

RESOLUTION NO. 5974-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-079-2019, FOR A PROPERTY LOCATED AT THE NORTHWEST CORNER OF KNOTT STREET AND ACACIA AVENUE, AT 12821 KNOTT STREET, ASSESSOR'S PARCEL NO. 215-014-01, INCLUDING THAT VACATED SOUTHERLY PORTION OF BRADY WAY, WHICH FRONTS ALONG THE WESTERLY PROPERTY LINE OF THE SUBJECT SITE.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on December 5, 2019, does hereby approve Site Plan No. SP-079-2019, for land located on the northwest corner of Knott Street and Acacia Avenue, at 12821 Knott Street, Assessor's Parcel No. 215-014-01, including that vacated southerly portion of Brady Way, which fronts along the westerly property line of the subject site, subject to (i) the Conditions of Approval attached hereto as "Exhibit A"; (ii) Garden Grove City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project, and adoption and effectiveness of an Ordinance approving Planned Unit Development No. PUD-104-70 (REV. 2019), with M-P (Industrial Park) base zoning.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-079-2019, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Rexford Industrial Realty, L.P.
2. The applicant requests (a) that the City Council amend Planned Unit Development No. PUD-104-70 for a 6.97-acre lot, located at the northwest corner of Knott Street and Acacia Avenue, at 12821 Knott Street, Assessor's Parcel No. 215-014-01, including that vacated southerly portion of Brady Way, which fronts along the westerly property line of the subject site, and currently zoned PUD-104-70 to facilitate an expansion of the existing 119,836 square foot industrial building with the construction of a 45,335 square foot one-story addition of industrial space; and (b) Planning Commission approval of Site Plan No. SP-079-2019 to construct the 45,335 square foot one-story addition of industrial space to the existing 119,836 square foot industrial building, along with associated site improvements (collectively, the "Project").
3. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et. seq., and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 et. seq., an initial study was prepared and it has been determined that the proposed Project qualifies for a Mitigated Negative Declaration because the proposed Project with implementation of the proposed mitigation measures cannot, or will not, have a significant effect on the environment. A Mitigation Monitoring and Reporting Program has been prepared and is attached to the Mitigated Negative Declaration listing the mitigation measures to be monitored during project implementation. The Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program were

prepared and circulated in accordance with CEQA and CEQA's implementing guidelines.

4. Concurrently with its adoption of this Resolution (5974-19), the Planning Commission adopted Resolution No. 5973-19 recommending that the City Council: (i) adopt the Mitigated Negative Declaration and the associated Mitigation Monitoring and Reporting Program for the industrial warehouse improvement Project; and (ii) approve Planned Unit Development No. PUD-104-70 (REV. 2019), with M-P (Industrial Park) base zoning. The facts and findings set forth in Resolution No. 5973-19 are hereby incorporated into this Resolution by reference.
5. The property has a General Plan Land Use designation of Industrial/Commercial Mixed Use and is currently zoned PUD-104-70 (Planned Unit Development). The subject 6.97-acre lot is currently improved with an existing industrial building that is approximately 119,836 square feet in area and is currently vacant.
6. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
7. Report submitted by City staff was reviewed.
8. Pursuant to a legal notice, a public hearing was held on December 5, 2019, and all interested persons were given an opportunity to be heard.
9. The Planning Commission gave due and careful consideration to the matter during its meeting of December 5, 2019, and considered all oral and written testimony presented regarding the project, the initial study, and the Mitigated Negative Declaration.

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

FACTS:

The subject site is an existing 6.97-acre Industrial Planned Unit Development (PUD) located on the northwest corner of Knott Street and Acacia Avenue. The site has a General Plan Land Use Designation of Industrial/Commercial Mixed Use and is zoned PUD-104-70 (Planned Unit Development). Currently, the site is improved with an existing industrial building that is approximately 119,836 square feet in area and is currently vacant. The building was previously occupied by Next Level Sports Complex, which operated an indoor sports facility. The indoor sports facility closed its operation in 2018.

The subject site abuts: a Planned Unit Development (PUD), in operation as a wedding chapel facility, to the north; a professional office PUD and the Garden Grove (22) Freeway on-ramp to the south; R-1 (Single-Family Residential) zoned properties developed with single-family residences, to the west; and M-P (Industrial Park) zoned properties developed with industrial buildings, across Knott Street, to the east.

