



AGENDA

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

NOVEMBER 16, 2017

COMMUNITY MEETING CENTER
11300 STANFORD AVENUE

REGULAR SESSION – 7:00 P.M. – COUNCIL CHAMBER

ROLL CALL: CHAIR KANZLER, VICE CHAIR BRIETIGAM
COMMISSIONERS LAZENBY, LEHMAN, NGUYEN, SALAZAR,
TRUONG

Members of the public desiring to speak on any item of public interest, including any item on the agenda except public hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the Recording Secretary, and shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing.

Any person requiring auxiliary aids and services due to a disability should contact the City Clerk's office at (714) 741-5035 to arrange for special accommodations. (Government Code §5494.3.2).

All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Planning Commissioners within 72 hours of a meeting, shall be available for public inspection (1) at the Planning Services Division during normal business hours; and (2) at the City Community Meeting Center Council Chamber at the time of the meeting.

Agenda item descriptions are intended to give a brief, general description of the item to advise the public of the item's general nature. The Planning Commission may take legislative action it deems appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

- A. ORAL COMMUNICATIONS - PUBLIC
- B. APPROVAL OF MINUTES: November 2, 2017
- C. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)
 - C.1. SITE PLAN NO. SP-044-2017
CONDITIONAL USE PERMIT NO. CUP-116-2017
VARIANCE NO. V-017-2017

APPLICANT: STEELCRAFT LONG BEACH, L.P.

LOCATION: EAST SIDE OF EUCLID STREET, SOUTH OF ACACIA
PARKWAY AT 12900 EUCLID STREET

REQUEST: Site Plan approval to develop a food-focused multi-tenant project, known as SteelCraft, which includes a proposal to construct a new 9,532 square foot two-story building, consisting primarily of recycled and re-purposed metal shipping containers, along with other associated site improvements. Additionally, a request for Variance approval to deviate from the maximum setback requirement along the Euclid Street frontage and from the minimum ground floor height requirement for commercial ground floor spaces. SteelCraft will be an outdoor urban eatery providing space for various local artisan food vendors, and will also include outdoor communal dining areas, entertainment, incubator office space, and micro-retail space. Also included, is a request for Conditional Use Permit approval to allow entertainment and/or alcohol sales or consumption within the communal dining areas of the SteelCraft Development. The site is in the CC-3 (Civic Center Core) zone. This project is exempt pursuant to CEQA Section 15303(c) – New Construction or Conversion of Small Structures.

STAFF RECOMMENDATION: Approval of Site Plan No. SP-044-2017, Conditional Use Permit No. CUP-116-2017, and Variance No. V-017-2017, subject to the recommended conditions of approval.

- D. MATTERS FROM COMMISSIONERS
- E. MATTERS FROM STAFF
- F. ADJOURNMENT

GARDEN GROVE PLANNING COMMISSION
Council Chamber, Community Meeting Center
11300 Stanford Avenue, Garden Grove, CA 92840

Meeting Minutes
Thursday, November 2, 2017

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

Chair Kanzler
Vice Chair Brietigam
Commissioner Lazenby
Commissioner Lehman
Commissioner Nguyen
Commissioner Salazar
Commissioner Truong

Absent: Salazar

PLEDGE OF ALLEGIANCE: Led by Commissioner Lehman.

ORAL COMMUNICATIONS – PUBLIC – None.

September 21, 2017 MINUTES:

Action: Received and filed.

Motion: Breitigam Second: Lehman

Ayes: (5) Brietigam, Lazenby, Lehman, Nguyen, Truong
Noes: (0) None
Abstain: (1) Kanzler
Absent: (1) Salazar

PUBLIC HEARING – MITIGATED NEGATIVE DECLARATION, SITE PLAN NO. SP-043-2017, TENTATIVE TRACT MAP NO. TT-17455, AND DEVELOPMENT AGREEMENT NO. DA-008-2017. FOR PROPERTY LOCATED AT 12222, 12252, 12262, 12272, 12292 AND 12302 HARBOR BOULEVARD; 12511, 12531, 12551 AND 12571 HARBOR BOULEVARD; 12233, 12235, 12237 AND 12239 CHOISSER ROAD, NORTHEAST CORNER OF HARBOR BOULEVARD AND TWINTREE LANE, WEST OF CHOISSER ROAD.

Applicant: INVESTEL GARDEN RESORTS, LLC
Date: November 2, 2017

Request: A request for approval of a Site Plan, Tentative Tract Map, and Development Agreement to implement a previously approved resort hotel development project on "Site C" at the Northwest corner of Harbor Boulevard and Twintree Lane in the City of Garden Grove.

In 2012, the Garden Grove City Council approved General Plan Amendment No. GPA-2-12(B) and Planned Unit Development No. PUD-128-12 and adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to facilitate the future development of a resort hotel project on Site C. As approved in 2012, the Site C project called for up to 769 rooms in one (1) full service hotel and up to two (2) limited service hotels ranging from 10-19 stories; associated conference/meeting/banquet space, several restaurants; an indoor entertainment venue; and a multi-level parking garage with 1,297 total spaces on a 5.2 acre site, as depicted on a conceptual site plan (the "2012 Project").

Modifications to the project adopted in 2012 are now proposed (the "Modified Project") in conjunction with the proposed Site Plan. The Modified Project includes the same number of hotels, hotel rooms, and maximum building heights as the 2012 Project, but the configuration of the buildings, the amount and type of ancillary uses, and the site access have been modified. The Modified Project generally includes: (1) a change to two (2) full service hotels and one (1) limited service hotel; (2) changes to on-site circulation and access, including a new second driveway along Harbor Boulevard at the most southerly portion of the site, and changes to the parking structure including one entrance instead of the previous two entrances and one level of subterranean parking (maintaining the same 1,297 total spaces approved in the 2012 Project); (3) the introduction of retail uses; (4) minor changes to the total square footage of conference/meeting banquet space, restaurant/retail/entertainment space, hotel ancillary uses (such as gyms, spas, salon, a hotel shop, and a kids club) and hotel restaurant space; and (5) modifications to the 2012 Project's building placements and configuration including (a) shifting the placement of Hotel A to maintain a 5-foot setback from the north property line, a 10-foot setback from the east property line, and expanding the hotel's second floor terrace along the northerly portion of the property line toward Harbor Boulevard, constructing a new retail building at the northwest corner of the site that connects to Hotel A via a second floor terrace, and relocating the valet drop-off for Hotel A; (b) swapping the placement of Hotel B with a restaurant pad building so that the restaurant pad is located at the southwest corner of the project site and Hotel B is located just north of the restaurant pad building with a connection provided between both structures via the hotel's second floor terrace; and (c) expanding and reconfiguring the usable outdoor roof deck area of Hotel A, which includes increasing the height of certain portions of the outdoor roof deck area from 75 feet to 80 feet and 85

feet, while continuing to maintain the easterly most portion of the parking structure at a height of 75 feet. The size of the Modified Project site has been reduced from 5.2 acres to 4.3 acres. The proposed Tentative Tract Map will adjust the rear property lines of four existing City-owned parcels located at the Northeast corner of the site on Choisser Road to incorporate a portion of these parcels into the Modified Project site and will consolidate the existing parcels on the Modified Project site into two lots to facilitate development of the Modified Project and future commercial condominiumization. The Tentative Tract Map will result in two lots; one with 4.24 acres and a second parcel with .83 acres, for a total of 5.07 acres. The Planning Commission will also consider a recommendation for City Council approval of a Development Agreement with the developer of the Modified Project.

The Planning Commission will also consider adoption of a Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the modified project.

Action: Public Hearing held. Speaker(s): Matthew Reid, Danielle Wilson (Unite Here-Local 11)

Action: Resolution Nos. 5898-17 (SMND), 5899-17 (SP/TT), and 5900-17 (DA) were approved.

Motion: Lehman Second: Brietigam

Ayes: (6) Brietigam, Kanzler, Lazenby, Lehman, Nguyen, Truong

Noes: (0) None

Absent: (1) Salazar

Chair Kanzler called a five minute recess at 7:55 p.m. The meeting reconvened at 8:02 p.m.

PUBLIC HEARING - GENERAL PLAN AMENDMENT NO. GPA-002-2017(A). FOR PROPERTIES LOCATED AT 11TH STREET: 9741, 9761, 9823, 9831, 9861, 9921, 9941, 9961, 9971, 9791, 9811; BROOKHURST STREET: 14321, 14301; 13TH STREET: 9904, 9902, 9842, 9820, 9802, 9762, 9822, AND 9752.

Applicant: CITY OF GARDEN GROVE

Date: November 2, 2017

Request: Proposal to change the General Plan land use designation of approximately 15-acres of land, comprised of 14 parcels, from Civic Institutional to Medium Density Residential. The properties currently have a zoning of R-3 (Multiple-Family Residential) and PUD-130-99 (Planned Unit Development). The existing zoning and General Plan land use designations are not consistent pursuant to state law, therefore, the

proposed General Plan Amendment will provide consistency between the proposed General Plan Amendment of Medium Density Residential and the current R-3 and PUD-103-99 zoning. No new development is proposed with this request, which is exempt pursuant to CEQA Section 15061(b)(3) – Review for Exemption.

Action: Public Hearing held. Speaker(s): None

Action: Resolution No. 5901-17 was approved.

Motion: Lazenby Second: Lehman

Ayes: (6) Brietigam, Kanzler, Lazenby, Lehman, Nguyen, Truong

Noes: (0) None

Absent: (1) Salazar

PUBLIC HEARING – MITIGATED NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT NO. GPA-002-2017(B) AND SITE PLAN NO. SP-043-2017. FOR PROPERTY LOCATED AT 9841 11TH STREET, NORTH SIDE OF 11TH STREET, BETWEEN BROOKHURST STREET AND KERRY STREET.

Applicant: FAIRCREST REAL ESTATE, LLC

Date: November 2, 2017

Request: To develop a parcel, approximately 19,152 square foot in size, with a 10-unit apartment complex with a 35% affordable housing density bonus for low-income households. The project includes a General Plan Amendment, to change the General Plan land use designation of the property from Civic/ Institutional to Medium Density Residential (MDR), and a Site Plan to construct 10-units within a three-story apartment building. Pursuant to the State Density Bonus Law, the applicant is requesting three waivers from the R-3 zone development standards: 1) to allow the third-story configuration to be greater than 50 percent of the building footprint, 2) to deviate from the required 10'-0" distance separation between the units and the drive aisle located on the first, second, and third floors, and 3) to deviate from the required 11'-3" third-story side yard setback. The site is in the R-3 (Multiple-Family Residential) zone. The Planning Commission will also consider a recommendation that the City Council adopt a Mitigated Negative Declaration for the project.

Action: Public Hearing held. Speaker(s): Bill Jager

Action: Resolution Nos. 5902-17 (MND/GPA) and 5903-17 (SP) were approved with an amendment to remove Condition Nos. 35, 36, and 48 from the Conditions of Approval.

Motion: Brietigam Second: Lehman

Ayes: (6) Brietigam, Kanzler, Lazenby, Lehman, Nguyen, Truong

Noes: (0) None

Absent: (1) Salazar

Chair Kanzler recused himself from the following discussion due to his proximity to the subject areas of the Amendment.

PUBLIC HEARING - AMENDMENT NO. A-021-2017, CITY OF GARDEN GROVE, CITYWIDE.

