

RESOLUTION NO. 6057-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-122-2023 AND TENTATIVE PARCEL MAP NO. PM-2022-167 FOR PROPERTIES LOCATED ON THE SOUTHWEST CORNER OF LINCOLN WAY AND WESTERN AVENUE, AT 7390 LINCOLN WAY AND 7440 LINCOLN WAY, ASSESSOR'S PARCEL NOS. 131-021-36 AND 131-021-37.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on February 16, 2023, does hereby approve Site Plan No. SP-122-2023, and Tentative Parcel Map No. PM-2022-167, for land located on the southwest corner of Lincoln Way and Western Avenue, at 7390 Lincoln Way and 7440 Lincoln Way, Assessor's Parcel No. 131-021-36 and 131-021-37, subject to the Conditions of Approval attached hereto as "Exhibit A."

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-122-2023, and Tentative Parcel Map No. PM-2022-167, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Steve Hong of LHA Architects (the "Applicant"), with the authorization of the property owner, Scannell Properties #680, LLC.
2. The Applicant is requesting approval of a Tentative Parcel Map to consolidate two parcels located at 7390 Lincoln Way and 7440 Lincoln Way, identified as Assessor's Parcel Nos. 131-021-36 and 131-021-37 into a single parcel, and Site Plan approval to construct a new 88,164 square-foot shell industrial building following the demolition of a 76,500 square-foot building at 7390 Lincoln Way and a 29,950 square-foot building at 7440 Lincoln Way (collectively, the "Project").
3. The Planning Commission hereby determines that this project is categorically exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Section 15332, In-Fill Development Projects of the CEQA Guidelines (14 Cal. Code Regs., § 15332). The Project is consistent with the applicable General Plan designation and all general plan policies, as well as with the applicable zoning designation and regulations; the Project occurs within City limits on a project site of no more than five (5) acres substantially surrounded by urban uses; the Project is located on a site that has no value as habitat for endangered, rare, or threatened species; and approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.
4. The property has a General Plan Land Use designation of Industrial (I), and is currently zoned Planned Unit Development No. PUD-103-76 (REV. 2018). The

subject site is currently improved with two office buildings across two parcels, comprising 4.051 acres.

5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property have been reviewed.
6. Report submitted by City Staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on February 16, 2023, and interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting of February 16, 2023, and considered all oral and written testimony presented regarding the project.

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

FACTS:

The subject site is comprised of two (2) properties, across approximately 4.051 acres, located on the southwest corner of Lincoln Way and Western Avenue, at 7390 Lincoln Way and 7440 Lincoln Way. The site has a General Plan Land Use designation of Industrial (I), and is zoned Planned Unit Development No. PUD-103-76 (REV. 2018). The property at 7390 Lincoln Way (Assessor's Parcel No. 131-021-36), is currently improved with a 76,500 square-foot office building. The property at 7440 Lincoln Way (Assessor's Parcel No. 131-021-37), is currently improved with a 29,950 square-foot office building. The buildings at 7390 Lincoln Way, and 7440 Lincoln Way are occupied by laboratory and office professional uses, respectively. The subject site abuts PUD-103-76 (REV. 2018) zoned properties to the north, west, and south. To the east, across Western Avenue, the subject site is adjacent to industrial-type uses in the City of Stanton.

Now, the applicant is requesting to demolish both existing buildings at 7390 Lincoln Way and 7440 Lincoln Way. The requested Tentative Parcel Map will consolidate the two (2) properties into a single parcel. A new 88,164 gross square-foot shell industrial building will be constructed on the new parcel. The proposed Conditions of Approval require a reciprocal access agreement to be recorded along the western property line to maintain circulation and vehicular access for the subject property, and the adjoining property to the west (7330 Lincoln Way).

The building features a main entrance, fronting toward the intersection of Lincoln Way and Western Avenue. At the main entrance will be a 3,500 square-foot office area. Directly above that area is another 3,500 square-foot mezzanine office area.

The remaining 81,164 square feet of the building will consist of open floor area, intended for a warehouse/distribution type use.

Vehicle traffic can access the site via two (2) new driveways on Western Avenue, or via one (1) new driveways on Lincoln Way. A two-way drive aisle provides the vehicular circulation on-site, wrapping around the east, south, and west sides of the building, connecting the three (3) driveways, the truck docking area, and the parking area on the adjacent property to the west. A reciprocal access agreement is required to be recorded to preserve the vehicular access between the subject parcel, and the property to the west, at 7330 Lincoln Way.

