



## AGENDA

### GARDEN GROVE PLANNING COMMISSION

#### SPECIAL MEETING

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June 17, 2021

COMMUNITY MEETING CENTER – A/B ROOM  
11300 STANFORD AVENUE

Members of the public who wish to comment on matters before the Commission, in lieu of doing so in person, may submit comments by emailing [planning@ggcity.org](mailto:planning@ggcity.org) no later than 3:00 p.m. the day of the meeting. The comments will be provided to the Commission as part of the meeting record. Members of the public are asked to consider very carefully before attending this meeting in person and are required to wear face masks and maintain a six foot distance from others. Please do not attend this meeting if you have had direct contact with someone who has tested positive for COVID-19, or if you are experiencing symptoms such as coughing, sneezing, fever, difficulty breathing or other flu-like symptoms.

#### REGULAR SESSION – 7:00 P.M. – A/B ROOM

ROLL CALL: CHAIR PEREZ, VICE CHAIR LINDSAY  
COMMISSIONERS ARESTEGUI, CUNNINGHAM, LEHMAN, RAMIREZ,  
SOEFFNER

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.

Meeting Assistance: Any person requiring auxiliary aids and services, due to a disability, should contact the Department of Community & Economic Development at (714) 741-5312 or email [planning@ggcity.org](mailto:planning@ggcity.org) 72 hours prior to the meeting 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

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

- A. ORAL COMMUNICATIONS - PUBLIC
- B. APPROVAL OF MINUTES: May 20, 2021
- C. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)
  - C.1. SITE PLAN NO. SP-095-2021

APPLICANT: JIMMY PHAM  
LOCATION: SOUTHEAST CORNER OF CHAPMAN AVENUE AND  
NUTWOOD STREET AT 10510 CHAPMAN AVENUE

REQUEST: Site plan approval to reconstruct three (3) existing buildings to accommodate two (2) residential living quarters with a combined area of approximately 6,108 square feet, with a 1,320 square foot commissary and related site improvements, all on a 77,704 square foot lot operated by a religious facility, Quan Am Temple, currently operating under Conditional Use Permit No. CUP-262-09, which authorizes a religious facility with ancillary uses, including living quarters. The site is in the R-1 (Single-Family Residential) Zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 – New Construction or Conversion of Small Structures.

STAFF RECOMMENDATION: Approval of Site Plan No. SP-095-2021, subject to the recommended Conditions of Approval.

C.2. CONDITIONAL USE PERMIT NO. CUP-204-2021

APPLICANT: SPROUTS FARMERS MARKET  
LOCATION: SOUTH SIDE OF CHAPMAN AVENUE, WEST OF  
BROOKHURST STREET, AT 9848 CHAPMAN AVENUE

REQUEST: Conditional Use Permit approval to allow a new grocery store, Sprouts Farmers Market, to operate with a new State Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer and Wine) License. The site is in the NMU (Neighborhood Mixed Use) Zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 – New Construction or Conversion of Small Structures.

STAFF RECOMMENDATION: Approval of Conditional Use Permit No. CUP-204-2021, subject to the recommended Conditions of Approval.

D. MATTERS FROM COMMISSIONERS

D.1. GRAFFITI DISCUSSION

E. MATTERS FROM STAFF

F. ADJOURNMENT

GARDEN GROVE PLANNING COMMISSION  
A/B Room, Community Meeting Center  
11300 Stanford Avenue, Garden Grove, CA 92840

Special Meeting Minutes  
Thursday, May 20, 2021

CALL TO ORDER: Study Session - 6:19 p.m.

ROLL CALL PLANNING COMMISSION:

Chair Perez  
Vice Chair Lindsay  
Commissioner Arestegui  
Commissioner Cunningham  
Commissioner Lehman  
Commissioner Ramirez  
Commissioner Soeffner

Absent: Cunningham, Lehman, Ramirez

Commissioner Cunningham joined the meeting at 6:32 p.m.

STAFF STUDY SESSION ON HOUSING ELEMENT UPDATE – HOUSING POLICIES AND PROGRAMS:

Staff gave a brief overview on the Housing Element Update for Housing Policies and Programs. Roy English and Celeste Martinez-Rivero expressed their concerns for lack of affordable housing in desirable areas near jobs and schools; that Accessory Dwelling Units (ADU's) should be included in the Housing Element; and the homeless are on streets and in encampments. Jose Rodriguez, the MIG Consultant, gave a general outline of the Housing Element touching on the overall Agenda, engagement, sites inventory, Environmental Justice and Safety Elements, updating the zoning code, Regional Housing Needs Assessment (RHNA), Housing Rehab grants, Code Enforcement programs, affordable housing constructions, rental assistance, home ownership/rentals, Fair Housing services, Special Need housing, homeless services, accomplishments, new programs, and the next steps, which include additional public review, and a public hearing in the Fall. Chair Perez suggested streamlining the ADU process and pushing to fund the conversions of motels for the homeless with the units counted toward the City's RHNA allocation.

ADJOURNMENT: The Study Session was adjourned at 6:52 p.m. Chair Perez called for a recess.

CALL TO ORDER: Planning Commission – 7:00 p.m.

ROLL CALL PLANNING COMMISSION:

Chair Perez  
Vice Chair Lindsay  
Commissioner Arestegui  
Commissioner Cunningham  
Commissioner Lehman  
Commissioner Ramirez  
Commissioner Soeffner

Absent: Lehman, Ramirez

PLEDGE OF ALLEGIANCE: Led by Commissioner Cunningham.

ORAL COMMUNICATIONS – PUBLIC – None.

May 6, 2021 MINUTES:

Action: Received and filed.

Motion: Lindsay Second: Soeffner

Ayes: (5) Arestegui, Cunningham, Lindsay, Perez, Soeffner

Noes: (0) None

Absent: (2) Lehman, Ramirez

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-339-11 (REV. 2020) FOR PROPERTY LOCATED ON THE SOUTHEAST CORNER OF WESTERN AVENUE AND LAMPSON AVENUE AT 12552 WESTERN AVENUE.

Applicant: THE MAP SPORTS FACILITY

Date: May 20, 2021

Request: A six (6) month review of the operation of an existing indoor sports facility, MAP Sports Facility, located at 12552 Western Avenue (Assessor's Parcel No. 215-032-01), to assess its compliance with the Conditions of Approval under Conditional Use Permit No. CUP-339-11 (REV. 2020). The site is in the M-P (Industrial Park) Zone.

Action: One letter was submitted by Container Supply, which expressed continued parking concerns and suggested the City require The Map to hire a security guard at the entrance to prevent further parking issues. With the request for a security guard already an existing Condition of Approval, if needed, the parking concerns were decided to be a civil matter and the Commission determined that no further action was required by the City.

Motion: Lindsay Second: Cunningham

Ayes: (5) Arestegui, Cunningham, Lindsay, Perez, Soeffner  
Noes: (0) None  
Absent: (2) Lehman, Ramirez

Chair Perez declared a recess at 7:58 p.m. The meeting reconvened at 8:05 p.m.

PUBLIC HEARING – SITE PLAN NO. SP-100-2021 AND VARIANCE NO. V-033-2021 FOR PROPERTY LOCATED ON THE EAST SIDE OF MONARCH STREET, BETWEEN ACACIA AVENUE AND LAMPSON AVENUE, AT 12822 MONARCH STREET.

Applicant: YEMI ALADE (REXFORD INDUSTRIAL)

Date: May 20, 2021

Request: Site Plan approval to demolish an existing 98,360 square foot industrial building and construct a new 97,470 square foot industrial building along with associated site improvements, on a property located at 12752-12822 Monarch Street. Also, Variance approval to deviate from the maximum building height requirement of the M-P (Industrial Park) zone. The site is in the M-P (Industrial Park) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302 – Replacement or Reconstruction.

Action: Resolution No. 6024-21 was approved with one amendment to add Public Works Water Services Division Condition of Approval No. 39: The subject property is in a minimal sewer capacity deficiency area (Capital Improvement Project No. 75). Per the sewer flow study and drainage fixture unit calculations sheet provided on April 14, 2021, the proposed additional plumbing fixtures are allowed. Any modifications to the existing design, or future improvements involving additional plumbing fixtures, will require a similar review process (e.g., sewer flow study and drainage fixture unit calculation) prior to any formal plan submittal to the City.

Motion: Lindsay Second: Soeffner

Ayes: (5) Arestegui, Cunningham, Lindsay, Perez, Soeffner  
Noes: (0) None  
Absent: (2) Lehman, Ramirez

MATTERS FROM COMMISSIONERS: Commissioners were grateful to be assembled in-person once again. Vice Chair Lindsay commented he would not be available for the June 17<sup>th</sup> meeting. Chair Perez noted that on Newhope Street and Westminster Avenue, a vacant lot may have been used for makeshift underground habitation. The

property had been cleaned up through receivership and she wondered if there was pending development for future housing. Staff replied that the site was not zoned for housing and no projects have come forward.

MATTERS FROM STAFF: Staff noted that the June 3<sup>rd</sup> meeting would be cancelled and gave a brief summary of agenda items for the June 17<sup>th</sup> meeting, which would include a presentation on graffiti. Chair Perez asked for statistics on the number of calls the City received regarding graffiti and the length of time it takes to respond. Staff then mentioned Public Works was working to paint the Gilbert Street graffiti walls with a consistent cover-up color.

ADJOURNMENT: At 8:24 p.m. to the next Meeting of the Garden Grove Planning Commission on Thursday, June 17, 2021, at 7:00 p.m. in the A/B Room of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

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Judith Moore, Recording Secretary

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> C.1.	<b>SITE LOCATION:</b> Southeast corner of Chapman Avenue and Nutwood Street at 10510 Chapman Avenue
<b>HEARING DATE:</b> June 17, 2021	<b>GENERAL PLAN:</b> Low Density Residential
<b>CASE NO.:</b> Site Plan No. SP-095-2021	<b>ZONE:</b> R-1 (Single-Family Residential)
<b>APPLICANT:</b> Jimmy Pham	<b>APN NO.:</b> 089-141-61
<b>PROPERTY OWNER:</b> Vietnamese Buddhism Study Temple in America (Chua Quan Am)	<b>CEQA DETERMINATION:</b> Except – 15303 – New Construction or Conversion of Small Structures

## **REQUEST:**

The applicant is requesting Site Plan approval to reconstruct three (3) existing buildings to accommodate two (2) residential living quarters with a combined area of approximately 6,108 square feet, with a 1,320 square foot commissary and related site improvements, on a 1.78-acre lot operated by a religious facility, Vietnamese Buddhism Study Temple in America (Chua Quan Am), currently operating under Conditional Use Permit No. CUP-262-09.

## **PROJECT STATISTICS:**

	<b>Provided</b>	<b>Requirement</b>
<b>Lot Size:</b>	1.78-acre (77,704 S.F.)	1-acre (43,560 S.F.)
<b>New Building Heights:</b>		35'-0"
Building A	24'-0"	
Building B	21'-2"	
Building C	21'-2"	
<b>Building Setbacks<sup>1</sup>:</b>		
North (front)	20'-0"	20'-0"
East (interior side)	47'-5"	10'-0"
South (rear)	134'-6"	10'-0"
West (side street)	12'-0"	10'-0"
<b>Landscaping:</b>	5,900 S.F. (7.6%) <sup>2</sup>	7,770.4 S.F. (10%)
<b>Parking:</b>	96 <sup>3</sup>	127 spaces

<sup>1</sup> The building setbacks identified are for the new buildings only.

<sup>2</sup> The Municipal Code requires projects to provide 10% on-site landscaping, excluding the required setback areas. The project will increase the total on-site landscaping from approximately 2,035 square feet (2.6%) to 5,900 square feet (7.6%) to be further in compliance with the Municipal Code.

<sup>3</sup> The project site provides 94 on-site parking spaces; however, per State Assembly Bill (AB) 1100, electric vehicle (EV) accessible van parking spaces are equivalent to two (2) standard parking stalls. Each of the two (2) proposed EV accessible van parking spaces for the project are counted toward the overall required parking; therefore, the project will provide a total of 96 parking spaces.

**BACKGROUND:**

The project site is a 77,704 square foot lot located on the southeast corner of Chapman Avenue and Nutwood Street. The property has a General Plan Land Use Designation of Low Density Residential and is zoned R-1 (Single-Family Residential).

The project site abuts an Office Professional (OP) zoned property to the east that is developed and operated by the Boys and Girls Club of Garden Grove; to the south are R-1 zoned properties developed with single-family homes that are separated from the subject site by a 20'-0" wide public alley; to the west, across Nutwood Street, are R-1 and R-2 zoned properties developed with single-family homes and multi-family apartments; and, across Chapman Avenue, to the north, are residential condominiums.

The project site is currently improved with five (5) buildings with a total building area of 19,800 square feet. The buildings were originally constructed in 1961 as an office professional development. The Vietnamese Buddhism Study Temple in America (Chua Quan Am) purchased the property in 2004. In 2004, a business license was issued by the City of Garden Grove to allow the temple to operate as an administrative office for a non-religious use. For the purposes of this report, the temple will be referred to as the Chua Quan Am Temple.

In 2009, the applicant received land use approvals from the City to operate a religious facility. The approvals included an amendment to change the General Plan land use designation of the site from Office Professional to Low Density Residential; a rezone of the site from O-P (Office Professional) to R-1 (Single-Family Residential); a Site Plan to construct two, one-story buildings for religious use, including a 5,261 square foot building for a religious assembly use, and a 4,345 square foot building for a residential living quarters; and a Conditional Use Permit to operate a religious facility under General Plan Amendment No. GPA-1-09(A), Amendment No. A-147-09, Site Plan No. SP-450-09, and Conditional Use Permit No. CUP-262-09.

Unfortunately, the project approved under Site Plan No. SP-450-09 was never constructed as a result of the financial impacts of the 2008 economic recession, and the entitlement ultimately expired. Nevertheless, Conditional Use Permit No. CUP-262-09 for the operation of the religious use was exercised. In 2014 and 2015, the temple was issued building permits to convert two (2) suites into an assembly use for the temple, including reframing the roof of the existing building area that would serve as the main assembly hall.

Prior to the 2009 land use approval, the applicant filed two (2) separate land use applications with the City to operate a religious facility on the subject site. A history of the land use entitlements for the project site are provided below.



### History of Entitlements

In 2005, the applicant filed a land use application with City of Garden Grove to operate a religious use on the subject site that included a General Plan Amendment to change the land use designation of the site from Office Professional to Low Density Residential; a zone change to rezone the site from O-P (Office Professional) to R-1 (Single-Family Residential); a Site Plan to construct a two-story, 15,500 square foot, Buddhist temple; and a Conditional Use Permit to operate a religious facility under General Plan Amendment No. GPA-1-05(A), Amendment No. A-118-05, Site Plan No. SP-361-05, Conditional Use Permit No. CUP-152-05, and a Development Agreement.

On February 3, 2005, the Planning Commission denied the subject application by a 2-2 vote, and adopted Resolution Nos. 5477 and 5478. The decision was appealed to the City Council. On March 22, 2005, the City Council denied the appeal, and adopted Resolution No. 8635-05 citing the desire to retain the existing Office Professional General Plan land use and zoning designation of the property; that the use will not be compatible with the adjoining properties; and that the use will increase traffic in the area.

In 2005, the applicant filed a second land use application with the City of Garden Grove to operate a religious use on the site that included a General Plan Amendment to change the land use designation of the site from Office Professional to Low Density Residential; a zone change to rezone the site from O-P (Office Professional) to R-1 (Single-Family Residential); a Site Plan to construct a two-story, 13,000 square foot, Buddhist temple; and a Conditional Use Permit to operate a religious facility under General Plan Amendment No. GPA-4-05(A), Amendment No. A-123-05, Site Plan No. SP-379-05, and Conditional Use Permit No. CUP-171-05, and a Development Agreement.

On November 3, 2005, the Planning Commission adopted Resolutions No. 5518 and 5519 denying the application citing the incompatibility of the proposed use with the existing land uses, and potential for increased traffic and parking impacts to the residential neighborhood. The applicant appealed the decision to the City Council. On February 28, 2006, the City Council adopted Resolution Nos. 8687-06 and 8688-06 upholding the Planning Commission's decision and denying the appeal.

In August 2006, the applicant filed a complaint for injunctive relief and damages against the City of Garden Grove. As part of the 2009 settlement agreement between the City and the applicant, the applicant would file a revised land use application for the operation of a religious use on the subject site.

On 2009, the applicant submitted a revised land use application with the City for the operation of a religious use that included a General Plan Amendment to change the land use designation of the site from Office Professional to Low Density Residential, a

zone change to rezone the site from O-P (Office Professional) to R-1 (Single-Family Residential); a Site Plan to construct two, one-story buildings for religious use, including a 5,261 square foot religious assembly building, and a 4,345 square foot residential living quarters; and a Conditional Use Permit to operate a religious facility under General Plan Amendment No. GPA-1-09(A), Amendment No. A-147-09, Site Plan No. SP-450-09, and Conditional Use Permit No. CUP-262-09.

On March 5, 2009, the Planning Commission adopted Resolution Nos. 5673 and 5674 approving the land use application. Following approval by the Planning Commission, the applicant filed an appeal to the City Council to modify conditions of approval. On April 14, 2009, the City Council adopted Resolution No. 8875-09 approving General Plan Amendment No. GPA-01-09 (A), and Ordinance No. 2745 approving Amendment No. A-147-09. Furthermore, the City Council adopted Resolution No. 8876-09 modifying conditions of approval for the project.

