

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

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

REQUEST:

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

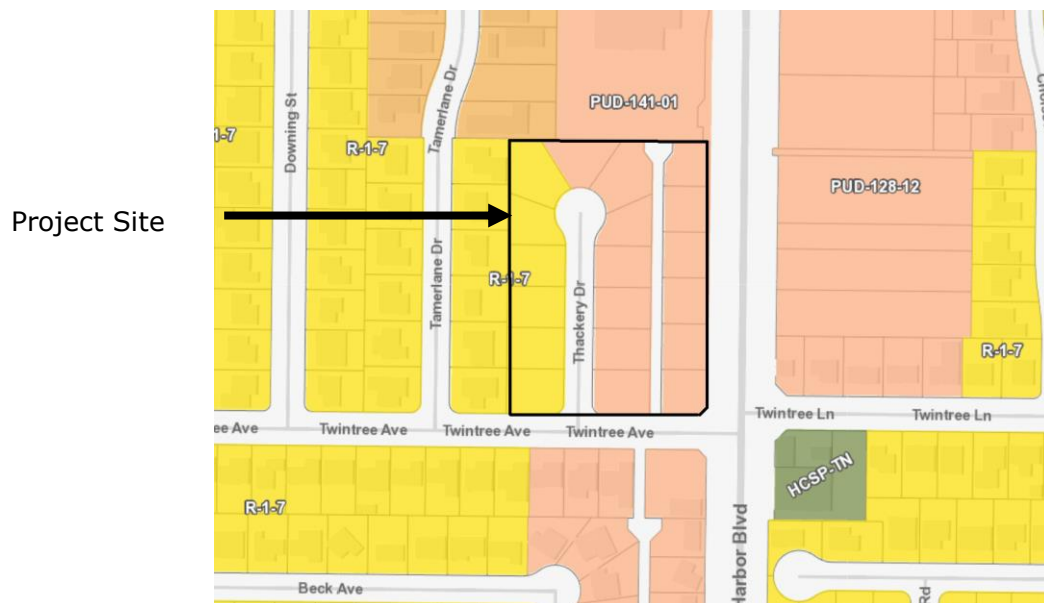
BACKGROUND:

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

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

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

FIGURE 1: PROPOSED PROJECT SITE



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

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

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

History of Entitlements

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

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

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

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

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

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

Neighborhood Meeting:

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

PROJECT STATISTICS:

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

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

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

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

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

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

DISCUSSION:

PLANNED UNIT DEVELOPMENT:

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

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

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

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

SITE PLAN:

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

Site Design and Circulation:

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

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

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

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

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

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

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

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

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

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

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

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

Table 1: On-Site Parking Distribution

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

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

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

Themed Hotel Amenities and Programming:

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

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

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

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

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

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

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

Parking:

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

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

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

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

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

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

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

Proposed Hotel Floor Plan:

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

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

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

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

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

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

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

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

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

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

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

Landscaping:

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

Building Architecture/Aesthetics:

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

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

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

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

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

FUTURE ENTITLEMENTS:

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

- A Tentative Tract Map to consolidate the project site. Approval of a Map is an integral part of the ultimate development of the project.
- A Development Agreement between the City and the applicant, in conjunction with the Tentative Tract Map.
- Conditional Use Permit(s) to allow for the sale of alcoholic beverages in the hotel, the ballroom and meeting rooms, and the hotel restaurant.

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

CEQA:

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

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

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

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Adopt Resolution No. 6044-22 recommending that the City Council adopt a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program and an Ordinance approving Planned Unit Development No. PUD-141-01(A); and,
2. Adopt Resolution No. 6045-22 approving Site Plan No. SP-107-2022, subject to the recommended Conditions of Approval and contingent upon City Council approval of Street Vacation No. SV-002-2022 and Planned Unit Development No. PUD-141-01(A).

Lee Marino
Planning Services Manager

By: Maria Parra
Senior Planner

RESOLUTION NO. 6044-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE SITE B2 HOTEL PROJECT AND APPROVE PLANNED UNIT DEVELOPMENT NO. PUD-141-01(A).

WHEREAS, the City of Garden Grove has received an application requesting to redevelop a 3.72-acre site known as Site B2, located at the northwest corner of Harbor Boulevard and Twintree Avenue, east of Tamerlane Drive, at 12241, 12261, 12271, 12291, 12311 and 12323/12321 Harbor Boulevard, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, and 12321 Thackery Drive, (Assessor Parcel Numbers: 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24) with Nickelodeon-themed Hotel Resort project; and

WHEREAS, the land use actions requested to implement the Project include: (1) an amendment to Planned Unit Development (PUD) No. PUD-141-01 to create a new sub-area, PUD-141-01(A), to establish development standards to facilitate the development of a full-service, high-rise hotel resort with hotel program entertainment, pool deck, ballroom/meeting space, and food and beverage (restaurant) opportunities; and (2) Site Plan No. SP-107-2022 to authorize the construction of the proposed hotel resort; and

WHEREAS, additional entitlements will be needed to fully implement the hotel project described above, including: a street vacation to vacant Thackery Drive and the public alley to integrate into the Project site, a tentative tract map to consolidate the project site, and conditional use permit(s) to allow the sale of alcoholic beverages in the hotel, restaurants, and the ballroom and meeting space; and

WHEREAS, the above-described hotel project, Planned Unit Development No. PUD-141-01(A), Site Plan No. SP-107-2022 and the additional future entitlements necessary to implement the hotel project are collectively referred to herein as the "Project"; and,

WHEREAS, pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 *et seq.* ("CEQA") and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 *et seq.*, an Initial Study was prepared and it has been determined that the proposed Project qualifies for a Mitigated Negative Declaration as the proposed Project with the proposed mitigation measures cannot, or will not, have a significant effect on the environment; and

WHEREAS, a Mitigation Monitoring and Reporting Program has been prepared listing the mitigation measures to be monitored during Project implementation; and

WHEREAS, the Mitigated Negative Declaration was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines; and

WHEREAS, the Planning Commission of the City of Garden Grove held a duly noticed public hearing on July 7, 2022, and considered all oral and written testimony presented regarding the Project; and,

WHEREAS, the Planning Commission of the City of Garden Grove held a duly noticed public hearing on July 7, 2022, and considered the initial study and the Mitigated Negative Declaration.

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

1. The Planning Commission has considered the proposed Mitigated Negative Declaration.
2. The Planning Commission recommends that the City Council finds that the Mitigated Negative Declaration reflects the City's independent judgment and analysis.
3. The Planning Commission recommends that the City Council finds on the basis of the whole record before it, including the Initial Study, that there is no substantial evidence that the project will have a significant effect on the environment.
4. The Planning Commission hereby recommends the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on July 7, 2022, does hereby recommend that the City Council approve Planned Unit Development No. PUD-141-01(A).

BE IT FURTHER RESOLVED in the matter of Planned Unit Development No. PUD-141-01(A), the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The case was initiated by the Kam Sang Company.
2. The applicant is requesting approval to amend Planned Unit Development No. PUD-141-01(A) to create a new sub-area Planned Unit Development zoning, PUD-141-01(A), on an approximately 3.72-acre site to establish development standards and performance standards governing the development of a full-service, high-rise hotel resort with hotel program entertainment, pool deck, ballroom/meeting space, and food and beverage (restaurant) opportunities. The proposed project will consist of a 500-room hotel resort with a themed pool experience with a lazy river and a pool slide; event space with a 600-seat theater; 17,715 square feet of ballroom/meeting space;

22,296 square feet of hotel restaurant; 5,480 square feet of retail; themed amenities totaling 13,238 square feet; a 7,000 square-foot arcade; a spa and fitness center at 8,532 square feet; a five-level parking structure with 528 parking spaces; and related site improvements.

3. The Project site has a General Plan Land Use designation of International West Mixed Use, and is zoned Planned Unit Development No. PUD-141-01 and R-1 (Single-Family Residential). The Project site is 3.72-acres, comprised of nineteen (19) parcels, including Thackery Drive, and a public alley, that are currently vacant and unimproved. Thackery Drive, and the public alley, will be vacated by the City Council under Street Vacation No. SV-002-2022 and integrated into the Project site. The applicant is requesting to develop the site with a 500-room hotel resort with event space, restaurants, retail, and hotel amenities through land use approvals for Planned Unit Development No. PUD-141-01(A) and Site Plan No. SP-107-2022 (collectively, the "Project").
4. The Community and Economic Development Department has prepared an Initial Study and Mitigated Negative Declaration for the Project that (a) concludes that the proposed project with the incorporation of mitigation measures cannot, or will not, have a significant impact on the environment, and (b) was prepared and circulated in accordance with applicable law, including CEQA and CEQA's implementing guidelines.
5. Existing land use, zoning, and General Plan designation of property in 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 July 7, 2022, and all interested persons were given an opportunity to be heard.
8. Concurrently with the adoption of this Resolution, the Planning Commission adopted Resolution No. 6045-22 approving Site Plan No. SP-107-2022 for the construction of the proposed hotel resort, and Resolution No. 6046-22 finding and reporting to City Council that Street Vacation No. SV-002-2022 for the vacation of Thackery Drive and a public alley is consistent with the City's General Plan. The facts and findings set forth in Planning Commission Resolution No. 6045-22 and 6046-22 are hereby incorporated into this Resolution by reference.
8. The Planning Commission gave due and careful consideration to the matter during its meeting of July 7, 2022, 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 are as follows:

FACTS:

The Project site consists of 3.72-acres located on the northwest corner of Harbor Boulevard and Twintree Avenue, east of Tamerlane Drive. The Project site is referred to as the Site B2 Project and is proposed to be developed with a Nickelodeon-themed Hotel Resort. The Project is located in the City's Grove District Anaheim Resort Area, which is the City's entertainment and tourism area. The resort area is currently developed with hotels, restaurants, and retail uses.

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

The project site is comprised of nineteen vacant (19) parcels, along with Thackery Drive and a public alley, which are proposed to be vacated by the City Council under Street Vacation No. SV-002-2022 and integrated into the development. The General Plan Land Use designation of the Site was changed to International West Mixed Use in 2008 pursuant to City Council Resolution No. 8851-08. Thirteen of the existing parcels within the Project site are currently zoned PUD-141-01, which was adopted in 2002 to facilitate the development of two hotels. Six of the existing vacant parcels are still technically designated as zoned R-1; however, this zoning is inconsistent with the International West Mixed Use Land Use Designation, and single-family residential uses could not legally be established on these parcels.

The project site is referred to as the Site B2 Project. The subject properties were acquired by the former Garden Grove Redevelopment Agency and the City of Garden Grove to facilitate the development of a hotel resort. The developer entered into an Exclusive Negotiation Agreement (ENA) with the City of Garden Grove, and the parties are currently negotiating a disposition and development agreement ("DDA") to facilitate development of the project site with the Nickelodeon Hotel Resort.

The proposed Planned Unit Development amendment will create a sub-area, PUD-141-01(A), to establish development standards for the development of a full-service, high-rise hotel resort with hotel program entertainment, a pool deck, ballroom/meeting space, and food and beverage (restaurant) opportunities on 3.72-acres. The proposed Project will consist of a 500-room hotel resort with a themed pool experience with a lazy river and a pool slide; event space with a 600-seat theater; 17,715 square feet of ballroom/meeting space; 22,296 square feet of hotel restaurant; 5,480 square feet of retail; themed amenities totaling 13,238 square feet; a 7,000 square-foot arcade; a spa and fitness center at 8,532

square feet; a five-level parking structure with 528 parking spaces; and related site improvements.

The proposed PUD sub-area will establish development standards for the entire development site that will facilitate the construction of the proposed hotel development. The proposed PUD sub-area will establish development standards regulating the number of hotel rooms, building height, building setbacks, landscaping, permitted uses, required parking, site circulation and access, signage, utilities, storage and refuse collection, environmental mitigation measures and related performance standards.

FINDINGS AND REASONS:

Planned Unit Development:

1. Establishment of the proposed Planned Unit Development is consistent with the City's General Plan.

The City's Land Use Element encourages Planned Unit Developments (PUD). A Planned Unit Development is a precise plan, adopted by ordinance that provides the means for the regulation of buildings, structures, and uses of land to facilitate the implementation of the General Plan by creating site-specific zoning regulations and development standards. The regulations of the PUD are intended to provide for a diversity of uses, relationships, and open spaces in an innovative land plan and design, while ensuring compliance with the provisions of the Municipal Code.

The Project site has a General Plan Land Use Designation of International West Mixed Use, which is intended to promote the development of resorts, entertainment, retail, restaurants, and hotels along Harbor Boulevard. The proposed Planned Unit Development will facilitate the development of a 500-room hotel resort with a themed pool deck with a lazy river and a pool slide, a 600-seat theater (Nick Studio), themed entertainment venues (Studio Hall and Nick Arcade), restaurants (food and beverage), event space (ballroom and meeting space), hotel amenities, and a five-level parking structure with 528 parking spaces. The PUD sub-area will establish development standards for the entire Project site that will facilitate the development of the proposed hotel resort that will regulate the number of hotel rooms, building height, building setbacks, landscaping, permitted uses, required parking, site circulation and access, signage, utilities, storage and refuse collection, and environmental mitigation measures.

In addition, the proposed PUD sub-area (Project) is consistent with the goals and policies of the General Plan Land Use Element, the Community Design Element, and the Economic Development Element, including:

- (a) *Policy LU-1.4 to encourage a wide variety of retail and commercial uses, such as restaurant and cultural arts/entertainment, in*

appropriate locations AND Policy LU-6.2 to encourage a mix of retail and commercial services along major corridors and in centers to meet the community needs.

The proposed Project is located in the City's resort tourism district, the Grove District Anaheim Resort Area, which encourages restaurants, retail, entertainment and hotel uses along Harbor Boulevard. The proposed Project will introduce a new hotel resort, Nickelodeon Hotel Resort. The proposed hotel resort will feature 500 hotel rooms with themed hotel amenities, including a themed pool deck with a lazy river and a pool slide; a 600-seat theater (Nick studio), and themed entertainment venues (Studio Hall and Nick Arcade). The hotel resort will also include restaurants (food and beverage) and event space (ballroom and meeting space). The proposed Project will expand and enhance the hospitality services currently available in the City's resort area by introducing a new hotel resort with unique hotel amenities that will attract local and regional visitors.

- (b) *Policy LU-1.5 to encourage active and inviting pedestrian-friendly street environments that include a variety of uses within commercial and mixed-use areas.*

The proposed Project is located in the City's resort area, which is developed with hotels, restaurants, and retail uses that are conveniently located within walking distance of one another. The proposed Project will enhance the City's resort area and will continue to encourage pedestrian activity and a pedestrian-friendly street environment. The Project will provide landscaping and a decorative public sidewalk pattern that is specific to the resort area. The landscape pattern will liven the streetscape to encourage pedestrian activity within the resort area. The landscape pattern along Harbor Boulevard, including the public right-of-way, will include a double row of palm trees and canopy trees with up-lighting, shrubs, and ground cover that will create an inviting environment for pedestrians.