Standard vehicular parking spaces are provided along the west, south, and east sides of the proposed building. According to the PUD-103-76 (REV. 2018) standards, the site requires forty-three (43) parking spaces. The subject site provides ninety (90) striped parking spaces. This is a surplus of forty-seven (47) spaces.

The subject PUD zone does not specify a minimum landscape area. The proposed site design will provide a total of approximately 15,715 square feet of landscaping on-site (8.9% of the overall site). The landscaping is provided in a variety of areas, including adjacent to the parking areas so as to limit their visual impacts. The on-site landscaping design will consist of a mixture of trees, shrubs, and groundcover.

PUD-103-76 (REV. 2018) requires a minimum eighteen-foot (18'-0") landscape planter, excluding any necessary vehicular or pedestrian access points, along all street frontages, as measured from the face of curb. Along Lincoln Way, a twenty-two-and-a-half-foot (22'-6") planter is provided. An eighteen-foot (18'-0") landscape planter is provided along Western Avenue. Additionally, one (1) tree must be provided for every thirty feet (30'-0") of interior property boundary. In the parking lot, a minimum of one (1) tree is required for every five (5) parking spaces. The proposed project complies with all landscaping requirements of the zone.

Characterized by a rectangular footprint, flat roof, and large, vertical metal siding accentuating the corners of the building, the building takes on a contemporary design. The building will be constructed in a tilt-up concrete style. Various scores in the concrete walls and various paint colors add visual intrigue. The main entrance in the corner of the buildings feature vertical windows and storefronts glazed in blue hues. Additional clerestory windows will be added along the east and north elevations, helping illuminate the interior of the building, and helping to add contrast against the concrete walls. The neutral color scheme consists of shades of white, grey, and blue colors, which contributes to the building's contemporary design. Window and door trim are all constructed of metal, trimmed black and white to add contrast.

To accommodate the proposed building, the two properties will be consolidated via a Parcel Map. Reciprocal access will be maintained between the resulting property, and the existing property to the west, at 7330 Lincoln Way. As a result of the parcel map, the consolidated property will ultimately total 4.051 acres. The new property meets the minimum 27,500 square-foot lot size required in PUD-103-76 (REV. 2018). Upon recordation of the approved Parcel Map, the new parcel will comply with the development standards pertaining to the PUD zone, General Plan, the City's Subdivision Ordinance, and the State's Subdivision Map Act.

FINDINGS AND REASONS:

Site Plan:

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

The General Plan Land Use Designation of the subject site is Industrial (I), which is intended to encourage general industrial uses, such as warehousing and distribution or business parks, and more intensive industrial uses, such as manufacturing, fabrication, assembly, processing, trucking, warehousing and distribution, and servicing. The PUD-103-76 (REV. 2018) zoning implements the General Plan, and is intended to provide for the safe operation of industrial uses, without pollution, noise, traffic, smell, radiation, and similar types of pollution or nuisance. Goals, policies, and implementation programs of the General Plan with which the proposed Project are consistent with include, but are not limited to, the following:

Goal LU-1: The City of Garden Grove is a well-planned community with sufficient land uses and intensities to meet the needs of anticipated growth and achieve the community's vision. The existing buildings were constructed in 1985 for office uses. In the years since, the demands for industrial-type buildings have changed. The new building would be used for warehouse and distribution uses. Additionally, the new building will accommodate new industry standards for industrial buildings with more truck bays, higher interior ceilings, and a large, open floor area. By accommodating current market demands, it helps the City to be a more economically viable destination for industrial uses into the foreseeable future.

Policy LU-2.4: Assure that the type and intensity of land use are consistent with those of the immediate neighborhood. The subject site abuts industrial uses in PUD-103-76 (REV. 2018) zoned properties to the north, west, and south. To the east, across Western Avenue, the subject site is adjacent to industrial-type uses in the City of Stanton. The proposed building will be used as a warehouse and distribution type industrial use. This use is compatible in both intensity and use with the surrounding industrial buildings.

Goal LU-4: *The City seeks to develop uses that are compatible with one another.* The proposed industrial building is located in an area with existing industrial and office uses. Various industrial uses, including manufacturing, distribution, and storage/warehousing facilities are found in the same zone, in the immediate vicinity of the subject site. Additionally, adjacent properties to the east, across Western Avenue, in the City of Stanton, also feature industrial uses. The siting of the proposed industrial use will continue the development patterns of the immediate surroundings.