In 1970, the City of Garden Grove approved Planned Unit Development No. PUD-104-70 to allow the construction of professional office, general commercial, and industrial uses on the subject property, including the abutting property to the north, 12777 Knott Street (Assessor's Parcel No. 215-014-02). The approved project included two (2) phases: Phase I, which included the industrial building on the subject site, 12821 Knott Street; and Phase II, which included the commercial and office buildings. Only the industrial building (Phase I) of the approved PUD was constructed. In 1996, the City of Garden Grove approved Planned Unit Development No. PUD-105-96, to allow a banquet/reception hall with ancillary chapel use, on the property to the north, 12777 Knott Street (originally approved as Phase II of PUD-104-70).

On December 13, 2011, the City of Garden Grove approved Amendment No. A-164-11 to allow "indoor sports facility" as a permitted use in the PUD-104-70 zone, subject to Conditional Use Permit approval. The City also concurrently approved Conditional Use Permit No. CUP-340-11 to allow the operation of a new indoor sports facility, Next Level Sports Complex.

Within the parking lot, near the southeast corner of the site, is an existing fifty-foot (50') tall pole sign originally utilized by the previous on-site electronics retail business, Radioshack. On September 19, 2013, the City of Garden Grove Planning Commission voted 6-0 to adopt, without prejudice, Resolution of Denial No. 5710-13 to deny Amendment No. A-171-13, which was a request to amend the Planned Unit Development No. PUD-104-70 zone to allow the applicant to retrofit the existing, legal fifty-foot (50') tall pole sign (double-sided with an existing sign area of 190 square feet), with a new electronic billboard sign (double-sided with a total proposed sign area of 582 square feet), which was proposed to function as a billboard, displaying both on-premise and off-premise advertising. The primary concerns expressed by the Planning Commission at the time of consideration were related to the large size of the proposed electronic billboard sign as well as the use of it as a billboard in order to display on-premise *and* off-premise advertisements. The Garden Grove Municipal Code generally prohibits the establishment of new billboards in the City (i.e., those used for off-premise advertisements).

On May 27, 2014, the City of Garden Grove approved PUD-104-70 (REV. 2014), and adopted Ordinance No. 2839, which approved an amendment to the PUD-104-70 zone to allow a 59'-0" tall freeway-oriented electronic reader board sign, subject to Conditional Use Permit approval. In conjunction with the approval of PUD-104-70 (REV. 2014), the City also approved Conditional Use Permit

No. CUP-379-14, which allowed the applicant to retrofit the existing, legal fifty-foot (50') tall pole sign, with a new freeway-oriented sign with an electronic reader board that would display on-premise advertisements. Pursuant to Municipal Code Section 9.32.160, Expiration of Granted Land Use Actions, it states, "Unless a time extension is granted in accordance with Section 9.24.030, any discretionary action becomes null and void if not exercised within the time specified in the approval of the discretionary action or, if no date is specified, within *one* year from the date of approval of such discretionary action. Following the approval of CUP-379-14, the applicant had one (1) year to exercise said approval before the land use entitlement would expire. Due to financial reasons, the applicant was not able to move forward on the sign project and the approval of CUP-379-14 expired.

On July 19, 2018, the City of Garden Grove approved Conditional Use Permit No. CUP-129-2018, reinstating the approval of CUP-379-14, to demolish an existing fifty-foot (50'-0") tall pole sign, and to construct a new fifty-nine foot (59'-0") tall, V-shaped, freeway-oriented electronic reader board sign (for on-premise advertisements), adjacent to and facing the Garden Grove Freeway (SR-22), for an existing indoor sports facility, Next Level Sports Complex, located at 12821 Knott Street. The approval of CUP-129-2018 stipulated that the approval authorized the erection, maintenance, and operation of a freeway-oriented electronic reader board sign associated with a permitted Indoor Sports Facility in accordance with Planned Unit Development No. PUD-104-70 (REV. 2014), the plans and elevations presented to the Planning Commission, and the associated Conditions of Approval. Conditional Use Permit No. CUP-129-2018 was never exercised thereby expiring and the indoor sports facility use had ceased in 2018.

Since the closure of the prior indoor sports facility, the subject property was sold to, and acquired by, the applicant/property owner, Rexford Industrial. The applicant proposes to renovate, revitalize, and improve the existing site with parking lot improvements, landscape installations and rehabilitation, interior and exterior façade improvements, along with the proposed industrial building addition at the north end of the existing building.

