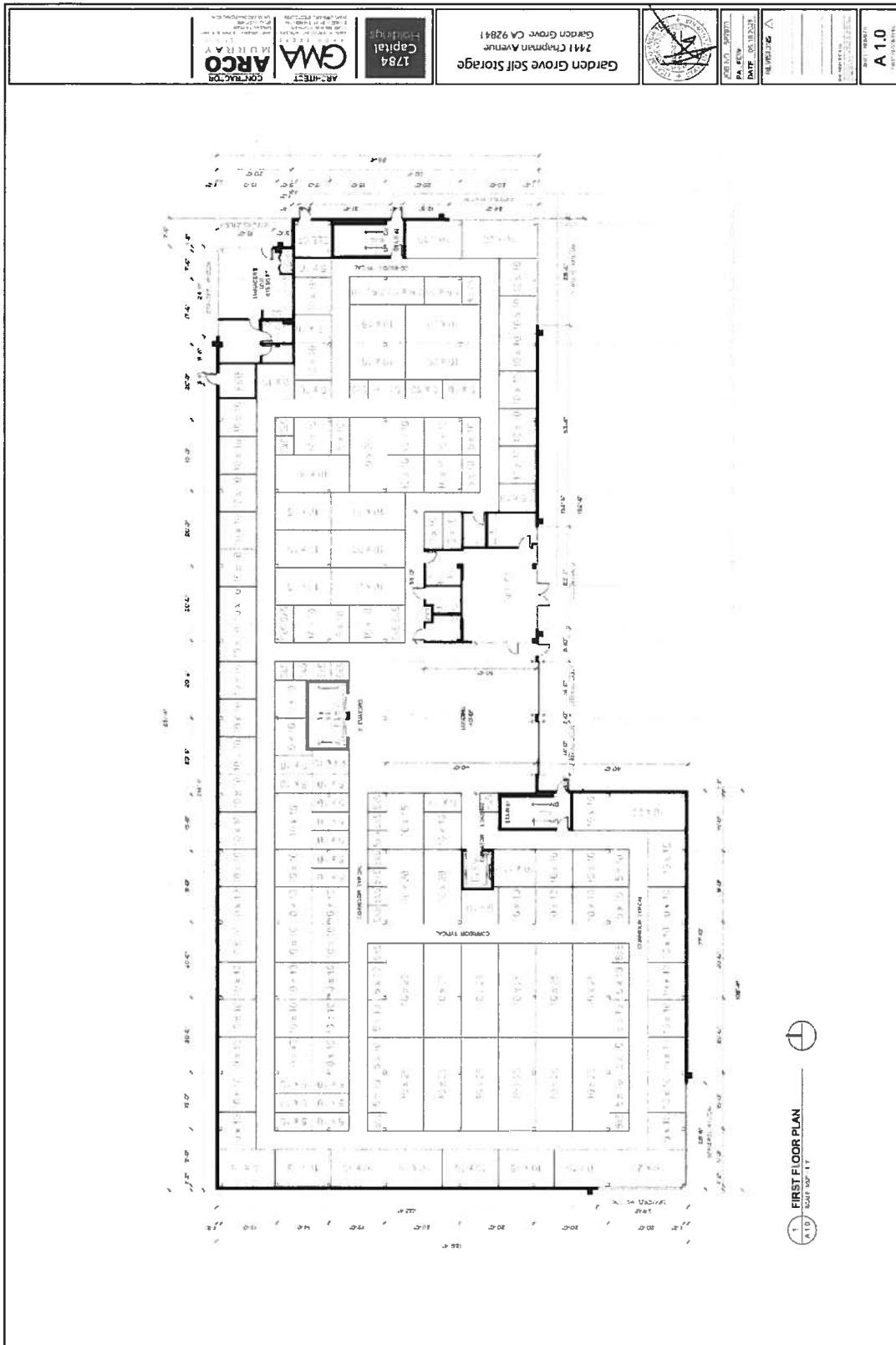
SITE PLAN
 SCALE: 1"=30'-0"

A002

PRELIMINARY SITE PLAN







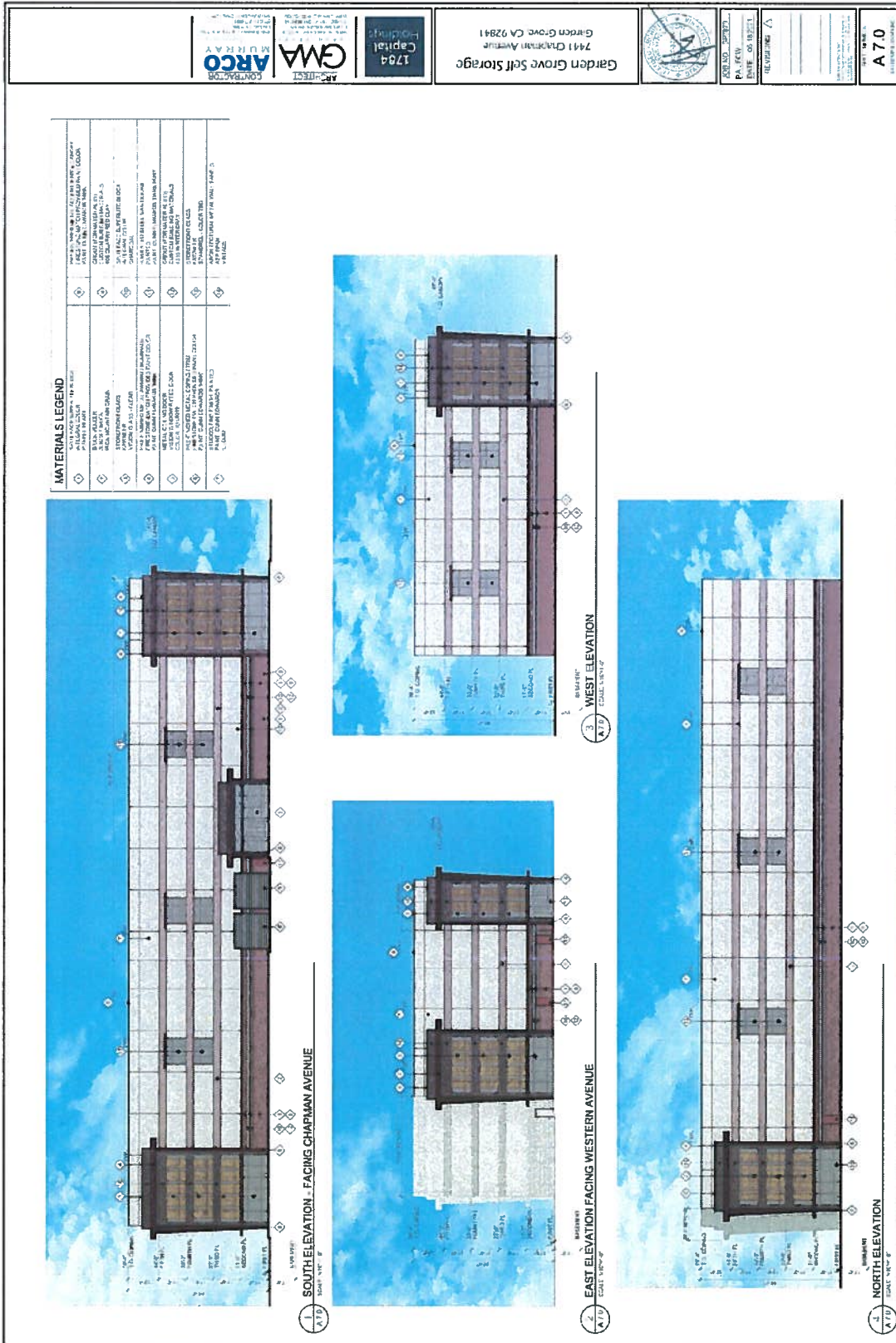
ARQUITECT
GMA
CONTRACTORS
1784 Capital Building
 1784 Capital Building
 1784 Capital Building
 1784 Capital Building
 1784 Capital Building