Policy LU-4.4: *Avoid intrusion of non-residential uses incompatible with established residential neighborhoods.* The subject property is not directly adjacent to residential uses. The use of the property as a warehousing and/or distribution facility will not intrude on established residential neighborhoods. The design of the proposed building, however, has taken into account any impacts on the vicinity, and has therefore proposed landscaping and other visual screening methods to limit any impacts of the building. Additionally, the proposed Conditions of Approval will help ensure the project does not have undue impacts on the surrounding area.

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

Goal LU-7: *Industrial areas that contribute in terms of jobs and the economic impacts they provide.* The proposed building will replace two office buildings with a larger industrial building. The new building will add to the portfolio of industrial buildings on the City's western industrial area. This can help contribute in terms of jobs and the economic impacts they provide.

Policy LU-7.3: *Monitor the appearance of industrial properties to prevent areas of decline by requiring improved maintenance or rehabilitation, as necessary.* The proposed project will redevelop the entirety of the subject site. As a brand new construction, the project would rid the site of potential property maintenance issues involved with the existing buildings. Furthermore, the Conditions of Approval associated with the project will require the proper maintenance of the development, including, but not limited to, maintenance of landscaping, trash disposal, and graffiti abatement.

Policy CD-1.1: *Enhance the positive qualities that give residential, commercial, and industrial areas their unique identities, while also allowing flexibility for innovative design.* The new industrial building will be

constructed in a contemporary, tilt-up design. The new building, while still compatible with the surrounding area features a unique identity. A variety of colors, materials, and architectural features will help build visual intrigue.

Policy CD-7.1: *Encourage future development and redevelopment projects to reinforce district scale, identity, and urban form.* Whilst consolidating two properties to one, and constructing a new industrial building, the proposed project maintains consistent development patterns with its surroundings. The immediate vicinity includes a variety of industrial buildings and uses. The proposed buildings reinforces the scale, identity, and form of these adjacent buildings.

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

Vehicle traffic can access the site from either Lincoln Way or Western Avenue. A drive aisle provides the vehicular circulation on-site, wrapping around the east, south, and west sides of the building, and connecting the three (3) driveways and the truck docking area. The drive aisle also provides reciprocal access to the property directly to the west, at 7330 Lincoln way. Standard parking spaces are provided along the east, south, and west sides of the proposed building. The City's Engineering Division has reviewed the on- and off-site vehicle circulation, and has not raised any concerns with the project design.

A row of nine (9) truck bays will flank the western side of the building. The docking bays connect directly into the open floor area, toward the center of the building. Outside, a fenced-in truck turn-around and parking area is provided adjacent to the loading bays. The entrance to the trucking area will be provided from Lincoln Way, to the north, and also from Western Avenue to the east.

The design of the building will also provide new pedestrian access from Lincoln Way. Pedestrian access from Lincoln Way will pass through a landscaped area before reaching the main entrance of the building. A small plaza area is provided at the main entrance. This pedestrian access also connects to the accessible parking spaces in the parking lot.

Parking requirements from PUD-103-76 (REV. 2018) for "Warehouse and Distribution Industry" stipulate one (1) parking space is required per 1,000 square feet of gross floor area for the first 20,000 square feet. The second 20,000 square feet is parked at a ratio of one (1) parking space per 2,000 square feet. Any area exceeding 40,000 square feet is parked at a rate of one (1) space per 4,000 square feet. According to the Municipal Code,

incidental offices associated with the industrial use that do not exceed 30% of the gross floor area do not require additional parking.

The proposed building is approximately 88,164 gross square feet in size. Of that floor area, the office space totals approximately 7,000 square feet, or approximately 7.9% of the gross floor area. This does not exceed 30% of the gross floor area, and therefore does not require additional parking. In total, forty-three (43) parking spaces are required for the use. The first 20,000 square feet requires twenty (20) spaces, the next 20,000 square feet requires ten (10) spaces, and the remaining 48,164 square feet requires thirteen (13) spaces. In total, forty-three (43) parking spaces are required for the use. The subject site provides ninety (90) striped parking spaces, a surplus of forty-seven (47) spaces.

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

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

The streets in the area are adequate to accommodate the development. Existing utilities and drainage channels in the area are adequate to accommodate the development. The proposed development will install and maintain landscaping, allowing adequate drainage of stormwater. Landscaping will also be rehabilitated along the street frontages of both Lincoln Way and Western Avenue. A preliminary water quality management plan (WQMP) has been reviewed and approved by the Engineering Division. The Public Works Department has reviewed the project, and has incorporated all of the appropriate conditions of approval to minimize any adverse impacts.