- (c) *Goal LU-4 that seeks to develop uses that are compatible with one another AND Policy LU 4.5 that requires that commercial developments adjoining residential uses be adequately screened and buffered from residential areas.*

The proposed Project is located in the City's resort area, and is developed with hotels, restaurants, and other commercial uses. The project directly abuts the Sheraton Hotel to the north, and directly abuts residential uses to the northwest and west. The proposed Project will be compatible with the existing hotel developments in the resort district. The hotel will offer hotel themed amenities that are unique to the Nickelodeon hotel brand, including a themed pool with a lazy river and a pool slide, a 600-seat theater (Nick Studio), and

entertainment venues, including Studio Hall and a Kid's Lounge. The proposed Project will incorporate specific mitigation measures and project design features to minimize impacts to the adjacent residential uses from noise generated from the hotel, including from the parking structure and the pool deck. Implementation of the mitigation measures and project design features will ensure that the adjacent residential uses are adequately screened and buffered from the proposed hotel use.

- (d) *Goal LU-9 Creation of tourism and entertainment-related destination area that will benefit all residents, businesses, and visitors AND Policy LU-9.6 Locate tourist or entertainment related uses with adequate access to freeways or major arterials to encourage both local and regional patronage.*

The proposed Project is located in the City's resort tourism district, the Grove District Anaheim Resort Area, which is a tourist destination that encourages restaurants, retail, entertainment, and hotel uses. The proposed Project will introduce a themed hotel resort that will cater to residents, businesses, and visitors alike. The proposed Project will introduce unique hotel resort amenities that will appeal to residents and the general public. The proposed Project will introduce new employment opportunities to the local community. The proposed Project is located on Harbor Boulevard, which is a major arterial that connects to the State Route (SR) 22 and the I-5 Freeways, and that also connects to other major City arterial streets that intersect with Harbor Boulevard, such as Chapman Avenue, Garden Grove Boulevard, Trask Avenue, and Westminster Avenue. The proposed hotel resort is conveniently accessed by major arterial streets and freeways, which serve to provide convenient access to the project site to local and regional visitors.

- (e) *Policy CD-7.1 Encourage future development and redevelopment projects to reinforce district scale, identity, and urban form.*

The existing hotels located in the Grove District Anaheim Resort vary in design, massing, and building height with each hotel brand incorporating its own unique architectural design. Similarly, the proposed hotel will feature a contemporary architecture design that compliments and reflects the Nickelodeon brand. The intent of the project is to create a themed resort environment through enhanced architectural elements that integrate with the intent and vision of the resort district.

- (f) Policy ED-1.1 Continue to encourage the development and expansion of hotel facilities in key corridors of the City (i.e., Harbor Boulevard)

The proposed Project will further facilitate the development and expansion of the Grove District Anaheim Resort through the construction of a new, 500 room, themed hotel resort. The proposed Project will develop nineteen (19) existing parcels that are currently vacant and unimproved, including a public street and alley that will be vacated, with a hotel resort that will offer themed amenities, event space, restaurants, and entertainment. The proposed Project will enhance the City's resort area and expand the hospitality services available in the area.

2. The location, design, and the proposed uses are compatible with the character of the existing development in the vicinity and will be well integrated into its setting.

The Project is located in the City's Grove District Anaheim Resort, which is designated as a resort destination that encourages hotels, restaurants, and entertainment uses. The resort area is improved with existing hotels, restaurants, and retail uses. The proposed Project will be compatible with the existing hotel developments in the area, and will expand and enhance the hospitality services currently available in the resort district. The Project directly abuts the Sheraton Hotel to the north, and residential uses to the northwest and west. The hotel will offer hotel-themed amenities that are unique to the Nickelodeon hotel brand, including a themed pool with a lazy river and a pool slide, a 600-seat theater (Nick Studio), and entertainment venues, including Studio Hall and a Kid's Lounge. The project will include an architectural style that is unique to the Nickelodeon hotel brand. The Project will provide landscaping and a decorative sidewalk pattern that is specific to the resort area that is intended to create a lively streetscape and an attractive environment.

The proposed Project will incorporate specific mitigation measures and project design features to minimize impacts to the adjacent residential uses from noise generated from the hotel, including from the parking structure and the pool deck. Implementation of the mitigation measures and project design features will ensure that the adjacent residential uses are adequately screened and buffered from the proposed hotel use.

3. The plan will produce a stable and desirable environment and will not cause undue traffic congestion on surrounding streets.

The proposed Planned Unit Development sub-area zoning will accommodate the project's intensity by creating a stable and desirable environment by developing the Project site to the fullest intent. The Project site is 3.72-acres and can accommodate the proposed hotel resort. The proposed Project will revitalize existing vacant and unimproved properties located in the City's Grove District Anaheim Resort with a vibrant and attractive hotel resort development. The Project will feature a contemporary architectural design and hotel amenities that are unique to the Nickelodeon brand. The Project

will provide landscaping along Harbor Boulevard and Twintree Avenue that is compatible with the resort area landscape pattern, which will create a lively streetscape and an attractive environment.

A Traffic Impact Study was prepared for the proposed Project that reviews the traffic and circulation. The appropriate mitigation measures were included to minimize undue traffic congestion on surrounding streets.

A Shared Parking Study was also prepared for the proposed Project to determine the peak parking demand to estimate the required parking. The Shared Parking Study determined that the peak parking demand for the hotel resort was estimated at 471 parking spaces during the weekday at 8:00 p.m., and 480 parking spaces during the weekend at 9:00 p.m. The proposed hotel resort will provide a total of 528 parking spaces, which is sufficient to accommodate the proposed peak parking demand of 480 parking spaces. In addition, the proposed hotel resort will implement a valet parking program to increase the on-site parking capacity during peak periods.

With the required mitigation measures, undue traffic congestion will be minimized to the surrounding streets, especially to the adjacent residential streets.

4. Provision is made for both public and private open spaces.

Provisions have been included into the development standards of the PUD for protection and long term maintenance of public and private open space. The Project will provide landscaping along Harbor Boulevard and Twintree Avenue that is compatible with the resort area landscape pattern that will create a lively streetscape and an attractive environment for hotel guests and visitors. The landscape treatment along Harbor Boulevard will include a double row of palm trees and canopy trees with up-lighting, shrubs, and ground cover, along with a decorative public sidewalk pattern. The Project will also include hotel open space amenities, including a pool deck with a lazy river and a pool slide.

5. Provision is made for the protection and maintenance of private areas reserved for common use.

Through the Performance Standards, development standards, and the conditions of approval of applicable land use permits, 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.

6. The quality of the project, achieved through the proposed Planned Unit Development zoning, is greater than could be achieved through traditional zoning.

The current zoning of the Project site is outdated, is partially inconsistent with the General Plan, and would not accommodate the proposed Project. The City has not adopted new generally applicable zoning and development standards to implement the International West Mixed Use General Plan Land Use Designation, and the General Plan contemplates and provides for the establishment of such standards through the Planned Unit Development process. In order to facilitate the development of the Project as proposed, and to continue to further the goals of the City's General Plan to expand and enhance the City's resort area, establishment of a sub-area PUD, PUD-141-01(A), on the Project site is necessary. The new PUD sub-area will encompass 3.72-acres, and will facilitate the development of a 500-room hotel resort with themed hotel amenities, including a themed pool deck with a lazy river and a pool slide; a 600-seat theater (Nick studio), themed entertainment venues (Studio Hall and Nick Arcade), restaurants (food and beverage) and event space (ballroom and meeting space). The proposed Project is best facilitated through the proposed PUD sub-area. The PUD sub-area will establish development standards specific to the Project site that will regulate the total number of hotel rooms, building height, building setbacks, landscaping, permitted uses, required parking, site access and circulation, and signage. Therefore, the proposed PUD will allow for a project with a superior design than what can be achieved under the existing zoning for the property.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN 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 Planned Unit Development possesses characteristics would indicate justification of the request in accordance with Municipal Code Section 9.16.03.020 (Planned Unit Development) and 9.32.030 (Zone Change).
2. The following Provision and Standards of Development shall apply to PUD-141-01(A):

Planned Unit Development Provisions and Development and Performance Standards

A. Purpose and Intent

The purpose and intent of this Planned Unit Development sub-area is to facilitate the development of a hotel resort that consists of 500 hotel rooms within one (1) full-service, high-rise hotel resort with entertainment, a themed pool deck with a lazy river and a pool slide; event space with a 600-seat theater; 17,715 square feet of ballroom/meeting space; 22,296 square feet of hotel restaurants; 5,480 square feet of retail; themed amenities totaling 13,238 square feet; a 7,000 square-foot

arcade; a spa and fitness center at 8,532 square feet; and a parking structure. This Planned Unit Development sub-area expands the scope of potential development intensity on the covered property and is not intended to modify or reduce the permitted intensity of residential uses otherwise permitted on any portion of the property, if any, or to extinguish the existing rights, if any, granted pursuant to that certain Development Agreement entered into between the City of Garden Grove and Palm Court Lodging, LLC, dated February 26, 2002, recorded in the Official Records of the County of Orange on March 21, 2002, at Document No. 20020231935.

B. Maximum Square Footages

The aggregate square footages of the banquet/meeting space, the hotel restaurants, retail, and the hotel amenities permitted within the Planned Unit Development sub-area shall not exceed the following maximums:

- Ballroom/Meeting Space 17,715 Square Feet
- Restaurant 22,296 Square Feet
- Retail 5,480 Square Feet
- Hotel Amenities
 - Theater (Nick Studio) 600-seats
 - Entertainment Venue (Studio Hall) 6,448 Square Feet
 - Arcade (Nick Arcade) 7,000 Square Feet
 - Spa/Fitness 8,532 square feet

C. Permitted Uses

The following uses shall be permitted or conditionally permitted within the Planned Unit Development sub-area:

- Hotels, hotels with ballroom and meeting space, restaurants, and ancillary hotel uses such as gift shops, coffee and beverage dispensary, swimming pool, spa, and fitness room.
- Hotels with entertainment shall be limited as an accessory use to the ballroom and meeting space, and shall be subject to a Conditional Use Permit.

- Alcohol sales on-site and off-site are subject to all provision of Title 9 of the Municipal Code, including, but not limited to, Conditional Use Permit (CUP) approval.
- Restaurants with or without alcoholic beverage sales. Restaurants with alcoholic beverage sales are subject to a Conditional Use Permit.
- Restaurants with entertainment shall be subject to a Conditional Use Permit.
- Outside vending such as hot dog carts, merchandise carts, and similar free standing/mobile vending carts subject to Conditional Use Permit approval.
- Parking lots and parking structures to serve the project.
- Any proposed use that is not listed shall be subject to an Interpretation of Use pursuant to Section 9.32.030 of the Municipal Code that shall be reviewed by the Zoning Administrator.
- Those residential uses, if any, that were permitted under the General Plan Land Use designation(s) or zoning ordinances of the City as in effect on January 1, 2018, shall remain permitted uses, subject to the applicable development standards and review and approval in accordance with the Garden Grove Municipal Code and State law.

D. Setbacks

The minimum building setbacks shall be as follows:

1. Front Setback: Minimum building setback from the Harbor Boulevard property line (ultimate right-of-way) shall be 9 feet.
2. Side Street Setback: Minimum building setback along Twintree Avenue shall be 10 feet from the property line.
3. Interior Side and Rear Setbacks: No minimum setback shall be required to adjacent commercial uses. A minimum 10-foot setback is required adjacent to any property line with an adjoining residential use.

Building elements such as structural components, architectural features, or roof projections shall not encroach into the required perimeter setback areas.

E. Maximum Building Height

Building heights shall be determined through a Shade and Shadow Study, and approved through a Site Plan review.

F. Landscaping

General: The site shall consist of a combination of trees, shrubs and bushes, and ground cover with the allowance for other landscape treatments such as large rocks, water elements, and unique walkway paving, and street furniture. Any area not covered by roadways, parking, walkways, and buildings, shall have landscape treatment.

Harbor Boulevard Landscape Treatment: Landscaping along Harbor Boulevard, including within the public-of-way, shall include two rows of Date Palm Trees (minimum brown trunk height of 25 feet), canopy trees (minimum 24-inch box), shrubs, and ground covers. Landscape materials shall match the landscape materials used within Garden District Anaheim Resort Area. The landscape area shall include up-lighting on the trees. All aspects and elements of the Harbor Boulevard Landscape Treatment shall be included on the required Project landscape/irrigation plans and shall be reviewed and approved by the Community and Economic Development Department and the Public Works Department prior to the beginning of site construction. The Community and Economic Development Director may approve minor modifications to the foregoing standards as to height, size, and placement of the palm trees along Harbor Boulevard.

Landscape Plan: A detailed landscape plan shall be prepared and approved prior to site construction. The plan shall be detailed to show all plant material, water elements, pathways, and other landscape treatments. The landscape plan shall be the basis of how the site is to be developed and maintained for the life of the project. Should changes need to occur, revisions, renovations, or changes to the landscaping shall be reviewed and approved by the Community and Economic Development Department to ensure the aesthetics are maintained concerning this element of the overall project.

The landscape plan shall incorporate and provide for maintenance for the life of the project those means and methods required to address water run-off, also identified as Low Impact Development provisions, in accordance with Chapter 6.40 of the Garden Grove Municipal Code, and the regulations and technical documents incorporated and required thereunder, including, but not limited to, any applicable Water Quality Management Plan (WQMP), the Orange County Drainage Area Management Plan (DAMP), and any other water conservation measures applicable to this type of development.

Landscaping shall be provided within the project boundaries, as well as along Harbor Boulevard and Twintree Avenue. The landscape treatment along Harbor Boulevard is required to include a double row of palm trees with canopy trees, shrubs, and ground cover that is consistent with the Grove District Anaheim Resort landscape plan for Harbor Boulevard. The landscape treatment along Twintree Avenue is required to incorporate canopy trees, shrubs, and ground cover that is similar to the landscape treatment on Harbor Boulevard.

The required width of the public sidewalk and parkway improvements on Harbor Boulevard and Twintree Avenue shall be determined by the Public Works Department, Engineering Division, to ensure a consistent pattern is achieved consistent with the right-of-way improvements for the resort district.

The property owner shall be responsible for all installation and long-term maintenance of all landscaping on the property during and after the construction period. Said responsibility shall extend to any landscaping, sidewalk, curb and pavement of the site, and shall extend to the public right-of-way adjacent to the site, subject to the parameters and limitations set forth in the Performance Standards attached hereto as Exhibit "B". All planting areas shall be kept free of weeds, debris, and graffiti.