Shortly after acquiring the subject property, Rexford Industrial contacted the City to inquire about acquiring the Brady Way cul-de-sac, which due to the dead end at the 22 Freeway, was not utilized except for access to the subject property and vandals that used it for illegal dumping and other illegal activities. Acquisition of the cul-de-sac would facilitate expansion of the industrial building and installation of a fence to keep vandals out of the property. City staff and adjacent property owners supported vacation of the cul-de-sac for disposition to Rexford. On August 15, 2019, the City of Garden Grove approved a General Plan Consistency Determination for Street Vacation No. SV-001-2019, determining that the contemplated vacation of the southern portion of Brady Way, south of Stanford Avenue, and disposition of the vacated street is consistent with the General Plan. Subsequently, on September 24, 2019, the City of Garden Grove approved Street Vacation No. SV-001-2019 ordering vacation and abandonment of the southern portion of

Brady Way, south of Stanford Avenue, and reserving thereon a public service easement for existing public utility facilities. The intent of the street vacation was to expand the usable area of the site to facilitate the expansion of the existing industrial building, to accommodate new landscaping, on-site vehicular maneuvering, and parking. The City Council approved a purchase and sale agreement for the disposition of the vacated portion of Brady Way to Rexford Industrial at its November 26, 2019 meeting.

The existing Planned Unit Development (PUD) currently encompasses the subject property, 12821 Knott Street (APN: 215-014-01). Approval of a revision to the existing PUD (PUD-104-70) is necessary to extend and cover the now vacated portion of Brady Way (that southerly portion of Brady Way, which fronts along the westerly property line of the property) with PUD-104-70 (REV. 2019) zoning, to facilitate the expansion of the existing 119,836 square foot industrial building. If PUD-104-70 (REV. 2019) is approved, the site, along with the vacated portion of Brady Way, would have a zoning designation of Industrial Planned Unit Development zoning, PUD-104-70 (REV. 2019), with M-P (Industrial Park) base zoning. Also necessary is the approval of a Site Plan to allow the construction of the proposed 45,335 square foot industrial building addition to the existing 119,836 square foot industrial building, along with associated site improvements. The Site Plan approval by the Planning Commission would be contingent upon the City Council's approval of the proposed revision to the Planned Unit Development along with the adoption of a Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program ("MMRP").

The site is currently improved with an existing 99,836 square foot one-story industrial warehouse building, which includes an attached 20,000 square foot two-story office building. The Project proposes a 45,335 square foot one-story industrial warehouse building addition attached to the north side of the existing industrial warehouse building. The new gross floor area of the building will be 165,171 square feet. The total site area (including the vacated portion of Brady Way) is 347,385 square feet (7.97 acres). Based on the site area, the maximum FAR is 173,692.50 square feet. The proposed total building area of 165,171 square feet is compliant with and does not exceed the maximum FAR. The site will maintain a total of 168 parking spaces on-site, which is a surplus of two (2) parking spaces. The Project will include 32,008 square feet of new landscaping, which is 9.2% of the site.

The application to amend Planned Unit Development No. PUD-104-70 is being processed in conjunction with Site Plan No. SP-079-2019. If approved by the City Council, Planned Unit Development No. PUD-104-70 (REV. 2019) would permit the development of the property, thereby facilitating the expansion of the existing industrial building, in accordance with the proposed Site Plan (SP-079-2019) for the Project.

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/Commercial Mixed Use, which is intended for a mix of industrial and commercial uses. Goals, policies, and implementation programs of the General Plan strive, in part, to:

Policy LU-2.1: to protect residential areas from the effects of potentially incompatible uses. Where new commercial or industrial development is allowed adjacent to residentially zoned districts, maintain standards for circulation, noise, setbacks, buffer areas, landscaping and architecture, which ensure compatibility between the uses. The PUD was established in 1970 with specific development standards, as well as performance standards, landscaping, parking, and signage requirements. The Project incorporates landscaping buffering of 10' to the residences west of the site and provides between 150'-0" to 200'-0" of setback to the existing building and between 125'-0" to 150'-0" to the proposed new building addition.

Policy LU-2.3: to prohibit uses that lead to deterioration of residential neighborhoods, or adversely impact the safety or the residential character of a residential neighborhood. The development will continue to maintain the PUD zoning designation and will keep the development standards as approved when the PUD was established in 1970, including all subsequently approved amendments. The future use of the industrial warehouse building will be within the allowable/permitted uses of the PUD-104-70 zone.

Policy LU-2.4: to assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood. The development will continue to maintain the PUD zoning designation and will keep the development standards as approved when the PUD was established in 1970, including all subsequently approved amendments. The future use of the industrial warehouse building will be within the allowable/permitted uses of the PUD-104-70 zone.