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

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

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

The subject site abuts industrial and office uses in PUD-103-76 (REV. 2018) to the south, west, and north across Lincoln Way. Across Western Avenue, to the east of the subject properties, the site is adjacent to industrial uses in the City of Stanton.

The proposed project would redevelop a property currently occupied by office buildings. The proposed warehouse distribution building is compatible with the other uses in the area. Architecturally, the facility has been designed with facades to be aesthetically complimentary with the surrounding industrial buildings. A variety of colors, materials, and massing help create visual intrigue. Contemporary architectural styles are compatible with the nearby industrial uses.

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

The project has been designed in accordance with the development standards applicable to the subject PUD zone. The project meets all other Municipal Code development standards, such as, but not limited to: building setbacks, parking, and landscaping. The City's Community and Economic Development Department has reviewed the proposed project, and all appropriate conditions of approval have been incorporated to ensure physical, functional, and visual compatibility with the project's surroundings.

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

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

The new building will be situated toward the center of the new property, with setbacks of approximately twenty-foot-six-inches (20'-6") to the northerly property line along Lincoln Way, approximately one-hundred-seven feet (106'-8") to the westerly property line, approximately fifty-one feet (51'-2") to the southerly property line, and approximately sixty-nine (69'-7") to the easterly property line along Western Avenue. Landscape planters will be provided along the perimeter of the site to ensure adequate buffering of any potential noise and light/glare impacts. A total of approximately 15,715 square feet of landscaping will be provided on-site.

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

Tentative Parcel Map:

1. The proposed map is consistent with the General Plan.

The General Plan Land Use Designation of the proposed property is Industrial (I), which is intended to encourage general industrial uses, such as warehousing and distribution or business parks, and more intensive industrial uses, such manufacturing, fabrication, assembly, processing, trucking, warehousing and distribution, and servicing. The design and improvement resulting from the proposed map is consistent with the Industrial General Plan Land Use designation. The consolidation of a two (2) lots will allow for the proposed construction of an industrial warehouse. Warehousing and distribution type industrial uses are consistent with the intent of the General Plan. With the conditions of approval, the design and improvement of the subject site is consistent with the spirit and intent of the General Plan.

2. The design and improvement of the proposed subdivision is consistent with the General Plan.

The General Plan Land Use Designation of the proposed property is Industrial (I), which is intended to encourage general industrial uses, such as warehousing and distribution or business parks, and more intensive industrial uses, such manufacturing, fabrication, assembly, processing, trucking, warehousing and distribution, and servicing. The PUD-103-76 (REV. 2018) zoning implements the General Plan, and is intended to provide for the safe operation of industrial uses, without pollution, noise, traffic, smell, radiation, and similar types of pollution or nuisance. Goals, policies, and implementation programs of the General Plan with which the proposed Project are consistent with include, but are not limited to, the following:

Goal LU-1: *The City of Garden Grove is a well-planned community with sufficient land uses and intensities to meet the needs of anticipated growth and achieve the community's vision.* The existing buildings were constructed in 1985 for primarily office uses. In the years since, the demands for industrial-type buildings have changed. The new building, with the consolidated property would be used for warehouse and distribution uses. Additionally, the new building will accommodate new industry standards for industrial buildings with more truck bays, higher interior ceilings, and a large, open floor area. By accommodating current market demands, it helps the City to be a more economically viable destination for industrial uses into the

foreseeable future. The new industrial facility would not be feasible without the Tentative Parcel Map to consolidate the properties.

Policy LU-2.4: Assure that the type and intensity of land use are consistent with those of the immediate neighborhood. The subject site abuts industrial uses in PUD-103-76 (REV. 2018) zoned properties to the north, west, and south. To the east, across Western Avenue, the subject site is adjacent to industrial-type uses in the City of Stanton. The proposed building will be used as a warehouse and distribution type industrial use. This use is compatible in both intensity and use with the surrounding industrial buildings.

Policy LU-4.4: Avoid intrusion of non-residential uses incompatible with established residential neighborhoods. The subject property is not directly adjacent to residential uses. The proposed map, with the consolidated properties is consistent with the pattern of larger industrial properties in the immediate vicinity.

