

applicant, no members of the public came forward to speak in favor of or in opposition to the request. The Planning Commission voted 4 ayes - 0 noes - 3 absent to adopt Resolution No. 5775-12 recommending the City Council adopt a Negative Declaration and approve Amendment No. A-169-12.

DISCUSSION

Professional office uses, including medical offices, are a permitted use within the HCSP-DC zone, subject to the following limitation presently set forth in Condition (a) applicable to Professional Office (including medical) uses in Subsection (b)(4) of Section 9360.3.4 of the Harbor Corridor Specific Plan: "Medical office uses shall not occupy more than 4,000 square feet or five percent of the total building square footage of a retail shopping development, whichever is less." The proposed Amendment would ease this limitation to accommodate more medical office uses in retail shopping centers within the HCSP-DC zone, so long as adequate parking to accommodate such new or expanded medical office uses is available. Specifically, pursuant to the proposed Amendment, this limitation would be modified to read as follows (deleted text struck out; added text in bold/underline):

(a) Medical office uses shall not occupy more than ~~4,000 square feet or five~~ **twenty-five** percent (**25%**) of the total building square footage of a retail shopping development, ~~whichever is less.~~ **In addition, the minimum parking requirements set forth in Municipal Code Section 9.16.040.150 (Parking Spaces Required) for Medical, dental and related service support facilities uses shall apply to any such medical office uses, and any new or expanded medical office use in a retail shopping development that would result in an increase in the minimum number of required parking spaces in excess of that currently permitted for the development shall not be permitted unless a shared parking management plan is reviewed and approved by the City pursuant to Municipal Code Section 9.16.040.180 (Joint Use/Parking Management Plan).**

In recommending approval of the proposed Amendment, the Planning Commission found that, due to market forces, the demand for medical office uses has increased, and relaxing the existing restriction on the amount of space in retail shopping developments that may be occupied by medical office uses will assist commercial centers in the HCSP-DC zone to remain vital, economically viable, and fully utilized.

Although the proposed Amendment would apply to all property and shopping centers within the HCSP-DC zone, it was initiated by the owner of Harbor Village Plaza in order to facilitate occupancy of the vacant 5,500 square foot, former Blockbuster building at 12942 Harbor Boulevard with a proposed medical office use. The Harbor Village Plaza consists of a total of 43,385 square feet of gross floor area, 4,235 square feet of which is currently occupied by medical office uses. The addition of 5,500 square feet of additional medical office uses would bring the total

square footage of medical office uses in the Harbor Village Plaza development to 9,735 square feet, or 22.4 percent of the total building square footage. Therefore, the proposed Amendment, which would increase the allowable percentage of medical office uses to a maximum of 25 percent of the total building square footage, is necessary in order to accommodate the applicant's desired expansion of medical office uses within the Harbor Village Plaza shopping center.

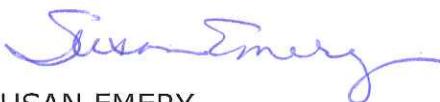
FISCAL IMPACT

There is no fiscal impact to the City associated with this proposed Amendment.

RECOMMENDATION

The Planning Commission recommends that the City Council:

- Hold a Public Hearing for consideration of Amendment No. A-169-12, a text amendment to Subsection (b)(4) of Section 9360.3.4 of the Harbor Corridor Specific Plan to modify the limitation on the size of medical office uses within retail shopping developments located in the District Commercial zone of the Harbor Corridor Specific Plan area in order to increase the allowable size of such medical office uses to a maximum of 25 percent of the total building square footage of a retail shopping development, subject to satisfaction of applicable parking requirements; and
- Introduce and conduct the first reading of the attached ordinance approving Amendment No. A-169-12.



SUSAN EMERY
Community Development Director



By: Chris Chung
Associate Planner

- Attachment 1: Planning Commission Staff Report dated July 5, 2012
Attachment 2: Planning Commission Resolution No. 5775-12
Attachment 3: Initial Study Environmental Checklist Form and Proposed Negative Declaration
Attachment 4: Planning Commission Minute Excerpt from July 5, 2012 Meeting
Attachment 5: Proposed Ordinance

Approved for Agenda Listing



Matthew Fertal
City Manager

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	SITE LOCATION: Northeast corner of Garden Grove Boulevard and Harbor Boulevard, at 12892-12952 Harbor Boulevard
HEARING DATE: July 5, 2012	GENERAL PLAN: International West Mixed Use
CASE NO.: Amendment No. A-169-12	ZONE: HCSP-DC (Harbor Corridor Specific Plan – District Commercial)
APPLICANT: Harbor Plaza, LLC c/o Athena Property Management	APN: 231-411-02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 231-421-01, 04, 05, 06, 07, 08, 09, 10, 11, 12, 231-412-01, 02, 231-405-01, 101-621-13, 15, 16, 17, 100-501-16, 27, 28, and 231-404-13
PROPERTY OWNER: N/A	CEQA DETERMINATION: Negative Declaration

REQUEST:

To amend the HCSP-DC (Harbor Corridor Specific Plan-District Commercial) zone to modify Condition (a), for the Professional office (including medical) use, in order to increase the allowable percentage of medical office uses to a maximum of 25 percent of the total building square footage of a retail shopping development.

BACKGROUND:

Staff received a request from the applicant to amend the HCSP-DC zone in order to allow a new medical office use to occupy an existing 5,500 square foot vacant tenant space located at 12942 Harbor Boulevard within an existing multi-tenant shopping center, the Harbor Village Plaza. The existing development has approximately 43,385 square feet of gross floor area, which includes 8,081 square feet of vacant tenant space area.

The zoning of the subject development is HCSP-DC (Harbor Corridor Specific Plan – District Commercial) and the General Plan Land Use Designation is International West Mixed Use. Currently, the HCSP-DC zone includes a condition for Professional Office (including medical) uses which states that medical office uses shall not occupy more than 4,000 square feet or five percent of the total building square footage of a retail shopping development, whichever is less. Based on this requirement, the subject development would only be allowed 2,169 square feet of medical office uses. Therefore, the proposed Amendment would need to be

approved to allow an increase in medical office uses. See Table 1 for a list of the existing tenants.

Table 1

Suite ID	Tenant	Parking Code Land Use	Size
12942 Harbor Blvd	<i>Proposed Medical Office Building</i>	<i>Medical/Dental</i>	5,500 SF
12952 Harbor Blvd	Wells Fargo	Financial Institution	8,000 SF
12892 Harbor Blvd	Red Lobster	Restaurant	7,383 SF
12934 Harbor Blvd	Eagle Community Credit Union	Financial Institution	3,675 SF
12926 Harbor Blvd	Studio 2000 Hair Salon	Personal Service	1,080 SF
12924 Harbor Blvd	Panda House Chinese	Restaurant	1,240 SF
12922 Harbor Blvd	Kumon Learning Center	Personal Service	900 SF
12920 Harbor Blvd	Central Nails	Personal Service	891 SF
12918 Harbor Blvd	<i>Vacant</i>	<i>Retail or Personal Service</i>	1,216 SF
12914 Harbor Blvd	SC Staffing	Personal Service	1,800 SF
12912 Harbor Blvd	Haus of Pizza	Restaurant	1,200 SF
12910 Harbor Blvd	L5 Thai Restaurant	Restaurant	2,450 SF
12906 Harbor Blvd	Eric Noe Lara	Personal Service	1,400 SF
12904 Harbor Blvd	Julie's Dry Cleaners	Personal Service	1,050 SF
12902 Harbor Blvd	<i>Vacant</i>	<i>Retail or Personal Service</i>	1,365 SF
12894 Harbor Blvd	Dr. Pantoja & Dr. Cox	Medical/Dental	4,235 SF
Total Occupied Area			35,304 SF
<i>Total Vacant Area</i>			<i>8,081 SF</i>
Total Area			43,385 SF

Currently, there are a total of 240 parking spaces available for the Harbor Village Plaza. Based on the Municipal Code, parking space requirements, and the existing uses, including the proposed 5,500 square foot medical office use, a minimum of 294 parking spaces are required by Code to serve the development. This amounts to a parking deficiency of 54 parking spaces. See Table 2 below, which summarizes the aforementioned parking calculations.

Table 2

Land Use	Size	City of Indio Code Parking Ratio	Spaces Required
Medical, Dental and Related Service Support Facilities	9,735 SF	1 space per 170 SF	57
Financial Institution with Drive up Window/ATM	8,000 SF	1 space per 200 SF	40
Financial Institution without Drive up Window/ATM	3,675 SF	1 space per 150 SF	25
Personal Service	9,702 SF	1 space per 200 SF	49
Restaurant (Free Standing)	7,383 SF	1 space per 100 SF	74
Restaurant (Attached 16+ Seats)	4,890 SF	1 space per 100 SF	49
Code Parking Requirement			294
Parking Supply			240
Parking Surplus/Deficiency (+/-)			-54

Municipal Code Section 9.16.040.180.B.3 (Joint use/parking management) states that a parking management plan shall be required when the number of parking spaces required is proposed to be reduced and the proposed reduction does not exceed 25 percent of the parking required pursuant to Section 9.16.040.150 (Parking Spaces Required). As shown in Table 2, there is a parking deficiency of 54 parking spaces. This equates to an 18.4 percent proposed reduction in parking, which does not exceed the 25 percent threshold.

Along with the subject request, the applicant submitted a parking study/plan in the form of parking demand analysis report, prepared by the engineering firm, Linscott, Law & Greenspan, Engineers (LLG), that analyzes the actual parking demand for the existing Harbor Village Plaza development with the proposed 5,500 square foot medical office use, to ensure that adequate parking will be provided for the existing and proposed uses.

As part of their original request, the applicant submitted a request for Variance approval to deviate from the minimum number of required parking spaces to allow a new medical use to occupy the existing vacant tenant space, located at 12942 Harbor Boulevard. However, upon further review of the request and the submitted parking

demand analysis report, it was determined that a Variance was not necessary, because the proposed reduction in parking was less than 25 percent and a parking management plan was submitted to staff for review and ultimately approved.

DISCUSSION:

AMENDMENT:

The HCSP-DC zone includes a requirement (Condition (a)) for Professional Office (including medical) uses which states the following: "Medical office uses shall not occupy more than 4,000 square feet or five percent of the total building square footage of a retail shopping development, whichever is less." Currently, the Harbor Village Plaza has a total of 4,235 square feet of existing medical office use, which is 9.7 percent of the total building area for the development. The applicant is requesting to amend the HCSP-DC zone to modify Condition (a), for the Professional office (including medical) use, in order to increase the allowable percentage of medical office uses to a maximum of 25 percent of the total building square footage of a retail shopping development. The applicant's request involves occupying the vacant 5,500 square foot, former Blockbuster building at 12942 Harbor Boulevard with a proposed medical office use. In order to allow the proposed medical office use to occupy this tenant space, the HCSP-DC zone must be amended to increase the allowable percentage of medical office uses. With the addition of the proposed 5,500 square foot medical office use, the total square footage of medical office uses in the Harbor Village Plaza development would be 9,735 square feet, or 22.4 percent of the total building square footage of the retail shopping development.

Staff finds that a maximum of 25 percent, for the allowable amount of medical office uses, is an appropriate threshold for properties, and retail shopping developments, currently zoned HCSP-DC. The maximum of 25 percent will ensure that retail shopping developments will have the ability to provide necessary amenities, to residents in the City, which include medical office uses while also ensuring that there is sufficient parking for existing and future uses on-site. Additionally, any proposed medical office uses in the future, for any development that is zoned HCSP-DC, will be subject to the availability of sufficient parking, based on the appropriate parking ratios as required in the Municipal Code. Medical office uses require one (1) parking space per 170 square feet of gross floor area. Commercial retail uses, under 40,000 square feet of gross floor area, require one (1) parking space per 200 square feet of gross floor area.

The proposed Amendment to the HCSP-DC zone would consist of the following:

The Regulations and Standards in the HCSP-DC Code Section on page 9-162.17 (Permitted Uses) would be modified as follows (proposed modification shown in bold)

Professional office (including medical) subject to the following:

(a) Medical office uses shall not occupy more than 25 percent of the total building square footage of a retail shopping development. Any such medical office uses, up to the maximum of 25 percent of the total building square footage of a retail shopping development, shall meet the minimum parking requirements pursuant to Municipal Code Section 9.16.040.150 (Parking Spaces Required) for Medical, dental and related service support facilities uses, or meet the provisions regarding shared parking and the provisions of a shared parking management plan pursuant to Municipal Code Section 9.16.040.180 (Joint Use/Parking Management Plan).

Parking Demand Analysis

LLG conducted two different methods to determine the site's peak parking requirements in the parking demand analysis for the Harbor Village Plaza development, a parking survey analysis and a shared parking analysis.

Parking Survey Analysis

LLG conducted a parking survey analysis to determine the existing parking demand of the existing uses at the Harbor Village Plaza development. Parking surveys were conducted on a typical weekday, Thursday, and a weekend day, Saturday, at one hour intervals between 8:00 a.m. and 8:00 p.m. The parking surveys consisted of counting the total number of parked vehicles within the entire Harbor Village Plaza development.

On a typical weekday, a peak parking demand of 114 parking spaces (48 percent utilization) was observed. On a weekend day, a peak parking demand of 162 parking spaces (68 percent utilization) was observed. Based on the availability of 240 parking spaces on-site, the parking survey analysis showed a surplus of 126 parking spaces on a typical weekday, and a surplus of 78 parking spaces on a weekend day. Based on the minimum number of required parking spaces for a "Medical, dental and related service support facilities use" as required by the Municipal Code, the proposed 5,500 square foot medical office use would be required to have a minimum of 33 available parking spaces. As evident in the parking survey analysis, the addition of the proposed medical office use would not negatively impact the existing parking conditions since there is a significant surplus of available parking spaces, based on the actual parking demand. See Table 3.