Applicant: CITY OF GARDEN GROVE

Date: November 2, 2017

Request: A City-initiated zoning text amendment to Title 9 of the Garden Grove Municipal Code pertaining to uses in the CC-1 (Civic Center East) and CC-3 (Civic Center Core) zones that involve entertainment and/or alcohol sales or consumption, as well as minor text amendments pertaining to development standards applicable to all mixed use zones. An ordinance approving the proposed code amendment would update the definitions, operating conditions, and development standards in the City's Land Use Code pertaining to uses that involve entertainment and/or alcohol sales or consumption in order to clarify the buffering, distance, and conditional use permit requirements applicable to uses involving entertainment and/or alcohol sales or consumption in these two zones. In addition, the proposed code amendment would establish specific additional operating conditions and development standards for indoor and outdoor joint use or communal dining areas where entertainment and/or the consumption of alcohol takes place and specify that a communal dining area involving entertainment and/or alcohol consumption is a conditionally permitted use in the CC-1 (Civic Center East) and CC-3 (Civic Center Core) zones. Finally, the proposed code amendment would address the allowance of parking spaces and turning aisles to be located within portions of required setbacks. The Planning Commission will make a recommendation to the Garden Grove City Council regarding the proposed Amendment and a determination that it is exempt from the California Environmental Quality Act.

Action: Public Hearing held. Speaker(s): None.

Action: Resolution No. 5904-17 was approved.

Motion: Lazenby Second: Truong

Ayes: (5) Brietigam, Lazenby, Lehman, Nguyen, Truong

Noes: (0) None

Absent: (2) Kanzler, Salazar

Chair Kanzler rejoined the meeting.

MATTERS FROM COMMISSIONERS: Vice Chair Brietigam challenged the City of Garden Grove City Council to increase the number of police officers to 200 by the year 2020.

Chair Kanzler mentioned that he attended and enjoyed the Anaheim Police Department canine show.

Commissioner Lehman noted that he would be absent from the November 16th Planning Commission meeting.

MATTERS FROM STAFF: Staff stated that the November 16th Planning Commission would include the SteelCraft project.

ADJOURNMENT: At 8:54 p.m. to the next Regular Meeting of the Garden Grove Planning Commission on Thursday, November 16, 2017, at 7:00 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Motion: Brietigam Second: Lazenby

Ayes: (6) Brietigam, Kanzler, Lazenby, Lehman, Nguyen, Truong

Noes: (0) None

Absent: (1) Salazar

Judith Moore
Recording Secretary

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	SITE LOCATION: East side of Euclid Street, south of Acacia Parkway at 12900 Euclid Street
HEARING DATE: November 16, 2017	GENERAL PLAN: Civic Center Mixed Use
CASE NO.: Site Plan No. SP-044-2017, Variance No. V-017-2017, Conditional Use Permit No. CUP-116-2017	ZONE: CC-3 (Civic Center Core)
APPLICANT: SteelCraft Long Beach L.P.	CEQA DETERMINATION: Exempt
PROPERTY OWNER: City of Garden Grove	APN: 090-164-37

REQUEST:

A request for Site Plan approval to develop a food-focused multi-tenant project, known as SteelCraft, which includes a proposal to construct a new 9,532 square foot two-story building, consisting primarily of recycled and re-purposed metal shipping containers, along with other associated site improvements. Additionally, a request for Variance approval to deviate from the maximum setback requirement, along the Euclid Street frontage, and from the minimum ground floor height requirement for commercial ground floor spaces. Also included, is a request for Conditional Use Permit approval to allow entertainment and/or alcohol sales or consumption within the communal dining areas of the SteelCraft development.

BACKGROUND:

The subject property is currently a 1.86-acre vacant City-owned lot, located on the east side of Euclid Street, south of Acacia Parkway. The property has a General Plan Land Use Designation of Civic Center Mixed Use and is zoned CC-3 (Civic Center Core). The property is adjacent to the Community Center Park, the Garden Grove Fire and Police Departments, City Hall, and various office buildings with CC-3 zoned properties to the east, south, and to the west, across Euclid Street, and CC-OS (Civic Center – Open Space) zoned properties to the north, across Acacia Parkway.

In 1977, the Garden Grove Planning Commission approved Site Plan No. SP-188-77, to allow the construction of an approximately 10,940 square foot restaurant pad building on the subject property. In 1978, the newly constructed building was occupied by a restaurant, Black Angus Steakhouse, until it closed its

business in 2002, and remained vacant following its closure. In 2014, a demolition permit was obtained and all existing improvements were removed from the property. The property has remained vacant ever since.

On June 16, 2017, the Garden Grove City Council unanimously approved a long-term ground lease agreement with SteelCraft Long Beach L.P. ("SteelCraft") for the subject vacant property.

On August 21, 2017, SteelCraft voluntarily held a community engagement meeting at the Garden Grove Community Meeting Center. At the meeting, the developer gave a presentation showcasing the concept and elements of the existing SteelCraft location in the City of Long Beach, and touched on various planned activities, amenities, and features to be offered at the proposed SteelCraft location in Garden Grove. The intent of the meeting was to gather feedback from the community relating to suggested food types/tenants, events, amenities, as well as addressing raised questions and concerns. City Staff attended the meeting and noted there was general support by the community.

DISCUSSION:

SITE PLAN:

Site Design, Circulation & Floor Plan:

The applicant's proposal (the "Project") is to develop a food-focused multi-tenant project, known as SteelCraft, which includes a proposal to construct a new 9,532 square foot two-story building consisting primarily of recycled and re-purposed metal shipping containers, along with other associated site improvements. SteelCraft will be an outdoor urban eatery providing space for various local artisan food vendors, and will also include outdoor communal dining areas, entertainment, incubator office space, and micro-retail space.

A typical shipping container is 8 feet by 20 feet (160 square feet) in size. The Project utilizes shipping containers in various orientations such as a single layout (8 feet by 20 feet), a side-by-side layout (16 feet by 20 feet), a front-to-back layout (8 feet by 40 feet), and a stacked layout to create 2nd floor areas. The containers will be occupied by various tenants and will also be utilized for office space, storage, restrooms, and other associated facilities.

The containers are connected to each other creating a single cohesive two-story structure, and generally laid out in an "O" shape. At the center of the development is a 4,252 square foot outdoor communal dining area, which is covered by a metal roof structure. The development consists of 8,572 square feet of first floor spaces which include: covered outdoor communal dining area, ancillary/commercial kitchen areas, an arcade, an office area, storage/janitor areas, and men's and women's

restrooms. The second floor is 960 square feet in area and consists of office areas and an additional outdoor communal dining area. The front area of the proposed development includes a 1,588 square foot garden area, and a 1,742 square foot convertible outdoor dining area/event space. Through the use of perimeter barriers (i.e., fences), connected container structures, and monitored entrances and exits, the entire SteelCraft development is a confined and controlled space.

The development standards of the CC-3 zone specify a minimum setback of 15'-0" and a maximum setback of 20'-0", along the Euclid Street frontage (the westerly property line). The intent of the specified setbacks, along with other development standards of the CC-3 zone, are to encourage the development of uses that create walkable and lively environments that are pedestrian-oriented. The proposed building provides a 52'-9" setback to the Euclid Street frontage, which exceeds the minimum setback (15'-0"), but exceeds the maximum setback (20'-0") by 32'-9". The building has been set back 52'-9", beyond the maximum 20'-0" setback, due to several (6) public utility easements, which run north and south along the westerly property line and lie within the first 50'-0" of the property. There are multiple easements that overlap each other, in this front area of the property, that range from 6'-0" and up to 30'-0" in width. The developer of SteelCraft is restricted from placing any structures over and across any of the existing easements, thereby rendering the front 50'-0" of the property as undevelopable. As such, the proposed building maintains its required clearance from the utility easements and is setback 2'-9" from the edge of the innermost easement. The CC-3 zone does not require a setback to the northerly, southerly, and easterly property lines.

The CC-3 zone also requires the development to integrate a pedestrian access connecting the primary entrance to the public right-of-way along Euclid Street. In order to comply with this requirement, and with the existing easements in mind, the Project has been designed to connect the entrance of the establishment through landscaped pathways, which lead through the front garden area and front outdoor communal dining area/event space. The pedestrian linkages will be clearly identifiable from the sidewalk at the public right-of-way, paved in high quality materials, and will incorporate the use of additional features such as, but not be limited to, directional signage, markers, landscape planters, and vegetation. Additionally, long- and short-term bike storage will be provided at the front of the development, adjacent to the public sidewalk along Euclid Street.

The subject site is currently improved with, and will utilize, the two (2) existing driveway approaches off of Euclid Street. The driveway approach, at the southwest corner of the property, will provide vehicular access to the primary parking lot areas, which are located along the southerly property line and toward the rear of the property (to the east). The driveway approach, at the northwest corner of the property, will provide vehicular access to a secondary parking lot area, along the northerly property line. There is also reciprocal access available, for vehicular and

pedestrian ingress and egress, to the properties to the northeast (APN: 090-164-42) and to the south (APN: 090-164-41).

The site plan has been designed to provide sufficient drive aisle widths, parking stall sizes, and required pedestrian pathways throughout the development. Additionally, an adequate number of trash enclosures/bins will be provided and in an optimal location toward the rear of the property.

Parking:

Based on the parking requirements of the Municipal Code, the development is required to provide a minimum of 76 parking spaces on-site. The following table, Table 1-A, provides a breakdown of the parking calculations for each of the individual uses for the development.

Proposed Use	Area (in square feet)	Parking Ratio	# of Parking Spaces Required
Covered Outdoor Dining	4,892	1:100	48.9
Uncovered Outdoor Dining (1st 500 SF is exempt)	1,242	1:100	12.4
Office / Ancillary Kitchen Areas	3,152	1:250	12.6
Retail	320	1:200	1.6
Total # of Parking Spaces Required (Minimum) =			76
# of Parking Spaces Provided On-Site =			115

Table 1-A

Building Design:

The applicant has proposed a design for the new building that is architecturally unique, and environmentally sensitive and innovative in the use of materials comprised primarily of recycled and re-purposed metal shipping containers. SteelCraft will have a pedestrian-oriented elevation along Euclid Street that creates an inviting and lively environment.

Development standards of the CC-3 zone require commercial ground floor areas to maintain a minimum height of 18'-0" as measured from the floor of the at-grade level to the floor of the second story. The proposed commercial ground floor height for the Project is 9'-0" (the height of a standard shipping container), with building elevations that have varying heights ranging from 9'-0" and up to 30'-0". Therefore, the applicant is requesting a variance from the 18'-0" minimum first floor height requirement.

Finally, Municipal Code requirements for enhanced storefront designs require that glazing at the ground floor, facing Euclid Street, shall comprise of a minimum of 40% glazing. Based on the length of the building façade and the height of the building, a minimum of approximately 444 square feet of glazing is required. The elevations

facing Euclid Street of the proposed Project exceed the minimum required by providing 447 square feet of glazing.

Landscaping:

Based on the landscape requirements of the Municipal Code, the site is required to provide landscaping in all required setbacks and a minimum of 5% of the parking areas. Excluding any landscaping provided in required setbacks, the site is required to provide a minimum of 2,525 square feet of landscaping and a minimum of twelve (12) trees within the parking areas and throughout the remainder of the property. The Project provides a total of 9,228 square feet of landscaping and a minimum of fifteen (15) trees, which exceeds the minimum required by Code.

The applicant is required to submit a landscape and irrigation plan to the City that complies with the landscaping requirements of Title 9 of the Municipal Code. All planting shall be watered by means of an automatic irrigation system meeting the City's requirements for water conservation, and as required in the City's Landscape Water Efficiency Guidelines.