Unfortunately, the proposed project approved under Site Plan No. SP-450-09 was never constructed, and the entitlement ultimately expired. Nevertheless, the applicant exercised Conditional Use Permit No. CUP-262-09 for the operation of the religious facility by operating the proposed religious use within the existing development. In 2014 and 2015, building permits were issued to convert two (2) suites, No. 300 and No. 1300, to a religious assembly use.

The applicant now proposes to improve the operation and function of the site by demolishing and reconstructing three (3) existing buildings to accommodate two (2) residential living quarters for the use of the temple's monks and nuns, and a new commissary building with a kitchen and dining area, along with related site and parking lot improvements. A Site Plan approval is required to facilitate the proposed site improvements. The operation of the religious use will continue to be governed by Conditional Use Permit No. CUP-262-09. Also, no change to the operation of the temple's existing services are proposed.

## **DISCUSSION:**

### **SITE PLAN**

The applicant proposes site improvements to the Chua Quan Am Temple that includes demolition and reconstruction of three (3) existing buildings to accommodate two (2) residential living quarters and a commissary, along with related site and parking lot improvements. The proposed project will enhance the operation of the temple by providing living quarters on-site for use by the temple's Buddhist monks and nuns. A total of eight (8) Buddhist monks and eight (8) Buddhist nuns will reside on the property after completion of the residential living quarters.

The new building placement and the proposed parking lot changes will remain in the same general location as the existing improvements, and will not significantly change the overall layout of the site.

#### Site Design, Circulation and Parking

The proposed project includes demolition of three (3) buildings, with a total building area of 8,662 square feet, with a rebuild each of structure in the same general location as the existing buildings. The combined new building area will be approximately 7,428 square feet. With the new construction, the property will have a total of six (6) buildings as a portion of one of the existing buildings will be preserved to create a separate storage building.

The proposed project includes reconfiguring the existing parking lot layout to improve the property's on-site circulation, along with repaving and restriping the parking lot. The site will continue to be accessed from an existing drive approach from Chapman Avenue, located on the easterly portion of the property, and from a public alley located to the south of the site. The drive approach on Chapman Avenue will be widened to comply with the City's driveway approach standard, and the driveway access from the alley will be redesigned to provide two (2) centralized vehicular access points to the site. The project will also continue to provide pedestrian access to the site from existing walkway locations on Chapman Avenue and Nutwood Street.

From the main driveway on Chapman Avenue, the drive aisle will continue to circulate along the easterly portion of the site, providing access to a row of parking spaces. The drive aisle continues to circulate toward the rear (south) of the lot where the parking area opens up to a newly designed parking lot that will feature a new circulation pattern that will provide greater on-site access to all the proposed parking spaces from the drive aisle.

Vehicular access from the existing alley will continue to remain, but the access will be redesigned to provide two (2) centralized access points to the site, which will improve vehicular access to the site. New landscape planters will be installed within the parking lot, including a new landscape planter along the southern property line adjacent to the alley.

The proposed parking lot layout, including drive aisles and parking spaces, have been designed per City's standard, and all drive aisles provide the required width to accommodate two-way vehicular traffic and emergency access.

A new trash enclosure will be constructed to serve the temple that complies with the City's trash enclosure standard.

In addition, an existing overhead utility transformer that serves the site will be relocated to a new ground-mounted utility transformer cabinet. Two (2) existing power poles will remain on the site to feed the new transformer cabinet as the developer will pay an in-lieu fee to the City pursuant to Section 9.48.050 of the Municipal Code to off-set the developer's fair share of the costs of undergrounding utilities.

### *Parking*

The required parking for a religious use pursuant to Title 9 of the Municipal Code is 1 space for each 21 square feet of area designated for assembly purposes when no fixed seats exist, and 1 space for each 250 square feet of gross floor area for ancillary areas.

The project site currently provides a total of 87 parking spaces. The existing parking for the facility is legal non-conforming since the use is required to provide 134 parking spaces, but only 87 parking spaces are provided. With the proposed parking lot redesign and parking space restriping, the project will provide a total of 94 on-site parking spaces. It should be noted that per State Assembly Bill (AB) 1100, each electric vehicle (EV) accessible van parking space counts as two (2) standard parking spaces for purposes of calculating the required parking. As such, the total parking provided for the project is 96 spaces, which includes the 94 on-site parking spaces and the two (2) proposed EV accessible van parking spaces as allowed by State law.

Based on the parking code, the proposed project is required to provide a total of 127 parking spaces. The proposed project provides a total of 96 parking spaces, and therefore, the project is deficient in parking by 31 spaces or 24.4%.

Title 9 of the Municipal Code allows up to a 25% reduction to the required parking with preparation of a Parking Management Plan. A Parking Study and Parking Management Plan for the project was prepared per the requirements of the Municipal Code to determine the peak parking demand for the temple, and to determine if the proposed 96 parking spaces would be sufficient to support a 24.4% parking reduction to the temple's required parking as a result of the proposed project.

On Monday, January 20, 2020 through Sunday, January 26, 2020, an observed parking demand survey was conducted at the temple to determine the existing peak parking demand. The survey determined that the existing observed peak parking demand for the temple was 72 parking spaces at the noon hour on Sunday. The Municipal Code requires that a 10% increase to be added to the observed peak parking demand to account for future changes in use; therefore, the peak parking demand for the temple is 80 parking spaces. The proposed project will provide 96 parking spaces, which will accommodate the temple's peak parking demand of 80 parking spaces.

Furthermore, the study also analyzed the parking demand of group services using the Institute of Transportation Engineers (ITE) Parking Generation (5<sup>th</sup> Edition) manual. The temple indicated that their maximum group service is approximately 90 persons. Based on the ITE manual, the peak parking demand for a group service of 90 persons is 43 parking spaces. The proposed 96 parking spaces would be sufficient to accommodate the temple's group service of 90 persons.

Finally, the parking study provides additional operating characteristics of the temple to substantiate that the proposed 96 parking spaces are sufficient to accommodate the temple's parking demand. According to the study, only two (2) vehicles are owned by the temple for transportation purposes, and the temple has no plans to conduct holiday celebrations at the project site. For any holiday celebration, the temple will secure a larger assembly facility off-site.

In addition, during the week, normal services are held with 15-30 congregation members for one (1) hour, with services held two (2) to four (4) times a day. Members can also visit the Ancestor Room throughout the day, with average visits lasting 10 minutes. The Ancestor Room is open concurrently with the temple's regular operating hours of 9:00 a.m. to 9:00 p.m. On weekends, services are two (2) to three (3) hours long with 30 to 90 congregation members, and additional smaller services are held throughout the day. A copy of the Parking Study and Parking Management Plan is attached as Attachment 1.

Based on the Parking Study analysis, the proposed 96 parking spaces will be sufficient to accommodate the temple's peak parking demand of 80 parking spaces.

It should be noted that Conditional Use Permit No. CUP-262-09 includes a condition of approval that requires the temple to provide a parking study if the temple's activities exceed the existing parking demand. The same condition of approval will continue to apply to the project. A copy of CUP-262-09 is attached as Attachment 2.

### Building Design and Architecture

The existing project includes a total of five (5) buildings with connecting canopy roofs located on the upper, north, and northwest corner of the lot. Table 1 identifies each of the existing buildings with their respective square footages and existing uses.

**Table 1: Existing Buildings with Uses**

<b>Building</b>	<b>Square Footage</b>	<b>Use</b>
Building A	6,325 S.F.	Guest/Zen Room, classroom, and storage
Building B	1,248 S.F.	Ancestor Hall
Building C	2,119 S.F.	Lunch room, ancillary, and storage
Building D (Buddha Hall and Ancestor Hall)	7,605 S.F.	Main assembly hall (1,673 S.F.), office, storage, ancestor hall, and ancillary
Building E	2,488 S.F.	Storage and craft room

The proposed project includes demolishing and reconstructing Buildings A, B and C. A portion of Building A will remain to create a separate storage building.

*Floor Plan*

Building A, referred to as Harmony Hall, will be used as a residential living quarters, and will have a total building area of 4,237 square feet. The building will consist of a dormitory style area with eight (8) bedrooms, (3) communal bathrooms, a utility room, and a communal living area. The building also includes a master bedroom with a private living room and bathroom that provides a connecting door to one of the dormitory bedrooms. A library and a men’s restroom with exterior access are also integrated into the design of Building A. Also, a portion of Building A will be preserved to create a separate, 1,030 square foot, storage building with a restroom.

Building B, referred to as Lotus Hall, will have a total building area of 1,320 square feet, and will operate as the commissary. The building will consist of a kitchen, a dining room, and a restroom.

Building C, also referred to as Harmony Hall, will be used as a residential living quarters, and will have a total building area of 1,871 square feet. The dormitory style building includes eight (8) bedrooms and (3) bathrooms. A communal laundry room with exterior access is also integrated into the building design.

There will be no change to the size or uses of Buildings B and E. Building D has a total building area of 7,605 square feet, and includes the main assembly hall of 1,673 square feet, offices, storage space, and an ancestor hall. Building E will continue to be used as storage and a craft room.

Table 2 identifies the square footages and uses of each building resulting from the proposed project.

**Table 2: Proposed Buildings and Uses**

<b>Building</b>	<b>Square Footage</b>	<b>Use</b>
New Building A (Harmony Hall)	4,237 S.F.	Residential living quarters
New Building B (Lotus Hall)	1,320 S.F.	Commissary
New Building C (Harmony Hall)	1,871 S.F.	Residential living quarters
Building D (Buddha Hall and Ancestor Hall)	7,605 S.F.	Main assembly hall (1,673 S.F.) , ancestor hall, offices, storage and ancillary (No change)
Building E including new 1,030 S.F. storage building	3,518 S.F.	Storage and craft room (No change)

*Building Design*

The existing buildings are designed primarily of a flat roof with exception of the main assembly building space, which was reframed and reroofed in 2015 to incorporate a high interior ceiling with a pitched, clay tile roof.

The new buildings will be designed to be compatible with the design of the main assembly building, including a similar roof style and exterior building finishes. The new buildings will incorporate a pitched, Dutch-gable style roof with clay roof tiles, and a stucco finish. Building A also incorporates a flat-roof building mass, which continues to be compatible with the roof design of the existing buildings that will remain. The existing roof canopy that connects the buildings will be removed, with exception of the canopy that will continue to connect with the main assembly building (Building D) and the new storage building.

Landscaping

The proposed project will include new landscape planters within the parking area that will significantly increase the total parking lot landscaping to 4,800 square feet (12% of the site). The existing parking lot is devoid of landscaping, with the exception of landscaping adjacent to the south side of the building, and potted plants located along the easterly driveway. The existing landscape setbacks along Chapman Avenue and Nutwood Street are also required to be properly landscaped and maintained. The applicant is required to provide a landscape and irrigation plan for the site that complies with the landscaping and water efficiency requirements of Title 9 of the Municipal Code. Planning staff will review the type and location of all proposed plant materials. As part of the landscape plan, a variety of trees, shrubs, and flowers are required.

CEQA

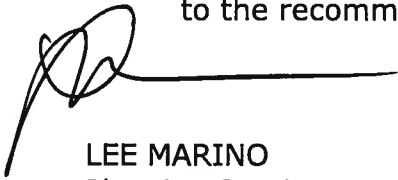
The project is exempt from the California Environmental Quality Act (CEQA) pursuant to the Class 3 categorical exemption. The Class 3 exemption applies to the construction of new, small structures of up to 10,000 square feet in urbanized areas.

The combined new building area of the two (2) residential living quarters and the commissary is approximately 7,428 square feet, which is within this exemption. For this reason, the proposed project is exempt from CEQA.

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following actions:

1. Adopt Resolution No. 6025-21 approving Site Plan No. SP-095-2021, subject to the recommended Conditions of Approval.



LEE MARINO  
Planning Service Manager



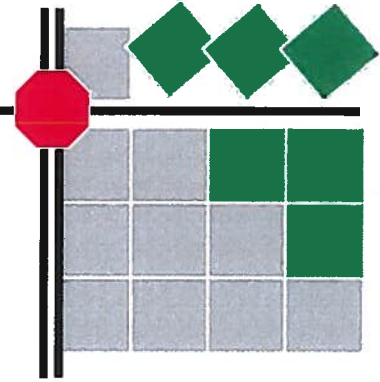
By: Maria Parra  
Senior Planner

- Attachment 1: Parking Study and Parking Management Plan date October 16, 2020  
Attachment 2: Conditional Use Permit No. CUP-262-09 as adopted by City Council Resolution No. 8876-09 with Exhibit "A"



# INFRASTRUCTURE GROUP, INC.

2672 N. Vista Crest Road  
Orange, CA 92867  
(714) 749-6386



~~March 26, 2018~~

~~May 28, 2018 REVISED~~

~~June 21, 2018 REVISED~~

~~May 5, 2020 REVISED~~

~~August 4, 2020 REVISED~~

October 16, 2020 REVISED

City of Garden Grove  
11222 Acacia Parkway  
Garden Grove, CA 92840

**Subject:** Parking Study and Parking Management Plan for Quan Am Temple, 10510  
Chapman Avenue, Garden Grove

We have been retained to examine the parking supply for a requested conditional use permit for the Quan Am Temple in an existing building located at 10510 Chapman Avenue, Garden Grove California. This document provides parking data and field observations in support of the Conditional Use Permit application.

## INTRODUCTION

The Quan Am Temple is located in a former medical office complex at 10510 Chapman Avenue in the city of Garden Grove. The Quan Am Temple has been operating as a religious institution since 2014. In 2015, a building permit was issued to allow the conversion of suites 300 & 1300 into an assembly use, while the remaining space remained as office use. The Quan Am Temple is now proposing to convert the remaining office space to storage, dormitory, library, tearoom, ancestors (which displays photos of deceased ancestors), commissary, conference room and sanctuary space. The purpose of this analysis is to determine if there is sufficient parking within the existing center to accommodate the proposed uses of the buildings. There is currently 87 onsite parking spaces, and there are 94 parking onsite spaces proposed on the proposed plan. However, per State AB 1100, each EV accessible van parking space counts 2 standard parking spaces. As such, the project will provide a total of 94 parking stalls, which includes the two EV van accessible spaces counting as one parking space each. For purpose of the total number parking spaces provided for the site, this study will reference as 96 parking spaces.

**EXISTING PARKING SUPPLY**

The existing parking supply consists of 87 standard 9'-0" x 19'-0" parking spaces and no compact spaces, including 6 accessible spaces. These 87 parking spaces are available to all users of the center. Table A illustrates the existing parking layout. There are 94 parking spaces in the proposed final site plan, which includes 6 accessible spaces, and 16 compact spaces. However, per State AB 1100, each EV accessible van parking space counts 2 standard parking spaces. As such, the project will provide a total of 94 parking stalls, which includes the two EV van accessible spaces counting as one parking space each. For purpose of the total number parking spaces provided for the site, this study will reference as 96 parking spaces.

**TABLE A – EXISTING SITE PLAN**



**EXISTING PARKING DEMAND**

Parking demand refers to the level of usage on site. To ensure that off-street parking demand will be met, a parking generation survey was performed by Infrastructure Group, Inc. The count was performed every hour, every day from Monday January 20<sup>th</sup>, through Sunday January 26<sup>rd</sup> 2020 from 8:00 AM to 9:00 PM. The temple holds celebration services on Sunday at 11:00 AM. During weekdays, congregates stop by for prayers, but no formal services. In addition, it was verified that all on site uses were in full operation. A summary of the data is presented in **Table B - OBSERVED DEMAND**.

**TABLE B – OBSERVED PARKING SUPPLY AND PEAK DEMAND 87 CURRENT SPACES (96 PROPOSED SPACES), PEAK DEMAND BY DAY IN BOLD**

<b>TIME</b>	<b>Monday January 20th</b>	<b>Tuesday January 21st</b>	<b>Wednesday January 22nd</b>	<b>Thursday January 23rd</b>	<b>Friday January 24th</b>	<b>Saturday January 25th</b>	<b>Sunday January 26th</b>
8:00 AM	12	12	18	13	19	19	15
9:00 AM	13	12	22	14	20	29	25
10:00 AM	12	13	27	19	23	35	49
11:00 AM	15	15	26	18	25	39	71
12:00 PM	20	19	26	19	28	40	72
1:00 PM	19	14	23	15	17	50	51
2:00 PM	12	14	22	16	18	51	32
3:00 PM	14	12	19	19	16	48	20
4:00 PM	12	11	17	14	17	46	16
5:00 PM	13	11	17	15	15	50	17
6:00 PM	15	12	19	20	15	36	19
7:00 PM	23	24	29	22	25	29	21
8:00 PM	<b>35</b>	<b>36</b>	<b>38</b>	<b>37</b>	<b>39</b>	38	31
9:00 PM	12	12	12	15	15	15	15
<b>% of 96 Parking Spaces Occupied At Peak Demand</b>	37%	38%	40%	39%	41%	54%	75%
<b>% of 96 Parking Spaces Surplus At Peak Demand</b>	63%	62%	60%	61%	59%	46%	25%

Based on the count data, the peak demand for parking was determined to be at noon on Sundays with a peak demand of 72 spaces as shown in bold above. On weekends the peak parking demand occurred on a Friday at 8:00 pm with a peak demand of 39 spaces. The proposed plan includes 96 parking spaces. Given the peak demand of 72 spaces, there will be a surplus (unoccupied, available parking spaces) of 26 spaces which is 25%. A surplus of 10% is considered desirable for vehicular circulation and is adequate for the proposed project.

