

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-104-70 (REV. 2019), AMENDING PLANNED UNIT DEVELOPMENT NO. PUD-104-70 TO FACILITATE AN EXPANSION OF THE EXISTING INDUSTRIAL BUILDING, AND TO AMEND THE CITY'S OFFICIAL ZONING MAP TO CHANGE THE ZONING OF THE PROJECT SITE TO PUD-104-70 (REV. 2019), WITH M-P (INDUSTRIAL PARK) BASE ZONING, AND TO EXTEND AND COVER THE VACATED PORTION OF BRADY WAY, (THAT SOUTHERLY PORTION OF BRADY WAY, WHICH FRONTS ALONG THE WESTERLY PROPERTY LINE OF THE SUBJECT PROPERTY LOCATED AT 12821 KNOTT STREET), WITH PLANNED UNIT DEVELOPMENT NO. PUD-104-70 (REV. 2019) ZONING, WITH M-P (INDUSTRIAL PARK) BASE ZONING

CITY ATTORNEY SUMMARY

This Ordinance approves an amendment to the City's Official Zoning Map to change the zoning of the project site to PUD-104-70 (REV. 2019) zoning, with M-P (Industrial Park) base zoning, and 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, with M-P (Industrial Park) base zoning.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, Rexford Industrial Realty, L.P., the applicant, submitted a request 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, on a 7.97-acre lot, located 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, collectively (the "Property"), which is owned by Rexford Industrial Realty, L.P.; and

WHEREAS, the applicant has requested the following approvals to facilitate the proposed development: (a) City Council adoption of Industrial Planned Unit Development No. PUD-104-70 (REV. 2019), for a 7.97-acre lot located 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 allow and 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").

WHEREAS, proposed Planned Unit Development No. PUD-010-2019 would amend the City's official Zoning Map to change the zoning of the project site to PUD-104-70 (REV. 2019) zoning, with M-P (Industrial Park) base zoning, and 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, with M-P (Industrial Park) base zoning, incorporating the associated development standards for Planned Unit Development No. PUD-104-70 (REV. 2019) and applicable development standards of the M-P zone, set forth in the Garden Grove Municipal Code, as the applicable development standards for the Planned Unit Development; and the implementation provisions under Planning Commission Resolution No. 5974-19 for Site Plan No. SP-079-2019 and their associated Conditions of Approval, as the development plan for the Planned Unit Development; and

WHEREAS, 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; and

WHEREAS, concurrent with its adoption of this Resolution, the Planning Commission adopted Resolution No. 5974-19 approving Site Plan No. SP-079-2019, contingent upon Garden Grove City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program for the Project, and adoption and effectiveness of an Ordinance approving Planned Unit Development No. PUD-104-70 (REV. 2019); and

WHEREAS, the Planning Commission, at a public hearing held on December 5, 2019, recommended that the City Council adopt a Mitigated Negative Declaration and an associated Mitigation Monitoring and Reporting Program for the Project. 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; and

WHEREAS, pursuant to a legal notice, a public hearing was held by the City Council on January 28, 2020, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter during its meeting of January 28, 2020.

WHEREAS, the City Council of the City of Garden Grove hereby makes the following findings regarding Planned Unit Development No. PUD-104-70 (REV. 2019):

A. The location of the building, including the proposed building addition, architectural design, and proposed use are compatible with the character of existing adjacent industrial, residential, commercial, and office and development in the vicinity, and the Project will be well-integrated into its setting. The Project is designed to be an attractive, modern industrial warehouse building that is within the allowable use of the Industrial Planned Unit Development zone. The proposed revision to the Industrial Planned Unit Development will 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. 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. The Project will include installation of new landscaping throughout the site, including all parking areas, as well as new landscaping along the westerly perimeter of the site, abutting the single-family developed properties to the west. The proposed project will 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.

B. The plan will produce a stable and desirable environment and will not cause undue traffic congestion on surrounding streets. The design of the Project complies with the spirit and intent of the Garden Grove Municipal Code for industrial development. The City's Public Works Department, Engineering and Traffic Engineering Divisions, have reviewed the Project, and all appropriate conditions of approval have been incorporated to minimize any adverse impacts on surrounding streets. Additionally, 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.

C. Provision is made for both public (communal – active and passive recreation spaces) and private open spaces. 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.

D. Provision is made for the protection and maintenance of areas reserved for common use. 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. Through the conditions of approval for the Project, all necessary agreements for the protection and maintenance of private areas reserved for common use will be in place prior to the start of construction and will be required to be adhered to for the life of the Project.