Signage:

All proposed signage shall adhere to Section 9.20, Sign Standards, of Title 9 of the Municipal Code. Conditions of approval will require the applicant to submit a detailed and comprehensive sign program for the entire site to the Planning Division for review and approval. A separate sign application will be submitted and separate building permits will be obtained for on-site signage.

VARIANCE:

FINDINGS REQUIRED TO APPROVE VARIANCE:

In order for the proposed Project to move forward, the applicant is requesting consideration for the approval of two (2) Variances:

- (i) A Variance from sub-section A, Required Setbacks, as set forth in Figure 9.18-8, under Section 9.18.090.030, Civic Center Zone Development Standards, of Title 9 of the Municipal Code, for a deviation to the maximum 20'-0" setback requirement along the Euclid Street frontage, in order to allow a 52'-9" setback to the proposed building; and
- (ii) A Variance from subsection A.2., Minimum Ground Floor Height, under Section 9.18.110.020, Development Standards for Commercial Uses within All Mixed Use Zones, of Title 9 of the Municipal Code, for a deviation to the minimum height of commercial ground floor spaces, which is 18'-0" for the

elevation facing Euclid Street. The Project proposes elevations with varying heights ranging from 9'-0" to 30'-0".

Pursuant to State law and Garden Grove Municipal Code Section 9.32.030.D.6, in order to grant a property owner's request for a Variance, the Planning Commission must make each of the following five (5) findings:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use or development of the property that do not apply generally to other property in the same vicinity or zone.

The development standards of the CC-3 zone specify a minimum setback of 15'-0" and a maximum setback of 20'-0", along the Euclid Street frontage (the westerly property line). The intent of the specified setbacks, along with other development standards of the CC-3 zone, are to encourage the development of uses that create walkable and lively environments that are pedestrian-oriented. The proposed building provides a 52'-9" setback to the Euclid Street frontage, which exceeds the minimum setback (15'-0"), but exceeds the maximum setback (20'-0") by 32'-9". The building has been set back 52'-9", beyond the maximum 20'-0" setback, due to several (6) public utility easements, which run north and south along the westerly property line and lie within the first 50'-0" of the property. There are multiple easements that overlap each other, in this front area of the property, that range from 6'-0" and up to 30'-0" in width. The presence of the utility easements present an exceptional or extraordinary circumstance or condition applicable to the property involved or to the intended use of the development of the property that does not apply generally to other property in the same zone or neighborhood. The majority of properties in the same Civic Center zones, and/or within the same vicinity of the property, do not typically have a utility easement(s) that occupies the entirety, or even a portion of, the front setback areas of the property. The developer of SteelCraft is restricted from placing any structures over and across any of the existing easements, thereby rendering the front 50'-0" of the property as undevelopable. As such, the proposed building maintains its required clearance from the utility easements and is setback 2'-9" from the edge of the innermost easement.

Traditionally, and prior to the establishment of the Mixed Use zones in 2012, commercial development in the City typically provided for a 15'-0" front landscaped planter, a large parking lot at the front of the property, and the commercial building(s) located toward the rear of the property set back a significant distance away from any public right-of-way. Today, development standards of the Mixed Use Code foster the development of pedestrian-scaled environments with buildings that provide exciting access, well-designed landscaping, and pedestrian amenities that foster interaction. Along the

Euclid Street frontage, the minimum building setback is 15'-0", and the maximum building setback is 20'-0". In other areas of the Civic Center zones, the minimum and maximum setbacks are as low as 0'-0" and 5'-0", respectively. These established thresholds are in place to ensure that any future commercial buildings/structures maintain close proximity to public sidewalks and public rights-of-ways, which would allow for more effective pedestrian-oriented developments. This is further achieved through other typical requirements in the Mixed Use Code, which include, but are not limited to, provisions for plaza areas, pedestrian pathways connections, public amenities, outdoor vending kiosks, enhanced site improvements (e.g., directional signage, landscaping, vegetation), and a minimum height requirement for commercial ground floor spaces. The intent of the minimum height requirement of 18'-0" for commercial ground floor spaces is to take advantage of the typical close proximity of buildings to public rights-of-ways (i.e., public sidewalks) and to connect the commercial ground floor space with the pedestrian environment, and thereby activating both spaces to foster interaction. This consideration is less pertinent when buildings are set back further from the street. The Project proposes a front building setback of 52'-9" along the Euclid Street frontage, and is therefore, not in close proximity to the public right-of-way. As mentioned prior, the building has been set back 52'-9" due to several (6) public utility easements, which run north and south along the westerly property line and lie within the first 50'-0" of the property. The developer of SteelCraft is restricted from placing any structures over and across any of the existing easements, thereby rendering the front 50'-0" of the property as undevelopable. Because the buildings cannot be located within close proximity to the street due to the utility easements, imposing the minimum height requirement would not result in the intended effect of this development standard. It should be noted that the primary source of construction material for the Project is comprised of recycled and re-purposed metal shipping containers, which are typically a fixed size of 8'-0" (wide) by 20'-0" (length) with a 9'-0" height. The construction method for SteelCraft is atypical and not similar to a standard brick and mortar design, which would be more conducive to strictly meeting the 18'-0" commercial ground floor height requirement. The applicant has worked within the constraints of the fixed size of the shipping containers and has proposed a design for the Project that meets the intent of the minimum commercial ground floor height requirement by providing varying heights along the Euclid Street elevation, ranging from 9'-0" to up to 30'-0" to the top of the tower element. Furthermore, the applicant has also incorporated pedestrian friendly elements at the front of the development, along Euclid Street, such as a garden, convertible outdoor communal dining areas/event space, and enhanced pedestrian linkages to the public right-of-way. The presence of the utility easements present an exceptional or extraordinary circumstance or condition applicable to the property involved or to the intended use of the development of the property that does not apply

generally to other property in the same zone or neighborhood. The majority of properties in the same Civic Center zones, and/or within the same vicinity of the property, do not typically have a utility easement(s) that occupies the entirety, or even a portion of, the front setback areas of the property. Besides the requested deviation to the maximum setback and the commercial ground floor height requirement, the proposed Project complies with all other development standards of the Mixed Use Code.

2. That such Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but which is denied to the subject property.

There are other similar properties in the immediate vicinity, within the same zone, or other similar zoned properties throughout the City, that have existing structures which do not comply with the maximum 20'-0" setback along the Euclid Street frontage or the 18'-0" minimum ground floor height requirement as required by the Municipal Code. Approval of the proposed Variance will not set a precedent and will allow the applicant to enjoy a substantial property right possessed by other property owners located on other similar properties in the immediate vicinity, within the same zone, and other similarly zoned properties throughout the City. With exception to the requested Variances to deviate from the minimum rear setback requirement and associated minimum ground-floor height requirement, the proposed project complies with all other development standards of the zone.

3. That the granting of a Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

Site constraints resulting from existing utility easements prevent development of the Site in a manner that fulfills the intent of the maximum setback and minimum height requirements for which the Variances are requested. Approval of the requested Variances will allow the site, which has been vacant since 2002, to be improved and developed and to provide an additional amenity to the community as a pedestrian friendly and oriented outdoor urban eatery. Provided the project complies with the Conditions of Approval, the approval of the Variances will not create an adverse effect on the public welfare or to properties or improvements in such vicinity and zone in which the property is located. With the exception of the two (2) requested Variances, the project has been designed to meet all development standards of the CC-3 (Civic Center Core) zone including design components such as, but not limited to: minimum parking requirements, minimum landscaping requirements, compliance with all ADA (Americans with Disabilities Act) requirements, fire safety, and the provisions for on-site long- and short-term bicycle storage. The proposed Variances will not be materially detrimental to

the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

4. That the granting of such Variance will not adversely affect the City's General Plan.

The proposed uses are consistent with the intent of the General Plan and the zoning classification as multi-tenant commercial developments with restaurants, office uses, and entertainment and/or alcohol sales or consumption are permitted and conditionally permitted in the CC-3 (Civic Center Core) zone. The proposed Variance request will not cause an adverse effect on the City's General Plan since the Municipal Code is a tool used to implement the goals of the General Plan. The proposed Project, SteelCraft, will improve the vacant lot, will complement neighboring uses, and will further Goal LU-6 of the General Plan to develop underutilized properties with a suitable development.

5. That approval of the Variance is subject to such conditions as will assure that it does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

Provided the Conditions of Approval are adhered to for the life of the project, approval of the subject Variances will not grant a special privilege that is inconsistent with the limitations upon other properties located within the vicinity or zone in which the subject property is situated. In addition, pursuant to Condition of Approval No. 2, the rights granted to the applicant pursuant to Variance No. V-017-2017 shall continue in effect for only so long as the improvements authorized and contemplated by Site Plan No. SP-044-2017 and the Conditions of Approval continue to exist on the Site. In the event these improvements are not constructed or are demolished and not re-established, Variance No. V-017-2017 shall cease to be effective or to grant the applicant any rights to construct other improvements inconsistent with the then-currently applicable development standards. Any future use or development on the Site different from that described in the Site Plan approved concurrently with the Variance will be required to comply with all applicable standards of the Garden Grove Municipal Code, and the applicant may not rely on this Variance as a basis for an approval to deviate from the maximum setback, along the Euclid Street frontage, or to deviate from the minimum height for commercial ground floor spaces, with such future use or development.

Staff believes the record contains sufficient facts to support approval of the applicant's Variance request. Accordingly, Staff has prepared for the Planning

Commission's consideration a draft resolution approving the proposed Variance request, subject to the specified Conditions of Approval.

CONDITIONAL USE PERMIT:

On November 2, 2017, the Planning Commission considered and adopted a resolution recommending the City Council adopt an Ordinance to approve Amendment No. A-021-2017, which would expressly permit communal dining areas serving more than one business in which entertainment and/or other similar activities incidental to the primary activity of dining are provided or conducted and/or where alcohol is served and/or consumed in the CC-1 (Civic Center East) and CC-3 (Civic Center Core) Mixed Use zoning districts, subject to specified development standards and the approval of a conditional use permit. As of the date of this Report, the City Council was scheduled to hold a public hearing and consider introduction of the recommended Ordinance on November 14, 2017. If the City Council introduces the proposed Ordinance on November 14, 2017, it is anticipated that the second reading and adoption of the Ordinance approving A-021-2017 would be considered at the November 28, 2017 City Council meeting. If the City Council adopts an Ordinance approving Amendment No. A-021-2017, it would go into effect thirty (30) days after adoption.

As part of Amendment No. A-021-2017, "Communal Dining with Entertainment and/or Alcohol" would be established as a conditionally permitted use in the CC-3 zone. Therefore, in conjunction with the Site Plan and Variance requests, the applicant is also requesting contingent Conditional Use Permit approval to allow entertainment and/or alcohol sales or consumption within the communal dining areas of the SteelCraft development. The approval of Conditional Use Permit No. CUP-116-2017 would be contingent on the City Council adoption of an Ordinance approving Amendment No. A-021-2017.

Based on the applicant's business proposal, SteelCraft is expected to house approximately fourteen (14) businesses which will include local craft food and dessert eateries, a coffee shop, a craft micro-brewery and taproom, a craft wine vendor, incubator/office space, and communal dining areas. In the main covered communal outdoor dining area, within the center of the development, will be a 16'-0" wide stage to provide space for entertainment (e.g., live music). There may also be other similar incidental events or activities provided or conducted secondary to the primary activity of dining. All such entertainment, alcohol sales or consumption, or other incidental activities, will take place within the confines of the SteelCraft development. Furthermore, as stipulated in the special operating conditions and standards established under A-021-2017, the conditional use permit process will ensure that all entertainment and/or alcohol sales or consumption activity will be provide sufficient buffering and protection to existing surrounding uses in the immediate vicinity.