**Proposed Temple Operations and Parking with 10 Percent Increase**

The temple does not have any plans for expansion of square footage area. The existing temple operations will remain the same, except there will be some conversion of existing permitted office space to residential usage. However, to allow for future operational flexibility and possible program changes on the site, an analysis of a 10 percent increase in observed demand has been provided to determine whether the 96-space parking supply will continue to accommodate the temple and its ancillary uses as required by the Municipal Code. A summary of the data is presented in **Table C - OBSERVED PARKING DEMAND PLUS 10% INCREASE**

**TABLE C – OBSERVED PARKING DEMAND PLUS 10% INCREASE 87 CURRENT SPACES, (96 PROPOSED SPACES) PEAK DEMAND BY DAY IN BOLD**

TIME	Monday January 20th	Tuesday January 21st	Wednesday January 22nd	Thursday January 23rd	Friday January 24th	Saturday January 25th	Sunday January 26th
8:00 AM	13	13	20	14	21	21	17
9:00 AM	14	13	24	15	22	32	28
10:00 AM	13	14	30	21	25	39	54
11:00 AM	17	17	29	20	28	43	78
12:00 PM	22	21	29	21	31	44	<b>80</b>
1:00 PM	21	15	25	17	19	55	56
2:00 PM	13	17	24	18	20	<b>57</b>	35
3:00 PM	15	13	21	21	18	53	22
4:00 PM	13	12	19	15	19	51	18
5:00 PM	14	12	19	17	17	55	19
6:00 PM	17	13	21	22	17	40	21
7:00 PM	25	26	32	24	28	32	23
8:00 PM	<b>39</b>	<b>40</b>	<b>42</b>	<b>41</b>	<b>43</b>	42	34
9:00 PM	13	13	13	17	17	17	17
% of 96 Parking Spaces Occupied At Peak Demand	41%	42%	44%	43%	45%	60%	<b>84%</b>
% of 96 Parking Spaces Surplus At Peak Demand	59%	58%	56%	57%	55%	40%	<b>16%</b>

**Special Events and Holidays**

There are several holidays celebrated within the Buddhist tradition. The Quan Am Temple secures a larger assembly facility offsite for these celebrations. There are no current plans to conduct the celebrations at the Quan Am Temple, therefore no parking impacts are anticipated.

**PHOTO OF PEAK PARKING USE ON A SUNDAY, JANUARY 26<sup>TH</sup>, 2020**  
(View from Chapman)



**PHOTO OF PEAK PARKING USE ON A SUNDAY, JANUARY 26<sup>TH</sup>, 2020**  
(View from Nutwood)



**PHOTO OF PEAK PARKING USE ON A SUNDAY, JANUARY 26<sup>TH</sup>, 2020**  
(View from the Alley toward Chapman entrance)



**CITY OF GARDEN GROVE PARKING REQUIREMENTS**

On-site parking standards are established by Section 9.16.040.150 of the City of Garden Grove Municipal Code (see Appendix “A”). The parking requirements utilized for this study are as follows:

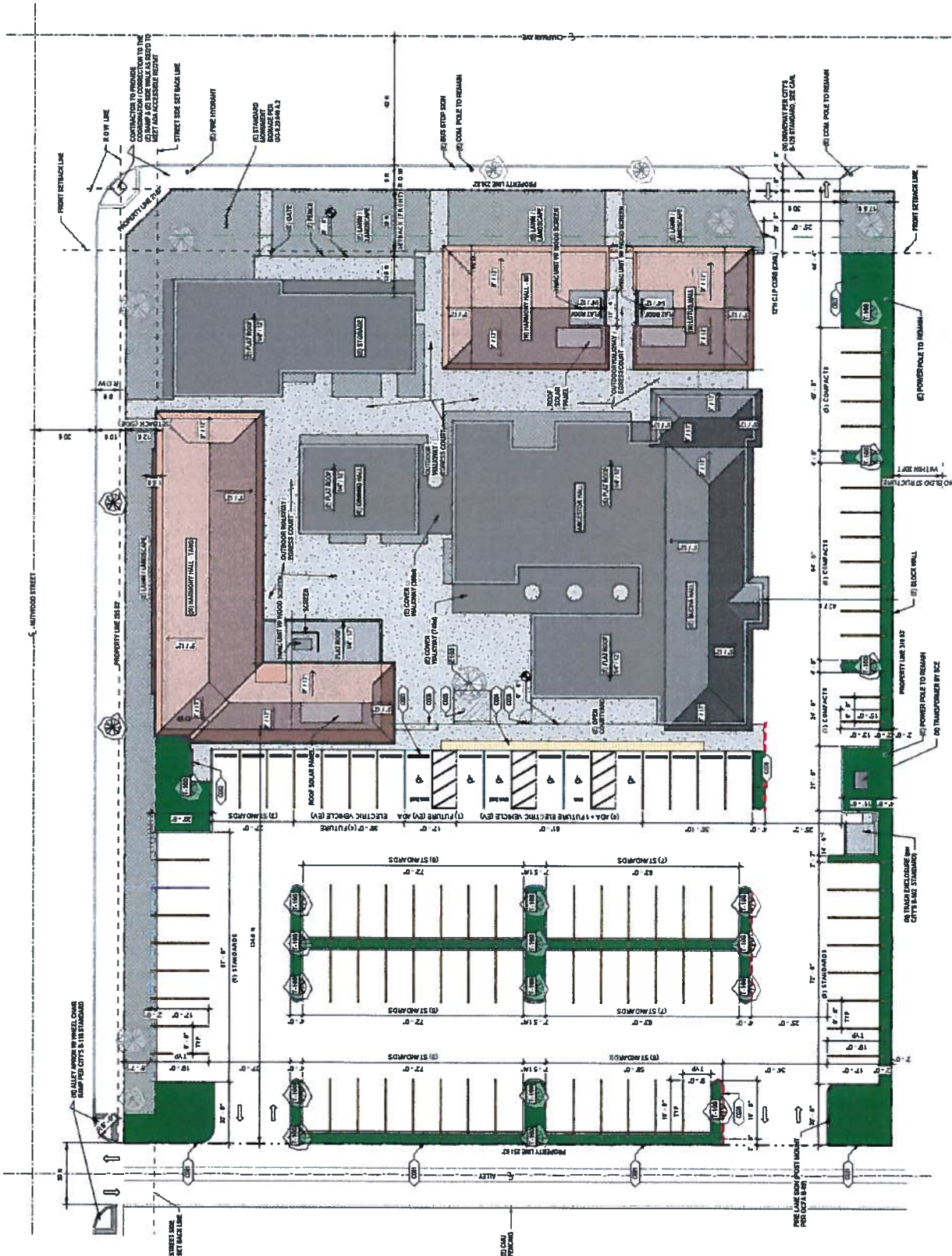
- A. All Ancillary space (Storage, Conference, Commissary, Library, Tea Room, Ancestors Room) - 1 space for each 250 sq. ft. of gross floor area (GFA).
- B. Dormitory – 1 space for each sleeping room and 1 space for each 250 sq. ft. of gross floor area.
- C. Sanctuary No Fixed Seats - 1 space for each 21 sq. ft. of gross floor area (GFA) designated for assembly purposes.

The required number of on-site spaces utilizing these ratios are illustrated in **Table D - PARKING SPACE REQUIREMENTS PER THE GARDEN GROVE MUNICIPAL CODE**. It shows that the overall required number of parking spaces is one hundred twenty-seven (127), while there are ninety-six (96), 72 standard, 16 compact, 4 regular accessible and 2 (EV) accessible proposed spaces provided on-site, with each EV van accessible space counted as two standard space per AB 1100. Section 9.16.040.180 of the Garden Grove Municipal Code provides standards to demonstrate parking compliance. That analysis is provided in the next section of this report.

**EXHIBIT D – PARKING SPACE REQUIREMENTS PER THE GARDEN GROVE MUNICIPAL CODE**

		AREA	REQUIRED RATIO	REQED PER ZONING CODE
<b>PARKING REQUIRED</b>				
Note: Area calculation excludes toilet and hallway				
AREA A	RESIDENTIAL/ANCILLARY	2,939 SQ FT	1 SPACE/250 S.F.	11.8
AREA B	KITCHEN/DINING	1,211 SQ FT	1 SPACE/250 S.F.	4.8
AREA C	RESIDENTIAL	1,058 SQ FT	1 SPACE/250 S.F.	4.2
AREA D	ANCESTORS HALL	856 SQ FT	1 SPACE/250 S.F.	3.4
	OFFICE, TEA RM, STORAGE	2,762 SQ FT	1 SPACE/250 S.F.	11.0
	ASSEMBLY HALL	1,673 SQ FT	1 SPACE/ 21 S.F	79.7
AREA E	STORAGE (2 BUILDINGS)	3,033 SQ FT	1 SPACE/250 S.F.	12.1
<b>TOTAL PARKING REQUIRED</b>				<b>127</b>
<b>PARING PROVIDES</b>				
ADA SPACE PROVIDED (4 REGULAR + 2 EV)				8
STANDARD 9' X 19' 90 DEG PROVIDED				72
COMPACT 8' X 15' 90 DEG PROVIDED				16
<b>TOTAL PARKING PROVIDES</b>				<b>96</b>
Note: Accessible EV counts as 2 stalls per State Law (AB-1100)				
<b>PARKING DEFICIENCY (count)</b>				<b>31</b>
<b>PARKING DEFICIENCY (percentage)</b>				<b>24.4%</b>





SITE PLAN - NTS

## **PARKING MANAGEMENT AND ANALYSIS**

There are about 8 monks and 8 nuns on site for every day's services (who owns two cars for transportation purposes). When the new dormitory and commissary are completed, it will be used exclusively for the temple's monks and nuns. During the weekdays, normal services are with a congregation of about 15-30 members for an hour 2-4 times a day. These services include meditation's sections, chanting sutras, and praying for the decease and ill members. Members typically drop by the Ancestor's Room throughout the day for typically 10 minutes at a time to visit. The Ancestor's Room is open with temple's regular opening hours from 9am to 9pm. On the weekends, services are 2-3 hours with about 30-90 members with some smaller services throughout the day.

Accumulated experience in parking demand characteristics indicates that a religious institution, dormitory, and ancillary uses results in an overall parking need that is less than the sum of the individual peak requirements for each land use. Due to the operational characteristics of the site, observed parking demand should be less than the zoning code requirements. The objective of this parking analysis is to document and provide project peak parking demand requirements for the project site based on the combined demand patterns of different land uses.

Parking demand planning recognizes that different on site uses often experience individual peak parking demands at different times of the day. When different uses share a common footprint, the total number of spaces needed to support the collective whole is determined by adding parking profiles by time of day, rather than individual peak ratios as represented in the city of Garden Grove Municipal Code. Given the stable size of the Temple congregation, an existing peak observed demand plus 10% of eighty (80) spaces, and that the site is occupied by a large amount of internal storage for religious materials and will continue this use, ninety-six (96) spaces will be adequate to accommodate the proposed religious institution and ancillary use.

**ITE PARKING GENERATION**

In order to assure the Temple operation has adequate parking, a comparison using another parking resource, the Institute of Transportation Engineers (ITE) Parking Generation (5<sup>th</sup> Edition) was reviewed. The ITE Parking Generation has a church use (Land Use: 560) that includes a sanctuary, meeting rooms, classrooms, dining, catering and party facilities. The Quan Am Temple is inclusion of these uses. Therefore the application of the ITE church parking rate of 0.48 vehicles per attendee to the average maximum attendance on a Sunday is appropriate. The Temple has indicated that their current maximum group service is 90 persons. As shown in Table E below, the parking lot could accommodate approximately 200 congregants. Utilizing this methodology, the site compares favorably.

**EXHIBIT E – PARKING SPACE REQUIREMENTS PER THE ITE PARKING GENERATION MANUAL**

<b>Number of Attendees</b>	<b>ITE Projected Peak Parking Space Demand</b>
<b>30</b>	<b>15</b>
<b>60</b>	<b>30</b>
<b>90</b>	<b>43</b>
<b>120</b>	<b>58</b>
<b>150</b>	<b>72</b>
<b>180</b>	<b>87</b>
<b>200</b>	<b>96</b>

**CONCLUSIONS**

Based on our analysis of the parking demand for the proposed religious uses, we conclude that:

- Peak parking demand will occur at 12:00 PM noon on Sundays and 8:00 PM on weekdays.
- There is no holiday ceremonial will be held on site.
- The highest existing parking demand, using the worst-case demand as indicated in Exhibit B, is seventy-two (72) spaces, and eighty (80) when a 10% demand buffer in included.
- The total number of proposed available parking spaces is ninety-six (96). 72 standard, 16 compact, and 6 accessible. With each EV van accessible space counting as two standard spaces.
- The city Municipal Code requires one hundred twenty-seven (127) parking spaces on-site. Due to site constrain, there are ninety-six (96) spaces that are proposed, this total include the increment factor apply to accessible EV parking (per state law AB-1100). Therefore, the parking deficiency is 24.4%.
- The proposed parking supply compares favorably when utilizing the ITE *Parking Generation* manual.
- No parking placards should be placed in the alleyway as indicated on the site plan.
- Given the religious institution use, dormitory and ancillary use nature of the site facilities, on-site storage and commissary facilities, and observed existing demand, a supply of ninety-six (96) parking

# Infrastructure Group, Inc.

spaces will result in a 16% unused surplus, even with a 10% added demand buffer. There will be adequate parking available at 10510 Chapman Avenue during operating hours.

**Infrastructure Group Inc.**  
A California Corporation



Denis Bilodeau, PE



**APPENDIX "A"**

Garden Grove Municipal Code							
Up	Previous	Next	Main		Search	Print	No Frames
<a href="#">Title 9 LAND USE</a> <a href="#">Chapter 9.16 COMMERCIAL, OFFICE PROFESSIONAL, INDUSTRIAL, AND OPEN SPACE DEVELOPMENT STANDARDS</a> <a href="#">Section 9.16.040 Commercial/Office, Industrial Development Standards</a>							

**9.16.040.150 Parking Spaces Required**

The number of off-street parking spaces required shall be no less than as set forth in the following schedule. Parking shall be calculated by the maximum building occupancy and/or the gross floor area, as applicable. Where the application of these schedules results in a fractional space, then the resulting fraction shall be rounded up to the higher whole number.

USE	REQUIRED MINIMUM PARKING SPACES
<b>A. Residential Uses</b>	
1. Preschool/daycare	1 space per care provider and staff member plus 1 space for each 6 children
<b>B. Commercial Uses</b>	
1. Retail	
a. Under 40,000 sq. ft.	1 space per 200 sq. ft. gross floor area
b. 40,000—100,000 sq. ft.	1 space per 225 sq. ft. gross floor area
c. 100,000+ sq. ft.	1 space per 250 sq. ft. gross floor area
2. Eating/Drinking Establishments—Restaurants, Cafés, Cafeterias, Lounges, Bars	
a. Attached 0-16 seats less than 300 sq. ft. of customer/dining area	1 space per 200 sq. ft. of gross floor area
b. Attached 16+ seats	1 space per 100 sq. ft. of gross floor area with a min. of 10 spaces
c. Freestanding	1 space per 100 sq. ft. of gross floor area with a min. of 10 spaces
d. With entertainment	1 space per 100 sq. ft. of gross floor area (seating and service), plus 1 space per 35 sq. ft. of entertainment area, plus 1 space per 7 sq. ft. of dance floor
3. Service stations	
a. With convenience store	1 space per pump, plus 1 space per 200 sq. ft. of gross floor area of sales area, plus 3 spaces per service bay
b. Without convenience store	1 space per employee, plus 3 spaces per service bay
4. Financial institutions	
1 space per 200 sq. ft. of gross floor area if a drive-up window exists. If no window, 1 space per 150 sq. ft. of gross floor area	
5. Nursery, home improvement center, building materials, furniture, general appliance stores (large display area)	
1 space per 200 sq. ft. gross floor area	
6. Hotel and motel	
1 space per unit plus 2 spaces for hotel manager unit	
7. Personal service	
1 space per 200 sq. ft. of gross floor area	
8. Professional studio	
a. Art, music, dance, martial arts	1 space per employee, plus 1 space per 2 students
b. Photography, portrait, radio, TV, recording	1 space per 200 sq. ft. of gross floor area
c. Karaoke studios	1 space per 200 sq. ft. of gross floor area