Table 3

Time Began	Thursday April 12, 2012		Saturday April 14, 2012	
	Supply = 240		Supply = 240	
	Parking Counts	% Utilization	Parking Counts	% Utilization
8:00 AM	11	5%	21	9%
9:00 AM	38	16%	57	24%
10:00 AM	61	25%	81	34%
11:00 AM	72	30%	96	40%
12:00 PM	114	48%	133	55%
1:00 PM	102	43%	148	62%
2:00 PM	111	46%	162	68%
3:00 PM	106	44%	139	58%
4:00 PM	111	46%	144	60%
5:00 PM	103	43%	117	49%
6:00 PM	120	50%	146	61%
7:00 PM	102	43%	162	68%
8:00 PM	86	36%	141	59%

Shared Parking Analysis

The shared parking analysis approach was conducted by LLG due to the mix of uses in the Harbor Village Plaza development and its applicable methodology. The parking demand was calculated using shared parking criteria as established by the Urban Land Institute (ULI) in the publication *Shared Parking Second Edition*. Shared parking calculations recognize that different uses (i.e., a restaurant compared to medical office) may experience different peak parking demands at different times of the day, or even days of the week. The ULI developed hourly parking demand profiles (expressed in **percent of peak demand**) for typical land uses such as office, retail, restaurant, and medical office.

In order to determine the peak parking requirement for the Harbor Village Plaza, the survey data for the existing land uses, as recorded in the Parking Survey Analysis, is combined with the parking demand, within the shared parking model, for the vacant and proposed medical office use. A 10 percent contingency factor was applied to the analysis, as required by the Municipal Code, to allow for future changes in the types of uses proposed.

Appendix A contains the weekday and weekend shared parking analysis calculation worksheets for the personal service/retail and medical office uses. Based on the time of day, separated by hourly intervals, the ULI established percent of peak parking demand for an establishment. The City's parking requirement for personal service/retail uses and medical office uses were utilized. Thus, based on the time of day and applicable percentage of peak demand, the number of required parking spaces was determined for each hour of the day. Appendix A is attached to this staff report.

On a typical weekday, the peak parking requirement occurs at 2:00 p.m. and totals 171 parking spaces. With 240 available parking spaces on-site, there would be a surplus of 69 parking spaces. Thus, based on the Shared Parking Analysis, there is adequate parking on-site to accommodate the proposed medical office use on a typical weekday. See Table 4 below.

Table 4

Land Use	Existing Harbor Village Plaza	Proposed Medical Office ⁵	Vacant Personal Service/Retail ⁶	Survey and Shared Parking Demand	Total Demand With 10% Contingency ⁷	Comparison w/ Parking Supply 240 Spaces Surplus (Deficiency)
Size	35,304 KSF Occupied ⁴	5,500 KSF	2,581 KSF			
Gross Spaces	Observed Hourly Parking Demand	Number of Spaces	Number of Spaces	39	43	197
Time of Day						
8:00 AM	11	26	2	39	43	197
9:00 AM	38	30	5	73	80	160
10:00 AM	61	32	8	101	111	129
11:00 AM	72	32	11	115	127	113
12:00 PM	114	17	12	143	157	83
1:00 PM	102	30	12	144	158	82
2:00 PM	107	32	12	155	171	69
3:00 PM	106	32	11	149	164	76
4:00 PM	111	30	11	152	167	73
5:00 PM	103	28	12	143	157	83
6:00 PM	120	21	12	153	168	72
7:00 PM	102	9	12	123	135	105
8:00 PM	86	5	9	100	110	130

On a typical weekend day, the peak parking requirement also occurs at 2:00 p.m. and totals 228 parking spaces. With 240 available parking spaces on-site, there would be a surplus of 12 parking spaces. Thus, based on the Shared Parking Analysis, there is adequate parking on-site to accommodate the proposed medical office use on a typical weekend day. See Table 5 below.

Table 5

Land Use	Existing Harbor Village Plaza	Proposed Medical Office ¹⁰	Vacant Personal Service/Retail ¹¹	Survey and Shared Parking Demand	Total Demand With 10% Contingency ¹²	Comparison w/ Parking Supply
Size	35,304 KSF Occupied ⁹	5,500 KSF	2,581 KSF			240 Spaces
Gross Spaces	Observed Hourly Parking Demand	32 Spc.	13 Spc.	49	54	Surplus (Deficiency)
Time of Day		Number of Spaces	Number of Spaces			
8:00 AM	21	26	2	49	54	186
9:00 AM	57	30	5	92	101	139
10:00 AM	81	32	8	121	133	107
11:00 AM	96	32	10	138	152	88
12:00 PM	133	32	11	176	194	46
1:00 PM	148	32	12	192	211	29
2:00 PM	162	32	13	207	228	12
3:00 PM	139	32	13	184	202	38
4:00 PM	144	30	13	187	206	34
5:00 PM	117	21	12	150	165	75
6:00 PM	146	5	11	162	178	62
7:00 PM	162	0	10	172	189	51
8:00 PM	141	0	9	150	165	75

In summary, both the Parking Survey Analysis and the Shared Parking Analysis indicates that there is adequate parking on-site at all times to accommodate the proposed medical office use and existing commercial uses in the Harbor Village Plaza development.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Recommend adoption of a Negative Declaration and approval of Code Amendment No. A-169-12, to amend the HCSP-DC (Harbor Corridor Specific Plan-District Commercial) zone to modify Condition (a), for the Professional office (including medical) use, in order to increase the allowable percentage of medical office uses to a maximum of 25 percent of the total building square footage of a retail shopping development, to City Council.



Karl Hill
 Planning Services Manager



By: Chris Chung
 Associate Planner

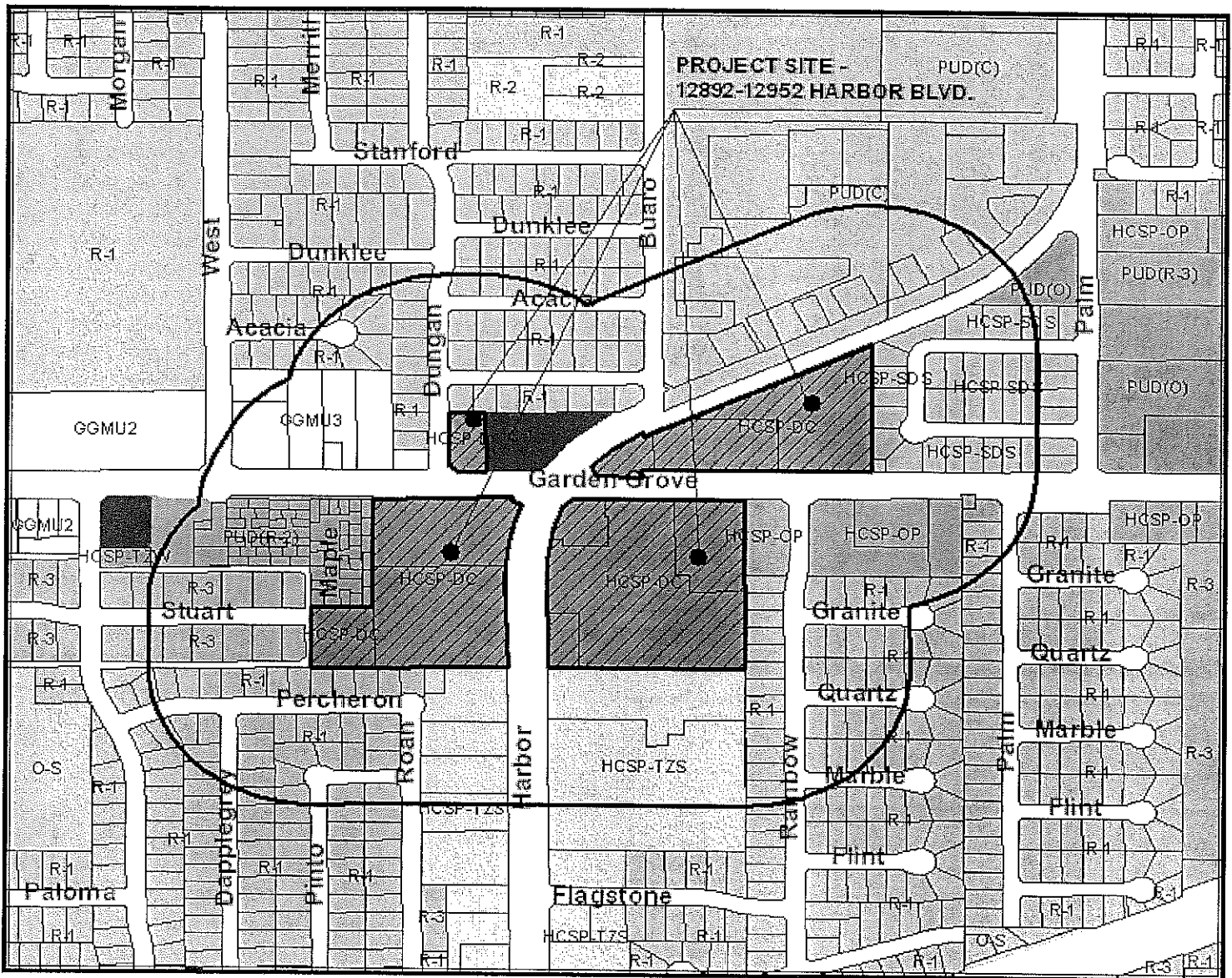
- Attachment A: Vicinity Map
- Attachment B: Site Plan
- Attachment C: Floor Plan
- Attachment D: Parking Demand Analysis Report




AMENDMENT NO. A-169-12

GARDEN GROVE

Attachment A



LEGEND

 PROJECT SITE - 12892-12952 HARBOR BLVD.

 500 FEET RADIUS

NOTES

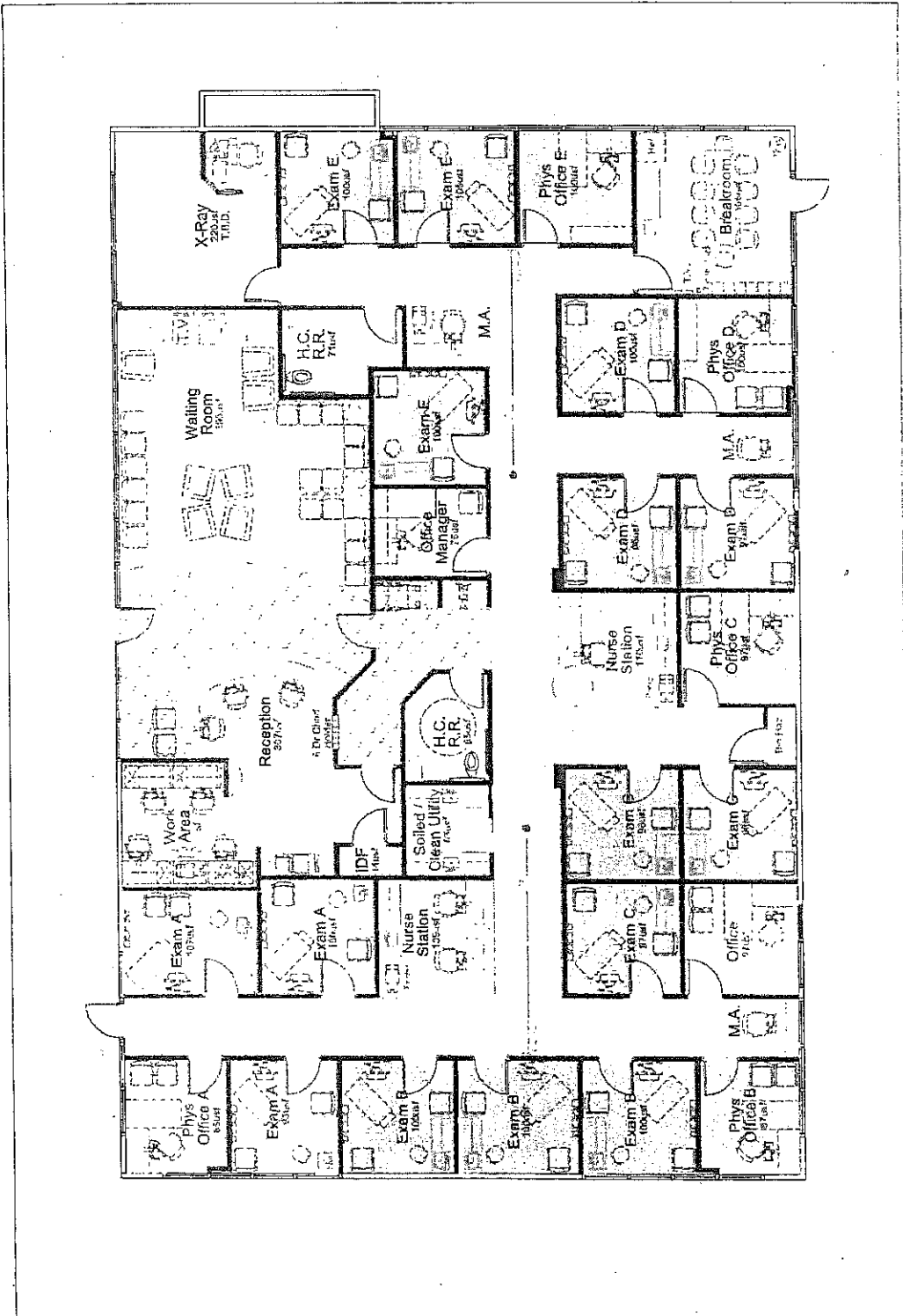
1. GENERAL PLAN: INTERNATIONAL WEST MIXED USE
2. ZONE: HCSP-DC (HARBOR CORRIDOR SPECIFIC PLAN DISTRICT COMMERCIAL)



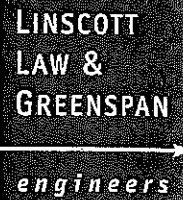
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CITY OF GARDEN GROVE
 COMMUNITY DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 GIS SYSTEM
 JUNE 2012



FLOOR PLAN
Medical Use
HARBOR VILLAGE PLAZA



April 23, 2012

Mr. Jeffrey Lochner
 Athena Property Management
 41 Corporate Park, Suite 260
 Irvine, CA 92606

LLG Reference No. 2.12.3274.1

**Subject: Parking Demand Analysis for the Proposed Medical Office Building
 Reoccupancy Project at Harbor Village Plaza
 Garden Grove, California**

Dear Mr. Lochner:

As requested, Linscott, Law, & Greenspan, Engineers (LLG) is pleased to submit this Parking Demand Analysis for the proposed Medical Office Building Reoccupancy Project at Harbor Village Plaza. The existing Harbor Village Plaza development is located on the northeast quadrant of Harbor Boulevard and Garden Grove Avenue in the City of Garden Grove, California. *Figure 1*, located at the rear of this letter report, presents a Vicinity Map, which illustrates the general location of the project site and depicts the surrounding street system.