The Project has been designed to provide sufficient sound attenuation to surrounding properties and uses through elements such as setbacks to property lines and landscape buffering. Conditions of approval will assure that the Project will provide proper sound attenuation and will not create any noise nuisances to nearby properties/uses.

Communal dining areas are located in three (3) main areas of the development: (i) in the center on the first floor; (ii) at the front area facing the Euclid Street frontage; and (iii) in the communal outdoor dining area on the 2nd floor. Outdoor communal dining areas where alcohol is served and/or consumed are located in a controlled area or group of areas with monitored entrances and exits and enclosed by a perimeter barrier. The applicant will be responsible for monitoring, managing, and controlling the outdoor communal dining areas for the life of the project.

Any tenant requesting on-sale or off-sale of alcoholic beverages will be required to obtain separate Conditional Use Permit approval from the City along with their respective license from the State Department of Alcoholic Beverage Control. The applicant anticipates the hours of operation for SteelCraft to be seven (7) days a week, from 6:00 a.m. to 11:00 p.m., Sunday through Thursday, and 6:00 a.m. to 12:00 a.m., Friday and Saturday. The hours of operation may vary by tenant and be based on their products.

The Community and Economic Development Department and the Police Department have reviewed the request and are in support of the proposal.

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

1. Adopt Resolution No. 5905-17 approving Site Plan No. SP-044-2017, Variance No. V-017-2017, and Conditional Use Permit No. CUP-116-2017, subject to the recommended Conditions of Approval.



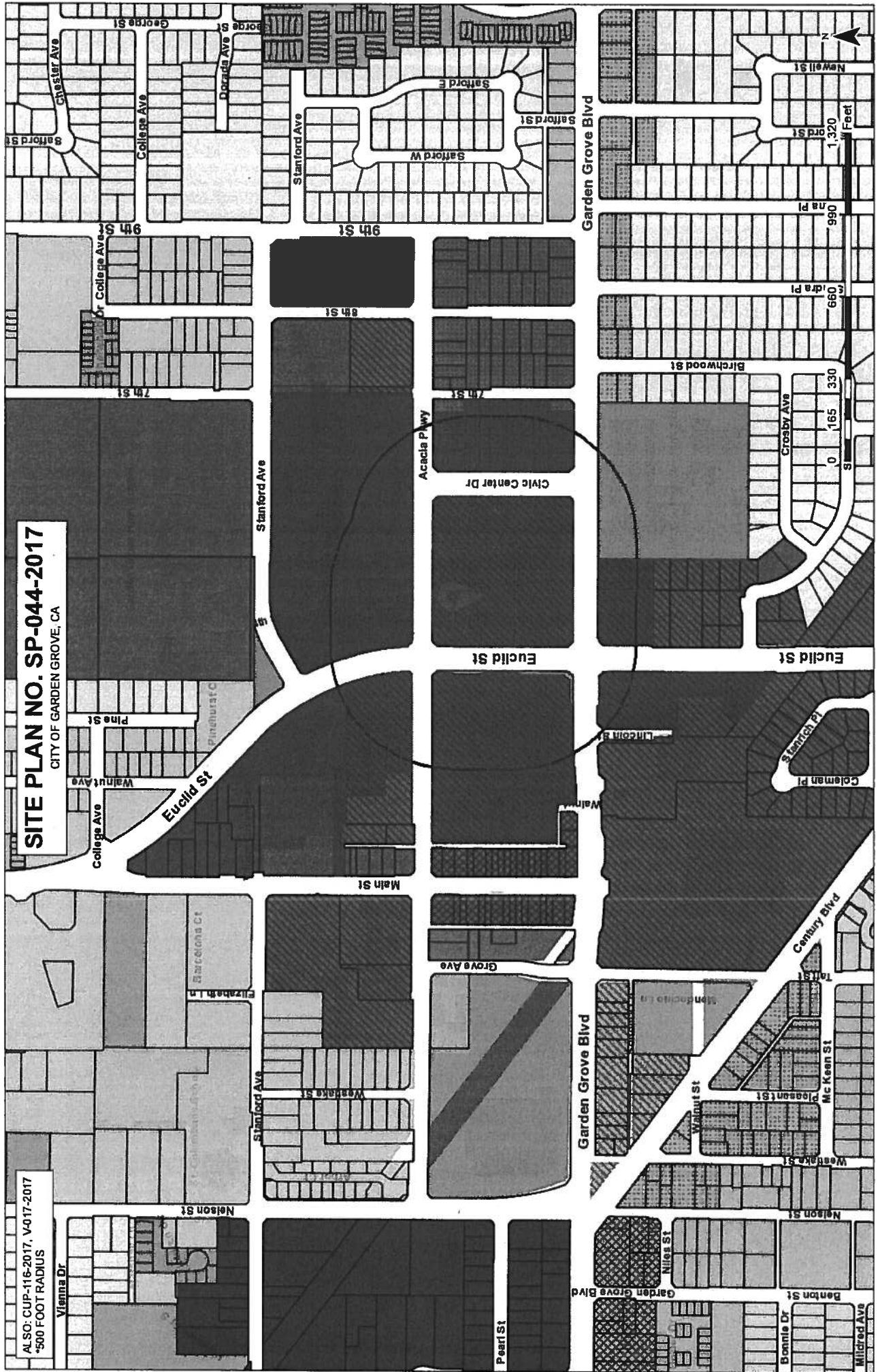
LEE MARINO
Planning Services Manager

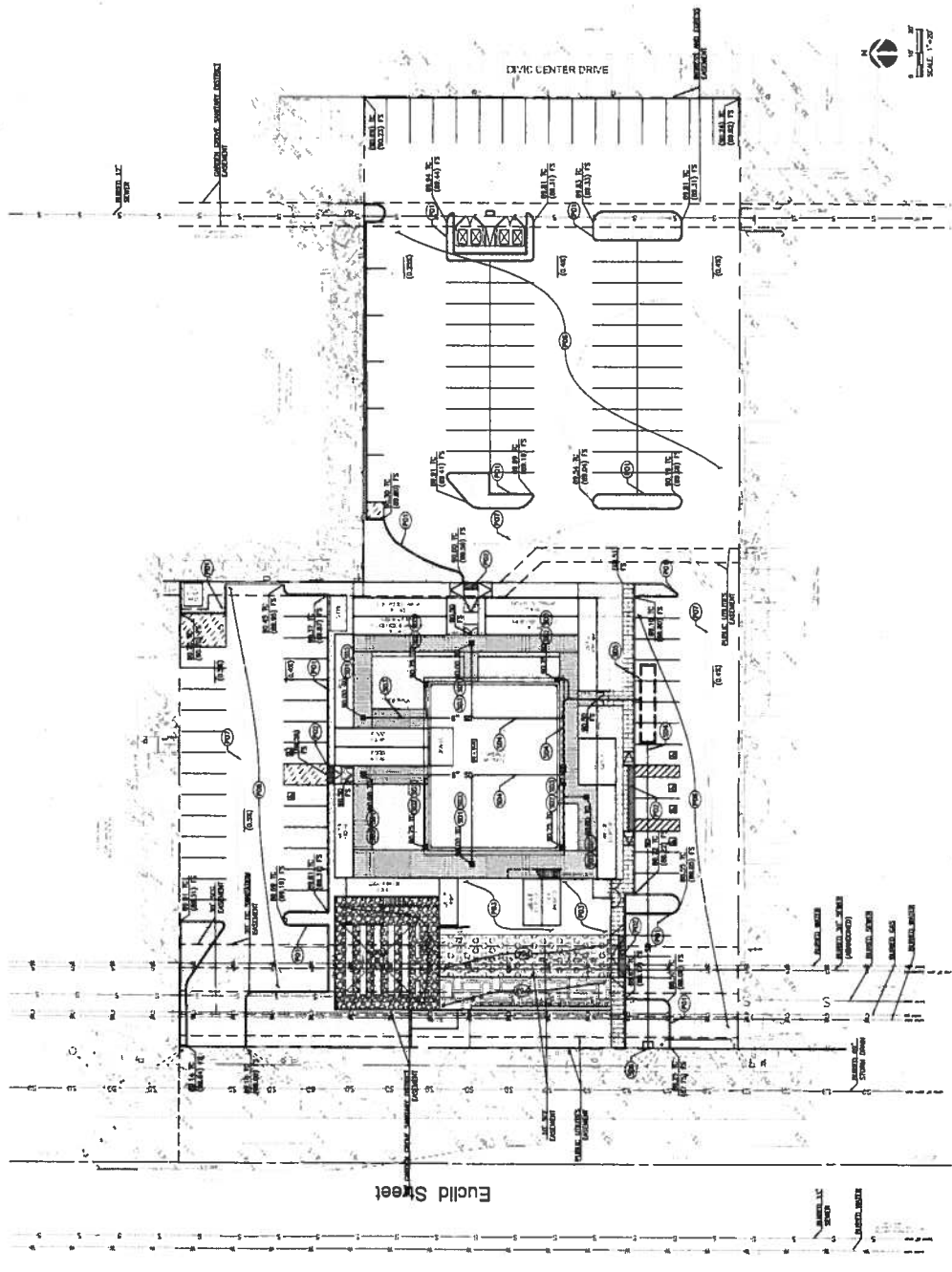


By: Chris Chung
Urban Planner

SITE PLAN NO. SP-044-2017
CITY OF GARDEN GROVE, CA

ALSO: CUP-116-2017, V017-2017
500 FOOT RADIUS





LEGEND

	CONCRETE
	PAVING
	PVA GRAVEL
	CONCRETE PAVERS ON DECOMPOSED GRANITE
	BRICK/STONE PAVING
	EXISTING

SWMP SUMMARY

ITEM	QUANTITY
TOTAL SWMP AREA (SQ. FT.)	81,000
TOTAL DECOMPOSED AREA (SQ. FT.)	23,000
TOTAL UNIMPAVED AREA (SQ. FT.)	58,000
% IMPAVED AREA	33
% PAVED AREA	67
DESIGN CAPTURE WQMP AREA (SQ. FT.)	848
PROPOSED INFILTRATION THROUGH SWMP (SQ. FT.)	600

- STANDARD NOTES**
- 15" x 15" CATCH BASIN BELOW INDEX.
 - 15" x 15" CATCH BASIN.
 - 12" CATCH BASIN FILTER BY AGE OF APPROVED EQUIVALENT.
 - 6" PVC STORM DRAIN PIPE.
 - PROPOSED 12" DIA. INFILTRATION TRENCH.
 - INSTALL 1-4" CURB RAMP PER IS-1, PER APPX. 10-1.
- FINISH AND CONSTRUCTION NOTES**
- CONTRACT PER CURB RAMP.
 - CONTRACT PER CURB RAMP.
 - CONTRACT PAVES ON DECOMPOSED GRANITE.
 - CONCRETE.
 - PVA GRAVEL.
 - EXISTING ASPHALT CONCRETE TO REMAIN.
 - EXISTING CONCRETE CATCHER TO REMAIN.