Goal LU-7: Industrial areas that contribute in terms of jobs and the economic impacts they provide. The proposed building will replace two office buildings with a larger industrial building. The new building will add to the portfolio of industrial buildings on the City's western industrial area. This can help contribute in terms of jobs and the economic impacts they provide. The larger industrial facility would not be feasible without the proposed map to consolidate the existing properties.

Policy LU-7.3: Monitor the appearance of industrial properties to prevent areas of decline by requiring improved maintenance or rehabilitation, as necessary. The proposed project will redevelop the entirety of the subject site. As a brand new construction, the project would rid the site of potential property maintenance issues involved with the existing buildings. The proposed map to consolidate the properties simplifies the maintenance responsibilities of the property owner by only requiring a single property to be maintained, instead of two separate properties.

Policy CD-7.1: Encourage future development and redevelopment projects to reinforce district scale, identity, and urban form. Whilst consolidating two properties to one, and constructing a new industrial building, the proposed project maintains consistent development patterns with its surroundings. The immediate vicinity includes a variety of industrial buildings and uses. The proposed map, with a single, larger property, is similar in size to the industrial properties adjacent to the project site.

3. The site is physically suitable for the proposed type of development and complies with the spirit and intent of the Municipal Code.

The PUD-103-76 (REV. 2018) zoning implements the General Plan, and is intended to provide for the safe operation of industrial uses, without pollution, noise, traffic, smell, radiation, and similar types of pollution or nuisance. Following the consolidation of the existing properties via the proposed parcel map, the site will be adequate in size and shape to accommodate the proposed industrial building. Industrial uses are allowed in the PUD-103-76 (REV. 2018) zone, and are consistent with the spirit and intent of the zoning designation. Additionally, the new parcel complies with the minimum lot size of 27,500 square feet, and all of the other development standards of Planned Unit Development No. PUD-103-76 (REV. 2018). The placement and size of the proposed building complies with the development standards of the PUD, including, but not limited to: setbacks, parking, lot coverage, and landscaping provisions.

4. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, and the requirements of the California Environmental Quality Act have been satisfied.

The proposed Project is exempt from the requirements of the California Environmental Quality Act under the Class 32 exemption. A project can qualify for a Class 32 exemption if the proposed project: is consistent with applicable General Plan designation and all general plan policies, as well as with applicable zoning designation and regulations; the proposed development occurs within City limits on a project site of no more than five (5) acres substantially surrounded by urban uses; the project site has no value as habitat for endangered, rare, or threatened species; the approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services (CEQA Guidelines §15332.).

The project is consistent with General Plan, and Planned Unit Development policies and regulations. The subject site is located fully within an urbanized area in the City, on a 4.051-acre site. The subject site was surveyed, and does not have any known habitat for endangered, threatened, or rare species of wildlife. Traffic, noise, air quality, and water quality studies have been prepared by licensed firms to study the impact of the proposed development, and no significant impacts have been identified. The traffic, noise, air quality, and water quality studies are appended to the Staff Report. Lastly, the Public Works Department has reviewed the proposed development, and found that it can be adequately served by all required utilities and public services.

Therefore, the project is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, and the requirements of CEQA have been satisfied.

5. The site is physically suitable for the proposed density of the development.

The proposed map will consolidate two (2) parcels into a single, 4.051-acre property. This exceeds the minimum lot size of 27,500 square feet of Planned Unit Development No. PUD-103-76 (REV. 2018). With the parcel consolidation, the project proposes the construction of a new 88,164 square-foot industrial building. This results in a lot coverage calculation of 48%, and a Floor Area Ratio (FAR) of 0.50. The proposed building complies with the development standards and regulations of the PUD zone, and General Plan Land Use Designation. The site can physically accommodate the intensity of development that is proposed.

6. The design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

All applicable City divisions have reviewed the proposed development and have applied conditions of approval to minimize against any potential negative impacts that the project may have on the community. The conditions of approval for on- and off-site improvements are intended to safeguard public health. As long as the conditions of approval are adhered to for the life of the project, the design of the proposed map, and all related site improvements, are not likely to cause serious public health problems.

7. The design of the project and the proposed improvements will not conflict with easements of record or easements established by court judgment acquired by the public at large for access through or use of property within the subdivision; or, if such easements exist, alternate easements for access or for use will be provided and these will be substantially equivalent to the ones previously acquired by the public.

The design of the proposed tentative parcel map and improvements will not conflict with easements of record, or easements established by court judgment acquired by the public at large for access through or use of property within the proposed subdivision. The project has been designed to avoid development over existing easements. Additionally, the project will maintain reciprocal access agreements to the property to the west (7330 Lincoln Way), ensuring vehicular access to the abutting property.