E. The quality of the Project achieved through the original Planned Unit Development (PUD-104-70) zoning was greater than could be achieved under the zoning requirements at the time of approval. The Project was designed to create a industrial development with a mix of commercial and office uses. The Project proposes an expansion to the existing industrial building, along with various site improvements, which include new and rehabilitated landscape installations, interior and exterior façade improvements to the building, and parking lot improvements. The Project meets City Code standards for parking, vehicle (including emergency) access and circulation, and landscaping. Through the residential Planned Unit Development, and the flexibility in site design it accommodates, the proposed Project provides a greater quality development by utilizing certain modifications to traditional strict zoning standards, which include, but are not limited to: reduced landscape area requirements for the total site; allowances for additional commercial and office type uses as part of the industrial Planned Unit Development; reduced parking requirements for specific uses; and increased sign area allowances. The PUD zoning allows the Project to utilize these existing established standards to have an overall quality that is greater than the current zoning as it allows a better utilized site.

F. Proposed Planned Unit Development No. PUD-010-2019 is consistent with the General Plan. As part of the Project, the City's official Zoning Map would be amended to change the zoning of the project site to PUD-104-70 (REV. 2019) zoning, with M-P (Industrial Park) base zoning, and 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, with M-P (Industrial Park) base zoning. The zoning of the site is consistent with the General Plan Land Use designation of Industrial/Commercial Mixed Use. The Medium Density Residential (MDR) Land Use Designation is intended to provide for a mix of industrial and commercial uses.

G. Proposed adoption of Planned Unit Development No. PUD-104-70 (REV. 2019), with M-P (Industrial Park) base zoning, will promote the public interest, health, safety and welfare. In conjunction with the proposed adoption of Planned Unit Development No. PUD-104-70 (REV. 2019), with M-P (Industrial Park) base zoning, the proposed industrial warehouse improvement project will ensure that the future use and development of the property will be consistent with the use and development permitted on nearby properties within the City of Garden Grove.

H. The subject parcel, including that vacated southerly portion of Brady Way, which fronts along the westerly property line of the subject site, covered by the proposed amendment to the Zoning Map are physically suitable for Planned Unit Development No. PUD-104-70 (REV. 2019), with M-P (Industrial Park) base zoning. The adoption of Planned Unit Development No. PUD-104-70 (REV. 2019), with M-P (Industrial Park) base zoning, for the Property would 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, along with associated site improvements. The site is a large contiguous site with access to all necessary public infrastructure to adequately serve the development. The subject site, and proposed development, is large enough to accommodate the required parking on-site. The General Plan Land Use designation for the subject property is Industrial/Commercial Mixed Use, which is intended to provide for a mix of industrial and commercial uses.

I. The parcels covered by the proposed amendment to the Zoning Map are compatible with surrounding land uses, and the proposed zoning of the site to Industrial Planned Unit Development zoning (PUD-104-70 (REV. 2019)), with M-P (Industrial Park) base zoning, will ensure a degree of compatibility with the surrounding properties and uses. Surrounding properties contain single-family residential housing, multi-family residential housing, commercial, office, and industrial uses. Adoption of Industrial Planned Unit Development zoning (PUD-104-70 (REV. 2019)), with M-P (Industrial Park) base zoning, for the Property would 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, along with associated site improvements. A Planned Unit Development (PUD) is a precise plan, adopted by ordinance that provides the means for the regulation of buildings, structures and uses of land in order to facilitate the implementation of the

General Plan. Pursuant to Garden Grove Municipal Code Section 9.16.030, the regulations of the planned unit development are intended to provide for a diversity of uses, relationships, and open spaces in an innovative land plan and design, while ensuring compliance with, and meeting the intent of, the provisions of the Municipal Code. The proposed zoning of the site is consistent with the General Plan Land Use designation of Industrial/Commercial Mixed Use.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. The facts and reasons stated in Planning Commission Resolution No. 5973-19 recommending approval of Planned Unit Development No. PUD-104-70 (REV. 2019), a copy of which is on file in the Office of the City Clerk, are hereby incorporated herein by reference with the same force and effect as if set forth in full.

Section 3. Planned Unit Development No. PUD-104-70 (REV. 2019) is hereby approved.

Section 4. Approval of Planned Unit Development No. PUD-104-70 (REV. 2019) will change the zoning of the project site to PUD-104-70 (REV. 2019) zoning, with M-P (Industrial Park) base zoning, and will 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, with M-P (Industrial Park) base zoning, as shown on the attached map. Zoning Map parts G-12 and H-12 are amended accordingly.

Section 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words, or portions thereof be declared invalid or unconstitutional.

Section 6. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect on the later of (i) the date that is thirty (30) days after adoption, or (ii) the date Planned Unit Development No. PUD-104-70 (REV. 2019) becomes effective.