Garden Grove Self Storage
 7411 Chippin Avenue
 Garden Grove, CA 92841



PROJECT NUMBER: _____
 PA. REV: _____
 DATE: 05/18/2021
 DRAWING NO: A1.0

A 1.0
 FIRST FLOOR PLAN



Garden Grove Self Storage
 7411 Chapman Avenue
 Garden Grove, CA 92841

ADDRESS: 7411 CHAPMAN AVENUE
 PROJECT NO: 2021-001
 DATE: 08/10/2021

SHEET NO: **A70**
 TOTAL SHEETS: 10

RESOLUTION NO. 6028-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-104-2021, AND INTERPRETATION OF USE NO. IOU-004-2021 FOR A PROPERTY LOCATED ON THE NORTHWEST CORNER OF CHAPMAN AVENUE AND WESTERN AVENUE, AT 7441 CHAPMAN AVENUE, ASSESSOR'S PARCEL NO. 131-651-36.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on August 5, 2021, does hereby approve Site Plan No. SP-104-2021 and Interpretation of Use No. IOU-004-2021, for land located on the northwest corner of Chapman Avenue and Western Avenue, at 7441 Chapman Avenue, Assessor's Parcel No. 131-651-36, subject to the Conditions of Approval attached hereto as "Exhibit A."

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-104-2021 and Interpretation of Use No. IOU-004-2021, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by 1784 Capital Holdings, LLC (the "Applicant").
2. The applicant requests approval of a new, 158,694 square foot, six-level self-storage facility, with one (1) basement level and five (5) above-ground levels, along with associated site improvements on a 1.26-acre site, located at 7441 Chapman Avenue. In conjunction with this request, the applicant is also requesting approval of an Interpretation of Use determining that the proposed self-storage use is one of the permitted uses of Planned Unit Development No. PUD-103-76 (REV. 2018) (collectively, the "Project").
3. The Planning Commission hereby determines that this project is categorically exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Section 15332, In-Fill Development Projects of the CEQA Guidelines (14 Cal. Code Regs., 15332).
4. The property has a General Plan Land Use designation of Industrial (I), and is currently zoned Planned Unit Development No. PUD-103-76 (REV. 2018). The subject 1.26-acre lot is currently improved with an unoccupied office building.
5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property have been reviewed.
6. Report submitted by City Staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on August 5, 2021, and interested persons were given an opportunity to be heard.

8. The Planning Commission gave due and careful consideration to the matter during its meeting of August 5, 2021, and considered all oral and written testimony presented regarding the project.

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.32.30, are as follows:

FACTS:

The subject site is an approximately 1.26-acre property located on the northwest corner of Chapman Avenue and Western Avenue, at 7441 Chapman Avenue. The site has a General Plan Land Use designation of Industrial (I), and is zoned Planned Unit Development No. PUD-103-76 (REV. 2018). The subject property is within "Sub-District 4," which allows for industrial and office uses. The site is currently improved with an unoccupied office building. The subject site abuts industrial uses on Planned Unit Development No. PUD-103-76 (REV. 2018) zoned properties to the north and west, industrial uses on Industrial (M-1) zoned properties to the east, across Western Avenue, and industrial uses on Planned Unit Development No. PUD-105-71 Rev.90 zoned properties to the south, across Chapman Avenue.

The project will consist of constructing a new 158,694 square foot self-storage building featuring five (5) stories and a basement, on an existing 1.26-acre property. The storage building will be located toward the northwest corner of the site, with parking and landscaping fronting toward Chapman Avenue and Western Avenue. The entirety of the street frontage along Chapman Avenue and Western Avenue, save for driveway and pedestrian access points, will be landscaped.

Self-storage units will be provided across six (6) levels, with one (1) level being subsurface, and five (5) levels above-ground. On the first floor (ground-level), the building will feature an indoor loading/unloading area, restrooms, an office, storage units, and a one (1) bedroom manager's unit. The subsurface level, and the uppermost four (4) stories are reserved for self-storage units. In total, 1,266 storage units will be provided, varying in size between 25 and 250 square feet each.

Vehicle traffic can access the site from either Chapman Avenue or Western Avenue. An indoor loading/unloading area, large enough for two (2) "box truck" type vehicles, is provided. Standard parking spaces are provided abutting the building on the southern side, and to the east, along the Western Avenue frontage. The design also incorporates bicycle parking, and adequate pedestrian access.

The parking requirements for the project are derived from the Municipal Code, which requires one (1) parking space per 250 square feet of gross floor area of manager's office and residence, plus two (2) covered spaces for the manager's residence. In total, including the covered parking spaces, nine (9) parking spaces

are required for the use. The subject site provides fourteen (14) striped parking spaces, a surplus of five (5).