The Harbor Village Plaza development is an existing 43,385 square foot (SF) mixed-use shopping center with a combination of retail, restaurant, and medical office uses and a current vacancy of 8,081 SF. The proposed project involves reoccupying the vacant 5,500 SF former Blockbuster building at 12942 Harbor Boulevard with a proposed Medical Office Building. The Harbor Village Plaza will maintain the current parking supply of 240 parking spaces. *Figure 2* presents the existing aerial site plan for Harbor Village Plaza, which depicts the existing buildings and parking spaces, while *Figure 3* presents the proposed site plan with the proposed Medical Office Building denoted.

Based on our understanding, a parking study is required by the City of Garden Grove to determine the parking demand for the existing Harbor Village Plaza development with the proposed reoccupation of the 8,081 SF vacant suites, which includes the 5,500 SF proposed Medical Office Building (MOB), to ensure that adequate parking will be provided.

This report evaluates the parking demands of the existing and proposed land use at the Harbor Village Plaza. The parking analysis evaluates the project's parking requirements based on current City of Garden Grove zoning codes, the methodology

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outlined in Urban Land Institute's (ULI) *Shared Parking Second Edition* guidelines, and existing parking surveys.

Briefly, the Harbor Village Plaza is forecast to have a parking deficiency of 54 parking spaces based on a City Parking Code analysis. However, the City's parking code does not necessarily reflect actual and/or proposed parking conditions as well as the shared parking potential within the Center, and as a result fewer parking spaces are actually needed to support the proposed medical office use on the site.

As such, a shared analysis based on actual parking surveys at the project site was prepared and indicates that reoccupying the vacant suites, including the proposed MOB, at the Harbor Village Plaza development will not adversely impact existing or future parking conditions. The current on-site parking supply of 240 spaces is forecast to adequately accommodate future parking demands on a typical weekday and weekend day. Our method of analysis, findings, and recommendations are detailed in the following sections of this report.

Project Description

Harbor Village Plaza is an existing 41,095 square foot (SF) mixed-use shopping center with a combination of retail, restaurant, and medical office uses and a current vacancy of 8,081 SF. *Table 1*, located at the end of this letter report, following the figures, summarizes the existing land uses, tenants, and associated floor areas for the Harbor Village Plaza development as of April 17, 2012. As shown in *Table 1*, the proposed project includes reoccupying the vacant 8,081 SF space with a combination of personal services and/or retail and medical office building use.

Parking Supply-Demand Analysis

This parking analysis for the proposed Medical Office Building Reoccupancy Project at Harbor Village Plaza project involves determining the expected parking needs, based on the size and type of existing and proposed development components.

For this Project, there are two appropriate methods that can be used to estimate the site's peak parking requirements. These methods include:

1. Application of City code requirements (which typically treat each use in the project as a "stand alone" use at maximum demand); and
2. Application of parking survey information combined with the shared parking methodology, which combines actual parking demand data with vacant and proposed uses based on City Code and time of day profiles.

The survey shared parking methodology is certainly applicable to a development such as the Harbor Village Plaza, since the shopping center is currently 81% occupied.

Parking Code Requirements

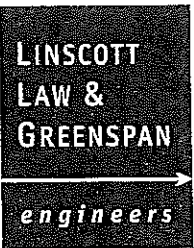
To determine the number of parking spaces required to support the MOB Reoccupancy Project at Harbor Village Plaza, parking demand was first calculated using the City of Garden Grove Zoning Code. As mentioned previously, City parking code requirements typically treat each individual use in the project as a "stand alone" use at maximum demand, as opposed to an integrated part of the entire project. As such, the City of Garden Grove Municipal Code (Title 9, Chapter 16; *Section 250 Parking Spaces Required*) specifies a parking ratio; for Medical, dental and related support services of 1.0 spaces per 170 SF of gross floor area, for Financial Institutions of 1.0 space per 200 SF of gross floor area if a drive-up window exists; if no window, 1.0 space per 150 SF of gross floor area, for Personal Services of 1.0 space for each 200 SF of gross floor area, and for Restaurants (Freestanding or Attached with 16+ seats) of 1 spaces for each 100 SF of gross floor area.

Table 2 summarizes the parking requirements for the proposed MOB Reoccupancy Project at Harbor Village Plaza using the above code parking ratios. As shown, direct application of City parking ratios to the MOB at Harbor Village Plaza totals result in a City parking code requirement of 294 parking spaces. With a current parking supply of 240 spaces, a theoretical deficiency of 54 spaces is forecast. However, as previously mentioned, since the City's parking code does not necessarily reflect actual and/or proposed parking conditions as well as the shared parking potential within the shopping center, a shared parking analysis has also been prepared based on parking survey information combined with the shared parking methodology, which combines actual parking demand data with vacant and proposed uses based on City Code and time of day profiles.

Parking Survey Analysis

To determine the existing parking demand of the existing uses at Harbor Village Plaza, parking surveys were conducted on a typical weekday (Thursday) and weekend day (Saturday) by Transportation Studies, Inc. The parking surveys were performed at one hour intervals between 8:00 AM and 8:00 PM on Thursday April 12, 2012 and Saturday April 14, 2012. The parking surveys consisted of counting the number of parked vehicles within the entire Harbor Village Plaza site.

The results of the weekday and weekend day parking survey are summarized in *Table 3*, which reflects the parking demand at the study site for each one-hour of the weekday and weekend day count dates. As shown in *Table 3*, the study site experienced a weekday peak parking demand of 114 spaces (48% utilization) within



the entire site at 12:00 PM (Noon) and a weekend day peak parking demand of 162 spaces (68% utilization) within the entire site at both 2:00 PM and 7:00 PM.

Shared Parking Analysis

Based on the mix of uses at the Harbor Village Plaza development, the parking demand can be calculated using shared parking criteria as established by the Urban Land Institute (ULI) which lays out a calculation matrix for computing the project's realistic parking needs.

Shared Parking Rationale and Basis

Accumulated experience in parking demand characteristics indicates that a mixing of land uses results in an overall parking need that is less than the sum of the individual peak requirements for each land use. Shared parking calculations recognize that different uses often experience individual peak parking demands at different times of day, or days of the week. When uses share a common parking footprint, the total number of spaces needed to support the collective whole is determined by adding parking profiles (by time of day or day of week), rather than individual peak ratios as represented in the City of Garden Grove Municipal Code (Title 9, Chapter 16; *Section 250 Parking Spaces Required*).

The analytical procedures for Shared Parking Analyses are well documented in the Shared Parking publication by the Urban Land Institute (ULI). As for other local application, the City of Costa Mesa, and the City of Irvine, among others, has adopted Shared Parking procedures into their Zoning Ordinances based on the ULI techniques and individual parking studies, which validate and/or refine the ULI demand projections and profiles.

Shared Parking Ratios and Profiles

The hourly parking demand profiles (expressed in percent of peak demand) are based on profiles developed by the Urban Land Institute (ULI) and published in *Shared Parking Second Edition*. The ULI publication presents hourly parking demand profiles for many general land uses such as office, retail, restaurant, cinema, and residential. These factors present a profile of parking demand over time and have been used directly, by land use type, in this analysis project.

Since the vacant and proposed components of the MOB Reoccupancy Project at Harbor Village Plaza consists primarily of standard ULI land uses, such as medical office and retail uses, the ULI baseline profiles were applied directly. It should be noted that the personal service parking requirement is identical to the retail requirement and time of day profile is essentially the same as well. The City's parking requirement for the medical office and personal service/retail were utilized.

Survey Data Shared Parking Demand Analysis and Results

In order to determine the peak parking requirement for the Harbor Village Plaza Reoccupancy project, utilization of the survey data for the existing land uses is combined with the parking demand within the shared parking model for the vacant and proposed uses.

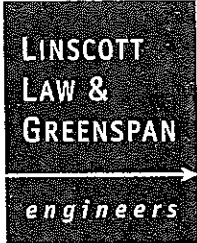
Table 4 and *Table 5* presents an approach which applies the City code parking requirement and site-specific time of day parking profiles to the 8,081 SF current vacant suites (three suites) for the weekday and weekend time frames, respectively, while directly applying the parking survey results as a time of day parking profile for the occupied square-footage within the existing Harbor Village Plaza development. Please note that a 10% contingency factor was applied to the resultant parking demand, as required by Code, to allow for future changes in the types of uses proposed. *Appendix A* contains the weekday and weekend shared parking analysis calculation worksheets for the personal service/retail and medical office land uses.

As shown in *Table 4*, the peak parking requirement for the proposed Harbor Village Plaza Reoccupancy project during a typical weekday totals **171 parking spaces** and occurs at 2:00 PM. With a proposed on-site parking supply of 240 parking spaces, a minimum **parking surplus of 69 spaces** is forecast for the entire site. Consequently, the parking survey data shared parking demand analysis indicates that there is adequate parking on site to accommodate the proposed Medical Office Building Reoccupancy Project at Harbor Village Plaza project on a typical weekday.

As shown in *Table 5*, the peak parking requirement for the proposed Harbor Village Plaza Reoccupancy project during a typical weekend day totals **228 parking spaces** and also occurs at 2:00 PM. With a proposed on-site parking supply of 240 parking spaces, a minimum **parking surplus of 12 spaces** is forecast for the entire site. Consequently, the parking survey data shared parking demand analysis indicates that there is adequate parking on site to accommodate the proposed Medical Office Building Reoccupancy Project at Harbor Village Plaza project on a typical weekend day.

Summary of Findings and Conclusions

- The proposed Project involves reoccupying the vacant 5,500 SF former Blockbuster building at 12942 Harbor Boulevard with a proposed Medical Office Building as well as reoccupying two additional vacant suites with personal service/retail uses. Harbor Village Plaza is an existing 41,095 square foot (SF) mixed-use shopping center with a combination of retail, restaurant, and medical office uses and a current vacancy of 8,081 SF. The Harbor Village Plaza will maintain the current parking supply of 240 parking spaces.



- Direct application of City parking ratios to the MOB at Harbor Village Plaza results in a City parking code requirement of 294 parking spaces. With a current parking supply of 240 spaces, a theoretical deficiency of 54 spaces is forecast. However, since the City's parking code does not necessarily reflect actual and/or proposed parking conditions as well as the shared parking potential within the shopping center, a shared parking analysis has also been prepared based on parking survey information combined with the shared parking methodology.
- The Survey Data Shared Parking Analysis indicates that the peak parking demand for the proposed Harbor Village Plaza Reoccupancy project (*Table 4*) during a typical weekday totals *171 parking spaces* and occurs at 2:00 PM. With a proposed on-site parking supply of 240 parking spaces, a minimum *parking surplus of 69 spaces* is forecast for the entire site on a typical weekday. In addition, the peak parking requirement for the proposed Harbor Village Plaza Reoccupancy project (*Table 5*) during a typical weekend day totals *228 parking spaces* and also occurs at 2:00 PM. With a proposed on-site parking supply of 240 parking spaces, a minimum *parking surplus of 12 spaces* is forecast for the entire site.

As a result, the parking survey data shared parking demand analysis indicates that there is adequate parking on site at all times to accommodate the proposed Medical Office Building Reoccupancy Project at Harbor Village Plaza.

* * * * *

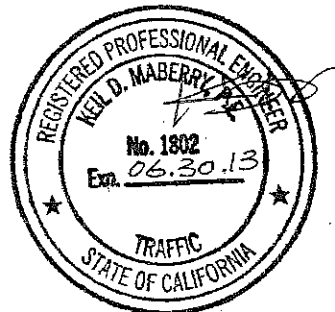
We appreciate the opportunity to prepare this parking analysis for Athena. Should you have any questions or need additional assistance, please do not hesitate to call me at (714) 641-1587.

Very truly yours,
Linscott, Law & Greenspan, Engineers

A handwritten signature in black ink, appearing to read "Keil D. Maberry".

Keil D. Maberry, P.E.
Principal

Attachments



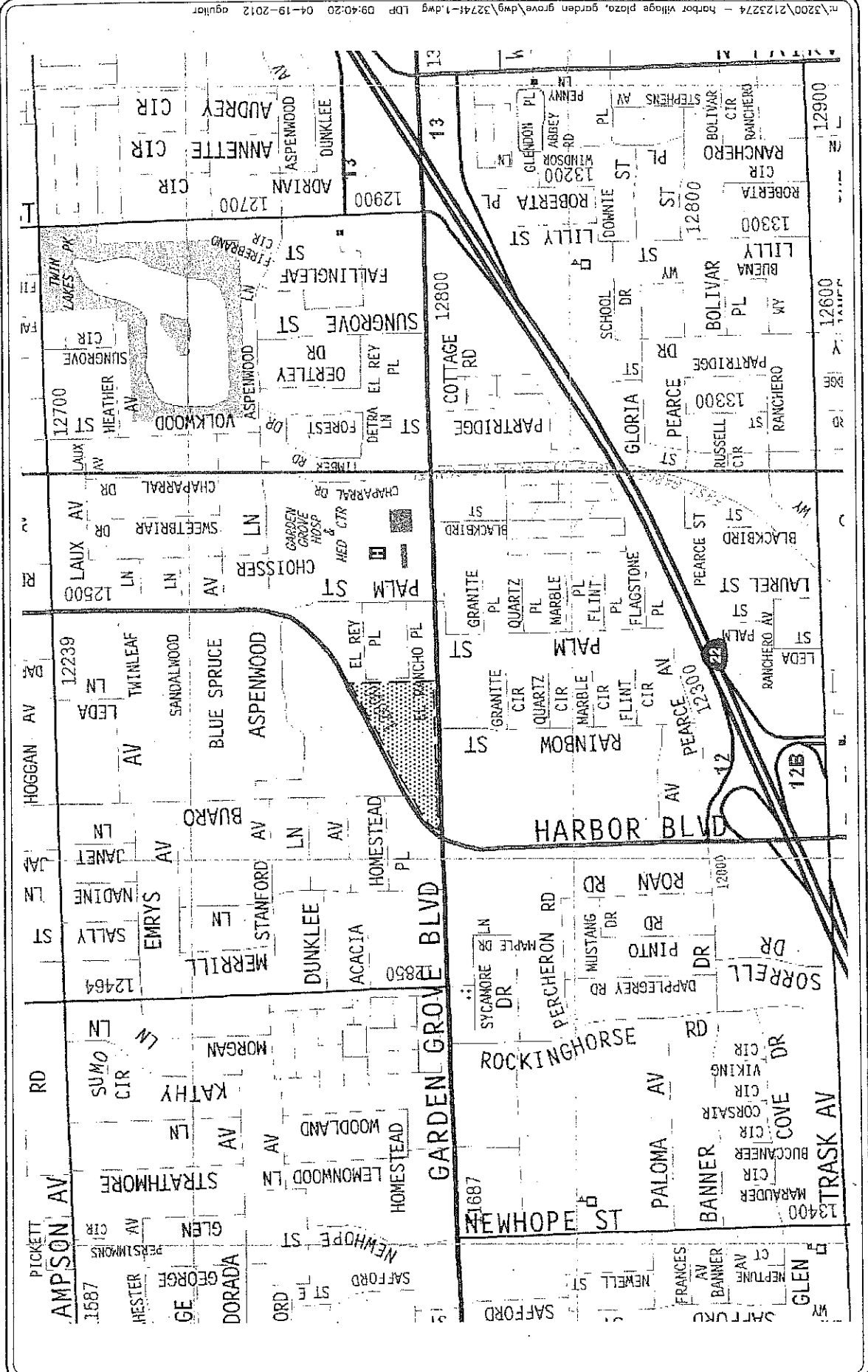



FIGURE 1
VICINITY MAP
HARBOR VILLAGE PLAZA, GARDEN GROVE

SOURCE: THOMAS BROS.