G. Boundary:

The site's boundary for maintenance, landscaping, and improvements is that area around the project site that is to the property line along adjacent properties, and where the project is adjacent to public right-of-way, the boundary shall extend to the curb of each street respectively, subject to the parameters and limitations set forth in the Performance Standards attached hereto as Exhibit "B".

H. Maintenance:

The overall site, inclusive of the landscaped areas and other amenities and features (e.g., water elements, irrigation systems, sculptures, street furniture, trash receptacles, common area signage, and lighting) shall be kept in proper working condition, maintained for the life of the project, and have the planted areas to be in a weed free, healthy and growing condition, with overall debris removed on regular basis.

I. Circulation and Access

The site shall provide one (1) access point on Harbor Boulevard and one (1) access point on Twintree Avenue, and subsequent improvements as identified in the mitigation measures of the Mitigated Negative Declaration adopted in conjunction with approval of Planned Unit Development No. PUD-141-01(A). The final location of the emergency access shall be determined prior to submittal of plans for building and grading permits and shall be subject to approval by the Community and Economic Development Director.

The Harbor Boulevard entrance shall serve as the main entrance to the project site for all guests, visitors, and hotel employees. Tourist buses and shuttle buses shall also use the Harbor Boulevard entrance for access. The Twintree Avenue entrance shall serve as a secondary vehicular entrance only and shall be restricted for use by emergency vehicles, maintenance vehicles, and trash and delivery trucks only.

The main access point on Harbor Boulevard shall include a signalized intersection that is aligned with the main access point of the hotel development located across

from the project site, and that will permit two-way traffic, allowing left and right-turn movements in and out of the site. The access point on Twintree Avenue shall only permit right-turn in and left-turn out of the project site.

The proposed Project shall provide an internal vehicular circulation system designed to comply with the City's minimum drive-aisle standards that accommodates two-way traffic, and that provides appropriate access for trash trucks and emergency vehicles.

Internal circulation shall meet all applicable City standards and shall allow ease of access through all drive-aisles, roundabouts, the parking structure, and that allow for drop-off and pick-up areas in front of the hotel. Vehicle ease of access shall account for fire trucks, sanitation trucks, delivery trucks, tour buses, etc., which shall be accommodated through turning radius and necessary height clearances as well as designated parking areas inclusive of staging areas for events, equipment loading and unloading.

The paving and concrete treatment of all driveways along Harbor Boulevard and Twintree Avenue shall be subject to review and approval of the Community and Economic Development Director, who, in his or her discretion, may require decorative paving and/or enhanced concrete treatment.

J. Required Parking:

Except as provided below, the hotel project shall provide a minimum of 480 parking spaces. This parking requirement is based on the total number of hotel rooms and aggregate square footages of the hotel resort uses analyzed in the Shared Parking Study attached as Appendix J to the Initial Study and Mitigated Negative Declaration adopted in conjunction with approval of Planned Unit Development No. PUD-141-01(A), which includes:

- A maximum of 500 hotel rooms
- A maximum of 17,715 square feet of ballroom/meeting space
- A maximum of 22,296 square feet of hotel restaurant space
- A maximum of 5,480 square feet of retail
- A 600-seat theater (Nick Studio)
- A maximum 6,448 square feet family entertainment (Studio Hall)
- A maximum of 8,532 square feet of spa space

In the event of changes in the aforementioned square footages that may affect the total required parking, such as, but not limited to, square footage increase beyond those analyzed in the Shared Parking Study, or if a reduction to the total required

parking spaces is proposed based on a reduction to the number of hotel rooms or use square footages, then a updated shared parking study shall be prepared to determine the required minimum number of parking spaces. The updated shared parking study and associated change in the number of required parking spaces may be reviewed and approved by the Community and Economic Development Director.

The owners and/or tenants of the hotel project shall implement the required mitigation measures identified in the mitigation monitoring and reporting program adopted in conjunction with approval of Planned Unit Development No. PUD-141-01(A) to minimize impacts to the parking.

In the event a significant addition or expansion of uses or the development of a different project than what was analyzed in the Initial Study and Mitigated Negative Declaration adopted in conjunction with approval of Planned Unit Development No. PUD-141-01(A) is proposed, a new site-specific parking analysis shall be prepared for City review and approval.

K. Parking Structure Design

The parking structure shall be designed to be architecturally compatible with on-site buildings, utilizing similar design features, details, and materials. All sides of a parking structure that are in view from adjacent properties and public right -of-way shall be architecturally enhanced. The parking structure shall be well illuminated, including having the interior of the parking garage painted a light color, and designed to meet City parking standards for drive-aisle width, stall sizes, and height clearances. Within the structure, an emergency communication system shall be installed and maintained that allows emergency services such as police, fire, and paramedics the ability to use communication devices throughout the enclosed areas. The design of the parking structure shall also incorporate the mitigation measures and project design features identified in the Initial Study and Mitigated Negative Declaration adopted in conjunction with approval of Planned Unit Development No. PUD-141-01(A).

L. Perimeter Walls

All new block walls shall be of decorative slumpstone or split face block, with decorative cap, and shall maintain a maximum height of eight-feet as measured from the property's finished grade.

A new eight-foot high block wall shall be constructed on the western and northwestern property lines, adjacent to the residential properties. The developer shall work with adjacent property owners in designing and constructing the perimeter block walls to avoid having double walls, and to minimize any impact that it might cause to the existing landscaping on the neighbor's side as much as possible. The perimeter block wall shall be constructed and situated entirely within the subject property. In the event that the developer cannot obtain approval from the adjacent property owners, the new wall may be constructed with a decorative cap to be placed between the new and existing walls.

Any new block walls constructed along the Twintree Avenue property line shall maintain a 5-foot setback from the property line.

At no time shall a block wall be placed within 9 feet from the Harbor Boulevard property line.

Any block wall located adjacent to a driveway shall ensure that the appropriate line-of-sight is maintained as determined by the Public Work Department, Engineering Division.

The Community and Economic Development Director may authorize minor modifications to the required wall heights and setbacks set forth above to accommodate permitted differences between submitted development plans and the project plans. Notwithstanding the foregoing, the block wall on the westerly and northwesterly property lines shall comply with all standards required by the mitigation measures and project design features identified in the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program adopted in conjunction with approval of Planned Unit Development No. PUD-141-01(A).

M. Signs and Graphic Standards

All signage, including sign type and allowable sign area, shall be in accordance with Chapter 9.20 of Title 9 of the Municipal Code as allowed by the C-1 zone.

The total allowable sign area shall be calculated per Chapter 9.20.060.B of Title 9 of the Municipal Code. Signs may be mounted flush with the wall surface or perpendicular to the wall (blade sign).

Freestanding signs shall comply with the Overlay Design Standards for the International West Resort Area per Section 9.20.045 of the Municipal Code.

A sign program that governs all site signage, inclusive of wall signage, common area signage, freestanding signs, and directional signs, is required. The sign program shall be approved by the Community and Economic Development Director, or his or her designee, prior to occupancy of the site and shall remain in effect for duration of the project. All changes to the approved sign program shall be approved by the Community and Economic Development Director, or his or her designee.

All common area signs, directional signs, and kiosk type signs shall be uniform in lettering, material, and coloring.

N. Utilities

All utility lines shall be underground or placed in locations as to be concealed from view. This includes gas and electrical lines and conduit, Cable TV, and telephone lines and conduit, and any other utility or service lines, including water pipes for domestic use and fire sprinkler systems.

O. Storage and Refuse Collection

All staging and storage areas for the hotel and hotel uses shall be provided within the hotel's loading area. No outside storage area shall be provided, nor shall there be any outside storage of goods or merchandise at any time. Designated staging areas (loading/unloading) for general deliveries of goods sold on the site may be created, but these staging areas shall not block or hinder vehicle or pedestrian traffic or restrict emergency vehicles or emergency access.

Refuse storage and collection areas shall be provided and subject to both Garden Grove Sanitation District (GGSD) and GGSD contracted solid waste handler/hauler approval, and be subject to applicable building and fire codes.

P. Environmental Mitigation Measures

The overall development and subsequent occupancy and operation of the site shall be subject to those environmental mitigation measures identified in the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Site B2 Hotel Project, adopted in conjunction with Planned Unit Development No. PUD-101-01(A), and which are summarized in Exhibit "A" attached hereto.

Q. Covenants, Conditions, and Restrictions (CC&R's)

If the project site is subdivided to create separate units of ownership within this Planned Unit Development sub-area, Covenants, Conditions, and Restrictions or a similar legal document ("Declaration") approved by the City Attorney and the City Manager, or his or her designee, which governs the maintenance, use, operation, and development of the entire site, shall be recorded prior to or concurrently with recordation of the subdivision map. Minimum required provisions of such Declaration shall be included in the Conditions of Approval of the subdivision map, if applicable, and shall include or address the following in a form acceptable to the City:

- The development provisions and development standards for Planned Unit Development No. PUD-141-01(A) and/or any subsequent amendments to such provisions or standards;
- All PUD Performance Standards and conditions of approval to approved land use permits for the project;
- All applicable CEQA mitigation measures applicable to the project;
- All applicable provisions required to be contained in a "declaration" or similar document required to be recorded pursuant to the disposition and development agreement governing the property;
- Covenants and provisions requiring and providing for maintenance of all buildings, amenities, sidewalks, drive aisles, lighting, landscaping, and other

improvements on the site and applicable portions of the public right-of-way according to established standards;

- Reciprocal easements for ingress, egress, parking, utilities, and drainage benefitting the various land uses and property interests on the site;
- Easements permitting and addressing any contemplated encroachments or permitted construction across lot/parcel lines;
- Provisions for the deterrence and/or abatement of graffiti vandalism consistent with best management practices approved by the City;
- Provisions ensuring tenants and property owners a means of contacting persons responsible for site maintenance, repairs, trash pick-up, and other related matters for developments of this type;
- Provisions expressly and assigning and allocating responsibility and funding and performance of the continued operation and maintenance of the site, improvements on the site, and all required water quality best management practices;
- Provisions acceptable to the City regarding property owners' and/or the property owners' association's responsibilities for compliance with all applicable water quality laws and regulations.
- A provision or provisions giving the City the right, but not the obligation, to enforce provisions of the Declaration, Planned Unit Development provisions, and related land use permit approvals by any legal or equitable means; authorizing the City to levy special assessments against the properties in connection with its actions to enforce such provisions; and providing that the City shall be entitled to recover its attorneys fees incurred in connection with its actions to enforce such provisions.
- A provision permitting entry by police and fire personnel upon common areas and/or portions of the site held open to the public for the purpose of enforcing state and local laws; and
- A provision or provisions prohibiting termination or substantial amendment of the Declaration without prior written approval of the City.

R. Absence of Provisions and Standards

Any matters pertaining to the development or occupancy or operation of the subject site that is not listed or expressly provided for herein shall be subject to the provisions and development standards of the City's Municipal Code, inclusive. This would include, but not be limited to, undergrounding all existing and new utilities serving the site, complying with all Building, Fire, and Development Codes, and paying all related fees, bonds, and other associated costs.

Except as otherwise expressly provided herein, all development within the sub-area shall be subject to approval of a subdivision map, site plan, and/or other land use permits, as applicable, in accordance with Chapter 9.32 of the Garden Grove Municipal Code. Any required reservation of land, dedication or right-of-way, payment of development impact fees, easement(s), and/or site improvement work in the public right-of-way shall be properly addressed in the permit approval process and made a condition of approval of such permit(s), as applicable.

In order to fulfill the purpose and intent of Planned Unit Development No. PUD-141-01(A), the Performance Standards attached hereto as Exhibit "B" shall apply as conditions to the approval of any future hotel resort development, including any ancillary buildings, uses, and/or subdivision of property covered by this Planned Unit Development. The performance standards shall be applicable to the future development of the site, including the initial construction drawings, plan check review, during construction, after completion of the project, and for the life of the development. To the extent not inconsistent with the purpose, intent, and specific standards and requirements of this Planned Unit Development No. PUD-141-01(A), the Community and Economic Development Director may authorize minor modifications to the Performance Standards. This Section shall not be interpreted to in any way to limit the authority of the City to impose additional conditions of approval pursuant to subsequent project-specific City approvals.

ATTEST:

/s/ JUDITH MOORE
RECORDING SECRETARY

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 July 7, 2022, by the following vote:

AYES: COMMISSIONERS: (7) ARESTEGUI, CUNNINGHAM, LEHMAN,
LINDSAY, 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 July 28, 2022.

EXHIBIT "B"

PERFORMANCE STANDARDS

Planned Unit Development No. PUD-141-01(A)

The following performance standards shall apply as conditions of approval to any future hotel resort development and/or subdivision of property covered by this Planned Unit Development:

1. The term "applicant," as referenced herein, shall refer to both the developer, tenant/business operators and the property owners, including subsequent purchasers and/or tenants of the project. The applicant and subsequent owner/operators of such business shall adhere to the performance standards for the life of the project, regardless of property ownership. Any changes of the performance standards require approval by the hearing body.
2. All performance standards shall be implemented at the applicant's expense, except where specified in the individual performance standards.
3. All mitigation measures that are part of the Mitigated Negative Declaration that was adopted in conjunction with approval of Planned Unit Development No. PUD-141-01(A) shall be implemented.
4. The project is subject to the Mitigation Monitoring and Reporting Program adopted by the City Council as part of the Mitigated Negative Declaration adopted by the City in conjunction with Planned Unit Development No. PUD-141-01(A). In order to assist the City to verify that all required project mitigation measures and project design features are complied with in a timely manner, a project-specific mitigation-monitoring program for monitoring all applicable project-related mitigation measures shall be prepared by the developer/applicant and approved by the Planning Services Division prior to issuance of building permits. Said mitigation monitoring program shall be implemented during project construction through completion. The developer shall provide the City with a quarterly report demonstrating adherence to all mitigation measures. Said person shall provide a report to the City when requested.
5. The project shall comply with the following project design features (PDF) identified in the Mitigated Negative Declaration:

Construction PDFs

- | | |
|-------|--|
| PDF-1 | Prior to starting construction, the project applicant shall submit a Construction Management Plan to the City of Garden Grove that specifies how all construction design features will be implemented. |
|-------|--|

- PDF-2 The project applicant must follow the standard South Coast Air Quality Management District (SCAQMD) rules (Rule 403) and requirements applicable to fugitive dust control, which include, but are not limited to the following:
1. All active construction areas shall be watered two (2) times daily.
 2. Speed on unpaved roads shall be reduced to less than 15 miles per hour (mph).
 3. Any visible dirt deposition on any public roadway shall be swept or washed at the site access points within 30 minutes.
 4. Any onsite stockpiles of debris, dirt or other dusty material shall be covered or watered twice daily.
 5. All operations on any unpaved surface shall be suspended if winds exceed 15 mph.
 6. Access points shall be washed or swept daily.
 7. Construction sites shall be sandbagged for erosion control.
 8. Apply nontoxic chemical soil stabilizers according the manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more).
 9. Cover all trucks hauling dirt, sand, soil, or other loose materials, and maintain at least 2 feet of freeboard space in accordance with the requirements of California Vehicle Code (CVC) section 23114.
 10. Pave or provide construction access roads at least 100 feet onto the site from the main road and use gravel aprons at truck exits.
 11. Replace the ground cover of disturbed areas as quickly possible.
- PDF-3 All diesel construction equipment should have Tier 4 low emission "clean diesel" engines (OEM or retrofit) that include

diesel oxidation catalysts and diesel particulate filters that meet the latest California Air Resources Board (CARB) best available control technology.