A traffic impact analysis was also conducted and prepared by a licensed traffic engineering firm. The analysis evaluated trip generation, potential vehicle miles travelled (VMT), and Level of Service (LOS) impacts. Based on the results of the traffic impact analysis, the proposed self-storage project would not have a significant traffic impact.

PUD-103-76 (REV. 2018) does not specify a minimum amount of landscaping that is required. The proposed site design will provide a total of approximately 14,260 square feet of landscaping on-site (25.9% of the overall site). The on-site landscaping design will consist of a mixture of trees, shrubs, and groundcover. New trees will be added, and existing ones will be protected along the north and west property lines in compliance with PUD requirements.

Characterized by a boxy footprint, flat roof, and large windows accentuating the corners, the storage building takes on a contemporary design. Inclined columns, upper-floor windows, and marquee canopies further articulate the building. The building is within the maximum height of sixty feet (60'-0"). The neutral color scheme consists of brick, grey, and black colors, which contributes to the building's contemporary design. A brick veneer wraps around the bottom of the building, and portions of the upper floors. The parapet, awnings, doors, columns, and window trim are metal, trimmed black to add contrast.

The proposed use is not expressly listed as a permitted in the PUD-103-76 (REV. 2018) zone. The PUD zone does, however, allow "industries engaged in the distribution and/or storage or warehousing." According to Municipal Code requirements, whenever a use has not been specifically listed as a permitted use, incidental use, or conditional use in a particular zone, but similar uses exist in that zone, the Planning Commission can interpret whether the proposed use is permitted in that zone. An Interpretation of Use is necessary to find that the proposed use, is similar to the "Warehouse and Storage" use automatically permitted in the PUD zone.

FINDINGS AND REASONS:

Site Plan:

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

The General Plan Land Use Designation of the subject site is Industrial (I), which is intended to encourage general industrial uses, such as warehousing and distribution or business parks, and more intensive industrial uses, such

manufacturing, fabrication, assembly, processing, trucking, warehousing and distribution, and servicing. The PUD-103-76 (REV. 2018) zoning implements the General Plan, and is intended to provide for the safe operation of industrial uses, without pollution, noise, traffic, smell, radiation, and similar types of pollution or nuisance. Goals, policies, and implementation programs of the General Plan strive, in part, to:

Goal LU-1: The City of Garden Grove is a well-planned community with sufficient land uses and intensities to meet the needs of anticipated growth and achieve the community's vision. As the City has grown in population, the need for services, such as self-storage facilities, becomes more apparent. The proposed building, with access from Chapman Avenue is easily accessible from nearby residential neighborhoods, yet the design of the building and site improvements would limit any impacts on the vicinity.

Goal LU-4: The City seeks to develop uses that are compatible with one another. The proposed self-storage building and use is located in an industrial area. Various industrial uses, including storage/warehousing facilities, abut the subject property on all sides. The siting of the proposed industrial use will continue the development patterns of the immediate surroundings.

Policy LU-4.5: Require that the commercial and industrial developments adjoining residential uses be adequately screened and buffered from residential areas. The subject property is not directly adjacent to residential uses. The design of the proposed building, however, has taken into account any impacts on the area, and has therefore proposed landscaping, and other visual screening methods to limit any impacts of the building.

Policy LU-5.1: Work with property owners of vacant property to develop their sites into appropriate, economically viable projects. The property is currently improved with a vacant office building. By constructing a new building, and introducing a new use, the proposed project would redevelop an unoccupied property into a more economically viable use.

Policy LU-7.3: Monitor the appearance of industrial properties to prevent areas of decline by requiring improved maintenance or rehabilitation, as necessary. The proposed project will redevelop the entirety of the subject site. As a brand new construction, the project would rid the site of potential property maintenance issues involved with an otherwise vacant building. Furthermore, the Conditions of Approval associated with the project will require the proper maintenance and conditioning of the development.

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

Vehicle traffic will access the site from either Chapman Avenue or Western Avenue via new driveways. A drive aisle provides the primary vehicular circulation on-site, and connects the two driveways, and the parking area. An indoor loading/unloading area, large enough for two (2) "box truck" type vehicles, is provided adjacent to the main entrance. Standard parking spaces are provided abutting the building on the southern side, and to the east, along the Western Avenue frontage.

The design of the building will also provide new pedestrian access from Chapman Avenue. The accessible path-of-travel will cross the drive aisle before reaching the front entrance of the storage building. This pedestrian access also connects to the accessible parking spaces in the parking lot. Bicycle parking will also be provided near the main entrance of the building.

PUD-103-76 (REV. 2018) does not specify parking requirements for self-storage uses. Therefore, the parking requirements are derived from Municipal Code, which requires one (1) parking space per 250 square feet of gross floor area of manager's office and residence, plus two (2) covered spaces for the manager's residence. In total, including the required covered parking spaces, nine (9) parking spaces are required for the use. The subject site provides fourteen (14) striped parking spaces.

A traffic impact analysis was also conducted and prepared by a licensed traffic engineering firm. The analysis evaluated potential trip generation, vehicle miles travelled (VMT), and Level of Service (LOS) impacts. Based on the results of the traffic impact analysis, the proposed self-storage project would not have any significant traffic impacts.

The Community and Economic Development Department, and the Engineering Division, have reviewed the plans and all appropriate conditions of approval and mitigation measures have been incorporated to minimize any adverse impacts on surrounding streets. The design of the project will not adversely affect essential on-site facilities such as off-street parking, loading and unloading areas, traffic circulation, and vehicular and pedestrian access.

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

The streets in the area are adequate to accommodate the development. Existing utilities and drainage channels in the area are adequate to accommodate the development. The proposed development will install and

maintain landscaping, allowing adequate drainage of storm water. Landscaping will also be added along Chapman Avenue and Western Avenue. A preliminary water quality management plan (WQMP) has been reviewed and approved by the Engineering Division. The Public Works Department has reviewed the project, and has incorporated all of the appropriate conditions of approval to minimize any adverse impacts.

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

The Public Works Department has reviewed the project, and has incorporated all of the appropriate conditions of approval to minimize any adverse impacts to ensure the project will not adversely impact the Public Works Department's ability to perform its required function(s).