KEY
 = PROJECT SITE



NO SCALE

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GREENSPAN**
engineers

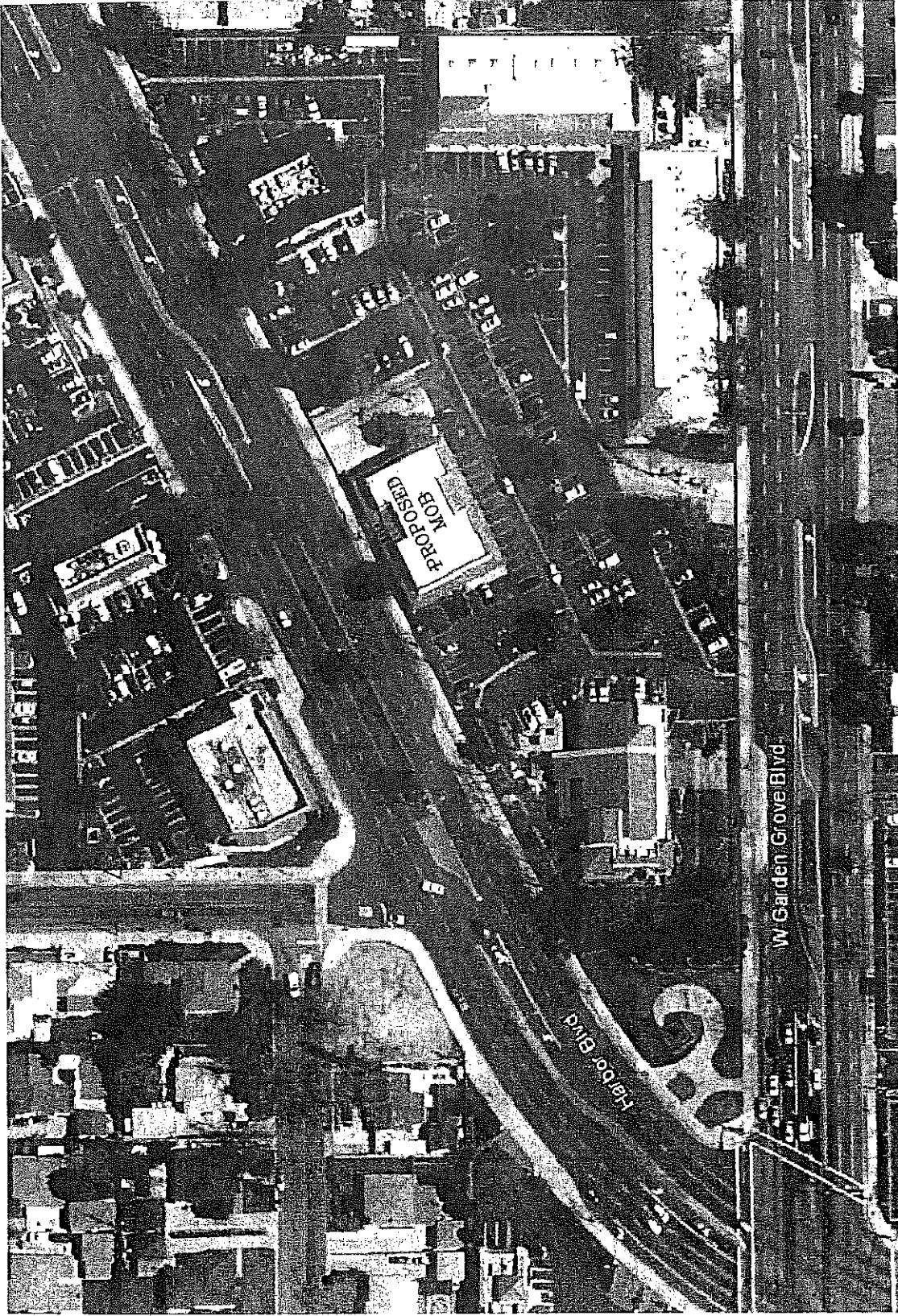


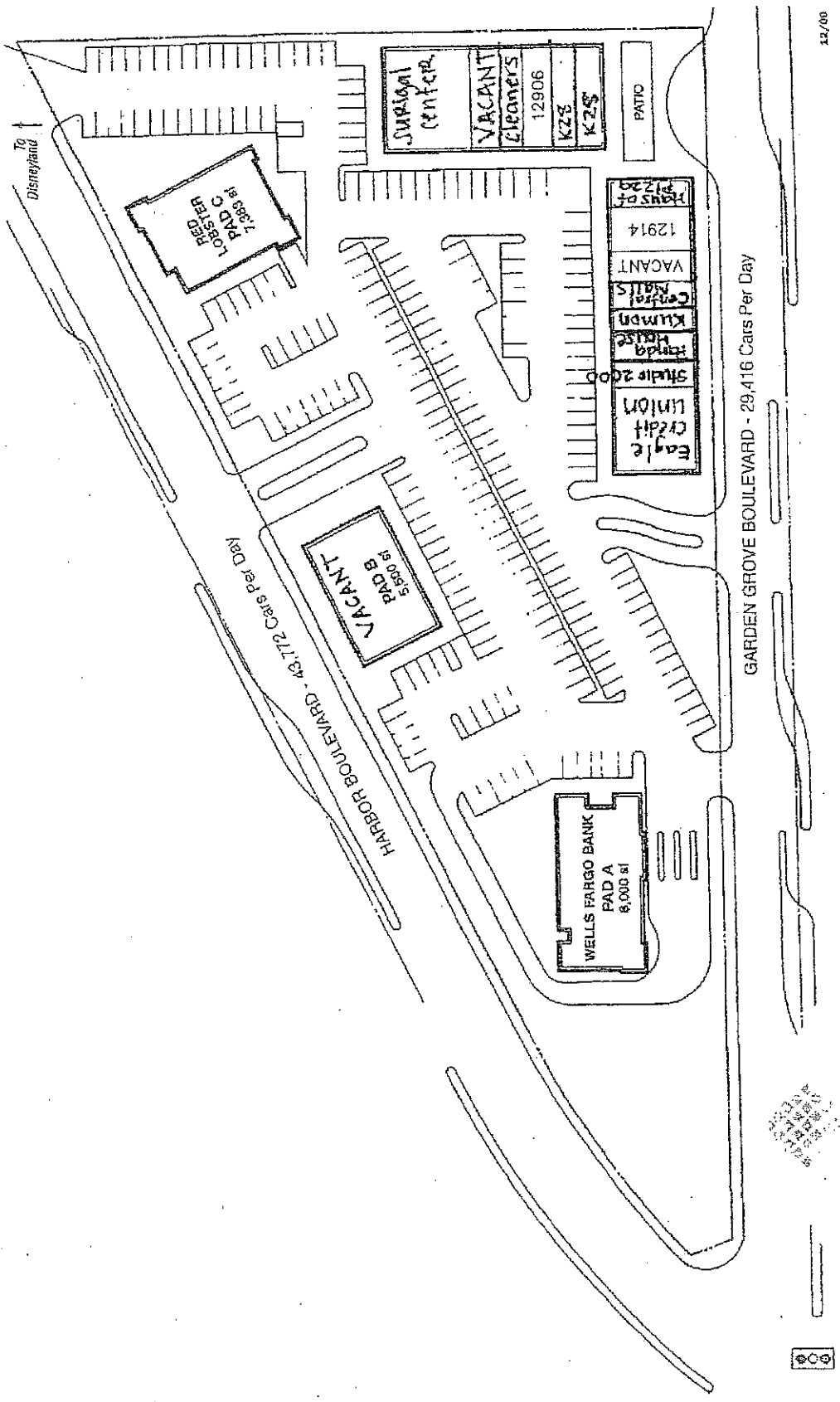
FIGURE 2
 EXISTING AERIAL SITE PLAN
 HARBOR VILLAGE PLAZA, GARDEN GROVE

SOURCE: GOOGLE



NO SCALE

**LINSCOTT
 LAW &
 GREENSPAN**
engineers



12/00

FIGURE 3
EXISTING SITE PLAN
 HARBOR VILLAGE PLAZA, GARDEN GROVE



NO SCALE

**LINSCOTT
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 GREENSPAN**
 engineers

TABLE 1
PROJECT DEVELOPMENT SUMMARY
HARBOR VILLAGE PLAZA, GARDEN GROVE

Suite ID	Tenant	Parking Code Land Use	Size
12942 Harbor Blvd	<i>Proposed Medical Office Building</i>	<i>Medical/Dental</i>	5,500 SF
12952 Harbor Blvd	Wells Fargo	Financial Institution	8,000 SF
12892 Harbor Blvd	Red Lobster	Restaurant	7,383 SF
12934 Harbor Blvd	Eagle Community Credit Union	Financial Institution	3,675 SF
12926 Harbor Blvd	Studio 2000 Hair Salon	Personal Service	1,080 SF
12924 Harbor Blvd	Panda House Chinese	Restaurant	1,240 SF
12922 Harbor Blvd	Kumon Learning Center	Personal Service	900 SF
12920 Harbor Blvd	Central Nails	Personal Service	891 SF
12918 Harbor Blvd	<i>Vacant</i>	<i>Retail or Personal Service</i>	1,216 SF
12914 Harbor Blvd	SC Staffing	Personal Service	1,800 SF
12912 Harbor Blvd	Haus of Pizza	Restaurant	1,200 SF
12910 Harbor Blvd	L5 Thai Restaurant	Restaurant	2,450 SF
12906 Harbor Blvd	Eric Noe Lara	Personal Service	1,400 SF
12904 Harbor Blvd	Julie's Dry Cleaners	Personal Service	1,050 SF
12902 Harbor Blvd	<i>Vacant</i>	<i>Retail or Personal Service</i>	1,365 SF
12894 Harbor Blvd	Dr. Pantoja & Dr. Cox	Medical/Dental	4,235 SF
Total Occupied Area			35,304 SF
<i>Total Vacant Area</i>			<i>8,081 SF</i>
Total Area			43,385 SF

**TABLE 2
CITY CODE PARKING REQUIREMENTS¹
HARBOR VILLAGE PLAZA, GARDEN GROVE**

Land Use	Size	City of Indio Code Parking Ratio	Spaces Required
Medical, Dental and Related Service Support Facilities	9,735 SF	1 space per 170 SF	57
Financial Institution with Drive up Window/ATM	8,000 SF	1 space per 200 SF	40
Financial Institution without Drive up Window/ATM	3,675 SF	1 space per 150 SF	25
Personal Service	9,702 SF	1 space per 200 SF	49
Restaurant (Free Standing)	7,383 SF	1 space per 100 SF	74
Restaurant (Attached 16+ Seats)	4,890 SF	1 space per 100 SF	49
Code Parking Requirement			294
Parking Supply			240
Parking Surplus/Deficiency (+/-)			-54

¹ Source: Garden Grove Municipal Code (Title 9, Chapter 16; Section 250 Parking Spaces Required).

TABLE 3
PARKING SURVEY SUMMARY²
HARBOR VILLAGE PLAZA, GARDEN GROVE

Time Began	Thursday April 12, 2012		Saturday April 14, 2012	
	Supply = 240		Supply = 240	
	Parking Counts	% Utilization	Parking Counts	% Utilization
8:00 AM	11	5%	21	9%
9:00 AM	38	16%	57	24%
10:00 AM	61	25%	81	34%
11:00 AM	72	30%	96	40%
12:00 PM	114	48%	133	55%
1:00 PM	102	43%	148	62%
2:00 PM	111	46%	162	68%
3:00 PM	106	44%	139	58%
4:00 PM	111	46%	144	60%
5:00 PM	103	43%	117	49%
6:00 PM	120	50%	146	61%
7:00 PM	102	43%	162	68%
8:00 PM	86	36%	141	59%

² Source: Transportation Studies Inc.

TABLE 4
SURVEY BASED WEEKDAY (THURSDAY) SHARED PARKING DEMAND ANALYSIS³
Harbor Village Plaza, Garden Grove

Land Use	Existing Harbor Village Plaza 35,304 KSF Occupied ⁴	Proposed Medical Office ⁵		Vacant Personal Service/Retail ⁶		Survey and Shared Parking Demand	Total Demand With 10% Contingency ⁷	Comparison w/ Parking Supply 240 Spaces Surplus (Deficiency)
		5,500 KSF	32 Spc.	2,581 KSF	13 Spc.			
Gross Spaces	Observed Hourly Parking Demand	Number of Spaces		Number of Spaces				
Time of Day								
8:00 AM	11	26		2		39	43	197
9:00 AM	38	30		5		73	80	160
10:00 AM	61	32		8		101	111	129
11:00 AM	72	32		11		115	127	113
12:00 PM	114	17		12		143	157	83
1:00 PM	102	30		12		144	158	82
2:00 PM	111	32		12		155	171	69
3:00 PM	106	32		11		149	164	76
4:00 PM	111	30		11		152	167	73
5:00 PM	103	28		12		143	157	83
6:00 PM	120	21		12		153	168	72
7:00 PM	102	9		12		123	135	105
8:00 PM	86	5		9		100	110	130

Notes:

³ Source: ULI - Urban Land Institute "Shared Parking." Second Edition, 2005.