USE	REQUIRED MINIMUM PARKING SPACES
9. Automatic car wash	5 times the internal washing capacity for stacking and drying, plus 1 space per employee based on the maximum shift, not less than 3 (internal capacity is defined as conveyor length divided by 20 feet)
10. Auto rental	
a. Office only	1 space per 250 sq. ft. of gross floor area
b. Vehicle storage	1 space per 350 sq. ft. of gross floor area of office, plus 1 space per vehicle
11. Auto and boat sales, leasing	1 space per 400 sq. ft. of gross floor area of inside display, plus 1 space per 2,000 sq. ft. of outside display, plus 1 space per 500 sq. ft. of gross floor area of repair, plus 1 space per 300 sq. ft. of gross floor area of parts storage and sales area
12. Auto repair and maintenance	1 space per 200 sq. ft. of gross floor area including auto paint and body of office space, plus 3 spaces per service bay
13. Massage establishment	1 space per 200 sq. ft. of gross floor area
14. Funeral home/mortuary with no crematorium	
Fixed seats in viewing room(s):	1 space per each 3 fixed seats in area(s) designated for assembly purposes
No fixed seats in viewing room(s):	1 space for each 21 sq. ft. of area designated for assembly purposes
	All usable ancillary area(s) shall provide 1 space for each 250 sq. ft. of gross floor area
<b>C. Office</b>	
1. General business offices	1 space per 250 sq. ft. of gross floor area
2. Medical, dental and related service support facilities	1 space per 170 sq. ft. of gross floor area
<b>D. Industrial Uses</b>	
1. Industrial uses	
a. Buildings less than 20,000 of gross floor area	2.25 spaces per 1,000 sq. ft. of gross sq. ft. floor area
b. Buildings 20,001 to 100,000 sq. ft. of gross floor area	2 spaces per 1,000 sq. ft. of gross floor area
c. Buildings over 100,000 sq. ft. of gross floor area	1 space per 1,000 sq. ft. of gross floor area
d. Incidental office	
i. Under 30% of gross floor area	No additional requirements
ii. 30 to 50% of gross floor area of a building	1 space per 250 sq. ft. of gross floor area
2. Mini-warehouses	1 space per 250 sq. ft. of gross floor area of manager's office and residence, plus 2 covered spaces for manager's residence
3. Crematorium	
a. Buildings less than 20,000 sq. ft. of gross floor area	2.25 spaces per 1,000 sq. ft. of gross floor area
b. Buildings 20,001 to 100,000 sq. ft. of gross floor area	2 spaces per 1,000 sq. ft. of gross floor area
c. Buildings over 100,000 sq. ft. of gross floor area	1 space per 1,000 sq. ft. of gross floor area
d. Incidental office	
i. Under 30% of gross floor area	No additional requirements
ii. 30 to 50% of gross floor area of a building	1 space per 250 sq. ft. of gross floor area

USE	REQUIRED MINIMUM PARKING SPACES
4. Crematorium with incidental funeral home/mortuary	
Fixed seats in viewing room(s):	1 space per each 3 fixed seats in area(s) designated for assembly purposes
No fixed seats in viewing room(s):	1 space for each 21 sq. ft. of area designated for assembly purposes
	All usable ancillary area(s) shall provide 1 space for each 250 sq. ft. of gross floor area
<b>E. Public and Semi-Public</b>	
1. Hospital	4 spaces per bed
2. Private school	
a. Elementary through high school	1 space per each employee, plus 1 space for each 6 students
b. College or university	1 space per employee, plus 1 space per 3 students
3. Trade school—Adult education	1 space per employee, plus 1 space per 3 students (based on maximum occupancy allowable by building code), or 1 space per 35 sq. ft. of instructional area, plus 1 space per 250 sq. ft. of office space
4. Churches/religious facilities	
Fixed seats:	1 space per each 3 fixed seats
No fixed seats:	1 space for each 21 sq. ft. of area designated for assembly purposes
	All ancillary area(s) shall provide 1 space for each 250 sq. ft. of gross floor area
<b>F. Commercial Recreation</b>	
1. Golf course	100 spaces per 9 holes; 200 spaces for 18 holes, plus requirements for other facilities
2. Golf driving range	1.5 spaces per tee
3. Bowling alley	3 spaces per alley plus spaces for other uses on-site
4. Movie theaters	
a. Single screen	0.5 space per seat
b. Multi screen	0.3 space per seat
5. Arcades, pool hall	1 space per 200 sq. ft. of gross floor area
6. Night clubs	1 space per 7 sq. ft. of dance floor, plus 1 space per 35 sq. ft. of additional gross floor area
7. Assembly halls and dance floors	1 space per 7 sq. ft. of dance floor or assembly area, plus 1 space per 35 sq. ft. of additional gross floor area
8. Spa/health clubs/gyms	1 space per 200 sq. ft. of gross floor area
9. Indoor sports facility	A parking study prepared by a licensed traffic engineer and reviewed by the Community Development Department shall determine the number of parking spaces.
10. Private clubs	1 space per each 15 sq. ft. of assembly area
11. Water oriented parks	
a. Public swimming pool	1 space per 500 sq. ft., plus spaces required for other uses on-site
b. Amusement park	Parking study required
12. Skating rinks	1 space per 100 sq. ft. of gross floor area, plus spaces required for other uses on-site

USE	REQUIRED MINIMUM PARKING SPACES
13. Adult entertainment uses	
a. Adult bookstores including video rental and video arcade	1 space per 90 sq. ft.
b. Adult motion picture theater/mini motion picture theater	1 space per 3 seats, plus 5 spaces for employees
c. Cabaret	1 space per 25 sq. ft. of gross floor area
d. Escort bureau/introductory service	1 space per 200 sq. ft. of gross floor area

(2883 § 9, 2017; 2861 § 12, 2015)

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View the [mobile version](#).



RESOLUTION NO. 8876-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE  
MODIFYING SPECIFIC CONDITIONS OF APPROVAL AND TO UPHOLD THE PLANNING  
COMMISSION'S DECISION TO APPROVE SITE PLAN NO. SP-450-09 AND  
CONDITIONAL USE PERMIT NO. CUP-262-09, IN ITS ENTIRETY

WHEREAS, the case, initiated by Tri Nguyen Thich, is requesting to amend the General Plan Land Use designation by changing the current designation to Low Density Residential; to rezone the 1.8-acre site to R-1-7 (Single-Family Residential) to allow a religious facility on the site; Site Plan approval to construct two, one-story buildings for religious purposes (Buddhist Temple) with the first 5,261 square foot building for religious assembly, the second 4,345 square foot building for living/residence space, and both buildings to have extended roof heights for architectural enhancement; and, Conditional Use Permit approval for the operation of the proposed religious facility. The property is located at the southeast corner of Chapman Avenue and Nutwood Street, at 10510 Chapman Avenue, Parcel Number 089-141-61; and

WHEREAS, the Planning Commission, at a Public Hearing held on March 5, 2009, recommended adoption of a Negative Declaration and recommended approval of General Plan Amendment No. GPA-01-09(A) and Amendment No. A-147-09 pursuant to Resolution No. 5673; and

WHEREAS, pursuant to Resolution No. 5674, the Planning Commission, at a Public Hearing on March 5, 2009, approved Site Plan No. SP-450-09 and Conditional Use Permit No. CUP-262-09; and

WHEREAS, pursuant to legal notice, a Public Hearing was held by the City Council on April 14, 2009, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter during its meeting of April 14, 2009.

NOW, THEREFORE, BE IT FURTHER RESOLVED:

1. The City Council upholds the Planning Commission's decision to maintain Site Plan No. SP-450-09 and Conditional Use Permit No. CUP-262-09 as approved in its entirety, with the exception to modify specific Conditions of Approval, numbered as: 14, 15, 19, 20, 53, and 54 as modified.

A copy of Planning Commission Resolution No. 5674, and the final conditions of approval as referenced in Exhibit "A", which include the modifications as approved by City Council, are attached and are on file in the Office of the City Clerk and incorporated herein by reference with the same force and effect as set forth in full.

Adopted this 14<sup>th</sup> day of April 2009.

ATTEST:

/s/ WILLIAM J. DALTON  
MAYOR

/s/ KATHLEEN BAILOR  
CITY CLERK

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

I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Garden Grove, California, at a meeting held on the 14<sup>th</sup> day of April 2009, by the following vote:

AYES:       COUNCIL MEMBERS:   (4) BROADWATER, JONES, NGUYEN, DALTON  
NOES:       COUNCIL MEMBERS:   (0) NONE  
ABSENT:     COUNCIL MEMBERS:   (1) DO

/s/ KATHLEEN BAILOR  
CITY CLERK

EXHIBIT "A"

Site Plan No. SP-450-09, & Conditional Use Permit No. CUP-262-09

10510 Chapman Avenue

CONDITIONS OF APPROVAL

General Conditions

1. The Applicant shall record a "Notice of Agreement with Conditions of Approval and Discretionary Permit of Approval," as prepared by the City Attorney's Office, on the property. Proof of such recordation is required within 30 days of this approval. 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.
2. Approval of this Site Plan, 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. The Community Development Director may approve modifications, which do not change the intent of the project. If major modifications are made in the proposed development that result in the intensification of the project or create impacts that have not been previously addressed, the proper entitlements shall be filed which reflects the revisions made.
4. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the City's Planning Section. Lighting adjacent to residential properties shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all parking and drive areas at a minimum of two footcandles of light on the parking areas. Lighting in the parking areas shall be directed, positioned, or shielded in such manner so as not to unreasonably illuminate the windows of adjacent properties.
5. The developer of the site shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community Development Department for review and approval prior to Building Division Plan Check. The project shall also be subject to the following:
  - a. Utility equipment above ground (e.g., electrical, gas, telephone, cable TV) shall not be located in the street setbacks, within the common areas, or any

parking areas and shall be screened to the satisfaction of the Community Development Department.

- b. No roof-mounted mechanical equipment shall be permitted, unless a method of screening complementary to the architecture of the building is approved by the Community Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
- c. All ground- or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.

Engineering Services Division

6. 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, basement and septic facilities and contamination. 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 also make recommendations for pavement design of the interior drive aisle and parking spaces.
7. A separate street permit is required for work performed within the public right-of-way.
8. Grading plans prepared by a registered Civil Engineer are required. The grading plan shall be based on a current survey of the site, including adjacent properties, and designed to preclude cross-lot drainage. Minimum grades shall be .50% percent for concrete flow lines, 1.25% percent for asphalt surfaces and 2.0% percent for landscaped areas. The grading plan shall also include water and sewer improvements.
9. The applicant shall be subject to Traffic Mitigation Fees.
10. 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 such as 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 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.
11. 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.
12. All of the storm water shall exit the site subject property via parkway drains. The Applicant shall provide a hydrological analysis with scaled map and calculations and hydraulic calculations to size drainage facilities per Orange County PF&RD standards. Parkway culverts shall be constructed per Orange County PF&RD Std. Plan 1309, Type B.
13. 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.

14.Deleted.

15.Deleted.

16.New trash enclosures shall be constructed per City Standard Plan B-502. The trash enclosures shall be located to allow pick-up and maneuvering, including turnarounds, in the area of the enclosures.

17.The existing driveway approach on Chapman Avenue shall be removed and replaced with a new approach in accordance with City Standard Plan B-120. The new approach on Nutwood Street shall be constructed per City Standard Plan B-121. The design and construction of both these driveways shall be done in a manner meeting the approval of the City Engineer. Both of these driveways may provide full access. Any existing power poles impacted by these designs shall be relocated and all costs associated with this relocation shall be borne by the Applicant.

18.The Applicant shall stripe out one parking space at the end of all dead end drive aisles to facilitate a vehicular turnaround in a manner meeting the approval of the City Traffic Engineer.

Public Works Water Services Division

19.The developer is required to demonstrate hydraulic adequacy for the connection to the City's sewer system and shall provide a sewer study. The study is to also include calculations for the maximum peak flows from the proposed development. A copy of the sewer study shall be provided to Sanitary District. The study shall be conducted for a minimum period of one-week at location(s) approved by the City. The Sanitary District shall approve the contractor and method of conducting the study. Sewer Master Plan indicates that this is a sewer deficient area and is scheduled for future replacement. If the sewer study verifies the system deficiency in Nutwood Street, then permits cannot be issued until such time that the Garden Grove Sanitary District has rectified the deficiency. Should the sewer system be improved in Nutwood Street prior to start of construction of the Temple, then the proposed development may connect with the sewer main in Nutwood without a sewer study, provided that the connection complies with all City regulations and Uniform Plumbing Code regulations.

In the event that the sewer system in Nutwood Street is not improved at the time of construction for the Temple, then the applicant/developer may connect the sewer lateral with the sewer main in Chapman Avenue without a sewer study. The sewer main in Chapman is below the Districts flow criteria and would be adequate for the flows from the proposed development. The developer would

be responsible for the engineering, City and County connection fees, permits and construction of a new sewer lateral connection to the Chapman sewer main.

20. The following water services conditions shall apply:

- a. New water service installations shall be at owner's/developer's expense. Installation shall be by City forces upon payment of applicable fees, unless otherwise noted. Fire services and larger water services (3" and larger) shall be installed by developer/owner's contractor per City Standards.
- b. Water meters shall be located within the City right-of-way or within dedicated waterline easement. Fire services and large water services (3" and larger) shall be installed by contractor with Class A or C-34 license, per City water standards and inspected by a Public Works inspector.
- c. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have 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.

21. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.

22. City shall determine if existing water services(s) is/are usable and meets current City Standards. Any existing meter and service located within new driveway(s) shall be relocated at owner's expense.

23. 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 property owner. The above ground assembly shall be screened from public view as required by the Planning Division.

24. Food grinders (garbage disposal devices) are prohibited per Ordinance 6 of the Garden Grove Sanitary District Code of Regulations. Existing grinders are to be removed.

25. A properly sized grease trap shall be installed on the waste line and maintained by the property owner. There shall be a separate sanitary waste line that will connect to the sewer lateral downstream of the grease trap. All other waste lines shall be drained through the grease trap. Grease trap may be located

inside of the building per County Health Department requirements. Prior to City permit issuance, trap location must be approved by the Orange County Health Department as evidenced by their stamp on the plans. Owner shall maintain comprehensive grease trap maintenance records and shall make them available to the City of Garden Grove upon demand.

- 21.If applicable, location and number of fire hydrants shall be as required by Water Services Division and the Fire Department.
- 22.If necessary owner shall install new sewer lateral with clean out at right-of-way line. Lateral in public right-of-way shall be 6" min. dia., extra strength VCP with wedgelock joints.

#### Building Services Division

- 28.The building plans, site plan and all construction shall comply with the current editions of the 2007 California Building Regulations as found in the California Code of Regulations (CCR), Title 24, Parts 2 through 12, as adopted by the City of Garden Grove. All construction drawings shall be prepared by a California licensed architect or registered design professional. All aspects of the restrooms shall be fully handicap accessible, including but not limited to toilets, sinks, access, doors, etc. Handicap parking spaces shall be relocated to close proximity to main entrance of Buddhist Temple. All aspects of the site development shall be handicap accessible including private alter/retreat for Monks, all hallways, and access ramps to both buildings.

#### Garden Grove Fire Department

- 29.All requirements of the Garden Grove Building Division and Fire Department shall be met, including any required occupancy permits and inspections, and providing address numbers readily visible from Chapman Avenue. Also, code provisions of the 2007 California Fire Code and 2007 California Building Code editions shall apply to this development (change occupancy type to A.3/R2 according to 2007 California Fire Code).
- 30.The assembly/religious areas shall be fully sprinklered using Standard NFPA 13, 1999 Edition. Living area, R-2, shall comply with all codes in California Fire Code, Chapter 9 in regard to fire alarms, sprinklers, and smoke alarms. Facilities shall utilize a 24-hour alarm system service and fire alarm system shall be installed according to NFPA 72.
- 31.Kitchen and dormitory area of commercial type shall comply with UL300 Extinguishing System.
- 32.Emergency access shall be maintained at all times on the site, which includes access from Chapman Avenue and from the alley located at the rear of the



property. All access lanes shall have a maintained width of 25 feet. All gates on property shall have installed a Knox key system. This includes vehicle gates, pedestrian gates, emergency entrances, and nonemergency entrances.

Community Development Department

33. The developer of the facility shall submit a final landscape plan governing the site. Said plan shall include type, size, location and quantity of all plant material. This includes enhanced landscaping treatment on the property. The plan shall include irrigation plans and staking and planting specifications. The landscape plan is also subject to the following:
- a. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaped areas shown on the plan. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.
  - b. The plan shall provide a mixture of a 24-inch box and 15-gallon size trees. These trees shall be incorporated into the landscaping. Where clinging vines are considered for covering walls, Boston ivy, or other variety as approved shall be used.
  - c. The developer shall be responsible for installation and maintenance of all landscaping on the property and the existing/remaining trees on the property.
  - d. Trees planted within ten feet (10') of any public right-of-way shall be planted in a root barrier shield. All landscaping along street frontages adjacent to driveways shall be of the low height variety to ensure safe sight clearance.
  - e. Any remaining tree stump in the public right-of-way on Nutwood Street shall be removed. All street trees removed along the public right-of-way shall be replaced with a street tree matching the same street trees along Nutwood Street within the landscaped area along the sidewalks. The street tree closest to the east property line shall be removed and replaced with the same type of tree. The new street trees shall be fifteen gallon, be planted in root barriers, have curb, gutter, and sidewalk repaired as necessary, and all the landscape improvements shall be maintained by the applicant and/or successors.
34. No exterior piping, plumbing, or mechanical ductwork shall be permitted on any exterior facade and/or be visible from any public right-of-way or adjoining property.
35. 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 same hours but subject to noise restrictions as stipulated in Section 8.47.010 of the Municipal Code.
- 36.Noise generated by the uses on-site shall be subject to the noise ordinance as adopted by the City of Garden Grove.
- 37.No satellite dish antennas shall be installed on said premises unless and until plans have been submitted to and approved by the Community Development Department, Planning Division. Should satellite dish antenna(s) be proposed, they shall be placed and screened so that they are not visible from the public right-of-way or adjoining properties. No advertising material shall be placed thereon.
- 38.All lighting on the project site shall be enclosed in vandal resistant fixtures. The fixtures shall be maintained and replaced as needed.
- 39.Prior to the start of construction, temporary security fencing shall be erected if necessary. The fencing shall be a minimum of six (6) feet in height with locking, gated access, and shall remain through the duration of construction.
- 40.Prior to the issuance of permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the name and address of the development, and the developer's name, address, and a 24-hour emergency telephone number.
- 41.The Applicant shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-450-09 and Conditional Use Permit No. CUP-262-09 and the agreement with all conditions of approval.
- 42.Litter shall be removed daily from the project site including adjacent public sidewalks and all parking areas under the control of the property owner. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
- 43.Graffiti shall be removed from the project site and all parking lots under the control of the developers within 120 hours of application/notification.
- 44.Signage for the project shall conform to the sign criteria for signs under Title 9 and shall be obtained with a separate building permit.