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

The subject 1.26-acre property is located in an area that is adjacent to industrial uses in Planned Unit Development No. PUD-103-76 (REV. 2018) to the north and west, Industrial (M-1) zoned properties to the east across Western Avenue, and industrial uses in Planned Unit Development No. PUD-105-71 Rev.90 to the south, across Chapman Avenue.

The proposed development would improve a currently unoccupied property, making it more compatible with the surrounding neighborhood. Architecturally, the storage facility has been designed with facades to be aesthetically complimentary with the surrounding industrial buildings. A variety of colors, materials, and massing help create visual intrigue. Contemporary architectural styles are compatible with the nearby industrial and office uses.

The proposed building will provide adequate parking, vehicular and pedestrian circulation for access to and from the site, and new landscaping. The architecture and design of the project will be of sufficiently high quality, consistent with developments elsewhere in the surrounding industrial area.

The project has been designed in accordance with PUD-103-76 (REV. 2018), and Municipal Code development standards. In particular, the project complies with the: minimum lot sizes, setbacks, parking, landscaping, and maximum building height requirements. The City's Community and Economic Development Department has reviewed the proposed project, and all appropriate conditions of approval have been incorporated to ensure physical, functional, and visual compatibility with the project's surroundings.

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

The proposed self-storage building will provide adequate parking, vehicular and pedestrian circulation for access to and from the site, and new landscaping. The architecture and design of the building will be of sufficiently high quality, consistent with the industrial and office buildings nearby.

The new building will be situated toward the center of the lot, with setbacks of three feet (3'-0") to the northerly property line, twelve feet (12'-0") to the westerly property line, approximately thirty-three feet (32'-8") to the southerly property line along Chapman Avenue, and seventy-three feet (73'-0") to the easterly property line along Western Avenue. Landscape planters will be provided along the perimeter of the site to ensure adequate buffering of any potential noise and light/glare impacts. A total of 14,260 square feet of landscaping will be provided on-site (25.9% of the overall lot area).

The City's Community and Economic Development Department has reviewed the proposed project, and all appropriate conditions of approval have been incorporated to ensure the attractiveness of the on-site landscaping and other amenities.

Interpretation of Use:

1. The proposed use is similar in scale and operational characteristics to other uses permitted in that zone.

The proposed business is located within Planned Unit Development No. PUD-103-76 (REV. 2018), Sub-District 4. The PUD Sub-District automatically permits industrial and office uses, including "industries engaged in the distribution and/or storage or warehousing."

The applicant is proposing to operate an indoor self-storage (mini-warehouse) facility. Garden Grove Municipal Code Section 9.04.060 defines "Warehouse-Mini" as any warehouse in which individual storage areas are less than 1,000 square feet in size, including self-storage services. Individual storage space is defined as any compartmentalized structure with four walls and a roof structure.

The proposed use meets the definition of "Warehouse-Mini." The proposed storage facility will be fully enclosed, with self-storage units ranging between 25 and 250 square feet in size. The proposed building is 158,694 square feet in size, with a lot coverage of 48.6%. Many of the existing buildings in the

PUD are of a similar size, making the scale of the proposed building consistent with existing buildings in the PUD zone. The proposed use engages in an industry relating to storage or warehousing, similar in operational characteristics of the "Warehouse and Storage" use permitted in the PUD zone.

To date, the City of Garden Grove has not approved mini-storage uses in the subject PUD-103-76 (REV. 2018). The City, has, however, approved larger-scale warehousing, storage, and distribution type uses in the subject PUD. In evaluating the proposed use, and permitted uses in the PUD, the proposed self-storage facility is compatible with the existing uses within PUD-103-76 (REV. 2018).

2. The proposed use is consistent with the intent of the General Plan and the Zone District.

The General Plan Land Use Designation of the subject site is Industrial (I), which is intended to encourage general industrial uses, such as warehousing and distribution or business parks, and more intensive industrial uses, such as manufacturing, fabrication, assembly, processing, trucking, warehousing and distribution, and servicing. The PUD-103-76 (REV. 2018) zoning implements the General Plan, and is intended to provide for the safe operation of industrial uses, without pollution, noise, traffic, smell, radiation, and similar types of pollution or nuisance. Goals, policies, and implementation programs of the General Plan strive, in part, to:

Goal LU-4: The City seeks to develop uses that are compatible with one another. The proposed self-storage building and use is located in an industrial area. Various industrial uses, including storage/warehousing facilities, adjoin the subject property on all sides. The siting of the proposed industrial use will continue the development patterns of the immediate surroundings.

Policy LU-4.5: Require that the commercial and industrial developments adjoining residential uses be adequately screened and buffered from residential areas. The subject property is not directly adjacent to residential uses. The design and operation of the proposed use has taken into account any impacts on the area, and has proposed landscaping, and other visual screening methods to limit the impacts of the project.

Policy LU-5.1: Work with property owners of vacant property to develop their sites into appropriate, economically viable projects. The property is currently improved with a vacant office building. By introducing a new building and use, the project could revitalize an unoccupied property into a more economically viable use.

Policy LU-7.3: Monitor the appearance of industrial properties to prevent areas of decline by requiring improved maintenance or rehabilitation, as necessary. The proposed project will redevelop the entirety of the subject site. As a brand new use, the project would rid the site of any potential property maintenance issues involved with an otherwise vacant building. Furthermore, the Conditions of Approval associated with the use will require the proper maintenance and conditioning of the development.

3. The proposed use is compatible with other permitted uses.

The project is compatible with other permitted uses. The City already has multiple self-storage facilities, all invariably in heavy-commercial or industrial areas. Many storage facilities share the Industrial (I) General Plan Land Use Designation of the subject site. The subject property is located in an area with similar characteristics as other self-storage facilities, albeit zoned in a PUD zone that does not expressly identify mini-warehouses as a use. Despite the PUD not explicitly allowing for the proposed use, the land use and zoning characteristics of the properties within the area covered by the PUD are demonstrably the same as properties within industrially zoned areas elsewhere in the City. This includes industrially zoned areas elsewhere in the City in which mini-warehouse uses, including self-storage facilities, are permitted and have been developed. The proposed storage use, and the proposed design of the building, ensure compatibility between the use and other permitted uses.

INCORPORATION OF FACTS AND REASONS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan No. SP-104-2021 and Interpretation of Use No. IOU-004-2021 possess characteristics that would indicate justification of the requests in accordance with Municipal Code Section 9.32.030.
2. In order to fulfill the purpose and intent of the Municipal Code, and thereby promote the health, safety, and general welfare, the following conditions of approval, attached as Exhibit "A", shall apply to Site Plan No. SP-104-2021 and Interpretation of Use No. IOU-004-2021.