⁴ During the on-site parking surveys, there were 8,081 SF of vacancies.

⁵ Gross parking spaces based on the medical/dental parking code ratio of 5.88 spaces/1,000 SF.

⁶ 12918 Harbor Blvd = 1,216 SF and 12902 Harbor Blvd = 1,365 SF.

⁷ A 10% contingency factor was applied to the parking demand based on City Code.

TABLE 5
SURVEY BASED WEEKEND (SATURDAY) SHARED PARKING DEMAND ANALYSIS⁸
Harbor Village Plaza, Garden Grove

Land Use	Existing Harbor Village Plaza	Proposed Medical Office ¹⁰	Vacant Personal Service/Retail ¹¹	Survey and Shared Parking Demand	Total Demand With 10% Contingency ¹²	Comparison w/ Parking Supply
Gross Spaces	Observed Hourly Parking Demand	Number of Spaces	Number of Spaces			
Time of Day						
8:00 AM	21	26	2	49	54	186
9:00 AM	57	30	5	92	101	139
10:00 AM	81	32	8	121	133	107
11:00 AM	96	32	10	138	152	88
12:00 PM	133	32	11	176	194	46
1:00 PM	148	32	12	192	211	29
2:00 PM	162	32	13	207	228	12
3:00 PM	139	32	13	184	202	38
4:00 PM	144	30	13	187	206	34
5:00 PM	117	21	12	150	165	75
6:00 PM	146	5	11	162	178	62
7:00 PM	162	0	10	172	189	51
8:00 PM	141	0	9	150	165	75

Notes:

⁸ Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005.

⁹ During the on-site parking surveys, there were 8,081 SF of vacancies.

¹⁰ Gross parking spaces based on the medical/dental parking code ratio of 5.88 spaces/1,000 SF.

¹¹ 12918 Harbor Blvd = 1,216 SF and 12902 Harbor Blvd = 1,365 SF.

¹² A 10% contingency factor was applied to the parking demand based on City Code.

Appendix Table A-1

**MEDICAL/DENTAL OFFICE
WEEKDAY SHARED PARKING DEMAND ANALYSIS [1]
Harbor Village Plaza, Garden Grove**

Land Use	Medical/Dental Office				Shared Parking Demand
Size	5,500 KSF				
Pkg Rate[2]					
Gross Spaces	32 Spaces				
	21 Visitor Spc.		11 Emp. Spc.		
Time of Day	% Of Peak [3]	# Of Spaces	% Of Peak [3]	# Of Spaces	
6:00 AM	0%	0	0%	0	0
7:00 AM	0%	0	0%	0	0
8:00 AM	90%	19	60%	7	26
9:00 AM	90%	19	100%	11	30
10:00 AM	100%	21	100%	11	32
11:00 AM	100%	21	100%	11	32
12:00 PM	30%	6	100%	11	17
1:00 PM	90%	19	100%	11	30
2:00 PM	100%	21	100%	11	32
3:00 PM	100%	21	100%	11	32
4:00 PM	90%	19	100%	11	30
5:00 PM	80%	17	100%	11	28
6:00 PM	67%	14	67%	7	21
7:00 PM	30%	6	30%	3	9
8:00 PM	15%	3	15%	2	5
9:00 PM	0%	0	0%	0	0
10:00 PM	0%	0	0%	0	0
11:00 PM	0%	0	0%	0	0
12:00 AM	0%	0	0%	0	0

Notes:

[1] Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005.

[2] Parking rates for all land uses based on ULI procedure normalized to express percentage in terms of absolute peak demand ratios. Breakdown of guest vs. employee

[3] Percentage of peak parking demand factors reflect relationships between weekday parking demand ratios and peak parking demand ratios, as summarized in Table 2-2 of the "Shared Parking" manual.

Appendix Table A-2

SHOPPING CENTER (TYPICAL DAYS)
WEEKDAY SHARED PARKING DEMAND ANALYSIS [1]
Harbor Village Plaza, Garden Grove

Land Use	Shopping Center (Typical Days) - Vacant Land Uses				
Size	2,581 KSF				Shared Parking Demand
Pkg Rate[2]					
Gross Spaces	13 Spaces				
	10 Guest Spc.		3 Emp. Spc.		
Time of Day	% Of Peak [3]	# Of Spaces	% Of Peak [3]	# Of Spaces	
6:00 AM	1%	0	9%	0	0
7:00 AM	5%	1	14%	0	1
8:00 AM	14%	1	36%	1	2
9:00 AM	32%	3	68%	2	5
10:00 AM	59%	6	77%	2	8
11:00 AM	77%	8	86%	3	11
12:00 PM	86%	9	90%	3	12
1:00 PM	90%	9	90%	3	12
2:00 PM	86%	9	90%	3	12
3:00 PM	81%	8	90%	3	11
4:00 PM	81%	8	90%	3	11
5:00 PM	86%	9	86%	3	12
6:00 PM	86%	9	86%	3	12
7:00 PM	86%	9	86%	3	12
8:00 PM	72%	7	81%	2	9
9:00 PM	45%	5	68%	2	7
10:00 PM	27%	3	36%	1	4
11:00 PM	9%	1	14%	0	1
12:00 AM	0%	0	0%	0	0

Notes:

[1] Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005.

[2] Parking rates for all land uses based on ULI procedure normalized to express percentage in terms of absolute peak demand ratios. Breakdown of guest vs. employee.

[3] Percentage of peak parking demand factors reflect relationships between weekday parking demand ratios and peak parking demand ratios, as summarized in Table 2-2 of the "Shared Parking" manual.

Appendix Table A-3

MEDICAL/DENTAL OFFICE
 WEEKEND SHARED PARKING DEMAND ANALYSIS [1]
 Harbor Village Plaza, Garden Grove

Land Use	Medical/Dental Office				Shared Parking Demand
Size	5,500 KSF				
Pkg Rate[2]					
Gross Spaces	32 Spaces				
	21 Visitor Spc.		11 Emp. Spc.		
Time of Day	% Of Peak [3]	# Of Spaces	% Of Peak [3]	# Of Spaces	
6:00 AM	0%	0	0%	0	0
7:00 AM	0%	0	0%	0	0
8:00 AM	90%	19	60%	7	26
9:00 AM	90%	19	100%	11	30
10:00 AM	100%	21	100%	11	32
11:00 AM	100%	21	100%	11	32
12:00 PM	100%	21	100%	11	32
1:00 PM	100%	21	100%	11	32
2:00 PM	100%	21	100%	11	32
3:00 PM	100%	21	100%	11	32
4:00 PM	90%	19	100%	11	30
5:00 PM	67%	14	67%	7	21
6:00 PM	15%	3	15%	2	5
7:00 PM	0%	0	0%	0	0
8:00 PM	0%	0	0%	0	0
9:00 PM	0%	0	0%	0	0
10:00 PM	0%	0	0%	0	0
11:00 PM	0%	0	0%	0	0
12:00 AM	0%	0	0%	0	0

Notes:

[1] Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005.

[2] Parking rates for all land uses based on ULI procedure normalized to express percentage in terms of absolute peak demand ratios. Breakdown of guest vs. employee

[3] Percentage of peak parking demand factors reflect relationships between weekend parking demand ratios and peak parking demand ratios, as summarized in Table 2-2 of the "Shared Parking" manual.

Appendix Table A-4

SHOPPING CENTER (TYPICAL DAYS)
WEEKEND SHARED PARKING DEMAND ANALYSIS [1]
Harbor Village Plaza, Garden Grove

Land Use	Shopping Center (Typical Days) - Vacant Land Uses				
Size	2,581 KSF				Shared Parking Demand
Pkg Rate[2]					
Gross Spaces	13 Spaces				
	10 Guest Spc.		3 Emp. Spc.		
Time of Day	% Of Peak [3]	# Of Spaces	% Of Peak [3]	# Of Spaces	
6:00 AM	1%	0	10%	0	0
7:00 AM	5%	1	15%	0	1
8:00 AM	10%	1	40%	1	2
9:00 AM	30%	3	75%	2	5
10:00 AM	50%	5	85%	3	8
11:00 AM	65%	7	95%	3	10
12:00 PM	80%	8	100%	3	11
1:00 PM	90%	9	100%	3	12
2:00 PM	100%	10	100%	3	13
3:00 PM	100%	10	100%	3	13
4:00 PM	95%	10	100%	3	13
5:00 PM	90%	9	95%	3	12
6:00 PM	80%	8	85%	3	11
7:00 PM	75%	8	80%	2	10
8:00 PM	65%	7	75%	2	9
9:00 PM	50%	5	65%	2	7
10:00 PM	35%	4	45%	1	5
11:00 PM	15%	2	15%	0	2
12:00 AM	0%	0	0%	0	0

Notes:

- [1] Source: ULI - Urban Land Institute "Shared Parking," Second Edition, 2005.
- [2] Parking rates for all land uses based on ULI procedure normalized to express percentage in terms of absolute peak demand ratios. Breakdown of guest vs. employee
- [3] Percentage of peak parking demand factors reflect relationships between weekend parking demand ratios and peak parking demand ratios, as summarized in Table 2-2 of the "Shared Parking" manual.

RESOLUTION NO. 5775-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOMMENDING THAT THE CITY COUNCIL ADOPT A NEGATIVE DECLARATION AND APPROVE AMENDMENT NO. A-169-12, A CODE AMENDMENT TO AMEND THE HCSP-DC (HARBOR CORRIDOR SPECIFIC PLAN – DISTRICT COMMERCIAL) ZONE TO MODIFY CONDITION (A), FOR THE PROFESSIONAL OFFICE (INCLUDING MEDICAL) USE, IN ORDER TO INCREASE THE ALLOWABLE PERCENTAGE OF MEDICAL OFFICE USES TO A MAXIMUM OF 25 PERCENT OF THE TOTAL BUILDING SQUARE FOOTAGE OF A RETAIL SHOPPING DEVELOPMENT.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on July 5, 2012, does hereby recommend the City Council adopt the Negative Declaration and approve Amendment No. A-169-12, to amend the text of Sub-subsection (4) (Permitted Uses) of Subsection (b) (Regulations and Standards) of Section 9360.3.4 (District Commercial) of the Harbor Corridor Specific Plan) to modify the limitation on the size of medical office uses within retail shopping developments set forth in Condition (a) applicable to Professional office (including medical) uses, in order to increase the allowable size of such medical office uses to a maximum of 25 percent of the total building square footage of a retail shopping development, subject to satisfaction applicable parking requirements.

BE IT FURTHER RESOLVED that the Planning Commission has considered the proposed Negative Declaration together with comments received during the public review process. The record of proceedings on which the Planning Commission's decision is based is located at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California. The custodian of record of proceedings is the Director of Community Development. The Planning Commission finds on the basis of the record before it, including the initial study and comments received, that there is no substantial evidence that the project will have a significant effect on the environment. Therefore, the Planning Commission recommends that the City Council adopt a Negative Declaration for this project.

BE IT FURTHER RESOLVED in the matter of Amendment No. A-169-12, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Harbor Plaza, LLC c/o Athena Property Management.
2. The applicant requests to amend the text of Subsection (b)(4) of Section 9360.3.4 (Regulations and Standards) of the HCSP-DC (Harbor Corridor Specific Plan-District Commercial) zone to modify the limitation on the size of medical office uses within retail shopping developments set forth in Condition (a) applicable to Professional office (including medical) uses, in order to increase the allowable size of such medical office uses to a maximum of 25

percent of the total building square footage of a retail shopping development.

3. The subject site has a General Plan Land Use Designation of International West Mixed Use and is zoned HCSP-DC (Harbor Corridor Specific Plan – District Commercial).
4. Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et. seq.*, and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 *et. seq.*, the Community Development Department has prepared an initial study for the project and it has been determined that the proposed project qualifies for a Negative Declaration because the proposed project cannot, or will not, have a significant effect on the environment; the Negative Declaration was prepared and circulated in accordance with applicable law, including the CEQA guidelines; and
5. Existing land use, zoning, and General Plan Land Use designation of the areas included in this Code Amendment and in their vicinity have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on July 5, 2012, and all 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 July 5, 2012 and considered all oral and written testimony presented regarding the project, the initial study, and the Negative Declaration; and

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

FACTS:

The Harbor Corridor Specific Plan District Commercial (DC) zone area is located within the C-1 (Neighborhood Commercial) base zone and encompasses property primarily containing commercial centers at the crossroads of Harbor Boulevard and Garden Grove Boulevard. The General Plan Land Use Designation of the HCSP-DC zoned properties is International West Mixed Use. The District Commercial use area (i) is intended as an area of Citywide significance for the retail commercial sales of a selected variety of products and provision of consumer services; (ii) is intended meet City general commercial needs beyond the neighborhood level with a mix of general commercial businesses, offices, specialty shops, and some convenience services, but not approaching the level of a regional center; and (iii) is intended to

draw upon markets beyond the City boundary to the extent specific uses are capable of such attraction and to reinforce and expand upon the existing quality commercial centers located at the crossroads. Retail commercial uses are the intended primary uses, and office uses are the intended secondary uses, in the District Commercial (DC) zone. Professional offices, including medical offices, are currently a permitted use within the HCSP-DC zone, subject to the condition that medical office uses shall not occupy more than 4,000 square feet or five percent of the total building square footage of a retail shopping development, whichever is less. The proposed Amendment would modify this condition to allow medical office uses to occupy up to twenty-five percent (25%) of the total square footage of a retail shopping development, provided minimum parking requirements are met.