- PDF-4 Construction equipment should be maintained in proper tune.
- PDF-5 All construction vehicles should be prohibited from excessive idling. Excessive idling is defined as five (5) minutes or longer.
- PDF-6 Minimize the simultaneous operation of multiple construction equipment units, to the maximum extent feasible.
- PDF-7 The use of heavy construction equipment and earthmoving activity should be suspended during Air Alerts when the Air Quality Index reaches the "Unhealthy" level.
- PDF-8 Establish an electricity supply to the construction site and use electric powered equipment instead of diesel-powered equipment or generators, where feasible.
- PDF-9 Establish staging areas for the construction equipment that as far from adjacent residential homes, as feasible.
- PDF-10 Use haul trucks with on-road engines instead of off-road engines for onsite hauling.

Operational PDFs

- PDF-11 The project should comply with the mandatory requirements of the latest California Building Standards Code, Title 24, Part 6 (Energy Code) and Part 11 (California Green Building Standards Code [CALGreen]), including the provisions for bicycle parking, electric vehicle charging stations, energy efficiency, material conservation, and water/waste reduction.
- PDF-12 Install signage at loading docks requiring trucks to limit engine idling times to 5 minutes or less.
- PDF-13 The project applicant must install an eight (8) foot high masonry block noise barrier wall along the western and northwestern property line. The property line wall will be constructed using masonry block and the barrier's weight must be at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the

project site. All gaps (except for weep holes) must be filled with grout or caulking to avoid flanking.

PDF-14 All central plant heating, ventilation, and air conditioning (HVAC) equipment, mechanical pumps and pool equipment must be fully enclosed inside the building structure.

PDF-15 The hotel themed pool attraction and outdoor pool deck operation will be open only during daytime hours (7:00 a.m. – 10:00 p.m.).

PDF-16 A minimum eight (8) foot high noise barrier shielding wall should be installed and maintained along all sides of the perimeter of the outdoor patio and pool deck area on level six (6) to shield noise associated with pool activities. The barrier's weight should be at least 3.5 pounds per square foot of face area without decorative cutouts or line-of-site openings between the shielded areas and the project site. All gaps (except for weep holes) should be filled with grout or caulking to avoid flanking. Noise control barrier may be constructed using one, or any combination of the following materials:

- Masonry block
- Stucco veneer over wood framing (or foam core), or 1-inch thick tongue and groove wood of sufficient weight per square foot; and/or
- Transparent glass (5/8 inch thick), acrylic, polycarbonate, or other transparent material with sufficient weight per square foot.

PDF-17 The project should provide one row of vegetation along the north, west, and south sides of the interior pool deck wall on level six (6) by planting evergreen trees/shrubs. A dense vegetation barrier can help provide some sound absorption and visual screening to further help reduce noise levels impacting the adjacent residential homes surrounding the project site. Vegetation should be at least as high as the wall (8 feet).

PDF-18 Outdoor speakers on the pool deck must be predominantly located and concealed within the landscape. All outdoor speakers must be located not greater than eight (8) feet high above the pool deck and directed inwards towards the pool or lazy river area.

- PDF-19 The project access on Twintree Avenue must be restricted to emergency access, maintenance vehicles, trash, and delivery trucks only. All employee and guest access to the project site, including tourist buses and shuttles, must be via Harbor Boulevard.
- PDF-20 Delivery, loading/unloading activity, and trash pick-up hours shall be limited to daytime hours (7:00 a.m. – 10:00 p.m.) only, per the requirements of Garden Grove Municipal Code Section 8.47.060(I). Signage should be posted in the designated loading areas reflecting these hour restrictions.
- PDF-21 Engine idling time for all delivery vehicles and trucks must be limited to 5 minutes or less. Signage should be posted in the designated loading areas reflecting the idling restrictions.
- PDF-22 A 4-foot high noise shielding wall must be installed on the perimeter of each floor of the parking structure facing the residential neighborhood to the west, north and south.
- PDF-23 The drive aisle surfaces within the parking structure must have a textured finish or treatment that helps minimize tire squeal.
- PDF-24 The exterior façade of the parking structure must include louvered or perforated wall paneling to help conceal parking structure activities and reduce noise levels. Paneling should cover the entire upper portions of the parking structure openings of each floor facing the west, north and south.
- PDF-25 The project must comply with the California Title 24 Sound Transmissions requirements for exterior walls, roofs, and common separating assemblies (e.g., floor/ceiling assemblies and demising walls).
- a. Walls, partitions, and floor-ceiling assemblies separating sleeping units from each other or from public or service areas shall have a sound transmission class (STC) of not less than 50, or not less than 45 if field tested.
 - b. Floor-ceiling assemblies between sleeping units shall have an impact insulation class (IIC) rating of not less than 50, or not less than 45 if field tested.
 - c. Interior noise levels due to exterior sources shall not exceed a community noise equivalent level (CNEL) or a

day-night level (LDN) of 45 A-weighted decibel (dBA), in any habitable room.

PDF-26 For proper acoustical performance, the project must utilize standard building practices to ensure all exterior windows, doors, and sliding glass doors have a positive seal and leaks/cracks are kept to a minimum.

6. In order to verify compliance with the applicable project mitigation measures, project design features, development standards, and performance standards, the developer shall submit a full set of construction plans to the Community and Economic Development Department for review prior to plan check submittal. The plans shall include a dimensioned and detailed site plan, a floor plan, elevations, a landscaping plan, and a lighting plan, each of which complies with all the appropriate requirements.

Public Works Engineering Division

The following provisions of the Public Works Engineering Division shall be complied with:

7. The applicant shall receive approval of a subdivision map (Tentative Tract Map) in order to reconfigure the project site prior to submitting any type of construction plans to the City of Garden Grove.
8. The project main entrance shall be aligned with the future hotel development project (Site C) across Harbor Boulevard per approved traffic study. The applicant shall coordinate with the Engineering Division to obtain approved street improvement plans and signal/stripping plans. Unless otherwise agreed in writing by the City and approved by the City Council, as recommended in the Site "B2" Hotel Traffic Impact Study prepared for the Project by RK Engineering Group, Inc., dated April 27, 2022 ("Traffic Study"), the applicant shall make a fair-share contribution to the costs to install a traffic signal at the project main entrance. Provided the Site C project at the northeast corner of Harbor Boulevard and Twintree Lane is developed and the traffic signal installed prior to construction of the subject project, the applicant's fair share contribution shall be fifty percent (50%) of the total cost to design, purchase, and install the traffic signal, as reasonably determined by the City Engineer. As stated in the Traffic Study, in the event the Site C project does not get developed and the traffic signal has not been installed prior to application of building permits for the subject project, then, unless otherwise agreed in writing by the City and approved by the City Council, the applicant shall be fully responsible to pay for the entire costs of signal installation, not just a fair share. The applicant's contribution towards the cost of this traffic signal shall be paid to the City prior to the issuance of building permits.

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9. As recommended in the Traffic Study, unless otherwise agreed in writing by the City and approved by the City Council, the applicant shall make a fair-share contribution to the costs to install and modify the traffic signal at the intersection of Harbor Boulevard and Twintree Lane. Provided the Site C project at the northeast corner of Harbor Boulevard and Twintree Lane is developed and the traffic signal installed prior to construction of the subject project, the applicant's fair share contribution shall be fifty percent (50%) of the total cost to design, purchase, and install the traffic signal, as reasonably determined by the City Engineer. As stated in the Traffic Study, in the event the Site C project does not get developed and the modified traffic signal has not been installed prior to application of building permits for the subject project, then, unless otherwise agreed in writing by the City and approved by the City Council, the applicant shall be fully responsible to pay for the entire costs of modified signal installation, not just a fair share. The applicant's contribution towards the cost of this traffic signal shall be paid to the City prior to the issuance of building permits.
10. The applicant shall meet and confer and negotiate in good faith with the City to reach an agreement or agreements that address design and installation, limitations, maintenance obligations, and the respective responsibilities of the applicant and the City regarding Project-related improvements that are constructed in or encroach into the public right-of way, including, but not limited to, signal modification or full signal installation at the main entrance on Harbor Boulevard, if necessary, signal modification at the intersection of Harbor Boulevard and Twintree Avenue, if necessary, decorative pavers, landscaping, median improvements, irrigation and other improvements. Public street improvements shall be protected from water infiltration and migration by impervious barriers where pervious BMP's are installed. (TGD – INF-3) Such agreements shall be consistent with the provisions of Planned Unit Development No. PUD-141-01(A), applicable Project conditions of approval, and other agreements entered into by the City regarding the Project.
11. The applicant shall be responsible for maintaining the new landscape and irrigation improvements in the public right-of-way adjacent to the Project boundaries for a period of five (5) years following the issuance of a certificate of occupancy for the Project. All plant materials and irrigation systems installed by the applicant shall be maintained for a period of five consecutive years. All plants that show signs of failure to grow at any time during the life of the 5-Year Landscape Maintenance Period, or those plants so injured or damaged as to render them unsuitable for the purpose intended, as determined by the City Engineer, shall be immediately replaced in kind at the expense of the developer or contractor. The applicant shall prepare and execute an enforceable agreement memorializing the foregoing obligations, in

a form approved by the City Manager, prior to the issuance of any building permit for the Project.

12. The applicant shall coordinate with the Engineering Division to confirm the ultimate width and location of the right-of-way from the street centerline to the parkway limit and corner cut-off at intersections as required by the City General Plan. If needed, the applicant shall dedicate right-of-way and corner cut-off from the existing right-of-way line fronting the project to the ultimate right-of-way for future ultimate street improvements. Applicant shall record said easement in a format conforming to City policy guidelines under the approval authority of the City Engineer and City Attorney. The applicant shall submit to the Engineering Division an updated title report along with copies of the recorded instruments listed in the title report, as well as reference maps and exhibits used to prepare the legal description. Dedication exhibits shall include closure calculations along with a detailed plat for review and approval of the street dedication exhibits by the City Engineer.
13. All vehicular access drives to the site shall be provided in locations approved by the City Traffic Engineer. (Policies and Procedures – TE-17)
14. Any new drive approaches to the site shall be constructed in accordance with Garden Grove Standard B-120 as they conform to land use and roadway designation.
15. Median Design and Opening Spacing shall be in accordance with City's Traffic Policy & Procedures TE-11.
16. Raised Median Design shall be in accordance with City's Traffic Policy & Procedures TE-64 and City's Standard B-128 and B-132.
17. Turning Template shall be in accordance with City's Traffic Policy & Procedures TE-14.
18. Driveway Opening Policy shall be in accordance with City's Traffic Policy & Procedures TE-8.
19. Sight Distance Standards shall be in accordance with City's Traffic Policy & Procedures TE-13.
20. Median Nose Flare Designs shall be in accordance with City's Traffic Policy & Procedures TE-36.
21. Private Property Tow Away Sign Design shall be in accordance with City's Traffic Policy & Procedures TE-19.

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22. No Parking Fire Lane Sign Design shall be in accordance with City's Traffic Policy & Procedures TE-20.
23. Parking lot layout shall be in accordance with City Standard B-311 & B-312.
24. The applicant shall comply with the following improvements and recommendations of the approved Traffic Study:
 - a. The applicant shall coordinate with the City of Anaheim to determine if the project is required to make a fair-share contribution to extend the left-turn capacity up to 266 feet of Harbor Boulevard/Orangewood Avenue.
 - b. Unless otherwise agreed in writing by the City and approved by the City Council, the applicant is responsible for full cost to extend the southbound left-turn capacity up to 169 feet at the intersection of West Street/Chapman Avenue.
 - c. Unless otherwise agreed in writing by the City and approved by the City Council, the applicant shall be responsible to pay full cost to extend the eastbound left-turn capacity up to 105 feet at the intersection of Harbor Boulevard/Lampson Avenue.
 - d. Unless otherwise agreed in writing by the City and approved by the City Council, the applicant shall be responsible to pay full cost to extend the northbound left-turn capacity up to 133 feet at the intersection of Haster Street/Lampson Avenue.
 - e. Unless otherwise agreed in writing by the City and approved by the City Council, the applicant shall be responsible to pay full cost to extend the southbound left-turn capacity up to 381 feet at the intersection of Harbor Boulevard/Trask Avenue.
 - f. The applicant shall improve the walkability and design of the project by providing pedestrian and bicycling connections within the project site and to adjacent off-site facilities (i.e., sidewalk, crosswalk, wayfinding signage, etc.).
 - g. The applicant shall provide traffic calming measures (i.e., marked crosswalk, raised crosswalk, raised intersections, count-down signal timers, curb extensions, speed tables, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers, etc.).

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- h. The applicant shall provide secure on-site bicycle racks and provide bicycle rentals for hotel guests.
- i. The applicant shall provide transit/shuttle service for guests to local area attractions. The shuttle service shall operate on a regular basis and be offered to all guests staying at the hotel.
- j. Hotel management/concierge shall provide information that promotes walking, bicycling and public transit options to nearby attractions. This should include information on local bus routes and schedules, and wayfinding, to the existing transit stops along Harbor Boulevard.
- k. The applicant shall ensure adequate radius is provided for appropriate vehicles (fire trucks, buses, limousines, trash trucks, etc.) to navigate the project access and roundabout.
- l. The project shall provide adequate drive aisle and lane widths.
- m. Parking spaces should not be located near or within the roundabout. If absolutely necessary, the spaces near the roundabout should be valet-operated and used for long-term parking. In any case, adequate clearance and space should be provided for vehicles navigating the roundabout.
- n. The entrance roundabout should be designed appropriately and per engineering standards for roundabouts, including geometric elements such as Center Island, travel lanes, deflections and inscribed circles. Appropriate design needs to be considered and implemented for all appropriate modes of transportation including pedestrian and bicycles.
- o. The applicant shall provide appropriate and adequate wayfinding and signage for drivers to easily navigate the entrance and exit.
- p. During times of high activity for the project and/or the adjacent Sheraton Hotel, the applicant shall provide adequate valet staff and means to ensure traffic does not spill back onto the roundabout or Harbor Boulevard and impede the flow of vehicles.
- q. Prior to final circulation design, the applicant shall provide detail plans, including drive aisle dimensions and roundabout details, for review by a registered traffic engineer.