EXHIBIT "A"

**Site Plan No. SP-104-2021
Interpretation of Use No. IOU-004-2021**

7441 Chapman Avenue

CONDITIONS OF APPROVAL

General Conditions

1. The applicant and each owner of the property shall execute, and the applicant shall record against the property a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office. 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, 1784 Capital Holdings, LLC, the developer of the project, the current owner of the Property, the future owner(s) and tenants(s) of the Property, and each of their respective successors and assigns. All Conditions of Approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the Conditions of Approval require approval by the Planning Commission. All Conditions of Approval herein shall apply to Site Plan No. SP-104-2021 and Interpretation of Use No. IOU-004-2021.
3. Approval of this Site Plan and Interpretation of Use shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
4. Minor modifications to the Site Plan and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications, to the project and/or these Conditions of Approval, determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
5. The approved site plan, floor plan, and use of the subject property, as represented by the Applicant, are an integral part of the decision approving this Site Plan. If major modifications are made to the approved floor plan, site plan, or other related changes that result in the intensification of the

project or create impacts that have not been previously addressed, the proper entitlements shall be obtained reflecting such changes.

6. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

Engineering Division

7. The applicant shall be subject to Traffic Mitigation Fees, Drainage Facilities Fees, Water Assessment Fees, and other applicable mitigation fees identified in Chapter 9.44 of the Garden Grove Municipal Code, along with all other applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.
8. Prior to issuance of a grading permit, the applicant shall design overhead street lighting within the development in a manner meeting the approval of the City Engineer. Location of lighting poles shall be shown on the precise grading and street improvement plans.
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, infiltration and stormwater treatment structures, and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design of the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels. Requirements for any "dewatering" will also need to be addressed in the report.
10. A separate street permit is required for work performed within the public right-of-way.
11. Grading, striping and street improvement plans prepared by a registered Civil Engineer are required. The grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to thirty feet (30'-0") outside the boundary, and designed to preclude

Site Plan No. SP-104-2021 & Interpretation of Use No. IOU-004-2021
Conditions of Approval

- cross lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan. All improvements within public right-of-way shall conform to all format and design requirements of the City Standard Drawings & Specifications. Special features, such as decorative pavers or other improvements, may be required to have an agreement prepared between the owner and the City to cover any encroachment limitations, responsibilities and maintenance requirements.
12. 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.
 13. Grading fees shall be calculated based the current fee schedule at the time of permit issuance.
 14. All parking spaces that abut sidewalks that are not elevated with a curb face to the stall, shall have wheel stops to prevent vehicle overhang into the sidewalk. A minimum six-foot (6'-0") wide sidewalk is required for parking spaces that are utilizing an elevated sidewalk curb face as a wheel stop, and must maintain a four-foot (4'-0") minimum clearance from the overhang of the vehicle bumper for an ADA pathway.
 15. 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.
 16. Prior to the issuance of any grading or building permits, or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the applicant shall submit to the City for review and approval a Water Quality Management Plan that:
 - a. Addresses Site Design BMPs based upon the geotechnical report recommendations and findings, such as: infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.
 - b. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.

- c. Incorporates structural and Treatment Control BMPs as defined in the DAMP.
 - d. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
 - e. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
 - f. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
17. Prior to grading or building permit closeout, and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
- a. Demonstrate that all structural best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
 - b. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
 - c. Demonstrate that an adequate number of copies of the approved Project WQMP are available on-site.
 - d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.
18. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502 and state mandated commercial organic recycling law (AB 1826):
- a. Paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, screened or walled to prevent off-site transport of trash.
 - b. Provide solid roof or awning to prevent direct precipitation.
 - c. Connection of trash area drains to the municipal storm drain system is prohibited.

- d. Potential conflicts with fire code and garbage hauling activities should be considered in implementing this source control.
 - e. See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information.
 - f. The trash shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures.
 - g. Pursuant to state mandated commercial organic recycling law (AB 1826), the applicant is required to coordinate storage and removal of the organics waste with local recycling/trash company.
 - h. Pursuant to applicable State-mandated laws, the applicant is required to contact and coordinate with the operations manager of the local recycling/trash company (Republic Services, 800-700-8610) to ensure the trash enclosure includes the appropriate size and number of containers for the disposal of items such as, but may not limited to, municipal solid waste (MSW), recyclables, and organic green waste.
 - i. Based on the amount of waste disposed, per week, the applicant shall coordinate with the local recycling/trash company to ensure the adequate frequency of trash pick-up is serviced to the site for municipal solid waste (MSW), recyclables, and organic green waste, including any other type of waste.
 - j. The applicant shall ensure large bulk items, intended for coordinated and scheduled pick-up by the local recycling/trash company, are not placed in areas that encroach into drive aisles, parking spaces, pedestrian pathways, or areas in the front of the property including areas public right-of-way (e.g., street, sidewalk), during and after construction. Any large bulk items shall be out of public vantage points.
19. The applicant and his contractor shall be responsible for protecting all existing horizontal and vertical survey controls, monuments, ties (centerline and corner) and benchmarks located within the limits of the project. If any of the above require removal, relocation, or resetting, the Contractor shall, prior to any construction work, and under the supervision of a California licensed Land Surveyor, establish sufficient temporary ties and benchmarks to enable the points to be reset after completion of construction. Any ties, monuments and bench marks disturbed during construction shall be reset per

Orange County Surveyor Standards after construction. The applicant and their contractor shall also reset the tie monuments where curb or curb ramps are removed and replaced, or new ramps are installed. The applicant and their contractor shall be liable for, at their expense, any resurvey required due to their 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).

20. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board, and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for City review on request.
21. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Cross sections shall show vertical and horizontal relations of improvements and property line. Block walls shall be designed in accordance to City standards, or designed by a professional registered engineer. In addition, the following shall apply:
 - a. The color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division Prior to installation.
22. The applicant shall identify a temporary parking site(s) for construction crew prior to issuance of a grading permit. No construction parking is allowed on local streets.
23. Prior to issuance of a grading permit, the applicant shall submit and obtain approval of a work-site traffic control plan, satisfactory to the City Traffic Engineer.
24. Heavy construction truck traffic and hauling trips should occur outside peak travel periods. Peak travel periods are considered to be from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m.