FINDINGS AND REASONS:

1. The Amendment is internally consistent with the goals, policies, and elements of the General Plan, which encourages compatibility between land uses. The General Plan Land Use Designation of the HCSP-DC zoned properties is International West Mixed Use, which is intended to provide for a mix of uses. The proposed Amendment would not change the type of uses currently permitted in the area; rather, it would merely increase the permitted size of medical office uses located within retail shopping developments, subject to meeting parking requirements. Thus, it is consistent with the property's General Plan Land Use Designation. The proposed Amendment is also consistent with Goal LU-5 of the General Plan, which seeks to promote economically viable, vital, and attractive commercial centers throughout the City that serve the needs of the community, and the corresponding Policy LU-5.1, which calls for the City to work with property owners of vacant commercially zoned property to develop their sites into appropriate, economically viable projects. The proposed Amendment is also consistent with Goal LU-6 of the General Plan, which encourages the revitalization of aging, underused or deteriorated commercial corridors, centers, and properties in the City, and corresponding Policy LU-6.2, which calls for the City to encourage a mix of retail shops and services along the commercial corridors and in centers that better meet the needs of the area's present and potential clientele. Due to market forces, the demand for medical office uses has increased, and relaxing the existing restriction on the amount of space in retail shopping developments that may be occupied by medical office uses will assist commercial centers in the HCSP-DC zone to remain vital, economically viable, and fully utilized.
2. The Amendment is deemed to promote the public health, safety and welfare. Due to market forces, the demand for medical office uses has increased, and relaxing the existing restriction on the amount of space in retail shopping developments that may be occupied by medical office uses will promote the health, safety and welfare by assisting commercial centers in the HCSP-DC zone to remain vital, economically viable, and fully utilized. In addition, the requirement that any

such medical office uses be able to meet applicable minimum parking requirements will further ensure that the public health, safety and welfare is not compromised as a result of the Amendment.

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 Amendment possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.D.1 (Code Amendment).
2. Pursuant to the proposed Amendment, Section 9360.3.4 (District Commercial) of the Harbor Corridor Specific Plan would be amended as follows (deleted text struck out; added text in bold/underline):

9360.3.4. District Commercial (DC).

(a) Intent.

- 1) The District Commercial use district is intended as an area of Citywide significance for the retail commercial sales of a selected variety of products and provision of consumer services.
- 2) The District Commercial area is a grouping of existing and proposed commercial centers at the crossroads formed by Harbor Boulevard and Garden Grove Boulevard. Each center features an anchor use with subordinate attached and satellite shops with related uses occupying smaller adjacent properties.
- 3) The District is intended to meet City general commercial needs beyond the neighborhood level with a mix of general commercial businesses, offices, specialty shops, and some convenience services, but not approaching the level of a regional center.
- 4) It is intended to draw upon markets beyond the City boundary to the extent specific uses are capable of such attraction and to reinforce and expand upon the existing quality commercial centers located at the crossroads.
- 5) The District will establish and maintain a distinctive urban appearance and character, contrasting with less intense surrounding development.

6) Urban spaces along the arterial highways are to be accented by close-in satellite structures with the bulk of landscaped parking and drive areas located between the satellites and main structures.

(b) Regulations and Standards

- 1) Primary Use: Retail Commercial uses, catering to the everyday needs of the community
- 2) Secondary Use: Office
- 3) Base District: C-1 – Neighborhood Commercial
- 4) Permitted Uses: Retail Bakeries
Financial Institutions
Barber shops and beauty salons
Christmas Tree sales lot (subject to restrictions of Municipal Code)
Clothes cleaning (excluding laundry processing plants)
Clothing stores
Delicatessen stores or meat markets
Department stores
Drug stores
Fireworks stands (subject to restrictions of Municipal Code)
Florist shops
Grocery stores (excluding mini markets)
Hardware stores
Jewelry stores
Liquor stores (subject to conditional use permit)
Outdoor Food Vendors, subject to the following regulations:
 - (a) A Conditional Use Permit is required.
 - (b) A Conditional use permit application shall have the approval of the property owner of the site on which the vendor will operate.
 - (c) Vendors shall not be located within any required off-street parking space or aisle for vehicular circulation.
 - (d) Vendors shall be restricted to selling food products only and shall be approved by the Orange County Health Department prior to the issuance of a Conditional Use Permit.

(e) The Conditional Use Permit shall have an annual review by the Hearing Body.

(f) Vendors are expressly prohibited on public sidewalks and public streets.

(g) Outdoor food vendors in conjunction with grand openings or special event sales shall be regulated by Section 9.08.060 of the Municipal Code. Prescription pharmacies Professional office (including medical) subject to the following:

(a) Medical office uses shall not occupy more than ~~4,000 square feet or five~~ **twenty-five** percent **(25%)** of the total building square footage of a retail shopping development, whichever is less.

In addition, the minimum parking requirements set forth in Municipal Code Section 9.16.040.150 (Parking Spaces Required) for Medical, dental and related service support facilities uses shall apply to any such medical office uses, and any new or expanded medical office use in a retail shopping development that would result in an increase in the minimum number of required parking spaces in excess of that currently permitted for the development shall not be permitted unless a shared parking management plan is reviewed and approved by the City pursuant to Municipal Code Section 9.16.040.180 (Joint Use/Parking Management Plan).

Public Utility commercial offices

Restaurants

Restaurants, with entertainment, subject to the following:

(a) Conditional Use Permit required.

(b) Restaurant shall be at least 4,000 square feet in area.

- (c) No dancing permitted.
 - (d) Entertainment shall be incidental to restaurant use (such as background music).
 - Real Estate, Insurance and Stock Brokers
 - Retail Commercial uses
 - Shoe stores or shoe repair shop
 - Similar Business and Professional offices (subject to Advisory Agency approval as outlined in General Provision #8)
 - Studios, interior decorating, photographer, couturier, artist and music (primarily for retail sales)
 - Tailors
 - Retail quick print shops
 - Retail plumbing shops
- 5) Height: 45 feet
- 6) Setbacks: Street Frontage – 10' for a maximum of 40% of the lineal distance of the property line; 45' plus vehicular drive area, if any, for the remaining frontage. Corner cut-off – 20' on a line perpendicular to the mid-point tangent of the intersection. Interior side – 0' for compatible uses; 20' or solar setback, whichever is greater, for incompatible uses. Rear – same as interior side.
- 7) Minimum site requirements: 50,000 sf lot size, 300' street frontage
- 8) Landscape: 10 percent coverage
- 9) Signing: Wall and monument signs are permitted.

ADOPTED this 5th day of July, 2012

/s/ PHAT BUI
CHAIR

I HEREBY CERTIFY that the foregoing resolution was duly adopted at the regular meeting of the Planning Commission of the City of Garden Grove, State of California, held on July 5, 2012, by the following votes:

AYES:	COMMISSIONERS:	BUI, CABRAL, LAZENBY, SILVA
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BRIETIGAM, DOVINH, PAK

/s/ JUDITH MOORE
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 26, 2012.

ENVIRONMENTAL CHECKLIST FORM

1. **PROJECT TITLE:**

Amendment No. A-169-12
Proposed Medical Office Building Reoccupancy Project at Harbor Village Plaza,
at 12892-12952 Harbor Boulevard

2. **LEAD AGENCY:**

City of Garden Grove
11222 Acacia Parkway
P.O. Box 3070
Garden Grove, CA 92840

3. **CONTACT PERSON:**

Chris Chung, Associate Planner, City of Garden Grove

4. **PROJECT LOCATION:** Northeast corner of Garden Grove Boulevard and Harbor Boulevard, at 12892-12952 Harbor Boulevard, Assessor's Parcel Numbers: 231-411-02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 231-421-01, 04, 05, 06, 07, 08, 09, 10, 11, 12, 231-412-01, 02, 231-405-01, 101-621-13, 15, 16, 17, 100-501-16, 27, 28, and 231-404-13, in the City of Garden Grove.

5. **PROJECT SPONSOR:**

Harbor Plaza, LLC c/o Athena Property Management
41 Corporate Park, Suite 260
Irvine, CA 92606

6. **ENVIRONMENTAL SETTING:**

The subject tenant space is located within an existing multi-tenant shopping center, the Harbor Village Plaza. The existing development is approximately 43,385 square feet in gross floor area. The zoning of the subject development is HCSP-DC (Harbor Corridor Specific Plan – District Commercial) and the General Plan Land Use Designation is International West Mixed Use. The subject site is adjacent to HCSP-DC zoned properties across Harbor Boulevard to the north, HCSP-SDS (Harbor Corridor Specific Plan – Swing District South) residentially developed properties to the east, C-1 (Neighborhood Commercial) and R-1 (Single-Family Residential) zoned properties to the west, and HCSP-DC and HCSP-OP (Harbor Corridor Specific Plan – Office Professional) zoned properties across Garden Grove Boulevard to the south.

7. **GENERAL PLAN DESIGNATION:**

International West Mixed Use

8. **ZONING:**

HCSP-DC (Harbor Corridor Specific Plan – District Commercial)

9. DESCRIPTION OF PROJECT:

A request to amend the HCSP-DC (Harbor Corridor Specific Plan-District Commercial) zone to modify Condition (a), for the Professional office (including medical) use, in order to increase the allowable percentage of medical office uses to a maximum of 25 percent of the total building square footage of a retail shopping development.

10. OTHER AGENCIES WHOSE APPROVAL (AND PERMITS) IS REQUIRED:

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Public Services/Service Systems
<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Utilities and Services
<input type="checkbox"/> Geology/Soils	<input type="checkbox"/> Recreation	<input type="checkbox"/> Aesthetics
<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Cultural Resources
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Greenhouse Gas Emissions
<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Mandatory Findings of Significance	<input type="checkbox"/> Agricultural and Forestry Resources

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project COULD have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature



Date

6/5/12

Chris Chung
Printed Name

For:
City of Garden Grove

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "*No Impact*" answers that are adequately supported by the information sources a lead agency cited in the parentheses following each question. A "*No Impact*" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "*No Impact*" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.)
2. All answers must take into account the whole of the action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "*Potentially Significant Impact*" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "*Potentially Significant Impact*" entries when the determination is made, an EIR is required.
4. "*Negative Declaration: Less Than Significant With Mitigation Incorporated*" applies where the incorporation of mitigation measures has reduced an effect from "*Potentially Significant Impact*" to a "*Less than Significant Impact*." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "*Earlier Analysis*," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such efforts were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "*Less than Significant with Mitigation Measures Incorporated*," describe the mitigating measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is elected.
9. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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I. AESTHETICS*
 Would the project:

- a. Have a substantial adverse effect on a scenic vista?
- b. Substantially damage scenic resources, including but not limited to trees, rock, outcroppings, and historic buildings within a state scenic highway?

Response (a-b): The project site is not located adjacent to any officially designated scenic vistas or highways. The project site is located in a commercial area of Garden Grove that is characterized by typical existing commercial developments and businesses. The applicant proposes to reoccupy an existing vacant building with a medical office use. The site and building will remain unchanged aesthetically.

- c. Substantially degrade the existing visual character or quality of the site and its surroundings?

Response: The subject tenant space is currently vacant. There will be no exterior modifications to the building. There are no proposed changes that would cause degradation of the existing visual character or quality of the existing building, the existing site, and the surroundings.

- d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

Response: The project site is located in an existing commercial development with existing lighting provided by pole-mounted lighting both on the site and in the immediate vicinity of the project site.

II. AGRICULTURE AND FOREST RESOURCES*

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of California Resources Agency, to non-agricultural use?
- b. Conflict with existing zoning for agricultural use,

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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or a Williamson Act contract?

- c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as Defined by Government Code Section 51104(g))?
- d. Result in the loss of forest land or conversion of forest land to non-forest use?
- e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Response (a-e): According to the California Department of Conservation Farmland Mapping and Monitoring Program, the site has not been mapped as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project is not zoned for farmland or forestland and is not located within an area that is used or zoned for farming or forest uses. The project is not subject to a Williamson Act contract, and thus will not conflict with a Williamson Act contract, as the properties are not zoned or used for agricultural purposes.

The project is located in an urbanized area that is developed for commercial uses. The property is located in the HCSP-DC (Harbor Corridor Specific Plan – District Commercial) zone and has a General Plan Land Use designation of International West Mixed Use. The zoning and General Plan designation will remain the same. The only change to the code will be to amend the HCSP-DC (Harbor Corridor Specific Plan-District Commercial) zone to modify Condition (a), for the Professional office (including medical) use, in order to increase the allowable percentage of medical office uses to a maximum of 25 percent of the total building square footage of a retail shopping development.

There are no forestlands within this area, therefore, no loss of forestland or conversion of forestland to non-forest use will occur.

The project site is not located in close proximity to forestland or farmland designated by the California Department of Conservation. Therefore, the project does not involve other changes that, due to their location or nature, would result in conversion of farmland to non-agricultural use or conversion of forestland to non-forest use.

III. AIR QUALITY*

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a. Conflict with or obstruct implementation of the applicable air quality plan?

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response (a-d): The project will not conflict with adopted air quality plan. The project site is located within the South Coast Air Quality Management District (SCAQMD). SCAQMD has adopted both regional and localized air quality significance thresholds. A project's air quality impacts can be separated into short-term impacts from construction, and long-term permanent impacts from project operations. The proposed reoccupying of the existing vacant building with the proposed medical office use will require only minor construction of interior tenant improvements. As a result, the project will not generate short-term impacts. While the project's operation could contribute some additional vehicle trips traveling in and out of the project site, those emissions are nominal.

e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Response: No objectionable odors would be created by the proposed reoccupying of the existing vacant building with the proposed medical office use. Temporary odors may occur during the construction of limited interior tenant improvements based on the construction material used, such as paint, coatings, and solvents. Most of the construction will be indoors and the limited emissions will dissipate rapidly.

IV. BIOLOGICAL RESOURCES*

Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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the Clean Water Act (including, but limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

- d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?
- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f. Conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional or state habitat conservation plan?

Response (a-f): The project is located within a highly urbanized area that is improved with existing commercial development and is devoid of native vegetation. There are no identified species or habitats on the site. The project site is improved with existing commercial buildings, paved parking and loading areas, and landscaped setbacks. The proposed new use within the existing vacant building will not alter the site significantly. Endangered species are not expected to occur in the area due to the lack of suitable habitat and heavy disturbance of the existing environment.

The project site does not contain any standing surface water. Therefore, there would be no potential impact on riparian habitats or other sensitive riparian natural communities. Additionally, there would not be any potential impacts on federally protected wetlands, marsh, or vernal pools.