Building and Safety Division Services Division

The following provisions of the Community and Economic Development Building and Safety Division shall be met:

25. The project shall comply with the latest requirements of the California Building Code (CBC), the California Green Building Code, the California Energy Standards, Fire Code, and all California Model Codes.

Orange County Fire Authority (OCFA)

The following provisions of the Orange County Fire Authority be met:

26. The applicant shall comply with all applicable Orange County Fire Authority (OCFA) requirements, including, but not limited to, the High-Rise Building provisions of the California Fire Code, California Building Code, and OCFA Guidelines and Fire Master Plan.
27. Prior to submitting plans to the City of Garden Grove for plan check review, the applicant shall coordinate with OCFA for review of preliminary plans to ensure that the plans are designed to address all applicable code requirements.
28. An Architect of Record shall be hired for this project. The Architect of Record shall develop detailed preliminary plans that comply with all applicable codes.
29. The preliminary plans shall include a site plan that demonstrates compliance with OCFA Guideline for Fire Master Plans. The fire lane may not go under any portion of the structure and the locations necessary for laddering to the roof deck shall be located 20 to 40 feet from the building. The fire access roadway may not be on the adjacent property unless the owner of that property grants the City of Garden Grove an emergency access easement for the purpose of emergency access to the hotel property.
30. A Fire Protection Engineer (FPE) of Record shall be hired for this project. The FPE shall review the preliminary plans, which will be drawn by the Architect of Record, and shall determine if there are any design problems that may prevent fire life-safety systems from being designed and installed in a code compliant way. The FPE shall also determine the type of smoke-control system that will be most appropriate for this project and confirm that a smoke control system design will be feasible, given the challenges, which are unique to this project.
31. The applicant shall provide a Water Availability Form signed by a representative of the local purveyor to demonstrate if the existing water

supply meets or exceeds the fire-flow requirement. When the information described above is complete, OCFA will be able to provide traditional project conditions, to replace these preliminary conditions, including a comprehensive list of the plan types that will be required to be submitted to OCFA for this project, and when each plan type must be submitted. A grading permit should not be issued prior to OCFA's approval of a Fire Master Plan.

Planning Services Division

The following provisions of the Community and Economic Development Planning Services Division shall be met:

32. The operation of the hotel shall comply with the performance standards of Planned Unit Development No. PUD-141-01(A), the project design features, and mitigation measures adopted for PUD-141-01(A). This includes complying with all provisions of Alcoholic Beverage Control Act. In addition, this provision also governs the entertainment venues, the ballroom and meeting space, restaurants, and the indoor/outdoor areas. In regard to specific activities within the hotel's entertainment venues, the ballroom/meeting space, and hotel amenity, and pool deck areas, regardless of the type of event conducted, no event or activity shall at any time be or become a nuisance, disturbance or, or cause complaints for hotel guests or occupants of the surrounding area/properties, or in any way endanger the public health, safety, or welfare.
33. The applicant shall apply for and receive approval of Conditional Use Permits for the sale of alcoholic beverages within the hotel, hotel restaurants, and ballroom/meeting space.
34. The applicant shall prepare a reciprocal access easement agreement, covenant agreement, or similar deed restriction (an "REA") for review and approval by the Community and Economic Development Director and City Attorney, which provides for reciprocal access between the project site and the adjacent hotel property to the north (12221 Harbor Boulevard). The applicant shall record the REA and provide City with a copy of the recorded REA prior to the issuance of building permits.
35. If any required parking spaces that serve the adjacent hotel development, the Sheraton Hotel at 12221 Harbor Boulevard, are removed to accommodate the proposed project, the applicant shall ensure that the parking spaces are relocated and placed on the adjacent hotel project site to continue to serve the existing hotel. The Community and Economic Development Department shall review and approval the location of all new parking spaces.

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36. The vehicular access on Twintree Avenue shall be restricted for emergency access, maintenance vehicle access, and trash and delivery trucks access only. All employees and guests shall access the project site, including tourist buses and shuttles, from the Harbor Boulevard access.
37. The driveways on Harbor Boulevard and Twintree Avenue shall be designed with enhanced concrete treatment. All details of the decorative entry shall be submitted on the required landscape plans for review and approval of the Community and Economic Development Department.
38. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the City's Planning Services Division. Lighting adjacent to residential properties shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all drive aisles and entrances to the development per City standards for street lighting. Lighting in the common areas shall be directed, positioned, or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences. The applicant shall also submit a site specific light and glare study for review and approval by Community and Economic Development Department prior to issuance of building permit.
39. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust), which includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, the use of methanol, natural gas, propane, or butane vehicles instead of gasoline or diesel powered equipment, where feasible, the use of solar or low-emission water heaters, and the use of low-sodium parking lot lights, to ensure compliance with Title 24.
40. During construction, if paleontological or archaeological resources are found, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with applicable law. In the event that fossil specimens or cultural resources are encountered on the site during construction and cannot be preserved in place, the applicant shall contact and retain, at applicant's expense, a qualified paleontologist or archaeologist, as applicable, acceptable to the City to evaluate and determine appropriate treatment for the specimen or resource, and work in the vicinity of the discovery shall halt until appropriate assessment and treatment of the specimen or resource is determined by the paleontologist or archeologist (work can continue elsewhere on the project site). Any mitigation, monitoring, collection, and specimen/resource treatment measures recommended by the paleontologist/archaeologist shall be implemented by the applicant at its own cost.

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41. The applicant shall comply with the Migratory Bird Treaty Act (MBTA), and Sections 3503, 3503.5 and 3515 of the California Fish and Game Code, which require the protection of active nests of all bird species, prior to the removal of any on-site landscaping, including the removal of existing trees.
42. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning the Project, including, but not limited to, Planned Unit Development No. PUD-141-01(A), the associated Mitigation Monitoring and Reporting Program for the Project, and/or any land use permit approved by the City to facilitate development of the Project. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including, but not limited, to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

RESOLUTION NO. 6045-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE CONTINGENTLY APPROVING SITE PLAN NO. SP-107-2022 TO REDEVELOP THE SITE B2 PROJECT SITE WITH THE NICKELODEON HOTEL RESORT ON PROPERTIES LOCATED AT THE NORTHWEST CORNER OF HARBOR BOULEVARD AND TWINTREE AVENUE, EAST OF TAMERLANE DRIVE, AT 12241, 12261, 12271, 12291, 12311 AND 12323/12321 HARBOR BOULEVARD, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, AND 12321 THACKERY DRIVE, ASSESSOR'S PARCEL NOS. 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17,18, 19, 20, 21, 22, 23, AND 24.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on July 7, 2022, does hereby approve Site Plan No. SP-107-2022 for land located at the northwest corner of Harbor Boulevard and Twintree Avenue, east of Tamerlane Drive, at 12241, 12261, 12271, 12291, 12311 and 12323/12321 Harbor Boulevard, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, and 12321 Thackery Drive, Assessor's Parcel Nos. 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17,18, 19, 20, 21, 22, 23, and 24 (collectively, the "Project"), subject to and contingent upon the effectiveness of a resolution approving Street Vacation No. SV-002-2022 and an ordinance approving Planned Unit Development No. PUD-141-01(A) by the Garden Grove City Council.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-107-2022, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Kam Sang Company (the "Applicant").
2. The applicant is requesting Site Plan approval to authorize the construction of a full-service, high-rise hotel resort with hotel program entertainment, pool deck, ballroom/meeting space, and food and beverage (restaurant) opportunities on a 3.72-acre site. The proposed project will consist of a 500-room hotel resort with a themed pool experience with a lazy river and a pool slide; event space with a 600-seat theater; 17,715 square feet of ballroom/meeting space at; 22,296 square feet of hotel restaurant; 5,480 square feet of retail; themed amenities totaling 13,238 square feet; a 7,000 square foot arcade; a spa and fitness center at 8,532 square feet; a five-level parking structure with 528 parking spaces; and related site improvements.
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, Tit. 14, 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 incorporation of the proposed mitigation measures cannot, or will not, have a significant effect on

the environment. The Mitigated Negative Declaration was prepared and circulated in accordance with CEQA and CEQA's implementing guidelines. Pursuant to Resolution No. 6044-22, adopted July 7, 2022, the Planning Commission recommends that the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project.

4. The Project site has a General Plan Land Use designation of International West Mixed Use. A PUD amendment is being processed in conjunction with Site Plan No. SP-107-2022 to create a sub-area PUD, PUD-141-01(A), to establish development standards to facilitate the development of the proposed hotel. The Project site is 3.72-acres and is comprised of nineteen (19) parcels, as well as Thackery Drive and a public alley. The project site is currently vacant and unimproved. Thackery Drive and the public alley are proposed to be vacated by the City Council under Street Vacation No. SV-002-2022 and integrated into the Project site.
5. Existing land use, zoning, and General Plan designations of property in 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 July 7, 2022, and all interested persons were given an opportunity to be heard.
8. Concurrently with adoption of this Resolution, on July 7, 2022, the Planning Commission adopted Resolution No. 6044-22 recommending that Garden Grove City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve Planned Unit Development No. PUD-141-01(A) to facilitate the development of the proposed hotel resort, and Resolution No. 6046-22 finding and reporting to City Council that Street Vacation No. SV-002-2022 for the vacation of Thackery Drive, and a public alley, is consistent with the City's General Plan. The facts and findings set forth in Planning Commission Resolution Nos. 6044-22 and 6046-22 are hereby incorporated into this Resolution by reference.
9. The Planning Commission gave due and careful consideration to the matter during its meeting of July 7, 2022, 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, are as follows:

FACTS:

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

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

The project site is comprised of nineteen (19) parcels, including Thackery Drive and a public alley, which are proposed to be vacated by the City Council under Street Vacation No. SV-002-2022 and integrated into the development. The General Plan Land Use designation of the Site was changed to International West Mixed Use in 2008 pursuant to City Council Resolution No. 8851-08. Thirteen of the existing parcels within the Project site are currently zoned PUD-141-01, which was adopted in 2002 to facilitate the development of two hotels. Six (6) of the existing vacant parcels are still technically designated as zoned R-1; however, this zoning is inconsistent with the International West Mixed Use Land Use Designation, and single-family residential uses could not legally be established on these parcels.

The project site is referred to as the Site B2 Project. The subject properties were acquired by the former Garden Grove Redevelopment Agency and the City of Garden Grove to facilitate the development of a hotel resort. The developer entered into an Exclusive Negotiation Agreement (ENA) with the City of Garden Grove, and the parties are currently negotiating a disposition and development agreement ("DDA") to facilitate development of the project site with the Nickelodeon Hotel Resort.

The applicant proposes to develop the project site with a Nickelodeon hotel resort. The proposed project will consist of a 500-room hotel resort with a themed pool experience with a lazy river and a pool slide; event space with a 600-seat theater; 17,715 square feet of ballroom/meeting space; 22,296 square feet of hotel restaurant; 5,480 square feet of retail; themed amenities totaling 13,238 square feet; a 7,000 square-foot arcade; a spa and fitness center at 8,532 square feet; a five-level parking structure with 528 parking spaces; and related site improvements.

Planned Unit Development No. PUD-141-01(A), which is being processed in conjunction with this request, will establish a sub-area PUD over the entire project site, PUD-141-01(A), and will establish development standards to facilitate the development of the proposed hotel resort.

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 Project is located in the City's Grove District Anaheim Resort Area, which is the City's entertainment and tourism resort area. The Project site has a General Plan Land Use Designation of the International West Mixed Use, and PUD-141-01(A) to establish development standards to facilitate development of the Project is being processed in conjunction with this Site Plan request.

The International West Mixed Use land use designation is intended to promote resort, entertainment, retail, restaurants, and hotels along Harbor Boulevard. PUD-141-01(A) will establish development standards for the entire Project site that will facilitate the development of the proposed hotel. The proposed PUD will establish development standards that will regulate the number of hotel rooms, building height, building setbacks, landscaping, permitted uses, required parking, site circulation and access, signage, utilities, storage and refuse collection, and environmental mitigation measures. The proposed Project has been designed to comply with the development standards of PUD-141-01(A).

In addition, the proposed Project is consistent with the goals and policies of the General Plan Land Use Element, the Community Design Element, and the Economic Development Element, including:

- (a) *Policy LU-1.4 to encourage a wide variety of retail and commercial uses, such as restaurant and cultural arts/entertainment, in appropriate locations AND Policy LU-6.2 to encourage a mix of retail and commercial services along major corridors and in centers to meet the community needs.*

The proposed Project is located in the City's resort tourism district, the Grove District Anaheim Resort Area, which encourages restaurants, retail, entertainment and hotel uses along Harbor Boulevard. The proposed Project will introduce a new hotel resort, Nickelodeon Hotel Resort. The proposed hotel resort will feature 500 hotel rooms with themed hotel amenities, including a themed pool deck with a lazy river

and a pool slide; a 600-seat theater (Nick studio), and themed entertainment venues (Studio Hall and Nick Arcade). The hotel resort will also include restaurants (food and beverage) and event space (ballroom and meeting space). The proposed Project will expand and enhance the hospitality services currently available in the City's resort area by introducing a new hotel resort with unique hotel amenities that will attract local and regional visitors.

- (b) *Policy LU-1.5 to encourage active and inviting pedestrian-friendly street environments that include a variety of uses within commercial and mixed-use areas.*

The proposed Project is located in the City's resort area, which is developed with hotels, restaurants, and retail uses that are conveniently located within walking distance of one another. The proposed Project will enhance the City's resort area and will continue to encourage pedestrian activity and a pedestrian-friendly street environment. The Project will provide landscaping and a decorative public sidewalk pattern that is specific to the resort area. The landscape pattern will liven the streetscape to encourage pedestrian activity within the resort area. The landscape pattern along Harbor Boulevard, including the public right-of-way, will include a double row of palm trees and canopy trees with up-lighting, shrubs, and ground cover that will create an inviting environment for pedestrians.

- (c) *Goal LU-4 that seeks to develop uses that are compatible with one another AND Policy LU 4.5 that requires that commercial developments adjoining residential uses be adequately screened and buffered from residential areas.*

The proposed Project is located in the City's resort area, and is developed with hotels, restaurants, and other commercial uses. The project directly abuts the Sheraton Hotel to the north, and directly abuts residential uses to the northwest and west. The proposed Project will be compatible with the existing hotel developments in the resort district. The hotel will offer hotel themed amenities that are unique to the Nickelodeon hotel brand, including a themed pool with a lazy river and a pool slide, a 600-seat theater (Nick Studio), and entertainment venues, including Studio Hall and a Kid's Lounge. The proposed Project will incorporate specific mitigation measures and project design features to minimize impacts to the adjacent residential uses from noise generated from the hotel, including from the parking structure and the pool deck. Implementation of the mitigation measures and project design features will ensure that the adjacent

residential uses are adequately screened and buffered from the proposed hotel use.