RESOLUTION NO. 5905-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-044-2017, VARIANCE NO. V-017-2017, AND CONDITIONAL USE PERMIT NO. CUP-116-2017, FOR A PROPERTY LOCATED ON THE EAST SIDE OF EUCLID STREET, SOUTH OF ACACIA PARKWAY, AT 12900 EUCLID STREET, ASSESSOR'S PARCEL NO. 090-164-37.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove does hereby approve Site Plan No. SP-044-2017, Variance No. V-017-2017, and Conditional Use Permit No. CUP-116-2017, for the development a food-focused multi-tenant project, known as SteelCraft, which includes a proposal to construct a new 9,532 square foot two-story building, consisting primarily of recycled and re-purposed metal shipping containers, along with other associated site improvements, (the "Project") for property located on the east side of Euclid Street, south of Acacia Parkway, at 12900 Euclid Street, Assessor's Parcel No. 090-164-37. Additionally, a request for Variance approval to deviate from the maximum setback requirement, along the Euclid Street frontage, and from the minimum ground floor height requirement for commercial ground floor spaces. Also included, is a request for Conditional Use Permit approval to allow entertainment and/or alcohol sales or consumption within the communal dining areas of the SteelCraft development.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-044-2017, Variance No. V-017-2017, and Conditional Use Permit No. CUP-116-2017, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Steelcraft Long Beach L.P.
2. The applicant is requesting Site Plan approval to develop a food-focused multi-tenant project, known as SteelCraft, which includes a proposal to construct a new 9,532 square foot two-story building, consisting primarily of recycled and re-purposed metal shipping containers, along with other associated site improvements. Additionally, a request for Variance approval to deviate from the maximum setback requirement, along the Euclid Street frontage, and from the minimum ground floor height requirement for commercial ground floor spaces. Also included, is a request for Conditional Use Permit approval to allow entertainment and/or alcohol sales or consumption within the communal dining areas of the SteelCraft development.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the proposed project is categorically exempt from the CEQA pursuant to Section 15303(c) (New Construction or Conversion of Small Structures) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303).
4. The property has a General Plan Land Use designation of Civic Center Mixed Use, and is zoned CC-3 (Civic Center Core). The subject property is currently

a 1.86-acre vacant lot, located on the east side of Euclid Street, south of Acacia Parkway.

5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on November 16, 2017, 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 November 16, 2017, 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 subject property is currently a 1.86-acre vacant lot, located on the east side of Euclid Street, south of Acacia Parkway. The property has a General Plan Land Use Designation of Civic Center Mixed Use and is zoned CC-3 (Civic Center Core). The property is adjacent to the Community Center Park, the Garden Grove Fire and Police Departments, City Hall, and various office buildings with CC-3 zoned properties to the east, south, and to the west, across Euclid Street, and CC-OS (Civic Center – Open Space) zoned properties to the north, across Acacia Parkway.

The applicant proposes to construct a new 9,532 square foot two-story building consisting primarily of recycled and re-purposed metal shipping containers, along with other associated site improvements. The containers will be connected to each other creating a single cohesive two-story structure, and generally laid out in an "O" shape. At the center of the development will be a 4,252 square foot outdoor communal dining area covered by a metal roof structure. The development will consist of 8,572 square feet of first floor spaces which include: covered outdoor communal dining area, ancillary/commercial kitchen areas, an arcade, an office area, storage/janitor areas, and men's and women's restrooms. The second floor will be 960 square feet in area and consist of office areas and an additional outdoor communal dining area. The front area of the proposed development will include a 1,588 square foot garden area, and a 1,742 square foot convertible outdoor dining area/event space. 115 parking spaces will be provided on-site.

In order for the proposed Project to move forward, the applicant is requesting consideration for the approval of two (2) Variances:

(i) A Variance from sub-section A, Required Setbacks, as set forth in Figure 9.18-8, under Section 9.18.090.030, Civic Center Zone Development Standards, of Title 9 of the Municipal Code, for a deviation to the maximum 20'-0" setback requirement along the Euclid Street frontage, in order to allow a 52'-9" setback to the proposed building; and

(ii) A Variance from subsection A.2., Minimum Ground Floor Height, under Section 9.18.110.020, Development Standards for Commercial Uses within All Mixed Use Zones, of Title 9 of the Municipal Code, for a deviation to the minimum height of commercial ground floor spaces, which is 18'-0" for the elevation facing Euclid Street. The Project proposes elevations with varying heights ranging from 9'-0" to 30'-0".

The applicant is also requesting approval of a Conditional Use Permit to allow entertainment, the consumption of alcohol, and other similar incidental activities within the communal dining area. On November 2, 2017, the Planning Commission considered and adopted a resolution recommending the City Council adopt an Ordinance to approve Amendment No. A-021-2017, which would expressly permit communal dining areas serving more than one business in which entertainment and/or other similar activities incidental to the primary activity of dining are provided or conducted and/or where alcohol is served and/or consumed in the CC-1 (Civic Center East) and CC-3 (Civic Center Core) Mixed Use zoning districts, subject to specified development standards and the approval of a conditional use permit. If the City Council adopts an Ordinance approving Amendment No. A-021-2017, the requested use will be conditionally permitted. The approval of Conditional Use Permit No. CUP-116-2017 is contingent on the City Council adoption of an Ordinance approving Amendment No. A-021-2017.

Based on the applicant's business proposal, SteelCraft is expected to house approximately fourteen (14) businesses, which will include local craft food and dessert eateries, a coffee shop, a craft micro-brewery and taproom, a craft wine vendor, incubator/office space, and communal dining areas. In the main covered communal outdoor dining area, within the center of the development, will be a 16'-0" wide stage to provide space for entertainment (e.g., live music). There may also be other similar incidental events or activities provided or conducted secondary to the primary activity of dining. All such entertainment, alcohol sales or consumption, or other incidental activities, will take place within the confines of the SteelCraft development. Furthermore, as stipulated in the special operating conditions and standards established under A-021-2017, the conditional use permit process will ensure that all entertainment and/or alcohol sales or consumption activity will be provide sufficient buffering and protection to existing surrounding uses in the immediate vicinity.

The Project has been designed to provide sufficient sound attenuation to surrounding properties and uses through elements such as setbacks to property lines and landscape buffering.

Communal dining areas are located in three (3) main areas of the development: (i) in the center on the first floor; (ii) at the front area facing the Euclid Street frontage; and (iii) in the communal outdoor dining area on the 2nd floor. Outdoor communal dining areas, where alcohol may be served and/or consumed, are located in a controlled area or group of areas with monitored entrances and exits and enclosed by a perimeter barrier. The applicant will be responsible for monitoring, managing, and controlling the outdoor communal dining areas for the life of the project.

FINDINGS AND REASONS:

SITE PLAN:

1. The Site Plan complies with the spirit and intent of the provisions, conditions and requirements of the Municipal Code and other applicable ordinances.

The project has a General Plan land use designation of Civic Center Mixed Use and is zoned CC-3 (Civic Center Core). The project complies with the General Plan land use designation and will comply with all zoning requirements for the property, provided the concurrent Variance request is approved. With the exception of the Variance request to deviate from the maximum setback requirement, along the Euclid Street frontage, and the minimum height for commercial ground floor spaces, the proposed project has been designed within the parameters of the CC-3 zone of Title 9 of the Municipal Code. The placements of the structure, the site design, the parking lot layout, the number of on-site parking spaces, and the landscape areas are consistent with the spirit and intent of the requirements of the Municipal Code.

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

The subject site is currently improved with, and will utilize, the two (2) existing driveway approaches off of Euclid Street. The driveway approach, at the southwest corner of the property, will provide vehicular access to the primary parking lot areas, which are located along the southerly property line and toward the rear of the property (to the east). The driveway approach, at the northwest corner of the property, will provide vehicular access to a secondary parking lot area, along the northerly property line. There is also reciprocal access available, for vehicular and pedestrian ingress and egress,

to the properties to the northeast (APN: 090-164-42) and to the south (APN: 090-164-41).

The site plan has been designed to provide sufficient drive aisle widths, parking stall sizes, and required pedestrian pathways throughout the development. Additionally, an adequate number trash enclosures/bins will be provided, and in an optimal location toward the rear of the property. As such, the proposed development will not adversely affect essential on-site facilities such as off-street parking, loading and unloading areas, traffic circulation and points of vehicular and pedestrian access.

Furthermore, the City's Traffic Engineering Division and the Fire Department have also reviewed the plans, and all appropriate conditions of approval will eliminate any adverse impacts to surrounding streets.

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

The streets in the area will be adequate to accommodate the development once the developer provides the necessary improvements for the project. Utilities and drainage channels in the area are existing and adequate to accommodate the development. The property is not located in a sewer deficiency area. The Public Works Department has incorporated conditions of approval to mitigate potential impacts to the sewer system.

The proposed development will also provide landscaping and proper grading of the site in order to improve drainage in the area. The Public Works Engineering and Water Services Division have reviewed the plans, and all appropriate conditions of approval will eliminate any adverse impacts to the streets and alleys, utilities and drainage channels.

4. The development does have a reasonable degree of physical, functional, and visual compatibility with neighboring uses and desirable neighborhood characteristics.

The project is located in an area with both commercial and residential uses. The proposed project is consistent with the surrounding area and compatible with the existing uses on the properties. The design of the proposed development will ensure a reasonable degree of compatibility with adjacent developments.

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

The project has been designed to consider building appearance, building placement, landscaping, and other amenities in order to create an attractive and pedestrian-oriented environment. All landscaped areas are required to adhere to the landscaping requirements of Title 9 of the Municipal Code. Through the conditions of approval for the project, the necessary agreements for the protection and maintenance of all landscaping will be achieved.

VARIANCE:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other property or classes of use in the same vicinity or zone.

The development standards of the CC-3 zone specify a minimum setback of 15'-0" and a maximum setback of 20'-0", along the Euclid Street frontage (the westerly property line). The intent of the specified setbacks, along with other development standards of the CC-3 zone, are to encourage the development of uses that create walkable and lively environments that are pedestrian-oriented. The proposed building provides a 52'-9" setback to the Euclid Street frontage, which exceeds the minimum setback (15'-0"), but exceeds the maximum setback (20'-0") by 32'-9". The building has been set back 52'-9", beyond the maximum 20'-0" setback, due to several (6) public utility easements, which run north and south along the westerly property line and lie within the first 50'-0" of the property. There are multiple easements that overlap each other, in this front area of the property, that range from 6'-0" and up to 30'-0" in width. The presence of the utility easements present an exceptional or extraordinary circumstance or condition applicable to the property involved or to the intended use of the development of the property that does not apply generally to other property in the same zone or neighborhood. The majority of properties in the same Civic Center zones, and/or within the same vicinity of the property, do not typically have a utility easement(s) that occupies the entirety, or even a portion of, the front setback areas of the property. The developer of SteelCraft is restricted from placing any structures over and across any of the existing easements, thereby rendering the front 50'-0" of the property as undevelopable. As such, the proposed building maintains its required clearance from the utility easements and is setback 2'-9" from the edge of the innermost easement.