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25. Any required lane closures should occur outside of peak travel periods.
26. Construction vehicles should be parked off traveled roadways in a designated parking area.
27. Prior to issuance of a grading permit, the applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations to size storm drains per the Orange County RDMD standards. Parkway culverts shall be designed per Orange County standard plan 1309, Type B. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.
28. Prior to issuance of the building permit, the applicant shall design and construct street frontage improvements as identified below. All landscaping installed within the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City Engineer and Planning Services Division. A separate street improvement/stripping plan shall be prepared for Chapman Avenue and Western Avenue and submitted to the Engineering Division for improvements within the City rights-of-way.

Chapman Avenue

- a. Remove existing westerly substandard driveway approach to the site on Chapman Avenue, and construct new curb/gutter and commercial sidewalk in accordance with City of Garden Grove Standard Plan B-113 (C-8 MODIFIED) and B-106.
- b. Remove existing curb/gutter, and construct a new driveway approach to the site on Chapman Avenue in accordance with City of Garden Grove Standard Plan B-120 (option #1).
- c. The applicant shall cold mill (grind) existing asphalt pavement three-inch (0'-3") uniform depth, and replace with three inches (0'-3") of fiber reinforced asphalt surface course from the edge of the northerly gutter to the center line of Chapman Avenue, along the property frontage per City specifications, and the direction of the City Engineer.
- d. Applicant shall coordinate the location of all new water meters, backflow preventers, and backflow devices, to be placed in the sidewalk area along Chapman Avenue, with the Planning Services Division and Water Services Division.

- e. Remove and replace the existing wheelchair ramp located at the northwest corner of the Chapman Avenue and Western Avenue, per the latest Caltrans Standard Plan A88A.

Western Avenue

- a. Remove and replace the existing substandard driveway approach to the site on Western Avenue, and construct a new driveway approach in accordance with City of Garden Grove Standard Plan B-120 (option #1).
- b. Construct new commercial sidewalk fronting the project on Western Avenue per City of Garden Grove Standard Plan B-106.
- c. The applicant shall cold mill (grind) existing asphalt pavement three-inch (0'-3") uniform depth, and replace with three inches (0'-3") of fiber reinforced asphalt surface course from the edge of the westerly gutter to the center line of Western Avenue, along the property frontage per City specifications, and the direction of the City Engineer.
- d. The applicant shall coordinate the location of all new water meters, backflow preventers, and backflow devices, to be placed in sidewalk area along Western Avenue, with the Planning Services Division and the Water Services Division.

Public Works Environmental

29. The applicant shall comply with all applicable California state recycling requirements for commercial developments.
30. The applicant shall remove and replace all damaged portions of the curb, gutter, and sidewalk along the Chapman Avenue frontage.

Orange County Fire Authority

31. The applicant shall comply with all applicable Orange County Fire Authority requirements, including, but not limited to the Fire Master Plan.

Building and Safety Division

32. All work shall comply with the current California Building Standards Code at the time of permit application.

33. All storage facilities shall comply with CBC 11B-225.
34. A soil report complying with CBC Chapter 18 shall be required.
35. A Solar Zone/Solar-Ready area shall be required per Energy Standards.
36. All E.V. accessible stalls and chargers shall comply with CBC 11B-22.8.3.
37. All exterior paths-of-travel are required, and shall comply with CBC Chapter 11B.
38. All elevators shall comply with CBC 11B-407.
39. All egress/exiting shall comply with CBC Chapter 10.
40. All fire-rated construction shall comply with CBC Chapter 7.

Water Services Division

41. New water service installations two inches (0'-2") and smaller shall be installed by the City of Garden Grove at owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted. Fire services and larger water services three inches (0'-3") and larger, shall be installed by developer/owner's contractor per City Standards.
42. Water meters shall be located within the City right-of-way. Fire services and large water services three inches (0'-3") and larger, shall be installed by contractor with Class-A or C-34 license, per City water standards and inspected by an approved Public Works inspection.
43. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. 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.

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44. 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.
45. There shall be no structures or utilities built on, or crossing, water or sewer main easements.
46. New utilities shall have a minimum five-foot (5'-0") horizontal and a minimum one-foot (1'-0") vertical clearance from water main and appurtenances.
47. Water meters and boxes shall be installed by City forces upon payment of applicable fees and after new water system (including water services) pass all bacteriological and pressure tests. There shall be a minimum clearance from sewer main and water main of ten feet (10'-0") from the outside of the pipe to the outside of the pipe.
48. Any new or existing water valve located within a new concrete driveway or sidewalk shall be reconstructed per City Standard B-753.
49. The City shall determine if existing water services(s) is/are usable and meets current City Standards. Any existing meter and service located within new driveway(s) shall be relocated at owner's expense.
50. If any modifications, alterations or additions to the existing fire sprinkler system are being proposed, fire service shall be upgraded with above-ground backflow device with a double-check valve assembly. The 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. The 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 Services Division.
51. Water meters and boxes shall be installed by City forces upon payment of applicable fees, and after new water system (including water services) pass all bacteriological and pressure tests.
52. The location and number of fire hydrants shall be as required by the Water Services Division, and the Orange County Fire Authority.

53. The owner can reuse the existing sewer lateral connection with a new clean-out at the right-of-way line. The lateral in the public right-of-way shall be six-inch (0'-6") minimum in diameter, extra strength VCP with wedgelock joints.
54. If a new sewer lateral is proposed, the contractor shall abandon any existing unused sewer lateral(s) at public right-of-way on the property owner's side, in accordance with California Plumbing Code. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete. Only one sewer connection per lot is allowed.
55. All perpendicular crossings of the sewer, including laterals, shall maintain a minimum vertical separation of one foot (1'-0") below the water main, outer diameter to outer diameter. All exceptions to the above require a variance from the State Water Resources Control Board.
56. If water main is exposed during installation of sewer lateral, a twenty-foot (20'-0") section of the water main shall be replaced with twenty feet (20'-0") of PVC C-900 DR-14 Class 305 water pipe, size in kind and centered at the crossing.