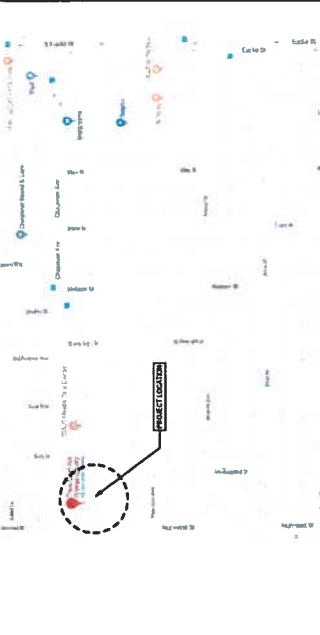
- 45.No amplification systems shall be permitted outside of a fully enclosed building. The sound emitted from any loud speakers shall not extend beyond the walls of the building. Religious and related activities shall also take place within the building and such activities shall not create a nuisance to surrounding properties.
- 46.The floor plan is an integral part of the decision approving this Conditional Use Permit. Any additional changes in the design of the floor plan shall require the approval of the Community Development Department. Any change in the approved floor plan that has the effect of expanding or intensifying the use shall require a new Site Plan and Conditional Use Permit.
- 47.The Conditional Use Permit shall be reviewed three (3) years from the date of this Resolution's approval in order to determine if the religious facility is operating in compliance with the Municipal Code and CUP-262-09.
- 48.A copy of the resolution approving Site Plan No. SP-450-09 and Conditional Use Permit No. CUP-262-09, including the conditions of approval, shall be kept on the premises at all times.
- 49.There shall be no deliveries from or to the premises before 8:00 a.m. and after 8:00 p.m., seven days a week.
- 50.A prominent, permanent sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The size, format, form, placement, and languages of the sign shall be determined by the Community Development Department.
- 51.In the event that the parking for the Buddhist Temple becomes a problem due to demand for parking that exceeds the on-site parking provided, then the applicant shall submit to the City a parking study acceptable to the City Manager of Garden Grove or his designee, and upon review and approval of such parking study, promptly initiate and implement appropriate modifications and/or actions necessary to ensure that the use of the property has adequate parking to accommodate the activities occurring thereon.
- 52.Activities occurring on the site such as special events, carnivals, and similar activities, will require City approval of a special event permit. Application for the event permit shall be made a minimum of 30 days prior to the event. If the event creates a parking demand exceeding the number of spaces provided on-site, the representatives of the event/proposed assembly use, shall ensure, through written verification, that arrangements are made to address the overflow parking at least 21 days prior to the event. This includes providing evidence of other secured parking facilities as well as type (secured) shuttle service between the site and secured parking lot(s).

53. The site is being improved with a new Buddhist Temple and is intended be used as a religious facility, as indicated by the applicant, Tri Nguyen Thich, who will reside on the property. The Temple is to be used for religious activities open to the public, which would include prayer or worship services, weddings, or funeral services. The premises does have living quarters for the Monks and Nuns of this religious order, however, the facility shall not be used as a boarding house or serve as temporary housing/living quarters other than that intended for the specific religious order residing on the site (i.e., the Monks and Nuns under Tri Nguyen Thich), which authorized use may include providing temporary accommodations to the Temple members or visitors. Should any change in the religious activities occur, the filing of a new Conditional Use Permit and/or other proper entitlement(s) shall be required.
54. The Applicant shall, as a condition of project approval, at its sole expense, defend the City, its officers, employees, agents, and consultants from any claim, action, or proceeding brought by a third party 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 General Plan Amendment No. GPA-1-09(A), Amendment No. A-147-09, Site Plan No. SP-450-09, and Conditional Use Permit No. CUP-262-09. The Applicant shall assume the lead role in any such defense action and shall pay its own defense costs, including attorney fees and all other litigation related expenses. 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. In no event shall the Applicant's liability for such an award exceed five thousand dollars (\$5,000). The Applicant shall utilize counsel reasonably approved by the City, which counsel shall work cooperatively with the City in any defense action.
55. Site Plan No. SP-450-09 and Conditional Use Permit No. CUP-262-09, including the conditions of approval, shall not become effective unless and until the City Council approval and adoption of General Plan Amendment No. GPA-1-09(A), and rezone Amendment No. A-147-09.
56. Prior to obtaining any building permits, if any structure or portion thereof, is to be removed, demolished, or relocated on the subject site, the applicant/developer shall provide a written report verifying whether any hazardous material exists or not exists (e.g., asbestos, lead based paint, including report a on vermin, rodents, and termites or other pests) to the City of Garden Grove Building Division and the report shall declare how such hazardous material and/or vermin will be properly removed and properly discarded so as not to affect adjacent properties. This includes, but not limited to, obtaining permits from Air Quality Management District (AQMD), Environmental Protection Agency (EPA), and any other agency with jurisdiction thereon. This may also include tenting for termites or proper removal techniques for dealing with

rodents/vermin infestation, and/or any other action necessary to mitigate any negative effects on adjacent properties, all of which is to be done to the satisfaction of the agencies with jurisdictions thereon.



# CHUA QUAN AM ORANGE COUNTY TENANT IMPROVEMENT



## ABBREVIATIONS

AC	ACRYLIC	ACRYLIC
AD	ADHESIVE	ADHESIVE
AE	ALUMINUM	ALUMINUM
AF	ALUMINUM FINISH	ALUMINUM FINISH
AG	ALUMINUM GROUND	ALUMINUM GROUND
AH	ALUMINUM HANGING	ALUMINUM HANGING
AI	ALUMINUM INSULATION	ALUMINUM INSULATION
AJ	ALUMINUM JOINT	ALUMINUM JOINT
AK	ALUMINUM KICK	ALUMINUM KICK
AL	ALUMINUM LAMINATE	ALUMINUM LAMINATE
AM	ALUMINUM MESH	ALUMINUM MESH
AN	ALUMINUM NAIL	ALUMINUM NAIL
AO	ALUMINUM OILING	ALUMINUM OILING
AP	ALUMINUM PANEL	ALUMINUM PANEL
AQ	ALUMINUM PLATE	ALUMINUM PLATE
AR	ALUMINUM RAIL	ALUMINUM RAIL
AS	ALUMINUM SILL	ALUMINUM SILL
AT	ALUMINUM TRIM	ALUMINUM TRIM
AV	ALUMINUM VANE	ALUMINUM VANE
AW	ALUMINUM WIRE	ALUMINUM WIRE
AX	ALUMINUM WOOD	ALUMINUM WOOD
AY	ALUMINUM ZINC	ALUMINUM ZINC
AZ	ALUMINUM ZINC	ALUMINUM ZINC
BA	BALANCE	BALANCE
BB	BALANCE	BALANCE
BC	BALANCE	BALANCE
BD	BALANCE	BALANCE
BE	BALANCE	BALANCE
BF	BALANCE	BALANCE
BG	BALANCE	BALANCE
BH	BALANCE	BALANCE
BI	BALANCE	BALANCE
BJ	BALANCE	BALANCE
BK	BALANCE	BALANCE
BL	BALANCE	BALANCE
BM	BALANCE	BALANCE
BN	BALANCE	BALANCE
BO	BALANCE	BALANCE
BP	BALANCE	BALANCE
BQ	BALANCE	BALANCE
BR	BALANCE	BALANCE
BS	BALANCE	BALANCE
BT	BALANCE	BALANCE
BU	BALANCE	BALANCE
BV	BALANCE	BALANCE
BW	BALANCE	BALANCE
BX	BALANCE	BALANCE
BY	BALANCE	BALANCE
BZ	BALANCE	BALANCE
CA	CALIBRATION	CALIBRATION
CB	CALIBRATION	CALIBRATION
CC	CALIBRATION	CALIBRATION
CD	CALIBRATION	CALIBRATION
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CF	CALIBRATION	CALIBRATION
CG	CALIBRATION	CALIBRATION
CH	CALIBRATION	CALIBRATION
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FS	FLOOR	FLOOR
FT	FLOOR	FLOOR
FU	FLOOR	FLOOR
FV	FLOOR	FLOOR
FW	FLOOR	FLOOR
FX	FLOOR	FLOOR
FY	FLOOR	FLOOR
FZ	FLOOR	FLOOR
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GB	GALVANIZED	GALVANIZED
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IC	INSULATION	INSULATION
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IE	INSULATION	INSULATION
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IG	INSULATION	INSULATION
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IK	INSULATION	INSULATION
IL	INSULATION	INSULATION
IM	INSULATION	INSULATION
IN	INSULATION	INSULATION
IO	INSULATION	INSULATION
IP	INSULATION	INSULATION
IQ	INSULATION	INSULATION
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IV	INSULATION	INSULATION
IW	INSULATION	INSULATION
IX	INSULATION	INSULATION
IY	INSULATION	INSULATION
IZ	INSULATION	INSULATION
JA	JUNCTION	JUNCTION
JB	JUNCTION	JUNCTION
JC	JUNCTION	JUNCTION
JD	JUNCTION	JUNCTION
JE	JUNCTION	JUNCTION
JF	JUNCTION	JUNCTION
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JU	JUNCTION	JUNCTION
JV	JUNCTION	JUNCTION
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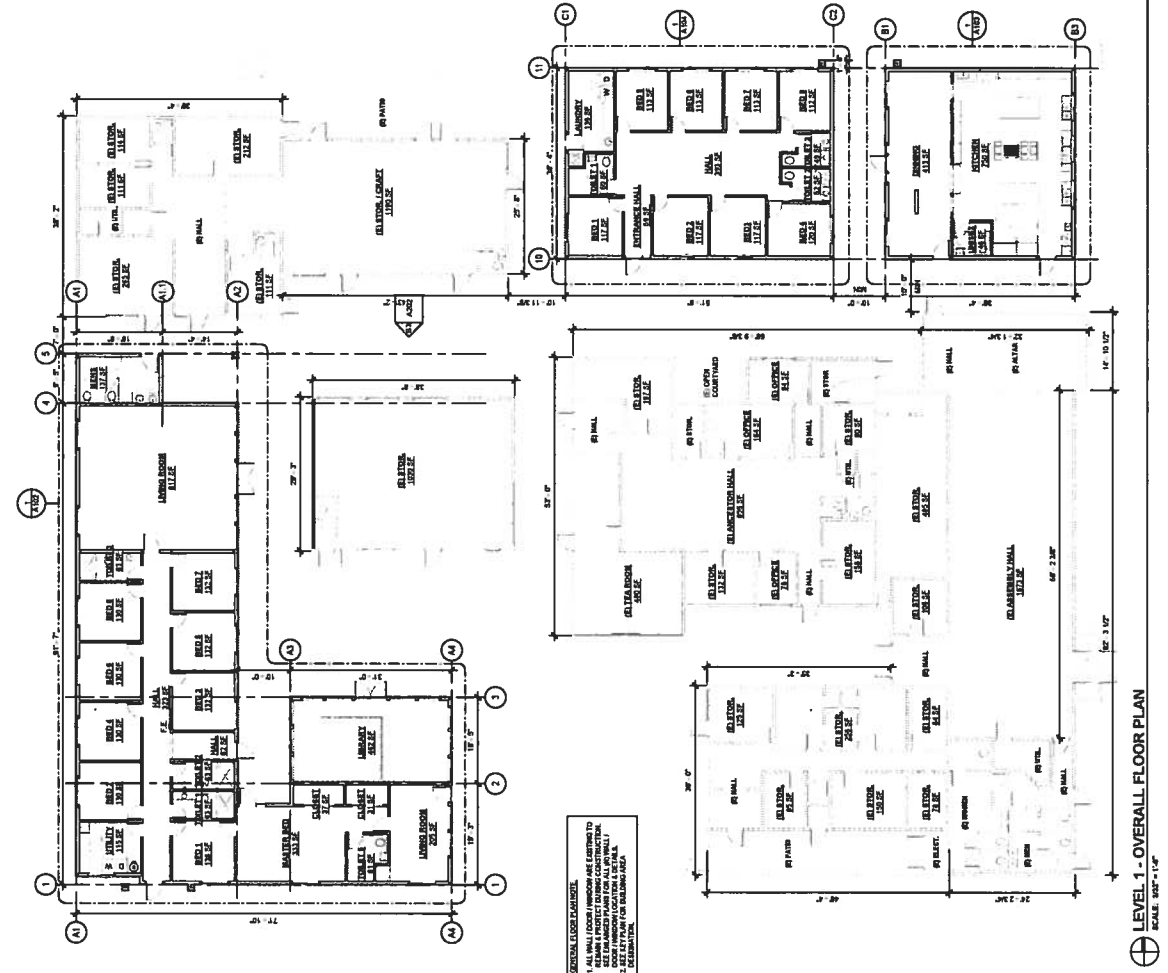
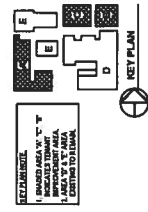


### TI AREA "A" AREA "B" AREA "C" AREA "D"

NO.	ROOM NAME	AREA	COMMENTS
101	AREA A	101.00	
102	AREA B	102.00	
103	AREA C	103.00	
104	AREA D	104.00	
105	AREA E	105.00	
106	AREA F	106.00	
107	AREA G	107.00	
108	AREA H	108.00	
109	AREA I	109.00	
110	AREA J	110.00	
111	AREA K	111.00	
112	AREA L	112.00	
113	AREA M	113.00	
114	AREA N	114.00	
115	AREA O	115.00	
116	AREA P	116.00	
117	AREA Q	117.00	
118	AREA R	118.00	
119	AREA S	119.00	
120	AREA T	120.00	
121	AREA U	121.00	
122	AREA V	122.00	
123	AREA W	123.00	
124	AREA X	124.00	
125	AREA Y	125.00	
126	AREA Z	126.00	

### EXISTING AREA "D" AREA "E" (NO CHANGE)

NO.	ROOM NAME	AREA	COMMENTS
201	EXISTING AREA D	201.00	
202	EXISTING AREA E	202.00	
203	EXISTING AREA F	203.00	
204	EXISTING AREA G	204.00	
205	EXISTING AREA H	205.00	
206	EXISTING AREA I	206.00	
207	EXISTING AREA J	207.00	
208	EXISTING AREA K	208.00	
209	EXISTING AREA L	209.00	
210	EXISTING AREA M	210.00	
211	EXISTING AREA N	211.00	
212	EXISTING AREA O	212.00	
213	EXISTING AREA P	213.00	
214	EXISTING AREA Q	214.00	
215	EXISTING AREA R	215.00	
216	EXISTING AREA S	216.00	
217	EXISTING AREA T	217.00	
218	EXISTING AREA U	218.00	
219	EXISTING AREA V	219.00	
220	EXISTING AREA W	220.00	
221	EXISTING AREA X	221.00	
222	EXISTING AREA Y	222.00	
223	EXISTING AREA Z	223.00	



- FLOOR FINISH GENERAL NOTES:**
1. S.C. SHALL BE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS AND LAYOUTS FROM AS-BUILT RECORDS AND FIELD SURVEY.
  2. EXISTING CONDITIONS SHALL BE SHOWN ON THIS PLAN.
  3. ALL NEW WORK SHALL BE SHOWN WITH DASHED LINES.
  4. ALL NEW WORK SHALL BE SHOWN WITH SOLID LINES.
  5. ALL NEW WORK SHALL BE SHOWN WITH DASHED LINES.
  6. ALL NEW WORK SHALL BE SHOWN WITH SOLID LINES.
  7. ALL NEW WORK SHALL BE SHOWN WITH DASHED LINES.
  8. ALL NEW WORK SHALL BE SHOWN WITH SOLID LINES.
  9. ALL NEW WORK SHALL BE SHOWN WITH DASHED LINES.
  10. ALL NEW WORK SHALL BE SHOWN WITH SOLID LINES.