Traditionally, and prior to the establishment of the Mixed Use zones in 2012, commercial development in the City typically provided for a 15'-0" front landscaped planter, a large parking lot at the front of the property, and the commercial building(s) located toward the rear of the property set back a significant distance away from any public right-of-way. Today, development standards of the Mixed Use Code foster the development of pedestrian-scaled environments with buildings that provide exciting access, well-designed

landscaping, and pedestrian amenities that foster interaction. Along the Euclid Street frontage, the minimum building setback is 15'-0", and the maximum building setback is 20'-0". In other areas of the Civic Center zones, the minimum and maximum setbacks are as low as 0'-0" and 5'-0", respectively. These established thresholds are in place to ensure that any future commercial buildings/structures maintain close proximity to public sidewalks and public rights-of-ways, which would allow for more effective pedestrian-oriented developments. This is further achieved through other typical requirements in the Mixed Use Code, which include, but are not limited to, provisions for plaza areas, pedestrian pathways connections, public amenities, outdoor vending kiosks, enhanced site improvements (e.g., directional signage, landscaping, vegetation), and a minimum height requirement for commercial ground floor spaces. The intent of the minimum height requirement of 18'-0" for commercial ground floor spaces is to take advantage of the typical close proximity of buildings to public rights-of-ways (i.e., public sidewalks) and to connect the commercial ground floor space with the pedestrian environment, and thereby activating both spaces to foster interaction. This consideration is less pertinent when buildings are set back further from the street. The Project proposes a front building setback of 52'-9" along the Euclid Street frontage, and is therefore, not in close proximity to the public right-of-way. As mentioned prior, the building has been set back 52'-9" due to several (6) public utility easements, which run north and south along the westerly property line and lie within the first 50'-0" of the property. The developer of SteelCraft is restricted from placing any structures over and across any of the existing easements, thereby rendering the front 50'-0" of the property as undevelopable. Because the buildings cannot be located within close proximity to the street, due to the utility easements, imposing the minimum height requirement would not result in the intended effect of this development standard. It should be noted that the primary source of construction material for the Project is comprised of recycled and re-purposed metal shipping containers, which are typically a fixed size of 8'-0" (wide) by 20'-0" (length) with a 9'-0" height. The construction method for SteelCraft is atypical and not similar to a standard brick and mortar design, which would be more conducive to strictly meeting the 18'-0" commercial ground floor height requirement. The applicant has worked within the constraints of the fixed size of the shipping containers and has proposed a design for the Project that meets the intent of the minimum commercial ground floor height requirement by providing varying heights along the Euclid Street elevation, ranging from 9'-0" to up to 30'-0" to the top of the tower element. Furthermore, the applicant has also incorporated pedestrian friendly elements at the front of the development, along Euclid Street, such as a garden, convertible outdoor communal dining areas/event space, and enhanced pedestrian linkages to the public right-of-way. The presence of the utility easements present an exceptional or extraordinary circumstance or condition applicable to the property involved or to the

intended use of the development of the property that does not apply generally to other property in the same zone or neighborhood. The majority of properties in the same Civic Center zones, and/or within the same vicinity of the property, do not typically have a utility easement(s) that occupies the entirety, or even a portion of, the front setback areas of the property. Besides the requested deviation to the maximum setback and the commercial ground floor height requirement, the proposed Project complies with all other development standards of the Mixed Use Code.

2. The Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but which is denied to the property in question.

There are other similar properties in the immediate vicinity, within the same zone, or other similar zoned properties throughout the City, that have existing structures, which do not comply with the maximum 20'-0" setback along the Euclid Street frontage or the 18'-0" minimum ground floor height requirement as required by the Municipal Code. Approval of the proposed Variance will not set a precedent and will allow the applicant to enjoy a substantial property right possessed by other property owners located on other similar properties in the immediate vicinity, within the same zone, and other similarly zoned properties throughout the City. With exception to the requested Variance to deviate from the minimum rear setback requirement and associated minimum ground-floor height requirement, the proposed project complies with all other development standards of the zone.

3. The Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.

Site constraints resulting from existing utility easements prevent development of the Site in a manner that fulfills the intent of the maximum setback and minimum height requirements for which the Variances are requested. Approval of the requested Variances will allow the site, which has been vacant since 2002, to be improved and developed and provide an additional amenity to the community as a pedestrian friendly and oriented outdoor urban eatery. Provided the project complies with the Conditions of Approval, the approval of the Variances will not create an adverse effect on the public welfare or to properties or improvements in such vicinity and zone in which the property is located. With the exception of the two (2) requested Variances, the project has been designed to meet all development standards of the CC-3 (Civic Center Core) zone including design components such as, but not limited to: minimum parking requirements, minimum landscaping requirements, compliance with all ADA (Americans with Disabilities Act) requirements, fire safety, and the provisions for on-site long- and short-term

bicycle storage. The proposed Variances will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

4. The granting of the Variance will not adversely affect the General Plan.

The proposed uses are consistent with the intent of the General Plan and the zoning classification as multi-tenant commercial developments with restaurants, office uses, and entertainment and/or alcohol sales or consumption are permitted and conditionally permitted in the CC-3 (Civic Center Core) zone. The proposed Variance request will not cause an adverse effect on the City's General Plan since the Municipal Code is a tool used to implement the goals of the General Plan. The proposed Project, SteelCraft, will improve the vacant lot, will complement neighboring uses, and will further Goal LU-6 of the General Plan to develop underutilized properties with a suitable development.

5. Approval of the Variance is subject to such conditions as will assure that it does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.

Provided the Conditions of Approval are adhered to for the life of the project, approval of the subject Variances will not grant a special privilege that is inconsistent with the limitations upon other properties located within the vicinity or zone in which the subject property is situated. In addition, pursuant to Condition of Approval No. 2, the rights granted to the applicant pursuant to Variance No. V-017-2017, shall continue in effect for only so long as the improvements authorized and contemplated by Site Plan No. SP-044-2017 and the Conditions of Approval continue to exist on the Site. In the event these improvements are not constructed or are demolished and not re-established, Variance No. V-017-2017 shall cease to be effective or to grant the applicant any rights to construct other improvements inconsistent with the then-currently applicable development standards. Any future use or development on the Site different from that described in the Site Plan approved concurrently with the Variance will be required to comply with all applicable standards of the Garden Grove Municipal Code, and the applicant may not rely on this Variance as a basis for an approval to deviate from the maximum setback, along the Euclid Street frontage, or to deviate from the minimum height for commercial ground floor spaces, with such future use or development.

CONDITIONAL USE PERMIT:

1. That the proposed use will be consistent with the City's adopted General Plan and redevelopment plan.

The site has a General Plan Land Use Designation of Civic Center Mixed Use and is zoned CC-3 (Civic Center Core). Subject to the effectiveness of Amendment No. A-021-2017, "Communal Dining with Entertainment and/or Alcohol" will be a conditionally permitted use in the CC-3 zone. The Conditional Use Permit will not take effect if a City Council Ordinance approving Amendment No. A-021-2017 to conditionally permit "Communal Dining with Entertainment and/or Alcohol" is not adopted and/or does not take effect. Provided that the conditions of approval are complied with, the use is consistent with the General Plan.

2. That the requested use at the location proposed will not: adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area, or unreasonably interfere with the use, enjoyment, or valuation of the property of other persons located in the vicinity of the site, or jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare.

The use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. The property is adjacent to the Community Center Park, the Garden Grove Fire and Police Departments, City Hall, and various office buildings with CC-3 zoned properties to the east, south, and to the west, across Euclid Street, and CC-OS (Civic Center - Open Space) zoned properties to the north, across Acacia Parkway. The proposed "Communal Dining with Entertainment and/or Alcohol" use will be consistent and compatible with the existing uses in the area. Provided the requirements of the Municipal Code are complied with and the conditions of approval are adhered to for the life of the project, the use will be harmonious with the persons who work and live in the area.

The use will not unreasonably interfere with the use, enjoyment or valuation of the property of other persons located within the vicinity of the site. The proposed development will be similar to the existing uses in the vicinity of the site. With the exception of the Variance request to deviate from the maximum setback requirement, along the Euclid Street frontage, and the minimum height for commercial ground floor spaces, the proposed project has been designed within the parameters of the CC-3 zone of Title 9 of the Municipal Code. The placements of the structure, the site design, the parking lot layout, the number of on-site parking spaces, and the landscape areas are consistent with the spirit and intent of the requirements of the Municipal Code. Provided that the project adheres to the conditions of approval, the

project will not unreasonably interfere with the use, enjoyment or valuation of the property of other persons located within the vicinity of the site.

The use will not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare. With the exception of the Variance request to deviate from the maximum setback requirement, along the Euclid Street frontage, and the minimum height for commercial ground floor spaces, the proposed project has been designed within the parameters of the CC-3 zone of Title 9 of the Municipal Code. The City's Departments have reviewed the plan, and all appropriate conditions of approval have been incorporated. The conditions of approval will ensure the public health, safety, and welfare.

3. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title or as is otherwise required in order to integrate such use with the uses in the surrounding area.

The subject site is 1.86 acres in size and rectangular in shape. The proposed site is adequate in size and shape to accommodate the required yards, walls, loading facilities, landscaping and other development standards required by the Municipal Code.

4. That the proposed site is adequately served: by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such as to be generated, and by other public or private service facilities as required.

Adequate parking and vehicular access are available for the subject site in accordance with the requirements of Title 9. The proposal has been reviewed by City Departments responsible for traffic, water services, environmental services, and safety. These Departments have determined that the site for the proposed SteelCraft development will be adequately served by existing infrastructure, circulation, and other facilities to allow its operation.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan, Variance, and Conditional Use Permit possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.

2. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the following conditions of approval, attached as "Exhibit A," shall apply to Site Plan No. SP-044-2017, Variance No. V-017-2017, and Conditional Use Permit No. CUP-116-2017.
3. This approval of Conditional Use Permit No. CUP-116-2017 shall be contingent upon the effectiveness of an Ordinance adopted by the Garden Grove City Council approving Amendment No. A-021-2017.

EXHIBIT "A"

Site Plan No. SP-044-2017
Variance No. V-017-2017
Conditional Use Permit No. CUP-116-2017

12900 Euclid Street

CONDITIONS OF APPROVAL

General Conditions

1. The applicant shall execute a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, Steelcraft Long Beach L.P., the developer of the project, the tenants(s) of the property, future transferees of the property from the City of Garden Grove, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the Conditions of Approval require approval by the Planning Commission, except as otherwise provided herein.
2. The rights granted the applicant pursuant to Variance No. V-017-2017 and Conditional Use Permit No. CUP-116-2017 shall continue in effect for only so long as the improvements authorized and contemplated by Site Plan No. SP-044-2017 and these Conditions of Approval (as they may be amended from time to time) continue to exist on the Site. In the event the improvements authorized and contemplated by Site Plan No. SP-044-2017 are not constructed or are demolished and not re-established, Variance No. V-017-2017 and Conditional Use Permit No. CUP-116-2017 shall cease to be effective or grant the applicant any rights to construct other improvements inconsistent with the then-currently applicable development standards. Approval of this Site Plan, Variance and Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
3. Minor modifications to the Site Plan and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.

4. The approved site plan, floor plan, and use of the subject property, as represented by the Applicant, are an integral part of the decision approving this Site Plan, Variance, and Conditional Use Permit. If major modifications are made to the approved floor plan, site plan, or other related changes that result in the intensification of the project or create impacts that have not been previously addressed, the proper entitlements shall be obtained reflecting such changes.
5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

Public Works Engineering Division

6. The applicant shall be subject to Traffic Mitigation Fees, Drainage Facilities Fees, Water Assessment Fees, and other applicable mitigation fees identified in Chapter 9.44 of the Garden Grove Municipal Code, along with all other applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.
7. All vehicular access drives to the site shall be provided in locations approved by the City of Garden Grove's City Traffic Engineer.
8. All parking spaces that abut to sidewalks that are not elevated with a curb face to the stall, if any, shall have wheel stops.
9. Prior to issuance of a grading permit, the applicant shall design overhead street lighting within the development in a manner meeting the approval of the City Engineer. Location of lighting poles shall be shown on the precise grading plans.
10. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.
11. A separate street permit is required for work performed within the public right-of-way.