- (d) *Goal LU-9 Creation of tourism and entertainment-related destination area that will benefit all residents, businesses, and visitors AND Policy LU-9.6 Locate tourist or entertainment related uses with adequate access to freeways or major arterials to encourage both local and regional patronage.*

The proposed Project is located in the City's resort tourism district, the Grove District Anaheim Resort Area, which is a tourist destination that encourages restaurants, retail, entertainment, and hotel uses. The proposed Project will introduce a themed hotel resort that will cater to residents, businesses, and visitors alike. The proposed Project will introduce unique hotel resort amenities that will appeal to residents and the general public. The proposed Project will introduce new employment opportunities to the local community. The proposed Project is located on Harbor Boulevard, which is a major arterial that connects to the State Route (SR) 22 and the I-5 Freeways, and that also connects to other major City arterial streets that intersect with Harbor Boulevard, such as Chapman Avenue, Garden Grove Boulevard, Trask Avenue, and Westminster Avenue. The proposed hotel resort is conveniently accessed by major arterial streets and freeways, which serve to provide convenient access to the project site to local and regional visitors.

- (e) *Policy CD-7.1 Encourage future development and redevelopment projects to reinforce district scale, identity, and urban form.*

The existing hotels located in the Grove District Anaheim Resort vary in design, massing, and building height with each hotel brand incorporating its own unique architectural design. Similarly, the proposed hotel will feature a contemporary architecture design that compliments and reflects the Nickelodeon brand. The intent of the project is to create a themed resort environment through enhanced architectural elements that integrate with the intent and vision of the resort district.

- (f) *Policy ED-1.1 Continue to encourage the development and expansion of hotel facilities in key corridors of the City (i.e., Harbor Boulevard)*

The proposed Project will further facilitate the development and expansion of the Grove District Anaheim Resort through the construction of a new, 500-room, themed hotel resort. The proposed Project will develop nineteen (19) existing parcels that are currently

vacant and unimproved, including a public street and alley that will be vacated, with a hotel resort that will offer themed amenities, event space, restaurants, and entertainment. The proposed Project will enhance the City's resort area and expand the hospitality services available in the area.

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 will be accessed from an existing vehicular entrance located on Harbor Boulevard that currently serves the Sheraton Hotel. This vehicular entrance will be modified to accommodate the necessary lanes for vehicle ingress and egress. The Harbor Boulevard entrance is designed to align with the proposed main entrance of the future Site C hotel resort, and will be signalized. The proposed Project will continue to be served by an existing right-turn lane (southbound on Harbor Boulevard) and a left-turn lane (northbound Harbor Boulevard) that currently serves the Sheraton Hotel property. The Harbor Boulevard entrance will serve as the main entrance to the project site for all guests, visitors, and hotel employees. Tourist buses and shuttle buses will also use the Harbor Boulevard entrance for access. The Project will provide a secondary vehicular entrance on Twintree Avenue that will be restricted for use by emergency vehicles, maintenance vehicles, and for trash and delivery trucks only. Vehicles entering and exiting the site from Twintree Avenue will be limited to left turn-out and right turn-in to minimize traffic impacts to the adjacent residential neighborhood.

The proposed Project will provide an internal vehicular circulation system designed to comply with the City's minimum drive-aisle standards, that accommodates two-way traffic, and that provides appropriate access for trash trucks and emergency vehicles. The Project includes two (2) roundabouts that will be designed to provide adequate clearance for all vehicles. The proposed Project will provide on-site sidewalks that originate from the public right-of-way that allow for pedestrian access to the Project site.

The parking for the Project will be provided within a five-level parking structure (four levels above-grade and one level below-grade) with a total of 528 parking spaces. A Shared Parking Study was prepared to estimate the parking demand for the Project to ensure that sufficient on-site parking is provided at all times to accommodate the hotel's uses. A Shared Parking Study is an appropriate analysis to determine the required parking for the Project since the project is a hotel resort with compatible and complimentary land uses that lend themselves to shared parking since patrons will utilize more than one use in the same trip.

The Shared Parking Study determined that the peak parking demand for the Project is estimated at 471 parking spaces during the weekday at 8:00 p.m., and 480 parking spaces during the weekend at 9:00 p.m. Therefore, the Project is required to provide a total of 480 parking spaces. The proposed Project will provide a total of 528 parking spaces, which is sufficient to accommodate the proposed peak parking demand of 480 parking spaces.

In addition, a Traffic Study was prepared for the Project that reviewed the Project's traffic and circulation, and the appropriate mitigation measures and circulation recommendations have been incorporated to minimize impact to off-site and on-site facilities.

The City's Traffic Engineering Section has reviewed the proposed Project, and the appropriate conditions of approval have been incorporated to minimize any adverse impacts to surrounding streets.

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

The streets in the area will be adequate to accommodate the development once the developer provides the necessary improvements for the project. Utilities and drainage channels in the area are existing and are adequate to accommodate the development. The proposed development will provide landscaping and proper grading of the site, thereby, improving drainage in the area.

The City's Public Works Department has reviewed the proposed project, and all appropriate conditions of approval and mitigation measures have been incorporated to 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 proposed Project will not adversely impact the Public Works Department's ability to perform its required function. The City's Public Works Department has reviewed the project, and has incorporated all the appropriate conditions of approval and mitigation measures to minimize any adverse impacts.

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

The Project is located in the City's Grove District Anaheim Resort, which is designated as a resort destination that encourages hotels, restaurants, and entertainment uses. The resort area is improved with existing hotels, restaurants, and retail uses. The proposed Project will be compatible with

the existing hotel developments in the area, and will expand and enhance the hospitality services currently available in the resort district. The building elevations will be designed to reflect the Nickelodeon hotel brand, and will include architectural elements that are unique to the hotel brand. The Project will provide landscaping and a decorative sidewalk pattern that is specific to the resort area intended to create a lively streetscape and an attractive environment. The landscape treatment along Harbor Boulevard will include a double row of palm trees and canopy trees with up-lighting, shrubs, and ground cover. The proposed Project, including the building architecture and landscaping, will be compatible and compliment other hotel developments in the resort area. Therefore, the Project will have a reasonable degree of physical, functional, and visual compatibility with the characteristics of the resort area.

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 Project will revitalize existing vacant and unimproved properties located in the City's Grove District Anaheim Resort with a vibrant and attractive hotel resort development. The hotel will feature a contemporary architectural design that will incorporate elements that are unique to the Nickelodeon brand, including enhanced articulation, detailing, and varied building massing. The placement and design of the hotel building allows for appropriate outdoor hotel amenities and landscaping to be accommodated. The hotel will include a pool deck with a lazy river and a pool slide that will enhance the experience of hotel guests. The Project will provide landscaping along Harbor Boulevard and Twintree Avenue that is compatible with the resort area landscape pattern that will create a lively streetscape and an attractive environment for visitors and guests. The landscape treatment along Harbor Boulevard will include a double row of palm trees and canopy trees with up-lighting, shrubs, and ground cover, along with a decorative public sidewalk pattern.

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 and in Resolution Nos. 6044-22 and 6046-22.

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 Sections No. 9.32.030.D.3 (Site Plan).

- Adopted this 7th day of July 2022

/s/ JOHN RAMIREZ
CHAIR

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

| | | | |
|-------|----------------|-----|--|
| AYES: | COMMISSIONERS: | (7) | ARESTEGUI, CUNNINGHAM, LEHMAN, LINDSAY, PEREZ, RAMIREZ, SOEFFNER |
| NOES: | COMMISSIONERS: | (0) | NONE |

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 July 28, 2022.

EXHIBIT "A"

Site Plan No. SP-107-2022

12241, 12261, 12271, 12291, 12311 and 12323/12321 Harbor Boulevard
12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291,
12311, and 12321 Thackery Drive.

CONDITIONS OF APPROVAL

GENERAL CONDITIONS

1. Each owner of the property shall execute, and the applicant shall record against the property, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval" as prepared by the City Attorney's Office, on the property. Proof of such recordation is required prior to issuance of building permits.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, Kam Sang Company, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Except as otherwise expressly provided herein, any changes to the Conditions of Approval require approval by the applicable hearing body
3. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.
4. Approval of this Site Plan shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code and Planned Unit Development No. PUD-141-01(A) shall apply.
5. Except as expressly specified herein, Site Plan No. SP-107-2022 shall be subject to all Performance Standards applicable to Planned Unit Development No. PUD-141-01(A) ("PUD Performance Standards"), which are hereby incorporated into these Conditions of Approval by this reference. These Conditions of Approval are intended to supplement the PUD Performance Standards. In the event any actual or perceived conflict between any PUD Performance Standard and more specific provisions of these Conditions of Approval, the more specific provisions of these Conditions of Approval shall apply. The City's Community and Economic Development Director is

authorized to make interpretations of these Conditions of Approval and to resolve any such actual or perceived conflicts.

6. Minor modifications to the Site Plan and/or these Conditions of Approval, which do not materially change the scope or intensity of the project and which will not result in new significant impacts that have not previously been addressed, may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body. Any significant changes to setbacks, building heights, or building locations shall require preparation and City approval of a new shade and shadow study.
7. The applicant shall, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning the Project, including, without limitation, Site Plan No. SP-107-2022 and the associated Mitigation Monitoring and Reporting Program for the Project. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall pay any adverse financial award, which may issue against the City, including but not limited to any award of attorney fees to a party challenging such Project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.
8. The applicant shall design the Project to comply with all mitigation measures and project design features specified in the Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program. In order to verify compliance with all applicable project mitigation measures and design features, these Conditions of Approval, and the PUD Performance Standards, the applicant shall submit plans to the city prior to plan check submittal as described in PUD Performance Standard No. 6.

Public Works Engineering Division

Project Design

9. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit per the requirements of the Orange County Health Department and the mitigation requirements of governing regulatory requirements. The report shall make recommendations for foundations and pavement structural section design of interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and the implementation of water quality for stormwater run-off, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.
10. Prior to the issuance of any grading or building permits, the applicant shall submit to the City for review and approval a final design Water Quality Management Plan that:
 - a. Addresses required mitigation Site Design Best Management Practices (BMPs) based upon the latest Santa Ana Regional Water Quality Control Board (SARWQCB) Drainage Area Management Plan (DAMP) as identified in the geotechnical report recommendations and findings, including, but not limited to, infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas as required by the latest adopted County of Orange Technical Guidance Document (TGD).
 - b. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.
 - c. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
 - d. Incorporates structural and Treatment Control BMPs as defined in the DAMP.
 - e. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.

- f. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
 - g. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
 - h. Provides a hydrological analysis with scaled map as well as hydrologic and hydraulic calculations to size storm drains per the Orange County RDMD standards.
- 11. Parkway culverts shall be designed per City of Garden Grove Standard Plan B-209. Storm drain lateral pipe connections to City-maintained storm drains within City right-of-way shall be RCP with a minimum diameter of 18-inches.
- 12. Grading and Street improvement plans prepared by a registered Civil Engineer are required. As required under Section 107 of the California Building Code (CBC), the grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to 30'-0" outside the boundary, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan showing all existing utility facilities, easements and proposed utility facilities. All on-site improvements shall be tied by horizontal dimensional control to the property boundary as established by survey. A minimum uninterrupted 20-foot wide throat access to the site is required from the street for commercial projects and shall meet the requirements of the California Fire Code throughout the site. Vehicle maneuvering, as demonstrated by Auto Turn along private streets and access ways, shall be demonstrated on the grading plan. Street improvement plans shall conform to all format and design requirements of the City Standard Drawings & Specifications.
- 13. The applicant shall coordinate with Planning Services Division and the Orange County Fire Authority to identify proper emergency vehicle access to the site and shall provide the Engineering Division a copy of the approval letters upon first submittal of the grading and street improvement plans.
- 14. Prior to the issuance of the street improvement encroachment permit and grading permit, provide subdivision completion bonds for all work constructed under the street improvements and grading permit for review and approval by the City Engineer, City Attorney, and City Finance Department (Risk Management). Alternate forms of security may be considered, solely at the discretion of the City Engineer and with the concurrence of the City Attorney and City Finance Department (Risk Management)

15. Prior to issuance of a grading permit, the applicant shall design overhead street lighting within the frontage of the development in conformance with City specifications and the approval of the City's Lighting Administrator. Location of lighting poles shall be shown on all the improvement plans and grading plan.
16. The grading plan shall depict an accessibility route for the ADA pathway in conformance with the requirements of the Department of Justice standards, latest edition and section 1110A of the California Building Code.
17. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502 and State mandated commercial organic recycling laws, including AB 1826 and its implementing regulations, and any other applicable State recycling laws related to refuse, recyclables, and/or organics, i.e., AB 939, AB 341, SB 1383:
 - a. Paved with an impervious surface, designed not to allow run-on mixing of drainage from adjoining areas, designed to divert drainage from adjoining roofs and pavements to be directed around the area for trash roll-out, and screened or walled to prevent off-site transport of trash by water or wind.
 - b. Provide solid roof or awning to prevent direct precipitation into the enclosure.
 - c. Connection of trash area drains to the municipal storm drain system is prohibited. Drainage from the enclosure may be directed to a conforming grease or contaminant interceptor.
 - d. Potential conflicts with fire code access requirements and garbage pickup routing for access activities shall be considered in implementation of design and source control. See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information
 - e. The trash enclosure and containers shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures, and concrete aprons for roll-out areas.
 - f. Pursuant to state mandated commercial organic recycling law-AB 1826, the applicant is required to coordinate storage and removal of the organics waste with local recycling/trash company.
 - g. Pursuant to applicable state mandated laws, the applicant is required to contact and coordinate with the operations manager of the local

recycling/trash company (Republic Services, 800-700-8610) to ensure the trash enclosure includes the appropriate size and number of containers for the disposal of items such as, but may not limited to, municipal solid waste (MSW), recyclables, and organic green waste.