NO.	REVISION	DATE	DESCRIPTION

NO.	REVISION	DATE	DESCRIPTION

NO.	REVISION	DATE	DESCRIPTION

NO.	REVISION	DATE	DESCRIPTION

NO.	REVISION	DATE	DESCRIPTION

NO.	REVISION	DATE	DESCRIPTION

NO.	REVISION	DATE	DESCRIPTION

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NO.	REVISION	DATE	DESCRIPTION

NO.	REVISION	DATE	DESCRIPTION

NO.	REVISION	DATE	DESCRIPTION

NO.	REVISION	DATE	DESCRIPTION

NO.	REVISION	DATE	DESCRIPTION

### SYMBOL LEGENDS

NO.	SYMBOL	DESCRIPTION
1		DEMOLITION
2		EXISTING PARTITION
3		EXISTING DOOR
4		NEW PARTITION - NOT TO SCALE
5		NEW DOOR
6		NEW WINDOW
7		NEW ACCESS PANEL
8		NEW LIGHT FIXTURE
9		NEW ELECTRICAL PANEL
10		NEW MECHANICAL EQUIPMENT
11		NEW STAIRCASE
12		NEW ELEVATION
13		NEW WALL TYPE
14		DOWN LIGHT - RECESSED
15		DOWN LIGHT - FLUSH MOUNT
16		DOWN LIGHT - TRACK
17		DOWN LIGHT - SURFACE MOUNT
18		DOWN LIGHT - PENDANT
19		DOWN LIGHT - CHANDELIER
20		DOWN LIGHT - TRACK (FLUSH)
21		DOWN LIGHT - TRACK (RECESSED)
22		DOWN LIGHT - TRACK (SURFACE)







**WINDOW SCHEDULE - LOTUS HALL**

Area	Window	Height	Type	Notes
101	8' x 8'	8'	W1	WALL MOUNTED WINDOW
102	8' x 8'	8'	W2	WALL MOUNTED WINDOW
103	8' x 8'	8'	W3	WALL MOUNTED WINDOW
104	8' x 8'	8'	W4	WALL MOUNTED WINDOW
105	8' x 8'	8'	W5	WALL MOUNTED WINDOW
106	8' x 8'	8'	W6	WALL MOUNTED WINDOW
107	8' x 8'	8'	W7	WALL MOUNTED WINDOW
108	8' x 8'	8'	W8	WALL MOUNTED WINDOW
109	8' x 8'	8'	W9	WALL MOUNTED WINDOW
110	8' x 8'	8'	W10	WALL MOUNTED WINDOW
111	8' x 8'	8'	W11	WALL MOUNTED WINDOW
112	8' x 8'	8'	W12	WALL MOUNTED WINDOW
113	8' x 8'	8'	W13	WALL MOUNTED WINDOW
114	8' x 8'	8'	W14	WALL MOUNTED WINDOW
115	8' x 8'	8'	W15	WALL MOUNTED WINDOW
116	8' x 8'	8'	W16	WALL MOUNTED WINDOW
117	8' x 8'	8'	W17	WALL MOUNTED WINDOW
118	8' x 8'	8'	W18	WALL MOUNTED WINDOW
119	8' x 8'	8'	W19	WALL MOUNTED WINDOW
120	8' x 8'	8'	W20	WALL MOUNTED WINDOW

**KEY NOTES - ELEVATIONS**

NOTE 1: CLAY ROOF TILE ROOFING SYSTEM

NOTE 2: EXTERIOR FINISH TO MATCH EXISTING

NOTE 3: INTERIOR FINISH TO MATCH EXISTING

NOTE 4: ROOF VENT TO MATCH EXISTING

NOTE 5: ROOF VENT TO MATCH EXISTING

NOTE 6: ROOF VENT TO MATCH EXISTING

NOTE 7: ROOF VENT TO MATCH EXISTING

NOTE 8: ROOF VENT TO MATCH EXISTING

NOTE 9: ROOF VENT TO MATCH EXISTING

NOTE 10: ROOF VENT TO MATCH EXISTING

NOTE 11: ROOF VENT TO MATCH EXISTING

NOTE 12: ROOF VENT TO MATCH EXISTING

NOTE 13: ROOF VENT TO MATCH EXISTING

NOTE 14: ROOF VENT TO MATCH EXISTING

NOTE 15: ROOF VENT TO MATCH EXISTING

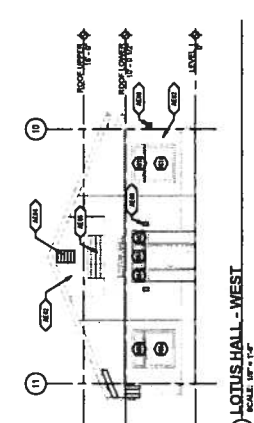
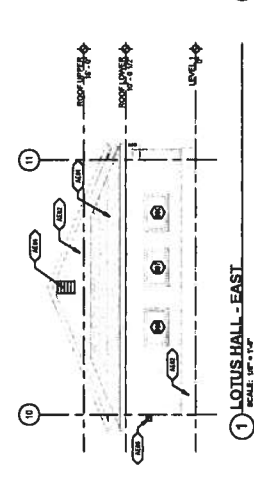
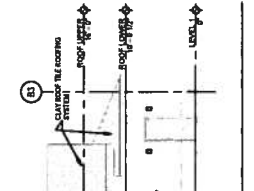
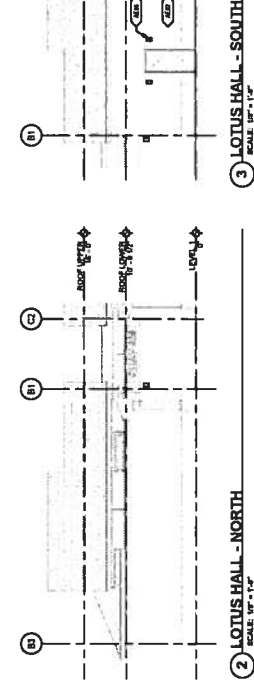
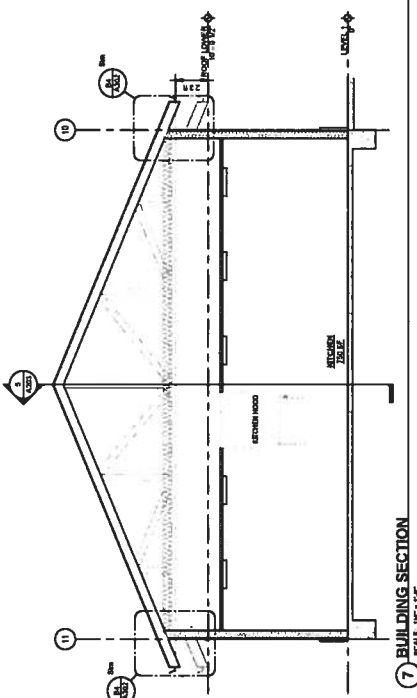
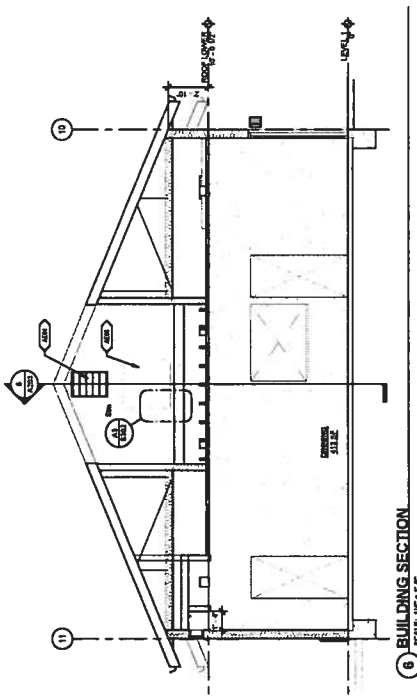
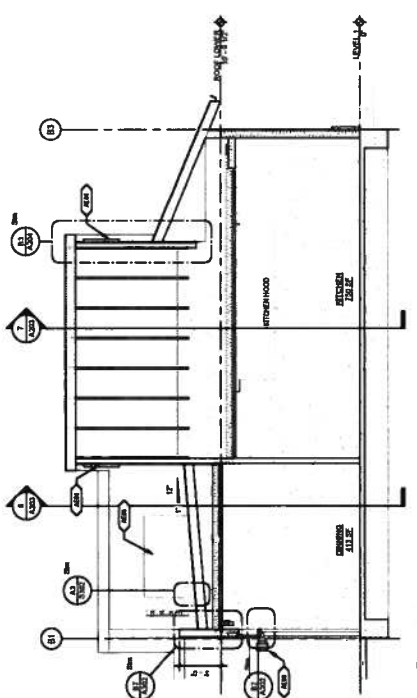
NOTE 16: ROOF VENT TO MATCH EXISTING

NOTE 17: ROOF VENT TO MATCH EXISTING

NOTE 18: ROOF VENT TO MATCH EXISTING

NOTE 19: ROOF VENT TO MATCH EXISTING

NOTE 20: ROOF VENT TO MATCH EXISTING



**CLIENT INFORMATION**

BLANK AND YEMPLE  
1712 Colton Street  
Huntington Beach, CA 92648  
(714) 221-1271  
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**CONSULTANT INFORMATION**

NO.	DATE	REVISION	DESCRIPTION

**REVISIONS**

**DATE**    **DESCRIPTION**

**SCALE**    **AS NOTED**

**PROJECT NUMBER**    2018.128

**SHEET NUMBER**    A203

**PROJECT NAME**    LOTUS HALL - BUSINESS ELEVATIONS & SECTIONS

**LOCATION**    1712 Colton Street  
Huntington Beach, CA 92648

**DATE**    08/20/2018

**SCALE**    1/4" = 1'-0"

**DATE**    08/20/2018

**SCALE**    AS NOTED

**PROJECT NUMBER**    2018.128

**SHEET NUMBER**    A203

**PROJECT NAME**    LOTUS HALL - BUSINESS ELEVATIONS & SECTIONS

RESOLUTION NO. 6025-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-095-2021 FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF CHAPMAN AVENUE AND NUTWOOD STREET, AT 10510 CHAPMAN AVENUE, ASSESSOR'S PARCEL NO. 089-141-61.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in a regular session assembled on June 17, 2021, hereby approves Site Plan No. SP-095-2021 for property located on the southeast corner of Chapman Avenue and Nutwood Street, at 10510 Chapman Avenue, Assessor's Parcel No. 089-141-61.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-095-2021, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Jimmy Pham for the Vietnamese Buddhist Study Temple in America (Chua Quan Am).
2. The applicant is requesting Site Plan approval to reconstruct three (3) existing buildings to accommodate two (2) residential living quarters with a combined area of approximately 6,108 square feet, a 1,320 square foot commissary, and related site improvements, on a 1.78-acre lot operated by a religious facility, the Vietnamese Buddhism Study Temple in America (Chua Quan Am), currently operating under Conditional Use Permit No. CUP-262-09.
3. The Planning Commission hereby determines that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (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 Low Density Residential and is zoned R-1 (Single-Family Residential). The Vietnamese Buddhist Study Temple in America (Chua Quan Am) currently operates from the subject site as a religious facility.
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 the City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on June 17, 2021, 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 on June 17, 2021; 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 Sections 9.32.030 are as follows:

FACTS:

The project site is a 77,704 square foot lot located on the southeast corner of Chapman Avenue and Nutwood Street. The property has a General Plan Land Use Designation of Low Density Residential and is zoned R-1 (Single-Family Residential).

The project site abuts an Office Professional (OP) zoned property to the east that is developed with the Boys and Girls Club of Garden Grove; to the south are R-1 zoned properties developed with single-family homes; to the west, across Nutwood Street, are R-1 and R-2 zones properties developed with single-family homes and multi-family apartments; and across Chapman Avenue to the north, are residential condominiums.

The project site is currently improved with five (5) buildings with a total building area of 19,800 square feet. The site was developed in 1961 as an office professional development. The Vietnamese Buddhism Study Temple in America (Chua Quan Am), referred to as the Chua Quan Am Temple, purchased the property in 2004. In 2004, a business license was issued by the City of Garden Grove to allow the temple to operate as an administrative office for a non-religious use.

In 2009, the applicant received land use approval from the City to operate a religious facility. The approvals included an amendment to change the General Plan land use designation of the site from Office Professional to Low Density Residential; a rezone of the site from O-P (Office Professional) to R-1 (Single-Family Residential); a Site Plan to construct two, one-story buildings for a religious use, including a 5,261 square foot building for a religious assembly use, and a 4,345 square foot building for residential living quarters; and a Conditional Use Permit to operate a religious facility under General Plan Amendment No. GPA-1-09(A), Amendment No. A-147-09, Site Plan No. SP-450-09, and Conditional Use Permit No. CUP-262-09.

The proposed project approved under Site Plan No. SP-450-09 was never constructed, and the entitlement ultimately expired. Nevertheless, the applicant exercised Conditional Use Permit No. CUP-262-09 for the operation of the religious facility by operating within the existing development. In 2014 and 2015, building permits were issued to convert two (2) suites into a religious assembly use.

The applicant now proposes site improvements to enhance the operation of the temple. The proposed project includes demolishing and reconstructing three (3) existing buildings to accommodate two (2) residential living quarters for the use of the temple's monks and nuns, a new commissary building with a kitchen and dining area, along with related site and parking lot improvements. A Site Plan approval is

required to facilitate the proposed development. The operation of the religious use will continue to be governed by Conditional Use Permit No. CUP-262-09.

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 and is consistent with the General Plan.

The subject site has a General Plan land use designation of Low Density Residential, and is zoned R-1 (Single-Family Residential). The Low Density Residential General Plan land use designation is intended to allow for single-family residential uses and uses that are compatible with residential uses, including schools and small-civic and institutional uses. The R-1 zone allows for religious facilities with approval of a Conditional Use Permit.

The proposed project is consistent with the goals and policies of the General Plan Land Use. Goal LU-6.1 of the General Plan Land Use Element encourages the revitalization of aging, underused or deteriorated properties; Policy LU-6.4 encourages the City to work with property owners to revitalize deteriorated centers; LU-IMP-6C encourages façade renovations, enhanced parking area landscaping, and improved lighting.

The project site is a 77,704 square foot lot that is owned by the Chua Quan Am Temple. The Chua Quan Am Temple operates a religious facility on the project site. In 2009, the temple received approval of a Conditional Use Permit, CUP-262-09, to operate a religious facility with residential living quarters in conjunction with Site Plan No. SP-450-09. The development approved under SP-450-09 was never constructed and the entitlement expired. Nevertheless, CUP-262-09 for the religious facility was exercised. Permits were issued by the City of Garden Grove in 2014 and 2015 to allow two (2) existing suites to be converted into an assembly use.

The proposed project includes demolishing and reconstructing three (3) existing buildings to accommodate two (2) residential living quarters for the temple's monks and nuns, and a new commissary building with a kitchen and dining area.

The proposed project will revitalize an aging development constructed in 1961 to enhance the operation of the temple. The reconstructed buildings will have a contemporary architectural style that incorporates a pitched roof and stucco finish to match the design of the existing main assembly hall. The proposed project will also include parking lot improvements, including repaving and restriping, and the installation of new landscape planters and lighting.

Furthermore, the project is designed to comply with the development standards of Title 9 of the Municipal Code for religious facilities, including building setbacks, building height, and landscaping, with the exception of parking.

Therefore, the proposed project, and improvements, are consistent with the Title 9 of the Municipal Code, and the goals and policies of the General Plan.

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 will continue to be accessed directly from one (1) existing drive approach located on Chapman Avenue, and from an existing public alley located south of the site. The existing drive approach on Chapman Avenue will be widened to comply with the City's driveway approach standard, and the driveway access from the alley will be redesigned to provide two (2) centralized vehicular access points. The parking lot design will change to provide an internal circulation pattern that will provide greater access to all the parking spaces from the drive aisle. The project will also continue to provide pedestrian access to the site from Chapman Avenue and Nutwood Street from existing walkways.

The code requires the proposed project to provide a total of 127 parking spaces, and the proposed project will provide a total of 96 parking spaces. State Assembly Bill (AB) 1100 allows each electric vehicle (EV) accessible van parking space to count as two (2) standard parking spaces. The project provides 94 on-site parking spaces, and each of the two (2) proposed EV accessible van parking spaces are included toward the required parking. Therefore, the project will provide a total of 96 parking spaces for the purposes of calculating the required parking for the project. Based on the parking code and the number of parking spaces provided, the proposed project is deficient in parking by 31 spaces or 24.4%.

Title 9 of the Municipal Code allows up to a 25% reduction to the required number of parking spaces with preparation of a Parking Management Plan. A Parking Study and Parking Management Plan was prepared for the project in compliance with Section 9.16.010.180 of Title 9 of the Municipal Code. An observed existing parking demand study was performed at the temple during the week of January 20, 2020 to January 26, 2020, to determine the existing parking demand for the use. The study determined that the peak parking demand for the temple was 72 parking spaces at the noon hour on a Sunday. Accounting for a 10% increase to the observed peak parking demand to account for future changes in use, the peak parking demand for the temple is 80 parking spaces. Therefore, 80 parking spaces are required to support the temple's operation.

The proposed project will not alter the operation of the temple as it pertains to services provided to its congregation members since the project will only provide new residential living quarters to serve the temple's Buddhist monks and nuns. Therefore, the 96 parking spaces proposed for temple would be sufficient to accommodate the temple's peak parking demand of 80 parking spaces.

The City's Traffic Engineering Division has reviewed the proposed project, and all appropriate conditions of approval have been incorporated to minimize 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 utilities, drainage channels, and streets in the area are existing and adequate to accommodate the development, and all appropriate conditions of approval will minimize any adverse impacts to surrounding streets. The proposed development will provide landscaping and proper grading of the site, thereby, providing adequate on-site drainage.

The City's Public Works Department has reviewed the proposed project, and all appropriate conditions of approval have been incorporated to minimize any adverse impacts to surrounding streets.

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

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

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

The proposed project has been designed in accordance with the development standards that apply to religious facilities located on an R-1 (Single-Family Residential) zoned property.