Planning Services Division

57. A prominent, permanent sign, stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES," shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign shall be displayed near or at the entrance, and shall also be visible to the public.
58. The operation hours for the office shall be permitted from 8:00 a.m. to 6:00 p.m., Monday through Saturday, and 9:00 a.m. to 4:00 p.m. Sundays. Self-storage customers with current account status shall be allowed to access the self-storage area, through security access, from 5:00 a.m. to 10:00 p.m., seven (7) days-a-week.
59. There shall be no deliveries to, or from, the premises between the hours of 10:00 p.m. and 5:00 a.m., seven (7) days a week.
60. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.

61. The applicant/property owner shall abate all graffiti vandalism within the premises. The applicant/property owner shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the applicant/property owner as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
62. The applicant is advised that the establishment is subject to the provisions of State Labor Code Section 6404.5 (ref: State Law AB 13), which prohibits smoking inside the establishment as of January 1, 1995.
63. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
64. Signs shall comply with the City of Garden Grove sign requirements. No more than 15% of the total window area and clear doors shall bear advertising or signs of any sort. No signs advertising alcoholic beverages shall be placed on the windows. Any opaque material applied to the store front, such as window tint, shall count toward the maximum window coverage area.
65. Exterior advertisements displays or exterior wall advertisements shall not be allowed.
66. Any modifications to existing signs or the installation of new signs shall require approval by the Community and Economic Development Department, Planning Services Division prior to issuance of a building permit. Any new monument sign shall comply with the Harbor Boulevard Sign Overlay Program Guide.
67. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Chapter 8.47 as adopted, except that:
 - a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).

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- b. Sunday and Federal Holidays may work same hours, but subject to noise restrictions as stipulated in Chapter 8.47 of the Municipal Code.
68. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust) that includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, and the use methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible. Also, the use of solar or low-emission water heaters, and use of low-sodium parking lot lights, and to ensure compliance with Title 24.
69. No exterior piping, plumbing, roof top access ladders, or mechanical ductwork shall be permitted on any exterior facade and/or be visible from any public right-of-way or adjoining property.
70. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
71. No roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department, Planning Services Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
72. Building color and material samples shall be submitted to the Planning Services Division for review and approval prior to issuance of building permits.
73. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the Planning Division. Lighting adjacent to residential properties shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all private drive aisles and entrances to the development per City standards for street lighting.
74. The site improvements and subsequent operation of the site/business(es) shall adhere to the following:

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- a. There shall be no business activities, or storage permitted outside of the building. All business related equipment and material shall be kept inside the building except for loading or unloading purposes.
 - b. Property owners, employees, and business operators shall not store vehicles anywhere on the site.
 - c. All drive aisles on the site are considered to be fire lanes and shall remain clear and free of any materials, and/or vehicles.
 - d. The property owner shall comply with the adopted City Noise Ordinance.
75. All landscaping shall be consistent with the landscape requirements of the Landscape Water Efficiency Guidelines (Appendix A), per Title 9 of the Municipal Code. The applicant shall submit a separate and complete Water Efficient Landscape Plan for each property. The water efficient landscape submittals shall include landscape plans, irrigation plans, soils report, grading plans, and all other applicable documentation. The landscape plans shall include type, size, location, and quantity of all plant material. The landscape plans are also subject to the following:
- a. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaping areas shown on the plans. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.
 - b. The plans 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. Landscape treatments and irrigation shall be installed within the front, side, and rear setback areas of the property. The landscaping shall incorporate a mixture of ground cover, flowerbeds, shrubs, and trees. The Community and Economic Development Department shall review the type and location of all proposed trees.

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- d. Clinging vines shall be planted within landscape planters along any proposed block walls, and/or trash enclosure walls to deter graffiti.
 - e. The applicant shall be responsible for all installation and permanent maintenance of all landscaping on the property. Said responsibility shall extend to the parkway landscaping, sidewalk, curb, and pavement of the site. All planting areas are to be kept free of weeds, debris, and graffiti.
 - f. All above-ground utilities (e.g., water backflow devices, electrical transformers, irrigation equipment, etc.) shall be shown on the landscaping plans in order to ensure proper screening.
 - g. The landscape plans shall incorporate and maintain, for the life of the project, means and methods to address water run-off, also identified as Low Impact Development (LID) provisions which address water run-off. This is to also to be inclusive of any application of Water Quality Management Plans (WQMP), Drainage Area Management Plans (DAMP), and any other water conservation measures applicable to this type of development.
76. 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 CEQA.
77. The applicant shall comply with the Migratory Bird Treaty Act (MBTA), and Sections 3503, 3502.5, and 3513 of the California Fish and Game regulations, 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.
78. A copy of the resolution, including the conditions approving Site Plan No. SP-104-2021 and Interpretation of Use No. IOU-004-2021, shall be kept on the premises at all times.
79. The applicant/property owner shall submit signed letters acknowledging receipt of the decision approving Site Plan No. SP-104-2021 and Interpretation of Use No. IOU-004-2021, and his/her agreement with all conditions of approval.
80. 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

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officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Site Plan No. SP-104-2021 and/or Interpretation of Use No. IOU-004-2021. 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.

81. In accordance with Garden Grove Municipal Code Sections 9.32.160, the rights granted pursuant to Site Plan No. SP-104-2021 and Interpretation of Use No. IOU-004-2021 shall be valid for a period of one (1) year 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-104-2021 and Interpretation of Use No. IOU-004-2021 shall become null and void if the subject development and construction necessary and incidental thereto is not commenced within one (1) 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-104-2021 and Interpretation of Use No. IOU-004-2021 shall expire if the building permits for the project expire.

REFERENCE ITEM NO. C.1.
August 5, 2021

Exhibit "A"

Site Plan No. SP-104-2021
Interpretation of Use No. IOU-004-2021

7441 Chapman Avenue
Assessor's Parcel Number: 131-651-36

MODIFICATION TO CONDITIONS OF APPROVAL

To revise the following condition:

Planning Services Division

58. The operation hours for the office shall be permitted from 8:00 a.m. to 6:00 p.m., ~~Monday through Saturday, and 9:00 a.m. to 4:00 p.m. Sundays~~ **seven (7) days-a-week**. Self-storage customers with current account status shall be allowed to access the self-storage area, through security access, from 5:00 a.m. to 10:00 p.m., seven (7) days-a-week.