Policy LU-4.5: to require that commercial and industrial developments adjoining residential uses be adequately screened and buffered from residential areas. The PUD was established in 1970 with specific development standards, as well as performance standards, landscaping, parking, and signage requirements. The Project incorporates landscaping buffering of 10' to the residences west of the site and provides between 150'-0" to 200'-0" of

setback to the existing building and between 125'-0" to 150'-0" to the proposed new building addition.

LU-IMP-7B: to require improved maintenance and rehabilitation of industrial buildings and sites, as necessary. Conditions of Approval for the Project will, in part, ensure the property owner/operator keep a well maintained site. Conditions include, but are not limited to, requirements that address loitering, trash pick-up, lighting, and landscape maintenance.

The proposed Project will be consistent with the spirit and intent of the General Plan.

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

The Project proposes to renovate, revitalize, and improve the existing site with parking lot improvements, landscape installations and rehabilitation, interior and exterior façade improvements, along with the proposed industrial building addition at the north end of the existing building. To accommodate the new building addition, the site plan layout has been modified to provide adequate vehicular access (for standard motor vehicles and larger truck/commercial vehicles) with new drive aisles, parking spaces, ADA (Americans with Disabilities Act) compliant parking and handicap loading areas, electric vehicle charging parking stations/stalls, and new landscape installations. The building is located in the center of the site, with parking spaces and drive aisles around the perimeter. The existing building façade will be renovated and the building, including the new addition portion, will be architecturally modern, contemporary, and aesthetically pleasing. The building elevations will consist of varying finishes and colors and materials including spandrel glass, metal panels and siding, and smooth concrete walls.

Based on Municipal Code parking requirements for industrial uses (at a parking ratio of one (1) parking space per 1,000 square feet of gross floor area), the site shall maintain a minimum of 166 parking spaces. The existing parking lot/site plan layout has been modified to accommodate the new building addition. The site will maintain a total of 168 parking spaces on-site, which is a surplus of two (2) parking spaces. Therefore, the Project complies with parking requirements of the Municipal Code.

As part of the Transportation Section of the Initial Study report prepared for the Mitigated Negative Declaration for the Project, the traffic impact analysis, which was conducted and prepared by a licensed traffic engineering firm, evaluated trip generation, and potential impacts to nearby key intersections in the surrounding roadway system. Based on the results of the traffic impact analysis, the proposed warehouse improvement project would not

significantly impact any of the key intersections analyzed in the surrounding roadway system. The analysis methodology is based on the City of Garden Grove's traffic study criteria. Intersection operating conditions are defined in terms of "Level of Service" (LOS), a grading scale used to represent the quality of traffic flow at an intersection. Level of Service ranges from LOS "A," representing free-flow conditions, to LOS "F," which indicates failing or severely congested traffic flow. The City of Garden Grove recognizes LOS "D" as the minimum satisfactory Level of Service during peak hour conditions. All nearby study intersections will continue to operate at acceptable levels of service (i.e., within the range of acceptable thresholds of LOS A through LOS D) during AM and PM peak hours, while the intersection of Knott Street and Garden Grove Boulevard will continue to operate at a deficient level of service (LOS F) during AM peak hours. A traffic study would typically be required by the City if the trip generation for a project was projected to increase by more than 50 trips during peak times. The trip generation rates in the report were based on the nationally referenced rates from the Institute of Transportation Engineers' (ITE) *Trip Generation* (10th Edition) – commonly referred to as the "ITE Manual". The analyses of the report found that the projected trip generation would be 36 trips during the AM peak hour and 42 trips during the PM peak hour. It should be noted that the site, prior to the Next Level Sports Complex indoor sports facility, had previously operated as an industrial warehouse, which is like-kind to the proposed operation/use as an industrial warehouse. The traffic impact analysis determined that the project's off-site traffic impact would not be considered significant at any of the study intersections. Therefore, no off-site intersection mitigation measures were deemed necessary for the development of the proposed Project. The City's Traffic Engineering Division reviewed the Initial Study's traffic impact analysis and concurred with the report's findings.

The Engineering Division has reviewed the plan and all appropriate conditions of approval and mitigation measures have been incorporated to minimize any adverse impacts on surrounding streets. Therefore, the design of the project complies with the spirit and intent of the Garden Grove Municipal Code for industrial uses and will provide for a stable and desirable environment.