- h. Based on the amount of waste disposed, per week, the applicant shall coordinate with the local recycling/trash company to ensure the adequate frequency of trash pick-up is serviced to the site for municipal solid waste (MSW), recyclables, and organic green waste, including any other type of waste.
 - i. The applicant shall ensure large bulk items, intended for coordinated and scheduled pick-up by the local recycling/trash company, are not placed in areas that encroach into drive aisles, parking spaces, pedestrian pathways, or areas in the front of the property including areas public right-of-way (e.g., street, sidewalk), during and after construction. Any large bulk items shall be out of public vantage points.
 - j. The requirements for the trash enclosure and design criteria are bound and coordinated with the Water Quality Management Plan (WQMP), when required, as depicted on the project grading plan, which shall be incorporated into the WQMP by narrative description, exhibits and an Operation and Maintenance Plan (O&M).
 - k. Trash enclosure areas shall be of appropriate size and number in order to accommodate three (3) separate recycling containers according to the recycling regulations of AB 939, AB 341, AB 1826, and SB 1383.
18. Any new or required block walls and/or retaining walls shall be shown on the grading plans, both in plan-view and cross sections. Cross sections shall show vertical and horizontal relations of improvements (existing and proposed) on both sides of property lines. Required wall heights shall be measured vertically from the highest adjacent finished grade. Block walls shall be designed in accordance to City of Garden Grove Standard B-504, B-505, B-506 & B-508 or designed by a professional registered engineer. In addition, the following shall apply:
- a. The color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division prior to installation.
 - b. Openings for drainage through walls shall be shown in section details and approved by the City Engineer. Cross-lot drainage is not allowed.

19. The applicant shall remove any existing substandard driveway approaches, curbs, sidewalks, ADA ramps, pavement sections, tree well and landscaping, and construct Harbor Boulevard frontage improvements as identified below. Unless otherwise agreed in writing by the City and approved by the City Council, consistent with the provisions, performance standards, and limitations of Planned Unit Development No. PUD-141-01(A), all landscape, irrigation, sidewalk, signal modifications and lighting improvements installed within the public rights-of-way shall be maintained by the applicant and shall require the approval of the City Engineer, Street Division, and Planning Services Division.
 - a. A separate street improvement plan shall be prepared and submitted to the Engineering Division for the proposed improvements within the public right-of-way Harbor Boulevard/Twintree Avenue, which shall include any proposed landscaping and irrigation plans. All work shall be per City standards and specifications.
 - b. Existing substandard driveways (2 total) on Harbor Boulevard shall be removed and replaced with new curb, gutter, landscape, and sidewalk per City standards and specifications.
 - c. Construct curb and gutter when replacing any existing driveway approaches along the property frontage on Harbor Boulevard in accordance with City Standard Plan B-113 (Type C-8 Modified).
 - d. The applicant shall coordinate with Public Works Engineering Division to obtain direction on removal and replacement of any existing median or construction of new median improvements per City of Garden Grove Standard B-112 (Type A-8). The applicant shall design and construct median improvements consisting of a landscape/irrigation system fronting the project and completed to match existing median landscaping/irrigation to the other existing medians on Harbor Boulevard. The landscaping template will be provided to the applicant by Engineering Division.
 - e. Prior to occupancy, the applicant shall design and construct or modify existing raised island improvements at the main entrance on Harbor Boulevard to improve on site traffic circulation to be approved by the City Traffic Engineer.
 - f. Any further deviation from the approved traffic circles at the main entrance and in front of hotel lobby shall be approved by the City Traffic Engineer.

- g. The new modified driveway approach to the site on Harbor Boulevard shall be constructed in accordance with Garden Grove Standard B-120.
 - h. The applicant shall remove the existing sidewalk panels fronting the project on Harbor Boulevard and replace it decorative Alicante patterned sidewalk per City Standard Plan B-137 consistent with the existing sidewalk in the Harbor resort area, in a manner meeting the approval of the City Engineer. Said sidewalk shall be separated from the street curb by a five-foot landscaped area designed in a manner consistent with the existing landscaping within the resort area meeting the approval of the Planning Services Division Manager.
 - i. The applicant shall remove and replace the street pavement from the edge of the westerly gutter fronting the property on Harbor Boulevard to the edge of the existing median per City Standard B-101.
 - j. The new landscaping in the Harbor Boulevard public right-of-way shall be consistent with the existing landscape pattern of the resort to the north of the project site, and as approved by Planning Services Division.
 - k. The applicant shall locate all existing public utilities across the property frontage and within the property boundary of the project prior to commencement of grading operation and mobilization.
 - l. The applicant shall coordinate with the Planning Services Division and Public Works Street Division before placing any type of tree within public right-of-way and proposed landscape area.
 - m. Street signs shall be installed as required and approved by the City Traffic Engineer.
 - n. In addition to payment of fair share costs required pursuant to the Planned Unit Development Performance Standards, in the event the traffic signal at the main entrance to the Project has already been installed and modifications to the approved plans necessitate modifications to the installed traffic signal, the applicant shall be fully responsible to pay for the entire cost to design, purchase, and construct such modifications to the traffic signal, as reasonably determined by the City Engineer.
20. The applicant shall remove any existing substandard driveway approaches, curbs, sidewalks, ADA ramps, pavement sections, tree well and landscaping, and construct Twintree Avenue frontage improvements as identified below. All landscape, irrigation, sidewalk, signal modifications or full signal

installation, if necessary, and lighting improvements installed within the public rights-of-way, shall be maintained by the applicant and shall require the approval of the City Engineer, Street Division, and Planning Services Division.

- a. A separate street improvement plan shall be prepared and submitted to the Engineering Division for the proposed improvements within the public right-of-way on Twintree Avenue, which shall include any proposed landscaping and irrigation plans. All work shall be per City standards and specifications.
- b. Existing substandard driveways (3 total) on Twintree Avenue shall be removed and replaced with new curb, gutter, landscape, and sidewalk per City standards and specifications.
- c. The single new driveway approach to the site on Twintree Avenue shall be constructed in accordance with Garden Grove Standard B-121. Standard B-121 call for a minimum width of 30-feet for commercial projects, with any deviation from the standard to be approved by the City Traffic Engineer and detailed on the plan showing all modifications.
- d. The new driveway approach on Twintree Avenue shall be limited to left turn-out and right turn-in only access. The drive approach shall be designated in a manner to allow emergency vehicle access.
- e. The applicant shall remove all existing damaged sidewalk panels fronting the project on Twintree Avenue and replace it with new sidewalk panels in accordance with City of Garden Grove Standard B-106. The owner/contractor shall verify the removal and replacement sections of the sidewalk concrete panels with public works inspector prior to start of construction. Said sidewalk shall be separated from the street curb by a six-foot landscaped area designated in a manner meeting the approval of the Planning Services Division.
- f. The applicant shall construct curb and gutter when replacing any existing driveway approach along the property frontage on Twintree Avenue in accordance with City Standard Plan B-114 (Type D-6).
- g. One new wheelchair ramp and landing shall be constructed per latest Caltrans Standard Plan A88A at the northwest corner of Harbor Boulevard and Twintree Avenue.
- h. The applicant shall locate all existing public utilities across the property frontage and within the property boundary of the project prior to commencement of grading operation and mobilization.

- i. The applicant shall coordinate with the Planning Services Division and Public Works Street Division before placing any type of tree within public right-of-way and proposed landscape area.
 - j. Street signs shall be installed as required and approved by the City Traffic Engineer.
21. The width of all private streets with rolled curb & gutter shall be measured from the flowline to flowline of the gutter per City of Garden Grove Standard B-116. Catch basin and parkway drain standards shall be modified to match the design geometrics of rolled curb as required and approved by the City Engineer.
22. A minimum three-foot-by-three-foot-wide maneuvering area shall be provided at the end of a dead-end parking aisle serving more than five (5) consecutive stalls and shall consist of nine-foot-by-nineteen-foot-wide turnaround space.

Permit Issuance

23. The applicant shall be subject to Traffic Mitigation Fees, In-Lieu Park Fees Drainage Facilities Fees, Water Assessment Fees, and other applicable mitigation fees identified in Chapter 9.44 of the Garden Grove Municipal Code, along with all other applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.
24. A separate street permit is required for work performed within the public right-of-way.
25. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
26. The applicant shall identify a temporary parking site(s) for construction crew and construction trailers office staff prior to issuance of a grading permit. No construction parking is allowed on local streets. Construction vehicles should be parked off traveled roadways in a designated parking area. Parking areas, whether on-site or off-site, shall be included and covered by the erosion control and the Storm Water Pollution Prevention plan (SWPPP).
27. Prior to issuance of a grading permit, the applicant shall submit and obtain approval of a worksite traffic control plan for all the proposed improvements within public right-of-way, and shall be subject to the review and approval of the City Traffic Engineer.

28. In accordance to City of Garden Grove Municipal Code (Chapter 9.48.030), the applicant is required to underground all existing and proposed on-site and off-site utility facilities fronting the project which the developer is developing or redeveloping. All existing improvements and utilities shall be shown as part of the grading submittal package in the topography section.
29. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for City review on request. The assigned WDID number must appear on the cover sheet of the project grading plan.

Project Construction/Operation

30. The applicant shall coordinate with City's Public Works Department (Engineering, Water Services and Streets Division) and set-up appointments for pre-construction inspections for all the on-site and off-site improvements prior to commencement of grading operation and mobilization.
31. In accordance with the Orange County Storm Water Program manual, the applicant and/or its contractors shall provide dumpsters on-site during construction unless an Encroachment Permit is obtained for placement in street.
32. The applicant and its contractor shall be responsible for protecting all existing horizontal and vertical survey controls, monuments, ties (centerline and corner) and benchmarks located within the limits of the project. If any of the above require removal; relocation or resetting, the Contractor shall, prior to any construction work, and under the supervision of a California licensed Land Surveyor, establish sufficient temporary ties and benchmarks to enable the points to be reset after completion of construction. Any ties, monuments and bench marks disturbed during construction shall be reset per Orange County Surveyor Standards after construction. Applicant and its contractor shall also re-set the tie monuments where curb or curb ramps are removed and replaced or new ramps are installed. The Applicant and its contractor shall be liable for, at his expense, any resurvey required due to his negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls. Temporary Benchmarks shall not be used for

Vertical control. Benchmarks shall be to the National Geodetic Vertical Datum (NGVD).

33. Heavy construction truck traffic and hauling trips, and any required lane closures shall occur outside peak travel periods. Peak travel periods are considered to be from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.
34. Prior to grading or building permit closeout and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
 - a. Demonstrate that all structural best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
 - b. Demonstrate that the applicant is prepared to implement and maintain all non-structural BMPs described in the Project WQMP.
 - c. Demonstrate that an adequate number of copies of the approved Project WQMP are available on-site.
 - d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.
 - e. Identify responsible contractor and individuals for maintaining the new landscape and irrigation improvements for a period of five (5) years following the acceptance of the improvements by the City.

Building and Safety Division Services Division

35. All plans shall conform to the latest California (CA) Building Standards Code (CBC) at time of permit application.
36. The building shall be equipped with an automatic fire sprinkler system per CBC Chapter 9 and CA Fire Code.
37. A soil report complying with CBC Chapter 18 shall be required and shall be submitted for review at time of building permit application.
38. A Geo-technical peer review of the soil report shall be required, and shall be complete prior to building permit application.
39. Building commissioning shall be required per CA Energy Standards.
40. Exterior path-of-travels and interior accessible routes shall comply with CBC Chapter 11B.

41. All rooms/spaces/elements shall be on an accessible route per CBC Chapter 11B.
42. Fire rated construction shall comply with CBC Chapter 7.
43. The project shall comply with the CA Green Code.

Public Works Water Services Division

44. New water service installations 2-inch and smaller, shall be installed by the City of Garden Grove at owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted. Fire services and larger water services 3-inch and larger, shall be installed by developer/owner's contractor per City Standards.
45. Water meters shall be located within the City right-of-way or within dedicated waterline easement. Fire services and large water services 3-inch and larger, shall be installed by contractor with Class A or C-34 license, per City water standards and be inspected by approved Public Works inspection.
46. Domestic water and fire water shall tie into the existing 12-inch water main on Harbor Blvd.
47. If a looped water system is proposed, each point of connection to the City water main shall have a backflow prevention device per City standards.
48. Existing 6-inch water main and water services located in Thackery Drive shall be removed and 6" x 6" tee connection in the intersection of Thackery Drive and Twintree Avenue shall be abandoned per City Standards and Specifications.
49. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. Any carbonation dispensing equipment shall have a RPPD device. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross-connection inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD device.
50. It shall be the responsibility of owner/developer to abandon any existing private water well(s) per Orange County Health Department requirements.

Abandonment(s) shall be inspected by Orange County Health Department inspector after permits have been obtained.

51. A composite utility site plan shall be part of the water plan approval.
52. Water system on-site, not protected by backflow prevention device, shall be constructed per City Standards by developer and dedicated to the City. Bonding will be required.
53. There shall be a minimum 15-foot clearance of building footings from water main. Clearances less than 15 feet shall be reviewed and approved by Water Engineering.
54. There shall be no structures or utilities built, on or crossing, water or sewer main easements.
55. New utilities shall have a minimum 5-foot horizontal and a minimum 1-foot vertical clearance from water main and appurtenances.
56. There shall be a minimum clearance from sewer main and water main of 10 feet from outside-of-pipe to outside-of-pipe.
57. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
58. Any fire service and private fire hydrant lateral shall have above-ground backflow device with a double-check valve assembly. Device shall be tested immediately after installation and once a year thereafter by a certified backflow device tester and the results to be submitted to Public Works, Water Services Division. Device shall be on private property and is the responsibility of the property owner. The above-ground assembly shall be screened from public view as required by the Planning Division.
59. No permanent structures, trees or deep-rooted plants shall be placed over sewer main or water main.
60. Location and number of fire hydrants shall be as required by Water Services Division and the Orange County Fire Authority.
61. Commercial food use of any type shall require the installation of an approved grease interceptor prior to obtaining a business license. Plumbing plan for grease interceptor shall be routed to environmental services for review.
62. A properly-sized grease interceptor shall be installed on the sewer lateral and maintained by the property owner. There shall be a separate sanitary waste line that will connect to the sewer lateral downstream of the grease

interceptor. All other waste lines shall be drained through the grease interceptor. Grease interceptor shall be located outside of the building and accessible for routine maintenance. Owner shall maintain comprehensive grease interceptor maintenance records and shall make them available to the City of Garden Grove upon demand.

63. Food grinders (garbage disposal devices) are prohibited per Ordinance 6 of the Garden Grove Sanitary District Code of Regulations. Existing units are to be removed.
64. Owner shall install new sewer lateral with clean-out at right-of-way line. Lateral shall tie in to the 18-inch sewer main on Harbor Boulevard. Lateral in public right-of-way shall be 6-inch minimum diameter, extra strength VCP with wedgelock joints, and shall have a minimum 2% slope or minimum 2 ft/s (feet/second) velocity.
65. Existing 8-inch sewer mains and laterals on Thackery Drive and public alley shall be removed, and the connections to manholes on Twintree Avenue shall be plugged per City Standards and Specifications.
66. All perpendicular crossings of the sewer shall maintain a vertical separation of minimum 12-inch below the water main, outer-diameter to outer-diameter. All exceptions to the above require a variance from the State Water Resources Control Board.