8. The design and improvement of the proposed subdivision are suitable for the uses proposed, and the subdivision can be developed in compliance with the applicable zoning regulations.

The consolidation of the two (2) lots will allow for the proposed construction of an industrial warehouse. The PUD-103-76 (REV. 2018) zoning implements the General Plan, and is intended to provide for the safe operation of

industrial uses, without pollution, noise, traffic, smell, radiation, and similar types of pollution or nuisance. Following the consolidation of the existing properties via the proposed tentative parcel map, the site will be adequate in size and shape to accommodate the proposed industrial building. Industrial uses are allowed in the PUD zone, and are consistent with the spirit and intent of the zoning designation. Additionally, the new parcel complies with the minimum lot size of 27,500 square feet, and all of the other development standards of Planned Unit Development No. PUD-103-76 (REV. 2018). The placement and size of the proposed building complies with the development standards of the PUD, including, but not limited to: setbacks, parking, lot coverage, and landscaping provisions.

9. The design of the subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

To the greatest extent feasible, the subject project has been designed in accordance with Government Code Section 66473.1. This includes opportunities to allow for passive or natural heating opportunities in the design, to encourage the orientation of structures to take advantage of shade and prevailing breezes, to allow solar access for passive heating, and opportunities for placement of shade trees and other vegetation for cooling.

10. The design, density, and configuration of the subdivision strike a balance between the effect of the subdivision on the housing needs of the region and public service needs. The character of the subdivision is compatible with the design of existing structures, and the lot sizes of the subdivision are substantially compatible with the lot sizes within the general area.

The two (2) existing parcels are currently developed with office buildings. The proposed Tentative Parcel Map will consolidate the properties, allowing for the development of a new industrial building. The proposed development complies with the regulations of the General Plan, State Subdivision Map Act, and the Planned Unit Development No. PUD-103-76 (REV. 2018) zone. This includes regulations pertaining to design, density, and configuration of the consolidated property and associated development. By replacing the existing buildings with an industrial building, there is no impact on the housing needs of the region.

11. The subject property is not located within a state responsibility area or a very high fire hazard severity zone, the proposed subdivision is served by local fire suppression services, and the proposed subdivision meets applicable design, location, and ingress-egress requirements.

The subject site is not in a state responsibility area, or a very-high fire hazard severity zone. The project will be served by all applicable local fire

suppression services. The new parcel and resulting development will meet all applicable design requirements of the City, and the Orange County Fire Authority (OCFA). The project will comply with all ingress and egress requirements of the California Building Code. All appropriate conditions of approval have been incorporated to ensure compliance with OCFA and California Building Code requirements relating to design, location, and ingress and egress.

- 12. The discharge of waste from the proposed subdivision into the existing sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board. The conditions of approval for on- and off-site improvements will ensure permitted capacity of the public sewer system is not exceeded.

The Public Works Department has reviewed the project and has not found any violations of the California Regional Water Quality Control Board requirements. The Public Works Department has also reviewed the project for compliance with existing sewer capacity and found that the project will not exceed the capacity. All appropriate conditions of approval have been incorporated to minimize any adverse impacts to the existing public sewer system.

INCORPORATION OF FACTS AND REASONS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

- 1. The Site Plan No. SP-122-2023 and Tentative Parcel Map No. PM-2022-167 possess characteristics that would indicate justification of the requests in accordance with Municipal Code Section 9.32.030.
- 2. In order to fulfill the purpose and intent of the Municipal Code, and thereby promote the health, safety, and general welfare, the following conditions of approval, attached as Exhibit "A", shall apply to Site Plan No. SP-122-2023 and Tentative Parcel Map No. PM-2022-167.

Adopted this 16th day of February 2023

ATTEST:

/s/ JOHN RAMIREZ
CHAIR

/s/ JUDITH MOORE
RECORDING SECRETARY

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

I, JUDITH MOORE, Secretary of the City of Garden Grove Planning Commission, do hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Garden Grove, California, at a meeting held on February 16, 2023, by the following vote:

AYES: COMMISSIONERS: (5) ARESTEGUI, CUNNINGHAM, LINDSAY,
PEREZ, RAMIREZ
NOES: COMMISSIONERS: (0) NONE
ABSENT: COMMISSIONERS: (1) LEHMAN

/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 March 9, 2023.