12. Grading/Street improvement plans prepared by a registered Civil Engineer are required. The grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to thirty feet (30') outside the boundary, and designed to preclude cross lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan. Street improvement plan shall conform to all format and design requirements of the City Standard Drawings & Specifications.
13. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
14. The grading plan shall depict an accessibility route for the ADA pathway in conformance with the requirements of the Department of Justice standards, latest edition.
15. In accordance with the Orange County Storm Water Program manual, the applicant and/or its contractors shall provide dumpsters on-site during construction unless an Encroachment Permit is obtained for placement in street.
16. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the applicant shall submit to the City for review and approval a Water Quality Management Plan that:
 - a. Addresses Site Design BMPs based upon the geotechnical report recommendations and findings such as infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.
 - b. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
 - c. Incorporates structural and Treatment Control BMPs as defined in the DAMP.
 - d. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
 - e. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
 - f. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.

17. Prior to grading or building permit closeout and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
 - a. Demonstrate that all structural best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
 - b. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
 - c. Demonstrate that an adequate number of copies of the approved Project WQMP are available on-site.
 - d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.
18. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502:
 - a. Paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, screened or walled to prevent off-site transport of trash;
 - b. Provide solid roof or awning to prevent direct precipitation into the enclosure;
 - c. Connection of trash area drains to the municipal storm drain system is prohibited;
 - d. Potential conflicts with fire code and garbage hauling activities should be considered in implementing this source control;
 - e. See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information;
 - f. The trash enclosure(s) shall be located to allow pick-up and maneuvering, including turnarounds, in the areas of the enclosures;
19. The applicant and his contractor shall be responsible for protecting all existing horizontal and vertical survey controls, monuments, ties (centerline and corner) and benchmarks located within the limits of the project. If any of the above require removal; relocation or resetting, the Contractor shall, prior to any construction work, and under the supervision of a California licensed Land Surveyor, establish sufficient temporary ties and benchmarks to enable the points to be reset after completion of construction. Any ties, monuments and bench marks disturbed during construction shall be reset per

Orange County Surveyor Standards after construction. Applicant and his contractor shall also re-set the tie monuments where curb or curb ramps are removed and replaced or new ramps are installed. The Applicant and his contractor shall be liable for, at his expense, any resurvey required due to his negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls.

20. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for City review on request.
21. Any new or required block walls and/or retaining walls shall be shown on the grading plans. Cross sections shall show vertical and horizontal relations of improvements and property line. Block walls shall be designed in accordance to City standards or designed by a professional registered engineer. In addition, the following shall apply:
 - a. The color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division Prior to installation.
22. The applicant shall identify a temporary parking site(s) for construction crew and construction trailers office staff prior to issuance of a grading permit. No construction parking is allowed on local streets.
23. Prior to issuance of a grading permit, the applicant submit and obtain approval of a worksite traffic control plan, satisfactory to the City Traffic Engineer.
24. Heavy construction truck traffic and hauling trips should occur outside peak travel periods. Peak travel periods are considered to be from 7 a.m. to 9 a.m., and 4 p.m. to 6 p.m.
25. Any required lane closures should occur outside of peak travel periods.
26. Construction vehicles should be parked off traveled roadways in a designated parking area.
27. Prior to issuance of a grading permit, the applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic

calculations to size storm drains per the Orange County RDMD standards. Parkway culverts shall be designed per Orange County standard plan 1309, Type B. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.

28. If it is found in the final Water Quality Management Plan (WQMP) that major modifications are required to the approved plans, under Site Plan No. SP-044-2017, where structures and/or foundations need to be modified and/or relocated to a substantial degree, subject to determination by the Public Works Director, the applicant shall be required to gain Planning Commission approval of an amendment to the approved Site Plan.
29. All landscape, sidewalk and lighting improvements installed within the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City of Garden Grove. Prior to issuance of a building permit, the applicant shall design and construct street frontage improvements as identified below:

Euclid Street

- a. Applicant shall coordinate the location of all new water meters, backflow preventers and backflow devices to be placed in sidewalk/landscape area on Euclid Street with Planning Division and Garden Grove's Water Division.
- b. Any proposed new landscaping in public right of way shall be approved by Planning Division and maintained by the owner.

Public Works Water Services Division

30. The applicant shall install new water meter and service off of the 10" cast iron main on the west side of Euclid.
31. The applicant shall install reduced pressure principal devices per City Standard B-770 on the domestic and irrigations supply lines. Any carbonation dispensing equipment shall have an internal stainless steel RPPD device. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross connection inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. The applicant must open a water account upon installation of RPPD device.
32. The applicant shall install a fire service connection per City Standard B-773 with a FDC. Fire service shall have above ground backflow device with a double check valve assembly. Device shall be tested immediately after

installation and once a year thereafter by a certified backflow device tester and the results to be submitted to Public Works, Water Services Division. Device shall be on private property and is the responsibility of the applicant. The above ground assembly shall be screened from public view as required by the Planning Division.

33. The applicant shall install a new public fire hydrant in the Euclid right-of-way and located within 50 feet of the new fire service.
34. The applicant shall abandon the existing on-site fire hydrant and the water supply line downstream of the City Hall domestic connection and install a new fire hydrant within the Euclid Street right-of-way. This is necessary as the existing onsite fire hydrant line ties into the Acacia Parkway water main and the fire hydrant supply line crosses the property at 12860 Euclid St. (formerly the Southland Credit Union). In addition, City Hall's domestic and irrigation lines come off this line. Turning off the valve for this private fire hydrant also shuts off City Hall's domestic water.
35. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
36. The applicant shall camera the existing sewer lateral to determine its condition, and if it is not used it needs to be capped and plugged at the right-of-way. If needed, the applicant shall install a new manhole connection on the existing 6" sewer main and a new 6" extra strength VCP sewer lateral installed within the sewer main easement.
37. Commercial food use of any type shall require the installation of an approved grease interceptor prior to obtaining a business license.
38. A properly sized grease interceptor shall be installed on the sewer lateral and maintained by the applicant. There shall be a separate sanitary waste line that will connect to the sewer lateral downstream of the grease interceptor. All other waste lines shall be drained through the grease interceptor. Grease interceptor shall be located outside of the building and accessible for routine maintenance. The applicant shall maintain comprehensive grease interceptor maintenance records and shall make them available to the City of Garden Grove upon demand.
39. Food grinders (garbage disposal devices) are prohibited per Ordinance 6 of the Garden Grove Sanitary District Code of Regulations.

Fire Department

40. Maximum occupant load shall be posted for all first and second floor areas.

41. Vertical access to upper level shall meet Garden Grove Fire Department gurney specifications.
42. Fire sprinklers, where required, shall be provided.
43. Fire alarm shall be provided.

Police Department

44. There shall be no gaming tables or gaming machines as outlined in City Code Sections 8.20.010 and 8.20.050 on the premises at any time.
45. In the event security problems occur, and at the request of the Police Department, the applicant shall establish a security plan and, at its own expense, shall provide a California licensed, uniformed security guard(s) on the premises during such hours as prescribed by the Police Department. The security plan shall be submitted to the Police Department for review and approval. The security plan shall include the number of security personnel that will be provided, job duties and descriptions, procedures on communication, procedures on ID check, maximum occupancy load, and a detailed description of how problems and problem guests will be handled. Should additional security problems occur, the applicant shall modify the security plan at the request and to the satisfaction of the Police Department.
46. The hours of operation for the multi-tenant commercial development, SteelCraft, shall be permitted between 6:00 a.m. to 12:00 a.m., seven (7) days a week. Each business within the development may have differing business hours and closing times, which may be further restricted to separate hours of operation should a separate Conditional Use Permit be required for the respective establishment (i.e., an establishment operating with an ABC license for on-sale or off-sale of alcohol and under a conditional use permit). However, at no time shall a business within the SteelCraft development have hours of operation beyond the restricted closing time (12:00 a.m.) of the SteelCraft development. Noise generating activity within the communal dining areas of the SteelCraft development, such as entertainment, and/or other similar incidental events or activities secondary to the primary activity of dining, are permitted to occur between 10:00 a.m. and 10:00 p.m. In the event that problems arise concerning the operation of this business, the hours of operation may be reduced by order of the Chief of the Police Department.
47. Alcoholic beverages shall only be sold and served in distinctive cups with a logo from the location it has been dispensed from. No other cups may be used for the dispensing of alcoholic beverages. Said containers shall be distinct and different than containers of non-alcoholic beverages.

48. Adjacent to, or on the interior of, any gate/door along the perimeter barriers, which leads to the exterior areas of the SteelCraft development (i.e., the parking lot areas, the public right-of-way), a clearly visible sign(s) stating "No alcohol beyond this point" shall be installed. Said gate(s)/door(s) shall be self-closing.
49. The applicant/operator of the SteelCraft development is required to install, maintain, and operate a camera/surveillance security system which monitors all exterior areas immediately adjacent to the SteelCraft development. A daily recorded library, with digitally recorded footage, shall be archived for at least 30 days, and be made available to the Garden Grove Police Department at the Police Chief's request.
50. At no time shall the entertainment, and/or other similar incidental events or activities, become the attracting venue for the SteelCraft development. Entertainment and/or other similar incidental events or activities, within the SteelCraft development, shall be incidental in nature, and secondary to the primary activity of dining.
51. There shall be no cover charge required for any event to gain access to the SteelCraft development.
52. Any violations or noncompliance with the conditions of approval may result in the issuance of an Administrative Citation of up to \$1,000 pursuant to GGMC 1.22.010 (a).

Community and Economic Development Department

53. The approved site plan and floor plan are an integral part of the decision approving this Site Plan, Conditional Use Permit, and Variance. There shall be no additional changes in the design of the site plan and floor plan without the approval of the Community and Economic Development Department, Planning Services Division. Any additional changes in the approved floor plan, which have the effect of expanding or intensifying the present use, shall require obtaining the proper entitlement(s).
54. Entertainment, alcohol sales or consumption, or other similar incidental events or activities secondary to the primary activity of dining shall only be permitted to occur within the confines of the SteelCraft development. Sound emitted from entertainment, or other similar incidental events or activities secondary to the primary activity of dining, shall be within the limits of the City's Noise Ordinance. In the event, entertainment or other similar incidental events or activities secondary to the primary activity of dining, create a noise nuisance to nearby properties/uses, the applicant shall implement additional sound attenuation measures acceptable to the City. Outdoor communal dining areas where alcohol is served and/or consumed

must be located in a controlled area or group of areas with monitored entrances and exits and enclosed by a perimeter barrier.

55. Conditional Use Permit No. CUP-116-2017 permits "Communal Dining with Entertainment and/or Alcohol" to take place within the interior outdoor area of the SteelCraft development surrounded by the shipping containers. A "Communal Dining with Entertainment and/or Alcohol" is a communal dining area or areas serving more than one business, either within a wholly enclosed building or within a confined outdoor space, in which "entertainment" and/or other similar incidental events or activities secondary to the primary activity of dining are provided or conducted and/or alcohol is served and/or consumed. A "confined outdoor space" is a controlled area or group of areas with monitored entrances and exits that is enclosed by a perimeter barrier.
56. The applicant shall ensure the SteelCraft development operates in compliance with all applicable requirements, development standards, and operating conditions as specified in the Municipal Code, which includes, but is not limited to, those prescribed in Section 9.18.090.060, Additional Regulations Specific to the CC-3 Zone, as it relates to uses involving entertainment and/or alcohol sales or consumption in communal dining areas.
57. SteelCraft Garden Grove L.P. shall be the responsible party for monitoring, managing and controlling the communal dining area(s) of the development, which shall include, but is not limited to: ensuring any activity within the SteelCraft development does not create any noise nuisances to nearby properties/uses; all entrances and exits are monitored by the applicant ensuring alcoholic beverages do not leave the communal dining areas within the confined space of the SteelCraft development; and ensures that all applicable requirements of the Municipal Code are complied with. The applicant may designate a different responsible party upon written approval of the City's Community and Economic Development Director.
58. Any tenant within and/or part of the SteelCraft development, either as a lessee, sub-lessee, or provider of a service/good, which intends to sell alcohol, whether for on- or off-site consumption within the SteelCraft development, shall obtain all required permits and/or approvals, which include, but may not be limited to, a Conditional Use Permit, State Department of Alcoholic Beverage Control (ABC) license(s), and business license.
59. The applicant shall maintain full compliance with all applicable laws, State Department of Alcoholic Beverage Control (ABC) laws, ordinances, and stated conditions. In the event a conflict between the requirements of these Conditions of Approval and any ABC license required of the applicant and/or any tenants or operators, the more stringent regulation shall apply.