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

The Public Works Department has reviewed the plans and all appropriate conditions of approval have been incorporated. The proposed development will provide new landscaping and proper grading of the site to provide adequate on-site drainage. All other appropriate conditions of approval and mitigation measures have been included, which will minimize any adverse impacts to surrounding streets.

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

The Public Works Department has reviewed the project, and has incorporated all the appropriate conditions of approval and mitigation measures to minimize any adverse impacts, and 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 6.97-acre lot is located in an area that is adjacent to a Planned Unit Development (PUD), in operation as a wedding chapel facility, to the north; a professional office PUD and the Garden Grove (22) Freeway on-ramp to the south; R-1 (Single-Family Residential) zoned properties developed with single-family residences, to the west; and M-P (Industrial Park) zoned properties developed with industrial buildings, across Knott Street, to the east. Planned Unit Development No. PUD-104-70 (REV. 2019) would permit the development of the property, thereby facilitating the expansion of the existing industrial building, in accordance with the proposed Site Plan (SP-079-2019) for the Project. The existing Industrial Planned Unit Development will maintain and improve its compatibility with existing developments in the vicinity by wholly improving the site by proposing to renovate, revitalize, and improve the existing site with parking lot improvements, landscape installations and rehabilitation, interior and exterior façade improvements, along with the proposed industrial building addition at the north end of the existing building. A sufficient landscape buffer will be provided within the 10'-0" wide landscape planter area along the westerly perimeter of the site facing the existing single-family developed properties to the west, to ensure adequate buffering of any potential noise and light/glare impacts. The new building addition will maintain setbacks of 54'-10" to the northerly property line, between 125'-0" to 150'-0" to the residential property lines to the west (the west side of the vacated Brady Way street), and at least 66'-9" to the easterly property line, facing Knott Street. The proposed industrial warehouse improvement project will provide adequate parking, vehicular and pedestrian circulation for access to and from the site, and new landscaping.

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 subject 6.97-acre lot is located in an area that is adjacent to a Planned Unit Development (PUD), in operation as a wedding chapel facility, to the north; a professional office PUD and the Garden Grove (22) Freeway on-ramp

to the south; R-1 (Single-Family Residential) zoned properties developed with single-family residences, to the west; and M-P (Industrial Park) zoned properties developed with industrial buildings, across Knott Street, to the east. Planned Unit Development No. PUD-104-70 (REV. 2019) would permit the development of the property, thereby facilitating the expansion of the existing industrial building, in accordance with the proposed Site Plan (SP-079-2019) for the Project. The existing Industrial Planned Unit Development will maintain and improve its compatibility with existing developments in the vicinity by wholly improving the site by proposing to renovate, revitalize, and improve the existing site with parking lot improvements, landscape installations and rehabilitation, interior and exterior façade improvements, along with the proposed industrial building addition at the north end of the existing building. A sufficient landscape buffer will be provided within the 10'-0" wide landscape planter area along the westerly perimeter of the site facing the existing single-family developed properties to the west, to ensure adequate buffering of any potential noise and light/glare impacts. The new building addition will maintain setbacks of 54'-10" to the northerly property line, between 125'-0" to 150'-0" to the residential property lines to the west (the west side of the vacated Brady Way street), and at least 66'-9" to the easterly property line, facing Knott Street. The proposed industrial warehouse improvement project will provide adequate parking, vehicular and pedestrian circulation for access to and from the site, and new landscaping.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan possesses characteristics that would justify the request in accordance with Municipal Code Section 9.32.030.3 (Site Plan).
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") shall apply to Site Plan No. SP-079-2019.
3. The effectiveness of approval of Site Plan No. SP-079-2019 shall be contingent upon City Council adoption a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project and the adoption and effectiveness of an ordinance approving Planned Unit Development No. PUD-104-70 (REV. 2019).

Adopted this 5th day of December 2019

ATTEST:

/s/ JEREMY LEHMAN
CHAIR

/s/ JUDITH MOORE
RECORDING SECRETARY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, JUDITH MOORE, Secretary of the City of Garden Grove Planning Commission, do hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Garden Grove, California, at a meeting held on December 5, 2019, by the following vote:

AYES: COMMISSIONERS: (7) LE, LEHMAN, LINDSAY, NGUYEN, PEREZ,
RAMIREZ, SOEFFNER
NOES: COMMISSIONERS: (0) NONE

/s/ JUDITH MOORE
RECORDING SECRETARY

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

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is January 2, 2020.