The project does not conflict with any local policies or ordinances protecting biological resources.

V. CULTURAL RESOURCES*

Would the project:

- a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?
- b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- d. Disturb any human remains, including those interred outside of formal cemeteries?

Response (a-d): The site is located in an urbanized area, and is currently developed with existing commercial buildings, paved parking and loading areas. There will be no new construction and therefore, the proposal will not affect any archeological site, paleontological resource, geologic feature, or human remains. If unanticipated

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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archeological resources, paleontological resources, or human remains are discovered during construction, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with California Health & Safety Code § 7050.5 and Public Resources Code § 20183.2. No cultural resources impacts are anticipated.

VI. GEOLOGY AND SOILS*

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv. Landslide? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response (i-iv): According to the General Plan EIR, the nearest major active fault along which a rupture or a major seismic event could occur is the Newport-Inglewood Fault. This fault is located just west of Dana Point Harbor and continues north through Newport Beach into south Los Angeles County. The seismic parameters of the site are similar to those of other areas in Orange County during the maximum credible event along the Newport-Inglewood Fault Zone that is estimated to be of 7.5 magnitude. No fault rupture is expected in the immediate vicinity of the project. Liquefaction could potentially occur during a maximum intensity event along the Newport-Inglewood fault due to the possibly saturated nature of the sandy soils in the area. The project site is not located within an area of high or moderate dynamic settlement potential per the Safety Element of the General Plan 2030.

Some exposure to seismic-related hazards, therefore, is expected. All construction, however, shall comply with applicable building codes including, but not limited to, the California Building Code, Fire Code, and other related City requirements. In general, seismic issues are common for most of California, and adherence to project design features, the California Building Code, Fire Code, and City requirements would ensure that the impacts due to seismic ground shaking or failure would be less than significant. As a result, the risk of loss, injury, or death involving seismic rupture or shaking would be considered less than significant and no mitigation measures would be necessary.

Additionally, the project area is relatively flat and therefore would not normally be subject to landslides or mudslides. There will be no new construction on the site and the tenant improvement to the interior of the existing building will not involve excavations. No impacts are anticipated.

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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- b. Result in substantial soil erosion or the loss of topsoil?

Response: The proposal is to allow the reoccupying of the existing vacant building with the proposed medical office use. This part of the City is developed with existing commercial buildings, large areas of impermeable surfaces for parking and loading and limited landscape setbacks along street frontages. Given that the area is fully developed with commercial buildings and parking/loading areas there will be no soil erosion or loss of top soil.

- c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building code (1994), creating substantial risks of life or property?

Response (c-d): The site is not located on an identified landslide hazard area where local topographical, geological, geotechnical and subsurface conditions signify landslide potential. Vertical displacement or subsidence of the land surface can be caused by several factors, including the withdrawal of oil, gas, or water from underlying formations, decomposition of buried organic material, and construction of heavy manmade structures above underlying poorly consolidated materials. None of these or any other conditions typically contributing to subsidence are expected in the project area. There will be no new construction on the site and therefore, none of these or any other conditions typically contributing to subsidence, are expected on the project site.

- e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Response: The subject site and the proposed reoccupying of the existing vacant building with the proposed medical office use in the HCSP-DC (Harbor Corridor Specific Plan – District Commercial) zone will be served by the City’s sewers system and therefore no alternative wastewater disposal system is needed to support the project. No impacts are anticipated.

VII. GREEN HOUSE GAS EMISSIONS*

Would the project:

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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Response (a-b): Given the complexity of the overall interactions between various global and regional scale emissions, it is very unlikely that any individual project would have Green House Gas (GHG) emissions of a magnitude sufficient to directly or significantly impact global climate change. Even a very large project does not generate enough greenhouse gases to significantly influence global climate change. Global climate change impacts, therefore, must be evaluated cumulatively. In California, AB 32 and SB 375, will address GHGs on a statewide, cumulative basis. Since the adoption of AB 32 and SB 375, however, there has been little regulatory guidance regarding the quantification of potential GHG impacts. Instead, the CEQA Guidelines specify that a lead agency may, in its discretion, rely on a quantitative or qualitative analysis for these purposes.

Generally, GHG emissions are generated during the construction and/or operational phases of any given project. Here, the proposed project does not call for any construction activities. As a result, the proposed project will not generate any temporary GHG emissions that would otherwise occur during construction. While the project’s operational component could contribute some additional GHG emissions above those emissions in the existing environmental setting, those emissions are nominal. Because the net increase in GHG emissions associated with the project would be negligible, the project would not cumulatively contribute to GHG emissions impacts. The proposed project would not have the potential to interfere with implementation of AB 32’s GHG reduction targets.

VIII. HAZARDS AND HAZARDOUS MATERIALS*

Would the project:

- a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Response (a-c): The proposed medical office use may include in its operation, the routine transport, use, or disposal of hazardous materials. Some incidental hazardous materials, including paints, solvents, and other materials, may be stored on-site and utilized in daily operations or maintenance of the property. All proposed use of such materials must comply with applicable federal, state, and local regulations pertaining to the transport, storage, use and/or disposal of hazardous materials on the site. There will be no health hazards or potential for health hazards created by the proposed medical office use.

- d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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Response: The project is not located on a site that has been included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Since the site is not located on a hazardous materials site, no impact is anticipated.

- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Response (e-f): The project site is not located within an airport land use plan, within two-miles of a public airport or public use airport, or within the vicinity of private airstrip. Therefore, the project would not result in a safety hazard for people residing or working in the project area. No impacts are anticipated.

- g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Response: The proposed medical office use in the HCSP-DC zone would be within an existing building, provide adequate parking, and be accessed by the existing street infrastructure. The use is consistent with the development in the zone and surrounding area and would not create any physical interference that would impair implementation of an adopted emergency response or evacuation plan.

- h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Response: The project is within a highly urbanized area and is not located adjacent to any wildlands or an area where residences are intermixed with wildlands. Therefore, based on the location of the project, no exposure of people or structures to a risk of loss, injury, or death involving a wildfire is anticipated.

IX. HYDROLOGY AND WATER QUALITY*

Would the project:

- a. Violate any water quality standards or waste discharge requirements?
- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted?)

- | | Potentially Significant Impact | Potentially Significant Unless Mitigated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Create or contribute run-off water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response (a-f): The project site is located within an urbanized area with existing commercial uses. Both the site and the surrounding commercial areas are largely covered with impermeable surfaces. The proposed medical office use will be within an existing building and will not alter the existing site. The proposed use will not affect aquifers' recharge capability or alter the direction of groundwater flow beyond existing conditions. Project construction will be limited to tenant improvement work within the existing building and will require no excavation or other related below-grade work, nor use of large quantities of water.

There are no surface waters within the project area. All run-off from the area is, and will continue to be, collected in local and regional storm drain facilities. The City and County NPDES programs are in place to regulate the transport of these waters with other urban run-off into City and County drainage facilities.

There will be less than significant change in absorption rates, drainage patterns and in the rate or amount of surface run-off as of the land is presently developed.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response (g-i): The project area is located within the Flood Hazard Zone "A", as determined by the Federal Emergency Management Agency Flood Insurance Rate Map No. 06059C0141J (Community No. 060220, Panel No. 0143), issued on December 3, 2009. Flood Zone "A" includes areas of 100-year flood; with average depths of less than one foot, or with drainage areas less than one square mile. Flood

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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Zone "A" is subject to the Flood Hazard Overlay Zone. However, the project area is developed with existing commercial buildings. There will be no new construction or expansion of the existing commercial buildings.

- j. Inundation by seiche, tsunami, or mudflow?

Response: Seiches, tsunamis, and mudflows are not anticipated to occur in the vicinity of this project due to its distance from the coast, absence of large bodies of water, or hilly or mountainous areas that potentially could cause mudflows.

X. LAND USE AND PLANNING*

Would the project:

- a. Physically divide an established community?

Response: The proposed medical office use in the HCSP-DC Zone will not physically divide an established community. The proposed medical office use will operate within the existing commercial development. The site and surrounding area will continue to operate as a commercial area.

- b. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Response: The proposed reoccupying of the existing vacant tenant space with a medical office use will not conflict with the HCSP-DC zoning or the General Plan Land Use Designation of International West Mixed Use. The proposal will be consistent with the goals of the General Plan International West Mixed Use designation. As set forth in this initial study, the project does not conflict with any other applicable land use plan, policy, or regulation adopted by an agency with jurisdiction over the project.

- c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Response: The proposed project is located within a highly urbanized area of Orange County and is in conformance with applicable federal, state and City of Garden Grove environmental requirements and plans. The proposed use will be in a developed commercial area that is not subject to any habitat conservation plan or natural community conservation plan.

XI. MINERAL RESOURCES*

Would the project:

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

- b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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Response (a-b): The proposed medical office use is located in a zone in the City that is not known to have mineral resources as identified in the City's General Plan.

XII. NOISE*

Would the project result in:

- a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Response (a-d): There are no physical changes on the project site that would likely increase noise levels beyond those existing.

- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport, or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Response (e-f): The project site is not located within an airport land use plan, within two-miles of a public airport or public use airport, or within the vicinity of private airstrip. No impacts are anticipated.

XIII. POPULATION AND HOUSING*

Would the project:

- a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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- c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Response (a-c): There will be no impact to the existing population and housing, as the proposed project and code amendment does not affect any residential developments within the community.

XIV. PUBLIC SERVICES*

- a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

Response: The City of Garden Grove Fire Department provides emergency response service to the project area. The project is not likely to induce significant growth and will not result in a substantial new demand for fire protection services.

Police protection?

Response: The Garden Grove Police Department provides police protection in the area. The project is not likely to induce growth beyond that planned for the site and will not result in substantial new demand for police protection services. There are no anticipated physical changes within the area that would significantly affect police protection.

Schools?

Response: The proposed reoccupying of the existing vacant tenant space with the medical office use in the HCSP-DC zone, will not increase the number of housing units and therefore, the number of children will not increase within the Garden Grove Unified School District. No impact to area schools is anticipated.

Parks?

Response: The proposed reoccupying of the existing vacant tenant space with the medical office use in the HCSP-DC zone is located in an area developed with commercial buildings. The HCSP-DC zone is not an area that has developed parks or is designated for parkland. The use of an existing commercial building with a medical office use will not require the creation of additional parkland.

Other public facilities?

Response: It is not likely that the project will increase demands on other governmental services.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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XV. RECREATION*

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that the substantial physical deterioration of the facility would occur or be accelerated?

Response: The proposed reoccupying of the existing vacant tenant space with the medical office use in the HCSP-DC zone will not have an impact on the demand on existing public facilities for the same sports amenities.

- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Response: The proposed reoccupying of the existing vacant tenant space with the medical office use, in the HCSP-DC zone, will be limited to tenant improvement construction within the existing building with no appreciable changes to the site, therefore the code amendment will not create adverse physical effects on the environment.

XVI. TRANSPORTATION*

Would the project:

- a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit, and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?
- b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?
- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Response (a-d): The proposed reoccupying of the existing vacant tenant space with the medical office use in the HCSP-DC zone is not likely to increase traffic congestion in the area. Peak hours for the establishment are after regular business hours and during the day on weekends. Construction for the medical office use will be tenant improvement within the existing building but if there is construction in the public

	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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right-of-way the applicant will be required to submit a traffic safety plan to minimize traffic congestion.

- e. Result in inadequate emergency access?

Response: The proposed reoccupying of the existing vacant tenant space with the medical office use in the HCSP-DC zone will not alter the emergency access.

- f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Response: The proposed reoccupying of the existing vacant tenant space with the medical office use in the HCSP-DC zone that will occupy space within the existing commercial development and rely on existing street infrastructure will not conflict with modes of alternative transportation nor decrease the performance or safety of such facilities.

XVII. UTILITIES AND SERVICE SYSTEMS*

Would the project:

- a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Response: As explained above, the project is required to implement the requirements of the Regional Water Quality Control Board.

- b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Response: See (e) below.

- c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Response: The code amendment is to allow the reoccupying of an existing vacant tenant space with a medical office use to a highly urbanized area where storm water drainage facilities are in place and adequate to meet the needs for the area.

- d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Response: The proposal involves the reoccupying of the existing vacant tenant space with the medical office use in the HCSP-DC zone. The specific project details for any additional fixtures in a proposed remodel and the water sufficiency will be reviewed by Public Works through the conditional use permit.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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- e. Result in determination by the wastewater treatment provider, which serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Response (b, e): The Public Works, Water Services Division, has reviewed the request for the proposed reoccupying of the existing vacant tenant space with the medical office use in the HCSP-DC zone and has determined that the area is not located in a sewer deficient area. The existing sewer system is sufficient to accommodate the tenant improvements required to operate a medical office use within the existing vacant building.

- f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- g. Comply with federal, state, and local statutes and regulations related to solid waste?

Response (f-g): The Garden Grove Sanitary District administers solid waste disposal services in the City of Garden Grove. Collection services are provided via a contract with a private trash collection contractor. The medical office use is located within an existing commercial development which is responsible for coordinating with the Garden Grove Sanitary District and their contractor for specific matters such as trash pick-up times, number and types of trash receptacles, and the locations of such trash receptacles.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?
- b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

XIX. EARLIER ANALYSIS

Earlier analyses may have been used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D).

a. EARLIER ANALYSIS:

1. The City of Garden Grove General Plan Update.
2. The City of Garden Grove Existing Conditions Report.
3. The City of Garden Grove Final Environmental Impact Report for the General Plan Update, State Clearinghouse No. 2008041079, August 2008.
4. Title 9 of the Garden Grove Municipal Code.
5. The City of Garden Grove Sanitary District Sewer Deficiency Analysis and Sewer Improvement Master Plan.

b. IMPACTS ADEQUATELY ADDRESSED:

1. Geology & Soils
2. Green House Gas Emissions

c. MITIGATION MEASURES:

The project is consistent with the analysis that was done within The City of Garden Grove Final Environmental Impact Report for the General Plan 2030 Update State Clearinghouse No. 2008041079.