Planning Services Division

67. The applicant shall submit detailed plans, showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department, Planning Services Division for review and approval prior to submitting plans into the Building and Safety Division Plan Check process. The project shall also be subject to the following:
 - a. All on-site and off-site utilities (off-site refers to the areas within public right-of-way to the center line of the streets adjacent to the subject property), within the perimeter of the site and to the centerline of the adjacent streets shall be installed or relocated underground.
 - b. Above-ground utility equipment (e.g., electrical, gas, telephone, cable TV) shall not be located in the street setbacks along Harbor Boulevard and Twintree Avenue, and shall be screened to the satisfaction of the Community and Economic Development Department.
 - c. No roof-mounted mechanical equipment, including but not limited to dish antennas, shall be permitted unless a method of screening

complementary to the architecture of the building is approved by the Community and Economic Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.

- d. All ground- or wall-mounted mechanical equipment shall be screened from view from any place on, or off, the site.
 - e. No exterior piping, plumbing, or mechanical ductwork shall be permitted on any exterior façade and/or be visible from any public right-of-way or adjoining property. Roof rain gutters are permitted. The rain gutters shall follow the natural architectural lines of the building.
68. All landscaping shall be consistent with the landscape requirements within the development standards set forth in Planned Unit Development No. PUD-141-01(A). The applicant shall submit a complete and detailed landscaping plan with irrigation systems included for review and approval by the Community and Economic Development Department prior to the issuance of a building permit. Drought tolerant plantings are encouraged. The landscape plan shall include the type (both common and botanical names), size, location, and quantity of all proposed plant material. All proposed landscaping shall be planted prior to the finalization of the building permit. The plan shall be consistent with the landscape requirements set forth and/or incorporated in the Garden Grove Municipal Code. All landscape irrigation shall comply with the City's Landscape Ordinance, associated Water Efficiency Guidelines and all recent applicable revisions from the State of California on water conservation measures shall be to the landscape plans. The landscape plan is also subject to the following:
- a. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaping areas shown on the plan. Subsurface systems are encouraged. The irrigation plan for any new trees shall have a deep-water irrigation system that shall be specified on the landscape plan. A detail of the deep-water irrigation system shall be provided for review. If sprinklers are used, they shall be low flow/precipitation sprinkler heads for water conservation.
 - b. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box, and sixty percent (60%) of the trees at 15-gallon, the remaining five percent (5%) may be of any size. These trees shall be incorporated into the

landscaped frontages of all streets. Where clinging vines are considered for covering walls, drought tolerant vines shall be used.

- c. Clinging vines shall be installed within the landscape planters along the perimeter block walls to deter graffiti.
- d. Trees planted within ten (10) feet of any public right-of-way shall be planted in a root barrier shield. All landscaping along street frontages adjacent to driveways shall be of the low-height variety to ensure safe sight clearance.
- e. Landscaping along Harbor Boulevard, including within the public-of-way, shall include two rows of Date Palm Trees (minimum brown trunk height of 25 feet), canopy trees (minimum 24-inch box), shrubs, and ground covers. Landscape materials shall match the landscape materials used within the project located at the southwest corner of Harbor Boulevard and Chapman Avenue unless the City adopts a landscape design for Harbor Boulevard. The Community and Economic Development Director may approve minor modifications to the foregoing standards as to height, size, and placement of the palm trees along Harbor Boulevard.
- f. Landscaping along Twintree Avenue, including within the public right-of-way shall include canopy trees (minimum 24-inch box), shrubs, and ground covers. Landscape materials shall match the landscape materials used along the Harbor Boulevard, and shall be properly maintained.
- g. Flexibility to the height of the palm trees, and their placement along Harbor Boulevard, shall be reviewed and approved by the Community and Economic Development Director.
- h. All landscape areas, including the areas located within the public right-of-way along Harbor Boulevard and Twintree Avenue, are the responsibility of the developer/operator of the hotel.
- i. The landscape plan shall incorporate and maintain for the life of the project those means and methods to address water run-off also identified as Low Impact Development provisions, in accordance with Chapter 6.40 of the Garden Grove Municipal Code, and the regulations and technical documents incorporated and required thereunder, including, but not limited to any application of Water Quality Management Plans (WQMP), Drainage Area Management Plans (DAMP) and any other water conservation measures applicable to this type of development.

- j. At the time of irrigation installation, the irrigation system shall comply with all applicable provisions of the City's Water Conservation Ordinance, the City's Municipal Code landscape provisions, and all applicable state regulations.
 - k. All above-ground utilities (e.g. water backflow devices, electrical transformers, irrigation equipment) shall be shown on the landscaping plan in order to ensure proper landscape screening will be provided.
69. Hours and days of construction and grading shall be as set forth in Chapter 8.47 of the City of Garden Grove Municipal Code, except as follows:
- a. Monday through Saturday - not before 7:00 a.m. and not after 8:00 p.m. (of the same day).
 - b. Sunday and Federal Holidays - may work same hours, but subject to noise restrictions as established in Chapter 8.47 of the Municipal Code.
70. There shall be no deliveries from or to the premises before 7:00 a.m. and after 10:00 p.m., seven days a week. Signage shall be posted in the designed loading areas reflecting these delivery hours.
71. The parking structure shall be designed to be architecturally compatible with the hotel's architectural design and shall integrate similar design features, details, and materials. The louvered or perforated wall paneling required as part of the project design feature shall be architecturally compatible and integrated with the design of the hotel building. All sides of a parking structure that are in view from adjacent properties and the public rights-of-way shall be architecturally enhanced. The parking structure shall be well illuminated, including having the interior of the parking garage painted a light color, and designed to meet City parking standards for drive-aisle width, stall sizes, and height clearances. The design of the parking structure stairwells shall architecturally match the design of the parking structure, and shall be designed to reduce visibility to the adjacent residential properties.
72. A minimum of 480 parking spaces are required to serve the Project at the full permitted build-out based on the proposed number of hotel rooms and proposed square footages of uses analyzed in the Shared Parking Study. In the event the applicant proposes to modify the number of hotel rooms or the square footages of the other proposed uses beyond those analyzed in the Shared Parking Study, or the applicant proposes to reduce the number of required parking spaces, a new shared parking analysis shall be prepared and approved by the City. The applicant shall implement the recommendations of

the Shared Parking Study and/or any subsequent shared parking analysis approved by the City.

73. The service and sale of alcoholic beverages within the hotel, hotel restaurants, and hotel ballroom/meeting rooms shall be subject to approval of a Conditional Use Permit.
74. Any new or required block walls and/or retaining wall(s) shall be shown on the grading plans. Block walls shall be developed to City Standards or designed by a Registered Engineer and shall be measured from on-site finished grade. The applicant shall provide the following:
 - a. All block walls constructed on the project site shall be of slump stone or split-face block with decorative caps, subject to Community and Economic Development Department's approval, shall maintain a maximum height of 8-feet as measured from the property's finished grade.
 - b. An eight-foot high block wall shall be constructed along the northwest and western property lines, adjacent to the residential properties. The block wall located adjacent to the Twintree Avenue driveway entrance shall comply with the vehicular line-of-sight clearances designed to the satisfaction of the City's Traffic Engineer.
 - c. Any new block walls constructed along the Twintree Avenue property line (southern property line) shall maintain a five-foot setback from the property line.
 - d. At no time shall a wall be placed within nine-feet from the property line.
 - e. The applicant shall work with adjacent property owners in designing and constructing the required perimeter block wall to avoid having double walls, and to minimize any impact that it might cause to the existing landscaping on the neighbor's side as much as possible. The perimeter block wall shall be constructed and situated entirely within the subject property. In the event that the applicant cannot obtain approval from the adjacent property owners, the applicant shall construct the new wall with a decorative cap to be placed between the new and existing walls. In the event the location of a new wall adjacent to an existing wall or fence has the potential to affect the landscape planter, then the Developer shall work with City Staff to address this situation.
 - f. The Community and Economic Development Director may authorize minor modifications to the required wall heights and setbacks set forth

above as authorized pursuant to the Ordinance approving Planned Unit Development No. PUD-141-01(A). Notwithstanding the foregoing, with exception of the block wall on the westerly or northwesterly property line shall comply with all standards required as by mitigation measures pursuant to the mitigated negative declaration and identified in the mitigation monitoring program.

75. Building color and material samples shall be submitted to the Planning Services Division for review and approval prior to issuance of building permits. All buildings shall incorporate decorative design features, architectural enhancements, and other design elements that are designed to the satisfaction of the Community and Economic Development Department.
76. The developer shall comply with all provisions of the Community and Economic Development Department including, but not limited to, the following:
 - a. The facades of the hotel shall be designed with sound attenuation features including the use of dual pane windows and limiting, when possible, the use of windows and vents. These features shall be approved by the Community and Economic Development Department prior to the issuance of building permits.
 - b. Prior to the finalization of working drawings, the developer shall submit to the Community and Economic Development Department detailed and dimensioned plot plans, floor plans, exterior elevations, and landscape plans which reflect the above conditions of approval, including mitigation measures and project design features of the Mitigated Negative Declaration of PUD-141-01(A). The plans shall indicate cross sections of all streets within the development, landscape materials, wall materials, and building materials proposed for the project. Each unit shall have phone jacks and cable-TV outlets in all hotel rooms. Mechanical equipment, including air conditioning units, pool equipment, sump pump, etc., shall not be located closer than five feet of any side or rear property line and shall not be located in the front landscape setback. Air conditioning units and all other mechanical shall be completely screened from public view from the street and/or common open space area.
 - c. Should the developer elect to build the project in more than one phase, then a phasing plan shall be submitted to the Community and Economic Development Department prior to issuance of building permits. The phasing plan shall include, but not be limited to, a site plan showing the phasing areas, protection of finished units, and protection for related safety issues concerning pedestrians and non-construction vehicles. The perimeter improvements including

landscaping, walls, street improvements, and underground utilities, shall be completed in the first phase. The phasing plan shall be approved by the Community and Economic Development, OCFA, and Public Works Departments prior to issuance of building permits.

- d. If at any time after the construction of the hotels, the City receives complaints about the light and glare reflected by the hotel's windows, the developer/operator shall remedy the situation to the reasonable satisfaction of the Community and Economic Development Department.

77. The project shall comply with the following refuse storage requirements:

- a. The refuse storage and collection areas shall be provided and subject to both Garden Grove Sanitation District (GGSD), and GGSD contracted solid waste handler/hauler approval, and be subject to applicable building and fire codes.
- b. The refuse storage and collection areas shall be designed to comply with the City's B-502 trash enclosure standard, or with an alternative design approved by the Public Works Engineering Division.
- c. The refuse storage areas shall be properly maintained. The refuse storage enclosure doors shall be kept closed and secured, except during trash disposal or pickup. Trash pickups and automated parking lot cleaning/sweeping, shall occur between the hours of 8:00 a.m. and 6:00 p.m. The applicant shall provide sufficient trash bins and pickups to accommodate the site.
- d. The refuse storage area shall have a unifying color and exterior finish that matches, and are integrated, with the proposed development. The proposed roof design of the trash enclosure shall be architecturally compatible with the design of the development. The Planning Services Division shall review and approve the design of the proposed roof and the material(s). The proposed roof and materials shall also comply with the building code requirements.

78. No satellite dish antennas shall be installed on said premises unless and until plans have been submitted to and approved by the Community and Economic Development Department, Planning Services Division, which may require proper screening to hide such appurtenances from public view.

79. All service doors shall be kept closed at all times during hours of operation except in case of emergency or to permit deliveries. Panic hardware on doors shall comply with all City Code requirements.
80. Litter shall be removed daily from the project site including adjacent public sidewalks and all parking areas under the control of the applicant. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
81. The applicant shall abate all graffiti vandalism within the premises. The applicant shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the applicant as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
82. The developer/owner shall submit signed letters acknowledging receipt of the decision for Site Plan No. SP-107-2022, and their agreement with all conditions of approval.
83. In accordance with Garden Grove Municipal Code Sections 9.32.160 and 9.40.070.A, respectively, the rights granted pursuant to Site Plan No. SP-107-2022 shall be valid for a period of two years from the effective date of this approval. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of the Municipal Code, the rights conferred by Site Plan No. SP-107-2022 shall become null and void if the subject development and construction necessary and incidental thereto is not commenced within one (1) years of the expiration of the appeal period and thereafter diligently advanced until completion of the project. In the event construction of the project is commenced, but not diligently advanced until completion, the rights granted pursuant to Site Plan No. SP-107-2022 shall expire if the building permits for the project expire.

MINUTE EXCERPT

GARDEN GROVE PLANNING COMMISSION

PUBLIC HEARING – MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM/ PLANNED UNIT DEVELOPMENT NO. PUD-141-01(A), AND SITE PLAN NO. SP-107-2022 FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF TWINTREE AVENUE AND HARBOR BOULEVARD, EAST OF TAMERLANE DRIVE, COMPRISED OF THE FOLLOWING ADDRESSES – HARBOR BOULEVARD: 12241, 12261, 12271, 12291, 12311, 12323/12321; THACKERY DRIVE: 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, 12321. ASSESSOR PARCEL NUMBERS: 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24.

Applicant: KAM SANG COMPANY

Date: July 7, 2022

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

Action: Resolution Nos. 6044-22 (PUD) and 6045-22 (SP) were approved. Other than the applicant, four representatives from the Carpenters Union spoke in favor of the project citing the ability to live and work in the same area. One representative from Unite Here Local 11 submitted a letter and spoke in opposition to the project stating a residential project would better suit the community and have less of a carbon footprint. Also, one person noted that hotel TOT tax revenue would benefit the City and the carbon footprint would be less by using local workers.

Several letters were submitted with environmental comments related to CEQA. Amendments included:

For Site Plan No. SP-107-2022, a new sub-condition “n.” was added to Condition of Approval No. 19 to read:

- n. In addition to payment of fair share costs required pursuant to the Planned Unit Development Performance Standards, in the event the traffic signal at the main entrance to the Project has already been installed and modifications to the approved plans necessitate modifications to the installed traffic signal, the applicant shall be fully responsible to pay for the entire cost to design, purchase, and construct such modifications to the traffic signal, as reasonably determined by the City Engineer.

Two site addresses were modified:

- 11261 Harbor Boulevard was revised to 12261 Harbor Boulevard
- 12323 Harbor Boulevard was revised to 12323/12321 Harbor Boulevard

Motion: Lindsay Second: Arestegui

Ayes: (7) Arestegui, Cunningham, Lehman, Lindsay, Perez, Ramirez, Soeffner

Noes: (0) None