The project site is located in an area improved with residential and office professional uses that have varying architectural building designs. The temple currently operates from an existing one-story multi-building development constructed in 1961. The existing buildings are designed primarily with a flat roof with exception of the main assembly building space that was reframed with a pitched, clay tile roof in 2015. The placement of

the new buildings and the proposed parking lot improvements will remain in the same general location, and will not significantly change the overall layout of the site. The new buildings will be designed to be compatible with the design of the main assembly building, including a similar roof style and exterior building finishes. The new buildings will incorporate a pitched, Dutch-gable style roof with clay roof tiles, and a stucco finish.

The proposed project will also include parking lot improvements, including repaving and restriping, and the installation of new landscape planters and lighting. The parking lot design will change to provide an internal circulation pattern that will provide greater access to each parking space from the drive aisle.

The proposed improvements, including the building architecture and landscaping, will be integrated with the existing building design of the temple and will continue to be compatible with the surrounding residential and office professional uses.

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

The placement of the new buildings and the proposed parking lot improvements will remain in the same general location, and will not significantly change the overall layout of the site. The Project will introduce new landscaping planters within the parking lot that will enhance the overall site appearance. Landscaping within the existing landscape setbacks are also required to be properly landscaped and maintained. The project is required to comply with the landscape requirements of Title 9 of the Municipal Code. This includes providing trees, ground cover, and shrubs, along with providing additional landscaping within the parking lot and within existing landscape setback areas to comply with the code.

#### INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan possesses characteristics that would justify the request in accordance with Municipal Code Section No. 9.32.030.D.3 (Site Plan).
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") shall apply to Site Plan No. SP-095-2021.

## **EXHIBIT "A"**

### **Site Plan No. SP-095-2021**

10510 Chapman Avenue

### **CONDITIONS OF APPROVAL**

#### **GENERAL CONDITIONS**

1. Each owner of the property shall execute, and the applicant shall record against the property, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval" as prepared by the City Attorney's Office. Proof of such recordation is required prior to issuance of building permits.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, Jimmy Pham for the Vietnamese Buddhism Study Temple in America (Chua Quan Am), the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes to the Conditions of Approval require approval by the Planning Commission, except as otherwise provided herein.
3. The Site Plan only authorizes the construction of two (2) residential living quarters, each with a building area of 4,237 square feet and 1,871 square feet, and a 1,320 square foot commissary building, along with related site improvements. Approval of this Site Plan shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
4. 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.
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. 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 and street improvement plans.
8. 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, infiltration and stormwater treatment structures, 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 of 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. Requirements for any "dewatering" will also need to be addressed in the report.
9. A separate street permit is required for work performed within the public right-of-way.
10. Grading 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 30'-0" outside the boundary, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan. All improvements within public right of way shall conform to all format and design requirements of the City Standard Drawings & Specifications. Special features, such as decorative pavers or other improvements, may be required to have an agreement prepared between the owner and the City to cover any encroachment limitations, responsibilities and maintenance requirements.

11. The grading plan shall depict an accessibility route for the ADA (Americans with Disabilities Act) pathway in conformance with the requirements of the Department of Justice standards, latest edition, and Section 1110A of the California Building Code.
12. Grading fees shall be calculated based the current fee schedule at the time of permit issuance.
13. All parking spaces that abut to sidewalks that are not elevated with a curb face to the stall, shall have wheel stops in order to prevent vehicle overhang into sidewalk. Minimum 6-foot width sidewalk is required for parking spaces that are utilizing elevated sidewalk curb face as a wheel stop and must maintain 4-foot minimum from the overhang of the vehicle bumper for ADA pathway.
14. 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.
15. 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.



16. 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.
  
17. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502 and state mandated commercial organic recycling law – AB 1826:
  - 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.
  - 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 shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures.
  - g. Pursuant to state mandated commercial organic recycling law-AB 1826, the applicant is required to coordinate storage and removal of the organics waste with local recycling/trash company.
  - h. Pursuant to applicable state mandated laws, the applicant is required to contact and coordinate with the operations manager of the local recycling/trash company (Republic Services, 800-700-8610) to ensure the trash enclosure includes the appropriate size and number of

containers for the disposal of items such as, but may not limited to, municipal solid waste (MSW), recyclables, and organic green waste.

- i. Based on the amount of waste disposed, per week, the applicant shall coordinate with the local recycling/trash company to ensure the adequate frequency of trash pick-up is serviced to the site for municipal solid waste (MSW), recyclables, and organic green waste, including any other type of waste.
  - j. The applicant shall ensure large bulk items, intended for coordinated and scheduled pick-up by the local recycling/trash company, are not placed in areas that encroach into drive aisles, parking spaces, pedestrian pathways, or areas in the front of the property including areas public right-of-way (e.g., street, sidewalk), during and after construction. Any large bulk items shall be out of public vantage points.
18. 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. Temporary Benchmarks shall not be used for vertical control. Benchmarks shall be to the National Geodetic Vertical Datum (NGVD).
19. 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.
20. 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.
21. The applicant shall identify a temporary parking site(s) for construction crew prior to issuance of a grading permit. No construction parking is allowed on local streets.
22. 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.
23. Heavy construction truck traffic and hauling trips should occur outside peak travel periods. Peak travel periods are considered to be from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.
24. Any required lane closures should occur outside of peak travel periods.
25. Construction vehicles should be parked off traveled roadways in a designated parking.
26. 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.
27. In accordance to City of Garden Grove Municipal Code (Chapter 9.48.030), the applicant is required to underground all existing and proposed on-site and off-site utility facilities on Chapman Avenue and Nutwood Street associated with property the developer is developing and redeveloping. All existing improvements and utilities shall be shown as part of the grading and street improvement submittal packages in the topography section and labeled as existing utility. In accordance to City of Garden Grove Municipal Code (9.48.050), the applicant may elect to pay the City an in-lieu fee to offset the developer's fair share of the costs of undergrounding the off-site and on-site utilities.
28. Prior to issuance of the building permit, the applicant shall design and construct street frontage improvements as identified below. All landscaping installed within the public rights-of-way shall be maintained by the applicant in a manner meeting the approval of the City Engineer and Planning Services

Division. All USA markings shall be removed prior to completion of the project, and maintain the site free of graffiti.

Chapman Avenue

- a. Remove and replace existing substandard driveway approach to the site on Chapman Avenue in accordance with City of Garden Grove Standard Plan B-120 (Option #2).
- b. Applicant shall coordinate the location of all new water meters, backflow preventers and backflow devices to be placed in sidewalk area on Chapman Avenue with the Planning Services Division and Water Division.

Nutwood Street

- a. Applicant shall coordinate the location of all new water meters, backflow preventers and backflow devices to be placed in sidewalk area on Nutwood Street with the Planning Services Division and Water Division.

**Public Works Water Services Division**

29. If needed, new water service installations 2-inch and smaller, shall be installed by the City of Garden Grove at owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted. Fire services and larger water services 3-inch and larger, shall be installed by developer/owner's contractor per City Standards.
30. Water meters shall be located within the City right-of-way. Fire services and large water services 3-inch and larger, shall be installed by contractor with Class A or C-34 license, per City water standards and inspected by approved Public Works inspection.
31. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. Any carbonation dispensing equipment shall have a RPPD device. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross connection inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD device.

32. It shall be the responsibility of owner/developer to abandon any existing private water well(s) per Orange County Health Department requirements. Abandonment(s) shall be inspected by Orange County Health Department inspector after permits have been obtained.
33. A composite utility site plan shall be part of the water plan approval.
34. City shall determine if existing water services(s) is/are usable and meets current City Standards. Any existing meter and service located within new driveway(s) shall be relocated at owner's expense.
35. If required, 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 property owner. The above-ground assembly shall be screened from public view as required by the Planning Services Division.
36. Water meters and boxes shall be installed by City forces upon payment of applicable fees and after new water system (including water services) pass all bacteriological and pressure tests.
37. Location and number of fire hydrants shall be as required by Water Services Division and the Orange County Fire Authority (OCFA).
38. If needed, owner shall install new sewer lateral with clean out at right-of-way line. Lateral in public right-of-way shall be 6-inch minimum diameter, extra strength VCP with wedgelock joints.
39. Contractor shall abandon any existing unused sewer lateral(s) at street right-of-way on the property owner's side. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete. Only one sewer connection per lot is allowed.
40. All perpendicular crossings of the sewer, including laterals, shall maintain a vertical separation of minimum 12-inch below the water main, outer diameter to outer diameter. All exceptions to the above require a variance from the State Water Resources Control Board.
41. If water main is exposed during installation of sewer lateral, a 20-foot section of the water main shall be replaced with 20-foot PVC C-900 DR-14 Class 305 water pipe, size in kind and centered at the crossing.

**Building and Safety Division**

42. The project shall comply with all requirements of applicable California Building Standards Code (CBC) at time of plan check submittal, including requirements for solar system, fire sprinkler system, electric vehicle charger ready, and soils report.

**Community and Economic Development Department**

43. The applicant shall submit detailed plans, showing the proposed location of utilities and mechanical equipment, to the Community and Economic Development Department for review and approval prior to submitting plans into the Building and Safety Division Plan Check process. The project shall also be subject to the following:
- a. All on-site and off-site utilities pertaining to the improvements proposed under this Site Plan shall be installed or relocated underground pursuant to Chapter 9.48 of the Garden Grove Municipal Code.
  - b. All above-ground utility equipment (e.g., electrical, gas, telephone, cable TV, water meters, electrical transformer) shall not be located in the street setback and shall be screened to the satisfaction of the Community and Economic Development Director.
  - c. No roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
  - d. All ground or wall-mounted mechanical equipment shall be screened from view from any place on, or off, the site.
  - e. No exterior piping, plumbing, or mechanical ductwork shall be permitted on any exterior façade and/or be visible from any public right-of-way or adjoining property. All roof access ladders shall be accessed from inside the building.
44. Construction and grading shall comply with the noise limitation provisions set forth in the City of Garden Grove's Noise Ordinance, Garden Grove Municipal Code Sections 8.47.040 to 8.47.060, except that permitted hours and days of construction and grading shall be as follows:
- a. Monday through Saturday - not before 7:00 a.m. and not after 8:00 p.m. (of the same day).

- b. Sunday and Federal Holidays – may work the same hours, but be subject to the restrictions as stipulated in Sections 8.47.040 to 8.47.060 of the Municipal Code.
45. The property owner(s) shall comply with the adopted City Noise Ordinance.
  46. All landscaping shall be consistent with the landscape requirements of Title 9 of the Municipal Code. The developer shall submit a complete landscape plan governing the entire development. The landscape irrigation plans shall include type, size, location and quantity of all plant material. The landscape plan shall include irrigation plans and staking and planting specifications. All landscape irrigation shall comply with the City's Landscape Ordinance and associated Water Efficiency Guidelines. The landscape plan is also subject to the following:
    - a. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaping areas shown on the plan. The sprinklers shall be of drip or microspray system sprinkler heads for water conservation.
    - b. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box and sixty percent (60%) of the trees at 15-gallon, the remaining five percent (5%) may be of any size. These trees shall be incorporated into the landscaped frontages of all streets. Where clinging vines are considered for covering walls, drought tolerant vines shall be used.
    - c. Clinging vines shall be installed within the landscape planters along perimeter block walls to deter graffiti.
    - d. Trees planted within ten feet (10') of any public right-of-way shall be planted in a root barrier shield. All landscaping along street frontages adjacent to driveways shall be of the low-height variety to ensure safe sight clearance.
    - e. The landscaping treatment along Chapman Avenue and Nutwood Street frontage, including the area designated as public right-of-way and parking areas, shall incorporate a mixture of groundcover, flowerbeds, shrubs, and trees to enhance the appearance of the property. The Community and Economic Development Department shall review the type and location of all proposed trees and plant materials. Said landscape area shall be the responsibility of the applicant to maintain.
    - f. The landscape plan shall incorporate and maintain for the life of the project those means and methods to address water run-off also identified as Low Impact Development provisions, which address water

run-off. This is to also to be inclusive of any application of Water Quality Management Plans (WQMP), Drainage Area Management Plans (DAMP) and any other water conservation measures applicable to this type of development.

- g. At the time of irrigation installation, the irrigation system shall comply with all applicable provisions of the City's Water Conservation Ordinance, the City's Municipal Code landscape provisions, and all applicable state regulations.
47. Litter shall be removed daily from the project site, including adjacent public sidewalks and all parking areas under the control of the applicant. The areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
48. 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.
49. There shall be no deliveries to or from the premises before 8:00 a.m. and after 8:00 p.m., seven days a week.
50. All signs shall comply with the sign requirements of Title 9 of the Municipal Code. All signs shall require a separate permit and shall be installed in accordance with the provisions of the sign ordinance.
51. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the City's Planning Services Division. Lighting adjacent to residential properties shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Any new lighting that is provided within the parking lot area shall maintain a minimum of two foot-candles of light on the parking areas during business hours. Lighting in the parking areas shall be directed, positioned, or shielded in such manner so as not to unreasonably illuminate the windows of adjacent properties.
52. The applicant shall submit a light plan (photometric plan) to Planning Services Division for review. All lighting shall be provided throughout the parking areas at a minimum of two-foot candle of light during the hours of darkness when the businesses are open, and a one-foot candle of light during all other hours of darkness.



53. New perimeter walls, if proposed, shall be developed to City Standards or designed by a Registered Engineer, and shall be measured from the on-site finished grade, and shall be shown on the grading plan. New perimeter walls constructed adjacent to any driveway shall observe the required visual line-of-sight clearance. The location of any new wall shall be reviewed and approved by the Planning Services, and if applicable, shall require a building permit.
54. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust), which includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, the use of methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible, the use of solar or low-emission water heaters, and the use of low-sodium parking lot lights, to ensure compliance with Title 24.
55. Any satellite dish antennas installed on the premises shall be screened, subject to approval by the Community and Economic Development Department, Planning Services Division. No advertising material shall be placed thereon.
56. During construction, if paleontological or archeological resources are found, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with applicable law.
57. The applicant shall comply with the Migratory Bird Treaty Act (MBTA), and the Sections 3503, 3502.5, and 3513 of the California Fish and Game regulations, which require the protection of active nests of all bird species, prior to the removal of any on-site landscaping, including the removal of existing trees.
58. All on-site curbs, not associated with a parking space, shall be painted red.
59. The proposed trash enclosure shall be designed to comply with the City's B-502 trash enclosure standard, or with an alternative design approved by the Public Works Engineering Division.
60. The trash enclosures shall have unifying color and exterior finish that matches, and are integrated, with the proposed development. The proposed roof design of the trash enclosure shall be architecturally compatible with the design of the development. The Planning Services Division shall review and approve the design of the proposed roof and the material(s). The proposed roof and materials shall also comply with the building code requirements.

61. The trash bins shall be kept inside the trash enclosures, and gates closed at all times, except during disposal and pick-up. The property owner shall provide sufficient trash bins and pick-up to accommodate the site.
62. As part of the finalized working drawings for Planning Services Division, Engineering Division, and Building Plan Check, the applicant shall submit a detailed and dimensioned plot plan, floor plans, exterior elevations and landscape plans that reflect the above conditions of approval. The plans shall indicate landscape materials, wall materials, and building materials proposed for the project.
63. Any and all corrections 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.
64. The applicant/property owner shall submit signed letters acknowledging receipt of the decision approving Site Plan No. SP-095-2021, and his/her agreement with all conditions of approval within 30-days from the date of this approval.
65. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the uses and development authorized by this approval of Site Plan No. SP-095-2021 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.
66. 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-095-2021. 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.
67. The Conditions of Approval set forth herein include certain development impact fees and other exactions. Pursuant to Government Code §66020(d), these Conditions of Approval constitute written notice of the amount of such fees. To the extent applicable, the applicant is hereby notified that the 90

day protest period, commencing from the effective date of approval of Site Plan No. SP-095-2021, has begun.

68. The operation of the religious facility shall continue to be subject to all conditions of approval applicable to Conditional Use Permit No. CUP-262-09, as set forth in Exhibit "A" to Garden Grove City Council Resolution No. 8876-09, including, but not limited to, conditions of approval Nos. 36, 41, 45, 46, 47, 48, 49, 50, 51, 52, 53, and 54 therein.

**Orange County Fire Authority (OCFA)**

69. The applicant shall comply with all applicable Orange County Fire Authority requirements, including, but not limited to the Fire Master Plan.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b>  <b>C.2.</b>	<b>SITE LOCATION:</b> South side of Chapman Avenue, west of Brookhurst Street, at 9848 Chapman Avenue
<b>HEARING DATE:</b> June 17, 2021	<b>GENERAL PLAN:</b> Residential/Commercial Mixed Use 2
<b>CASE NO.:</b> Conditional Use Permit No. CUP-204-2021	<b>ZONE:</b> NMU (Neighborhood Mixed Use)
<b>APPLICANT:</b> Sprouts Farmers Market	<b>CEQA DETERMINATION:</b> No Further Environmental Review Required – Public Resources Code § 21166; CEQA Guidelines § 15162
<b>PROPERTY OWNER:</b> SVAP II Chapman LLC	<b>APN:</b> 133-111-20

**REQUEST:**

A request for Conditional Use Permit approval to allow a new grocery store, Sprouts Farmers Market, to operate with a new original State Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer and Wine) License for the sale of beer and wine for off-site consumption.