MINUTE EXCERPT

GARDEN GROVE PLANNING COMMISSION

PUBLIC HEARING: NEGATIVE DECLARATION
AMENDMENT NO. A-169-12
APPLICANT: HARBOR PLAZA, LLC
LOCATION: NORTHEAST CORNER OF GARDEN GROVE BOULEVARD AND HARBOR BOULEVARD AT
12892-12952 HARBOR BOULEVARD
DATE: JULY 5, 2012

REQUEST: To amend the HCSP-DC (Harbor Corridor Specific Plan-District Commercial) zone to modify Condition (a), for the Professional office (including medical) use, in order to increase the allowable percentage of Professional office (including medical) uses to a maximum of 25% of the total building square footage of a retail shopping development. The site is in the HCSP-DC (Harbor Corridor Specific Plan-District Commercial) zone.

Staff report was read and recommended approval with amendments to the Resolution. One letter of concern was written by Sherry Williams regarding parking issues and medical versus retail issues.

Staff then explained the amendments to the Resolution, which clarified that the zone amendment would indicate what the Municipal Code would allow for all shopping center properties within the Harbor Corridor Specific Plan area; that the amendment was not a specific application for the medical office use; that the Parking Management Plan did not need approval by the Planning Commission as with the adoption of the amendment, the existing Municipal Code provisions would be incorporated for the reduction of state parking requirements pursuant to a Parking Management Plan, which was approved by staff; that staff has reviewed the Parking Management Plan and determined that the Plan was compliant; and, that the amendment applies to all shopping center properties located in the Harbor Corridor Specific Plan-District Commercial zone only, not to other shopping centers in the City.

Staff further explained that in the '90's, provisions allowed medical office uses in shopping centers with a stipulation that the medical offices could not exceed 5% or had a 4,000 square feet limitation; that the intent was to direct medical offices uses to office zones and maintain retail in retail zones; and, that over time, since 1985, tenant uses have changed especially with an increase in medical and dental type uses, which have not created impacts.

Vice Chair Cabral asked staff if the staff report defined the medical use. Staff responded that typical medical offices would be dental, medical, out patient, and surgery center, but not a medical marijuana dispensary.

Chair Bui asked if the parking variance could be applied to other businesses. Staff responded that with less than 25% deviation, the applicant/property owner could prepare a parking analysis to demonstrate there was sufficient parking; and, that exceeding 25% would require a variance.

Commissioner Lazenby questioned the duration of patient visits for the fluctuation of parking. Staff replied that for the general medical use, the visits would be short term.

Chair Bui opened the public hearing to receive testimony in favor of or in opposition to the request.

Mr. Jeff Lochner, the applicant's representative, approached the Commission and described the request and stated that the expanded medical use at the Harbor Village Shopping Center would be a general practice with three to four doctors, along with some urgent care and walk-ins.

Chair Bui asked the applicant if he had read and agreed with the amendments. Mr. Lochner replied yes.

Vice Chair Cabral asked for the number of office staff. Mr. Lochner replied that there would be seven to nine staff members in addition to the doctors with general business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, maybe some Saturdays; and, that there would be approximately three patients per doctor per hour.

There being no further comments, the public portion of the hearing was closed.

Commissioner Silva asked staff that if the amendment was approved would other shopping centers have to go before the Planning Division to prove the parking plan was compliant? Staff replied yes.

Commissioner Silva asked if the other 13 to 14 tenants were not adverse to the change. Staff replied that only one letter was received with concerns, though that person was not a tenant.

Commissioner Silva asked staff to verify the number of parking spaces. Staff responded that 33 spaces were required by code and 240 spaces were available on site.

Chair Bui commented that with the healthcare program passed, the demand for medical use would increase in the future, and the addition of the medical office would help support the increase.

Commissioner Lazenby moved to recommend adoption of the Negative Declaration and approval of Amendment No. A-169-12, with amendments, to City Council, seconded by Commissioner Silva, pursuant to the facts and reasons contained in Resolution No. 5775-12. The motion received the following vote:

AYES:	COMMISSIONERS:	BUI, CABRAL, LAZENBY, SILVA
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	BRIETIGAM, DOVINH, PAK

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A NEGATIVE DECLARATION AND APPROVING AMENDMENT NO. A-169-12, A TEXT AMENDMENT TO SUBSECTION (b)(4) OF SECTION 9360.3.4 OF THE HARBOR CORRIDOR SPECIFIC PLAN TO MODIFY THE LIMITATION ON THE SIZE OF MEDICAL OFFICE USES WITHIN RETAIL SHOPPING DEVELOPMENTS LOCATED IN THE DISTRICT COMMERCIAL ZONE OF THE HARBOR CORRIDOR SPECIFIC PLAN AREA IN ORDER TO INCREASE THE ALLOWABLE SIZE OF SUCH MEDICAL OFFICE USES TO A MAXIMUM OF 25 PERCENT OF THE TOTAL BUILDING SQUARE FOOTAGE OF A RETAIL SHOPPING DEVELOPMENT, SUBJECT TO SATISFACTION OF APPLICABLE PARKING REQUIREMENTS

City Attorney Summary

This Ordinance approves a text amendment to the Harbor Corridor Specific Plan to modify the limitation on the size of medical office uses within retail shopping developments located within the District Commercial zone of the Harbor Corridor Specific Plan area in order to increase the allowable size of such medical office uses from the current limit of the lesser of 4,000 square feet or 5 percent of the total building square footage of a retail shopping development to a new limit of a maximum of 25 percent of the total building square footage of a retail shopping development, subject to satisfaction of applicable parking requirements.

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

WHEREAS, the subject case was initiated by Harbor Plaza, LLC c/o Athena Property Management;

WHEREAS, the Applicant requests to amend the text of Sub-subsection (4) (Permitted Uses) of Subsection (b) (Regulations and Standards) of Section 9360.3.4 (District Commercial) of the Harbor Corridor Specific Plan to modify the limitation on the size of medical office uses within retail shopping developments set forth in Condition (a) applicable to Professional office (including medical) uses, in order to increase the allowable size of such medical office uses to a maximum of 25 percent of the total building square footage of a retail shopping development, subject to satisfaction of applicable parking requirements;

WHEREAS, the subject site has a General Plan Land Use Designation of International West Mixed Use and is zoned HCSP-DC (Harbor Corridor Specific Plan – District Commercial);

WHEREAS, Pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et. seq.*, and the CEQA guidelines, 14 California Code of Regulations Sec. 15000 *et. seq.*, an initial study has been

prepared for the project, and it has been determined that the proposed project qualifies for a Negative Declaration because the proposed project cannot, or will not, have a significant effect on the environment;

WHEREAS, the Negative Declaration was prepared and circulated in accordance with applicable law, including the CEQA guidelines;

WHEREAS, the Planning Commission of the City of Garden Grove held a duly noticed Public Hearing on July 5, 2012, and considered all oral and written testimony presented regarding the initial study, the Negative Declaration, and the project;

WHEREAS, following a Public Hearing held on July 5, 2012, the Planning Commission adopted Resolution No. 5775-12 recommending City Council adoption of the Negative Declaration and approval of Amendment No. A-169-12;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on August 28, 2012, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council gave due and careful consideration to the matter; and

WHEREAS, the City Council hereby makes the following findings regarding Amendment No. A-169-12:

A. The amendment is internally consistent with the goals, policies, and elements of the General Plan. The General Plan Land Use Designation of the HCSP-DC zoned properties is International West Mixed Use, which is intended to provide for a mix of uses. The proposed Amendment would not change the type of uses currently permitted in the area; rather, it would merely increase the permitted size of medical office uses located within retail shopping developments, subject to meeting parking requirements. Thus, it is consistent with the property's General Plan Land Use Designation. The proposed Amendment is also consistent with Goal LU-5 of the General Plan, which seeks to promote economically viable, vital, and attractive commercial centers throughout the city that serve the needs of the community, and the corresponding Policy LU-5.1, which calls for the City to work with property owners of vacant commercially zoned property to develop their sites into appropriate, economically viable projects. The proposed Amendment is also consistent with Goal LU-6 of the General Plan, which encourages the revitalization of aging, underused or deteriorated commercial corridors, centers, and properties in the city, and corresponding Policy LU-6.2, which calls for the City to encourage a mix of retail shops and services along the commercial corridors and in centers that better meet the needs of the area's present and potential clientele. Due to market forces, the demand for medical office uses has increased, and relaxing the existing restriction on the amount of space in retail shopping developments that may be occupied by

medical office uses will assist commercial centers in the HCSP-DC zone to remain vital, economically viable, and fully utilized.

B. The Amendment is deemed to promote the public health, safety, and welfare. Due to market forces, the demand for medical office uses has increased, and relaxing the existing restriction on the amount of space in retail shopping developments that may be occupied by medical office uses will promote the health, safety, and welfare by assisting commercial centers in the HCSP-DC zone to remain vital, economically viable, and fully utilized. In addition, the requirement that any such medical office uses be able to meet applicable minimum parking requirements will further ensure that the public health, safety, and welfare is not compromised as a result of the Amendment.

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

SECTION 1. The above recitals are true and correct.

SECTION 2. The City Council has considered the proposed Negative Declaration together with comments received during the public review process. The record of proceedings on which the City Council's decision is based is located at the Community Meeting Center, 11300 Stanford Avenue, Garden Grove, California. The custodian of record of proceedings is the City Clerk. The City Council finds on the basis of the record before it, including the initial study and comments received, that there is no substantial evidence that the project will have a significant effect on the environment. The City Council further finds that the adoption of the Negative Declaration reflects the City Council's independent judgment and analysis. Therefore, the City Council of the City of Garden Grove adopts the Negative Declaration.

SECTION 3. Amendment No. A-169-12 is hereby approved pursuant to the findings set forth herein and the facts and reasons stated in Planning Commission Resolution No. 5775-12, a copy of which is on file in the City Clerk's Office, and which is incorporated herein by reference with the same force and effect as if set forth in full.

SECTION 4. Section 9360.3.4 (District Commercial) of the Harbor Corridor Specific Plan is hereby amended to read as follows (deleted text struck out; added text in bold/underline):

"9360.3.4. District Commercial (DC).

(a) Intent.

1) The District Commercial use district is intended as an area of citywide significance for the retail commercial sales of a selected variety of products and provision of consumer services.

2) The District Commercial area is a grouping of existing and proposed commercial centers at the crossroads formed by Harbor Boulevard and Garden Grove Boulevard. Each center features an anchor use with subordinate attached and satellite shops with related uses occupying smaller adjacent properties.

3) The District is intended to meet City general commercial needs beyond the neighborhood level with a mix of general commercial businesses, offices, specialty shops, and some convenience services, but not approaching the level of a regional center.

4) It is intended to draw upon markets beyond the city boundary to the extent specific uses are capable of such attraction and to reinforce and expand upon the existing quality commercial centers located at the crossroads.

5) The District will establish and maintain a distinctive urban appearance and character, contrasting with less intense surrounding development.

6) Urban spaces along the arterial highways are to be accented by close-in satellite structures with the bulk of landscaped parking and drive areas located between the satellites and main structures.

(b) Regulations and Standards

- | | |
|--------------------|---|
| 1) Primary Use: | Retail Commercial uses, catering to the everyday needs of the community |
| 2) Secondary Use: | Office |
| 3) Base District: | C-1 – Neighborhood Commercial |
| 4) Permitted Uses: | Retail Bakeries |
| | Financial Institutions |
| | Barber shops and beauty salons |
| | Christmas Tree sales lot (subject to restrictions of Municipal Code) |
| | Clothes cleaning (excluding laundry processing plants) |
| | Clothing stores |
| | Delicatessen stores or meat markets |
| | Department stores |
| | Drug stores |
| | Fireworks stands (subject to restrictions of Municipal Code) |
| | Florist shops |
| | Grocery stores (excluding mini markets) |
| | Hardware stores |
| | Jewelry stores |
| | Liquor stores (subject to conditional use) |

permit)

Outdoor Food Vendors, subject to the following regulations:

- (a) A Conditional Use Permit is required.
- (b) A Conditional use permit application shall have the approval of the property owner of the site on which the vendor will operate.
- (c) Vendors shall not be located within any required off-street parking space or aisle for vehicular circulation.
- (d) Vendors shall be restricted to selling food products only and shall be approved by the Orange County Health Department prior to the issuance of a Conditional Use Permit.
- (e) The Conditional Use Permit shall have an annual review by the Hearing Body.
- (f) Vendors are expressly prohibited on public sidewalks and public streets.
- (g) Outdoor food vendors in conjunction with grand openings or special event sales shall be regulated by Section 9.08.060 of the Municipal Code.

Prescription pharmacies

Professional office (including medical)

subject to the following:

- (a) Medical office uses shall not occupy more than 4,000 square feet or five **twenty-five** percent **(25%)** of the total building square footage of a retail shopping development, whichever is less. **In addition, the minimum parking requirements set forth in Municipal Code Section 9.16.040.150 (Parking Spaces Required) for Medical, dental and related service**

support facilities uses shall apply to any such medical office uses, and any new or expanded medical office use in a retail shopping development that would result in an increase in the minimum number of required parking spaces in excess of that currently permitted for the development shall not be permitted unless a shared parking management plan is reviewed and approved by the City pursuant to Municipal Code Section 9.16.040.180 (Joint Use/Parking Management Plan).

Public Utility commercial offices
 Restaurants
 Restaurants, with entertainment, subject to the following:

- (a) Conditional Use Permit required.
- (b) Restaurant shall be at least 4,000 square feet in area.
- (c) No dancing permitted.
- (d) Entertainment shall be incidental to restaurant use (such as background music).

Real Estate, Insurance and Stock Brokers
 Retail Commercial uses

Shoe stores or shoe repair shop
 Similar Business and Professional offices (subject to Advisory Agency approval as outlined in General Provision #8)

Studios, interior decorating, photographer, couturier, artist and music (primarily for retail sales)

Tailors

Retail quick print shops
 Retail plumbing shops

5) Height:

6) Setbacks:

45 feet
 Street Frontage – 10' for a maximum of 40% of the lineal distance of the property line; 45' plus vehicular drive area, if any, for the remaining frontage.

Corner cut-off – 20' on a line perpendicular to the mid-point tangent of the intersection.

Interior side – 0' for compatible uses; 20' or solar setback, whichever is greater, for incompatible uses.

Rear – same as interior side.

- 7) Minimum site requirements: 50,000 sf lot size, 300' street frontage
- 8) Landscape: 10 percent coverage
- 9) Signing: Wall and monument signs are permitted."

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

SECTION 6. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.