60. All conditions of approval must be printed verbatim on all plans submitted for plan review to the Building Services Division. These conditions must be printed on the site plan or a subsequent reference page.
61. No outside display of merchandise shall be permitted at any time.
62. A prominent, permanent sign, stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES," shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign(s) shall be displayed near or at the entrances, and shall also be visible to the public.
63. There shall be no uses or activities of an adult-oriented nature permitted as outlined in City Code Section 9.08.070.
64. Deliveries may occur during all hours of the day. Delivery trucks shall be shut off and shall not remain idle during deliveries. However, in the event problems arise where the delivery hours need to be reduced or restricted in order to minimize noise issues, the operator shall modify the delivery hours as prescribed by the City.
65. Litter shall be removed daily from the premises, including adjacent public sidewalks, and from all parking areas under the control of the licensee. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
66. The applicant shall maintain all landscaped areas in a neat and healthy condition. Landscaping maintenance shall include pruning or removal of overgrown weeds and vegetation.
67. The applicant shall abate all graffiti vandalism within the premises. The applicant shall implement best management practices to prevent and abate graffiti vandalism within the premises throughout the life of the project, including, but not limited to, timely removal of all graffiti, the use of graffiti resistant coatings and surfaces, the installation of vegetation screening of frequent graffiti sites, and the installation of signage, lighting, and/or security cameras, as necessary. Graffiti shall be removed/eliminated by the applicant as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
68. The applicant is advised that the SteelCraft development, including all tenants of the SteelCraft development, are subject to the provisions of State Labor Code Section 6404.5 (ref: State Law AB 13), which prohibits smoking inside the establishment as of January 1, 1995. Smoking is prohibited anywhere on the site, except in designated smoking areas in compliance with applicable law.

69. Any satellite dish antennas installed on the premises shall be screened, subject to approval by the Community and Economic Development Department, Planning Division. No advertising material shall be placed thereon.
70. Signs shall comply with the City of Garden Grove sign requirements. No more than 15% of the total window area and clear doors shall bear advertising or signs of any sort. No signs advertising alcoholic beverages shall be placed on the windows or on the exterior of the buildings.
71. All proposed signage shall adhere to Section 9.20, Sign Standards, of Title 9 of the Municipal Code. A detailed signage program governing the entire site that includes the height, size, color and locations of all signs, shall be approved by the Community and Economic Development Department, Planning Services Division prior to installation of any signage.
72. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.010 referred to as the County Noise Ordinance as adopted:
 - a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).
 - b. Sunday and Federal Holidays may work the same hours, but subject to noise restrictions as stipulated in Section 8.47.010 of the Municipal Code.
73. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust), which includes dust minimization measures, using electricity from power poles rather than diesel or gasoline powered generators, and using methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible, using solar or low-emission water heaters, and using low-sodium parking lot lights, to ensure compliance with Title 24.
74. Long-term and short-term bicycle parking shall be provided per California Green Code.
75. The upper level shall be on an accessible route that can be negotiated by a wheelchair. Vertical access to upper level, accommodating a gurney, can be in the form of a ramp, lift, or elevator.
76. Adequate drainage shall be provided in the interior court area and around the perimeter.
77. Adequate drainage shall be provided inside the containers.
78. ADA accessible seating is required at the upper level dining area.

79. Plans submitted for building plan check shall note any level changes from accessible routes to interior lower level and upper level seating areas.
80. Wheel stops shall be provided along the accessible route which crosses over, and is adjacent to, the area noted as "Truck Access" on the submitted plans, which may be in the form of removable barriers.
81. Plans submitted for building plan check shall detail the protruding portion of the service areas for the tenant spaces to meet cane detectable dimensions.
82. Plans submitted for building plan check shall show the existing exit path from south side of the City Hall building.
83. An accessible route shall be provided to the performance area (stage).
84. An accessible route shall be provided to the electrical room.
85. The approach entry and exit, for each tenant space, shall have maximum ¼ inch level change.
86. Development shall comply with all applicable requirements of the 2016 CBC (California Building Standards Code), CMC (California Mechanical Code), CPC (California Plumbing Code), CEC (California Electrical Code), CGBC (California Green Building Standards Code), and 2016 T-24 (Title 24) Energy Standards.
87. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the Planning Services Division. Lighting adjacent to residential properties shall be restricted to low, decorative type, wall-mounted lights, or ground lighting system. Lighting in the common and parking areas shall be directed, positioned or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences. Parking area lighting shall be provided during the hours of darkness that the SteelCraft development or any establishment therein is open at a minimum of two-foot candles of light, and one-foot candle of light during all other hours of darkness.
88. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department, Planning Division, for review and approval prior to submittal of plans for Building Division Plan Check. The project shall also be subject to the following:
 - a. All above-ground utility equipment (e.g., electrical, gas, telephone) shall not be located in the street setbacks and shall be screened to the satisfaction of the Community and Economic Development Department, Planning Services Division.

- b. No roof or wall mounted mechanical equipment shall be permitted unless the Planning Services Division approves a method of screening complementary to the architecture of the building, prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets, including the surrounding properties.
89. The applicant shall submit a complete landscape plan governing the entire development for review and approval by the Community and Economic Development Department prior to building permit issuance. The landscaping plan shall comply with all the landscaping requirements as specified in Title 9 of the City of Garden Grove Municipal Code, including the City's Water Efficiency Guidelines, as well as recently adopted provisions by the State of California concerning drought tolerant landscape measures. Said plan shall include type, size, location and quality of all plant material. This includes enhanced landscaping for the walkway areas. The plan shall include an irrigation plan, and staking and planting specification. The landscape plan is subject to the following:
- a. A complete, permanent, automatic remote control irrigation system shall be provided for all common area landscaping shown on the plan. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.
 - b. All above ground utilities (e.g., water backflow devices, electrical transformers, irrigation equipment, etc.) shall be shown on the landscape plan in order to ensure proper landscape screening and will be provided around each of these equipment/apparatus.
 - c. The applicant shall be responsible for the installation and maintenance of all landscaping on the property during and after the construction period. Said responsibility shall extend to within the public right-of-way.
 - d. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box and sixty percent (60%) of the trees at 15-gallon, the remaining five percent (5%) may be of any size. All proposed trees shall be non-fruit bearing, evergreen trees that require minimal maintenance.
 - e. No trees shall be planted closer than five feet (5') from the public right-of-way. Trees planted within fifteen feet (15') of any public right-of-way shall be planted in a root barrier shield. All landscaping along street frontages, adjacent to driveways, shall be of the low-height variety to ensure safe sight clearance.

90. During construction, if paleontological or archaeological resources are found, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with applicable laws and regulations.
91. No exterior piping, plumbing, roof top access ladders, or mechanical ductwork shall be permitted on any exterior facade and/or be visible from any public right-of-way or adjoining property.
92. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant and all agents thereof.
93. Any new driveway approaches shall be treated with decorative stamped concrete or interlocking pavers or other enhanced treatment, excluding scored and/or colored concrete. Color, pattern and material shall be approved by the Community and Economic Development Department, Planning Services Division, and shall be shown on the final site plan and the grading plan.
94. All on-site curbs, not associated with a parking space, shall be painted red.
95. The site improvements and subsequent operation of the site/business(es) shall adhere to the following:
 - a. There shall be no business activities, or storage permitted outside of the building. All business related equipment and material shall be kept inside the building except for loading or unloading purposes.
 - b. The trash enclosure shall match the color and material type used for the block walls and shall be gated. The trash bins shall be kept inside the trash enclosure, and gates closed at all times except during disposal and pick-up. The applicant shall provide sufficient trash bins and pick-up to accommodate the site. The trash shall be picked up at least once per week.
 - c. All drive aisles on the site are considered to be fire lanes and shall remain clear and free of any materials, and/or vehicles.
96. The proposed development shall comply with all applicable provisions of the Garden Grove Local Implementation Plan (LIP), including, but not limited to, providing a Water Quality Management Plan (WQMP) and Section 7 addressing reducing water run-off from the site (e.g. directing roof rain gutter's downspouts to permeable areas such as landscape planters).
97. The applicant shall work with the Planning Services Division to ensure that the proposed building colors are appropriate, and not overly bright. The

applicant shall submit the actual chip samples of the proposed paint colors to the Planning Division for review and approval.

98. In the event the development cannot accommodate the parking demand, due to impacts generated by the development, at any given time, which causes a nuisance, hindrance, and/or problem with either on-site and off-site parking and circulation, the applicant shall devise and implement a plan approved by the City to relieve the situation.

Upon written request by the City, the applicant shall submit a plan to manage parking issues for review and approval by the Community and Economic Development Department. The plan may include, but is not be limited to: reducing the hours of operation, instituting an off-site parking arrangement; having on-site parking control personnel; and/or others actions that may be deemed applicable to the situation.

If the City's Community and Economic Development Director deems such action is necessary to address parking and circulation problems, such action shall be implemented within 30 days of written notice. Failure to take appropriate action shall be deemed a violation of these Conditions of Approval and may result in the City restricting the overall use of the facility.

99. A copy of the resolution including the conditions approving Site Plan No. SP-044-2017, Variance No. V-017-2017, and Conditional Use Permit No. CUP-116-2017, shall be kept on the premises at all times.
100. The Conditional Use Permit may be called for review by City staff, the City Council, or Planning Commission, if noise or other complaints are filed and verified as valid by the Code Enforcement office or other city department concerning the violation of approved conditions, the Garden Grove Municipal Code, or any other applicable provisions of law.
101. The permittee shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-044-2017, Variance No. V-017-2017, and Conditional Use Permit No. CUP-116-2017, and his/her agreement with all conditions of the approval.
102. If deemed necessary by the Community and Economic Development Director, the Conditional Use Permit may be reviewed within one year from the date of this approval, and every three (3) years thereafter, in order to determine if the business is operating in compliance.
103. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council,

Planning Commission, or other City decision-making body, or City staff action concerning Site Plan No. SP-044-2017, Variance No. V-017-2017, and Conditional Use Permit No. CUP-116-2017. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including, but not limited, to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.

104. It shall be the applicant's responsibility to verify that any building or site improvements do not cross over, encroach into, or cause issue with any recorded easements on the subject property or the adjacent properties.
105. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the use authorized by this approval of Conditional Use Permit No. CUP-116-2017 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period and thereafter diligently advanced until completion of the project.
106. Approval of Conditional Use Permit No. CUP-116-2017 shall be contingent upon the adoption and effectiveness of an Ordinance approving Amendment No. A-021-2017 conditionally permitting Communal Dining with Entertainment and/or Alcohol in the CC-3 (Civic Center Core) zoning district.