RESOLUTION NO. 6028-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE DENYING INTERPRETATION OF USE NO. IOU-004-2021, AND SITE PLAN NO. SP-104-2021 FOR A NEW 158,694 SQUARE FOOT SELF-STORAGE FACILITY, ON A PROPERTY LOCATED ON THE NORTHWEST CORNER OF CHAPMAN AVENUE AND WESTERN AVENUE, AT 7441 CHAPMAN AVENUE, ASSESSOR'S PARCEL NO. 131-651-36.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove does hereby deny Interpretation of Use No. IOU-004-2021 and Site Plan No. SP-104-2021, for a new 158,694 square foot self-storage facility, on a property located on the northwest corner of Chapman Avenue and Western Avenue, at 7441 Chapman Avenue, Assessor's Parcel No. 131-651-36.

BE IT FURTHER RESOLVED in the matter of Interpretation of Use No. IOU-004-2021 and Site Plan No. SP-104-2021 and, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by 1784 Capital Holdings, LLC (the "Applicant").
2. The applicant has requested Site Plan approval of a new, 158,694 square foot, six-level self-storage facility, with one (1) basement level and five (5) above-ground levels, along with associated site improvements on a 1.26-acre site, located at 7441 Chapman Avenue. In conjunction with this request, the applicant is also requesting approval of an Interpretation of Use determining that the proposed self-storage use is one of the permitted uses of Planned Unit Development No. PUD-103-76 (REV. 2018).
3. Because the application is denied, the project is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15270(a).
4. The property has a General Plan Land Use designation of Industrial (I), and is currently zoned Planned Unit Development No. PUD-103-76 (REV. 2018).
5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property have been reviewed.
6. Report submitted by City Staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on August 5, 2021, and all interested persons were given an opportunity to be heard. The public hearing was closed.

8. The Planning Commission gave due and careful consideration to the matter during its meetings of August 5, 2021, and August 19, 2021, and;

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

FACTS:

The site has a General Plan Land Use designation of Industrial (I), and is zoned Planned Unit Development No. PUD-103-76 (REV. 2018). The subject property is within "Sub-District 4," which generally allows for industrial and office uses. The subject site abuts industrial uses on Planned Unit Development No. PUD-103-76 (REV. 2018) zoned properties to the north and west, industrial uses on Industrial (M-1) zoned properties to the east, across Western Avenue, and industrial uses on Planned Unit Development No. PUD-105-71 Rev.90 zoned properties to the south, across Chapman Avenue. Uses currently established in the PUD zone include, but are not limited to: food manufacturing, packaging, laboratory, distribution, office, general manufacturing, contractor storage facilities, and warehousing uses.

The Land Use Code distinguishes self-storage and "mini-warehouse" uses from traditional "warehouse and storage" uses. As defined in Section 9.04.060 of the Garden Grove Municipal Code, "warehouse and storage" uses are those warehouses in which the individual storage areas are 1,000 square feet in size or greater, while "mini-warehouse" uses are those warehouses in which individual storage areas are less than 1,000 square feet in size, including self-storage services.

The applicant has proposed the construction of a new 56'-4" tall, 158,694 square foot self-storage building featuring five (5) stories, and a basement, on an existing 1.26-acre property. Sections V.B. and V.C. of the adopted Land Use Plan for Planned Unit Development No. PUD-103-76 (REV. 2018) contain lists of permitted and conditionally permitted uses. Neither self-storage facilities nor "mini-warehouses" are listed as expressly permitted or conditionally permitted uses in the PUD. Therefore, the applicant has requested approval of an Interpretation of Use pursuant to Subsection 9.32.030(D)(7) of the Municipal Code to find that the proposed use is permitted in the subject PUD zoning.

Subsection 9.32.030(D)(7)(a) of the Garden Grove Municipal Code states:

"(i) Any use not specifically listed as a permitted use, incidental use, or conditional use shall be prohibited; provided, however, that whenever a use has not been specifically listed as a permitted use, incidental use, or conditional use in a particular zone district, but similar uses are found to exist in that zone, the hearing body shall be responsible for interpreting whether or not the use is permitted in that zone district, and under what conditions.

(ii) Any use determined to be inconsistent or not similar to other uses shall be required to file an application for an ordinance amendment.”

Pursuant to Subsection 9.32.030(D)(7)(b) of the Garden Grove Municipal Code, in order to approve an Interpretation of Use, the hearing body is required to make all three of the following required findings:

- (1) That the proposed use similar in scale and operational characteristics to other uses permitted in that zone;
- (2) That the proposed use is consistent with the intent of the general plan and the zone district; and
- (3) That the proposed use is compatible with other permitted uses.

FINDINGS AND REASONS:

- A. In order to approve Interpretation of Use No. IOU-004-2021, the Planning Commission must determine that the proposed self-storage facility is a permitted use, consistent with, and similar to, other uses permitted within Planned Unit Development No. PUD-103-76 (REV. 2018), and be able to make all of the findings in Municipal Code 9.32.030(D)(7) for an Interpretation of Use. In this case, the Planning Commission cannot make all of the required findings for approval for the requested Interpretation of Use. Based on the information provided, the Planning Commission finds that the proposed use is not permitted within the PUD, because it is dissimilar to other uses that are found within said PUD. In particular, the Planning Commission determines that there are insufficient facts in the record to find that the proposed use is similar in scale and operational characteristics to other uses permitted in the PUD. The Planning Commission does not agree with Finding (1), that the proposed use would be appropriate within the PUD.
- B. In order to approve the Applicant’s request for approval of Site Plan No. SP-104-2021, all the findings set forth in Garden Grove Municipal Code Section 9.32.030(D)(3)(b) must be made, including “that the submitted site plan complies with the spirit and intent of the provisions, conditions and requirements of [Chapter 9 of the Garden Grove Municipal Code], and that other applicable ordinances are complied with.” Because the Planning Commission has denied the Applicant’s request for an Interpretation of Use, and determined that the proposed use is not permitted within the PUD, it is unable to make this required finding.

RELIANCE ON THE RECORD

Unless otherwise provided, each and every one of the findings and conclusions in this Resolution are based on the competent and substantial evidence, both oral and

written, contained in the entire record relating to the Site Plan and Interpretation of Use. The findings and conclusions constitute the independent findings and conclusions of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole. Unless otherwise provided, all summaries of information in this Resolution are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

INCORPORATION OF FACTS AND REASONS SET FORTH IN THE STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Interpretation of Use does not possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
2. The applicant's request for Site Plan No. SP-104-2021 and Interpretation of Use No. IOU-004-2021 are denied in their entirety.