**BACKGROUND:**

The subject property is located on the west side of Brookhurst Street, south of Chapman Avenue, with frontage along Chapman Avenue. The site, approximately 7.03 acres (306,411 square feet), is currently being developed with an approximately 65,980 square foot shopping center consisting of a 3,500 square foot drive-thru restaurant pad building, an 11,200 square foot commercial multi-tenant pad building, and a 51,280 square foot multi-tenant commercial building, with Sprouts Farmers Market as the major tenant. The subject site has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2 and is zoned NMU (Neighborhood Mixed Use). The property abuts NMU zoned properties. The Pavilion Plaza shopping center and Southland Integrated Services medical building are located to the east of the subject site, the Sydney Plaza shopping center to the west, the Promenade shopping center to the north across Chapman Avenue, and a portion of the OCTA Pacific Electric Right of Way (ROW) to the south.

The subject 24,600 square foot grocery store was approved by the Planning Commission in February 2021 as part of the Pavilion Plaza West shopping center under Site Plan No. SP-096-2021, Conditional Use Permit CUP-200-2021, Variance

No. V-032-2021 and Tentative Parcel Map No. PM-2020-174. The Municipal Code requires the approval of a Conditional Use Permit when there is an application for a new original ABC license. Approval of this Conditional Use Permit will establish conditions of approval to regulate the operation of the grocery store to minimize potential impacts to the community due to the sale of alcohol.

**DISCUSSION:**

The subject grocery store, Sprouts Farmers Market, will be 24,600 square feet when constructed. The market is a grocery store that specializes in farm-fresh produce purchased from local growers. It will offer a range of goods and services, including produce, grocery and private label items, meat and seafood, vitamins and supplements, bulk items, bakery, deli, dairy, and wine and beer. The interior of the grocery store sales area is typical of most markets. The main entrance of the establishment, on the north side of the building, is directly adjacent to the shopping cart, restroom, and cashier areas. The interior of the space consists of the sales display areas for produce, bulk items, and merchandise display shelving for other grocery products and vitamins. The perimeter of the sales area consists of various coolers for frozen goods, dairy products, meat, seafood, deli, and bakery.

The display area for the beer and wine is proposed at the southwest portion of the customer area, adjacent to other self-serving coolers and merchandise shelving. The sales area for beer and wine is approximately 220 square feet, which is approximately 2% of the total sales area square footage. On average, the sale of beer and wine is less than 5% of a typical Sprouts' total sales volume. Although a small percentage, according to the applicant, the sale of beer and wine is imperative to stay competitive with other grocery stores.

The grocery store will operate seven (7) days a week, from 7:00 a.m. to 10:00 p.m. There will be between 20 and 30 employees on-site at all times. In the event problems arise concerning the operation of the business, the hours of operation may be reduced by order of the Chief of the Police Department.

The grocery store is located in a high-crime district, and is in an area with an over-concentration of Alcoholic Beverage Control on-sale licenses. A summary of the district, along with findings for public convenience or necessity, can be found in Resolution No. 6026-21 for Conditional Use Permit No. CUP-204-2021.

The Community and Economic Development Department and the Police Department have reviewed the request and are in support of the proposal. All standard conditions of approval for a State ABC Type "20" License will apply.

**CEQA:**

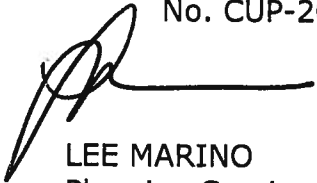
The potential environmental impacts associated with the construction and operation of this shopping center were analyzed in an initial study and mitigated negative declaration. A Notice of Determination was filed and posted by the County Clerk on

February 19, 2021. No further environmental review is required. (Public Resources Code § 21166; CEQA Guidelines § 15162.)

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

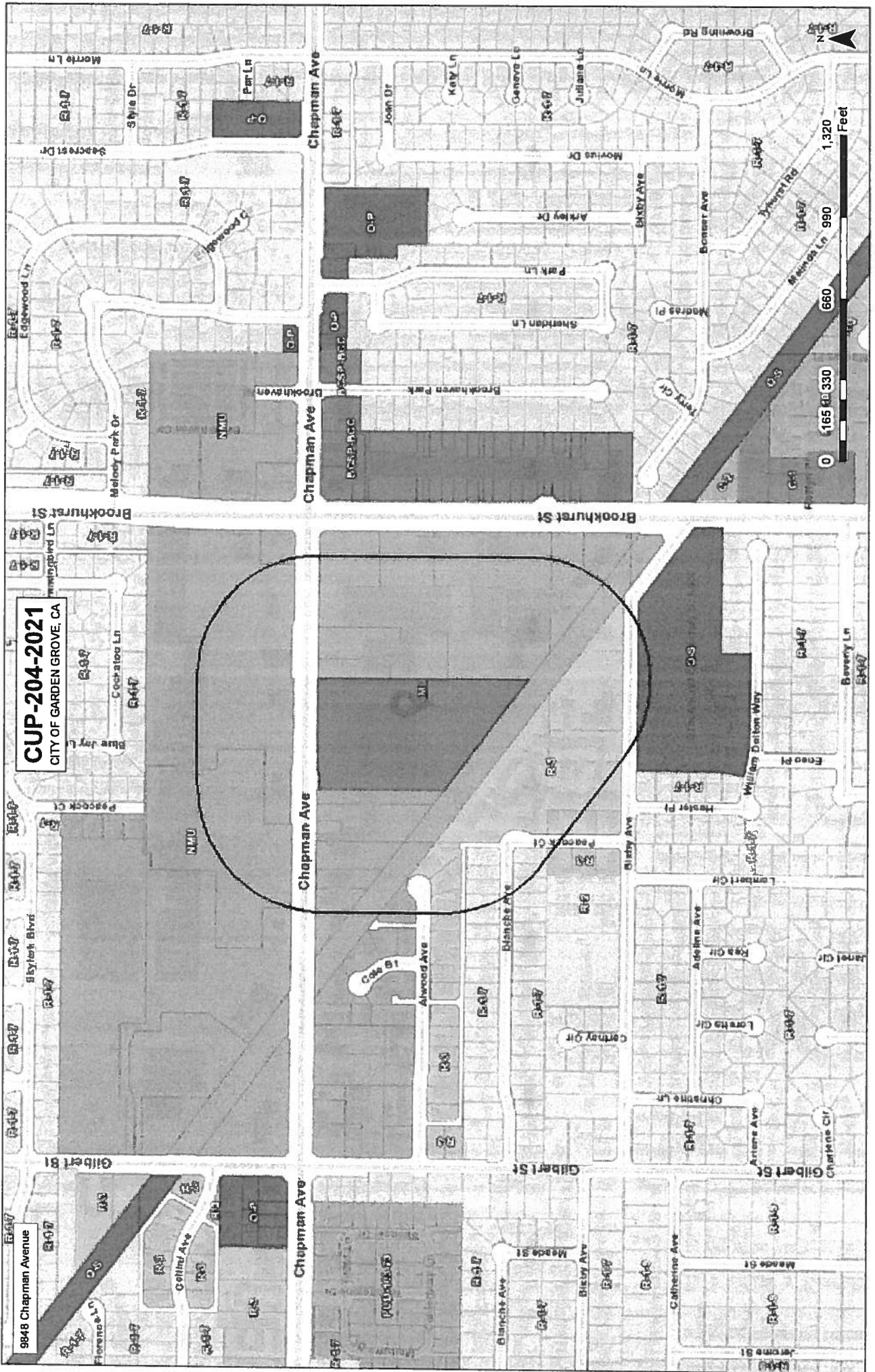
1. Adopt the attached Resolution No. 6026-21 approving Conditional Use Permit No. CUP-204-2021, subject to the recommended Conditions of Approval.



LEE MARINO  
Planning Services Manager



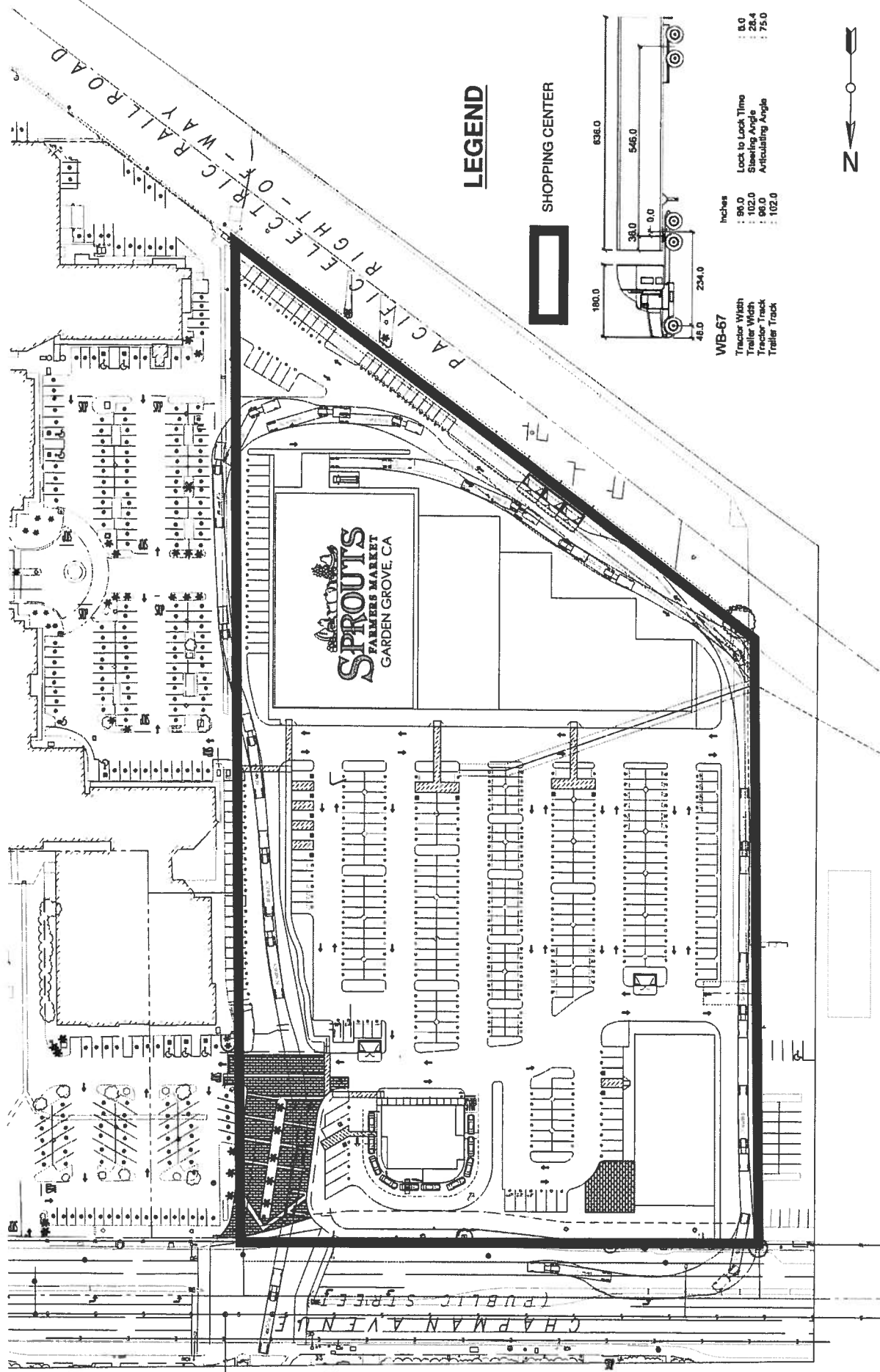
By: Mary Martinez  
Associate Planner



**CUP-204-2021**  
CITY OF GARDEN GROVE, CA

9848 Chapman Avenue

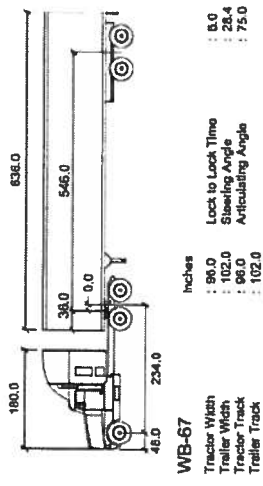




**LEGEND**



SHOPPING CENTER



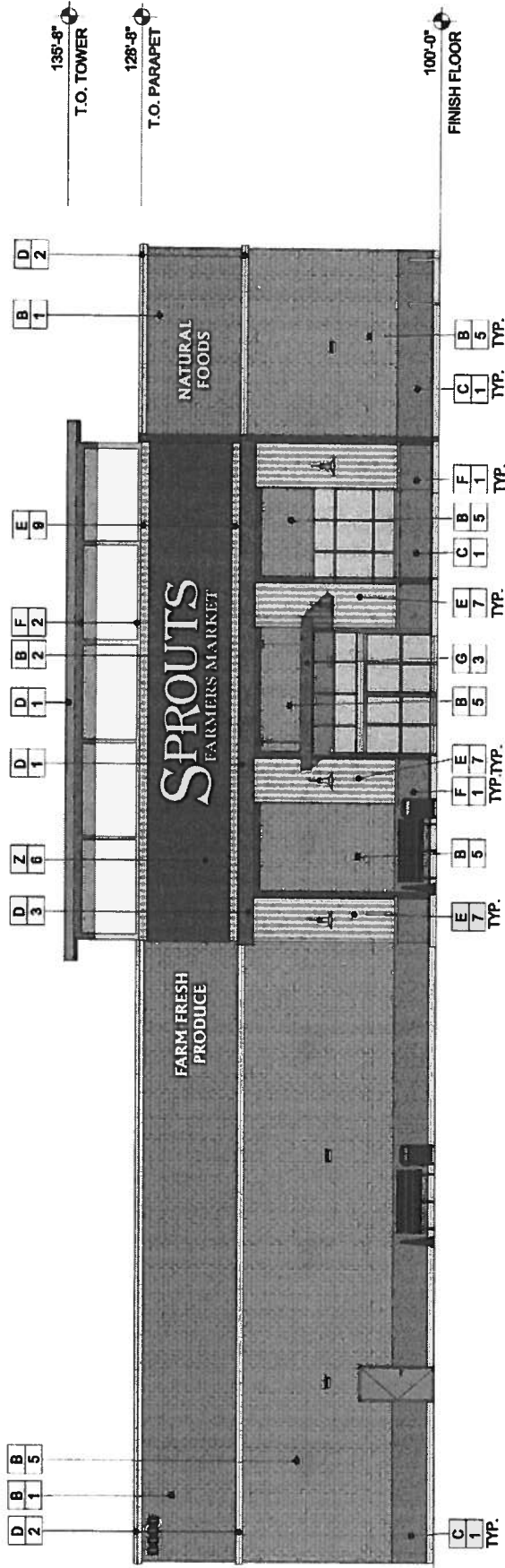
- WB-67**  
 Tractor Wash  
 Tractor Track  
 Tractor Track  
 Trailer Track
- Inches  
 : 96.0  
 : 102.0  
 : 96.0  
 : 102.0
- Lock to Lock, Tiro  
 Slewling Angle  
 Articulating Angle  
 : 6.0  
 : 28.4  
 : 75.0



**CUP-204-2021**

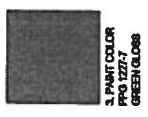




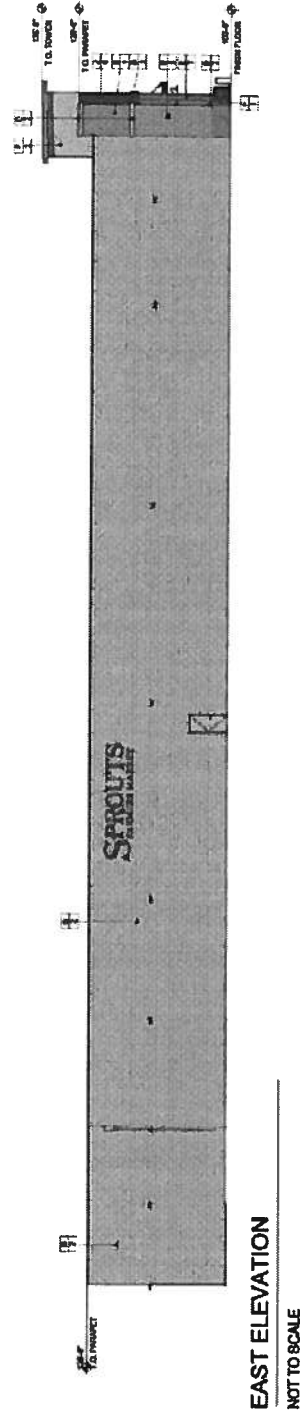
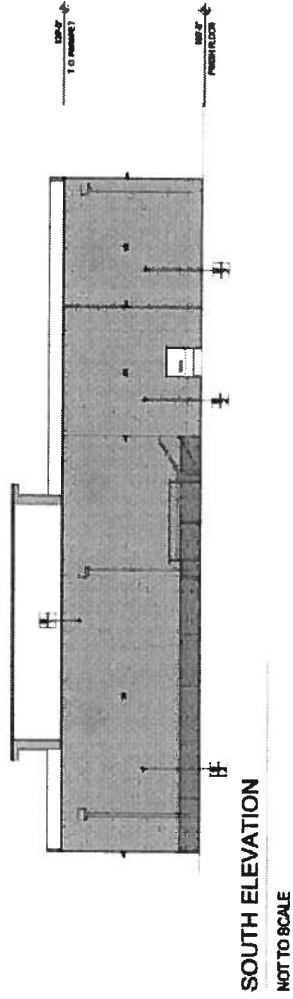
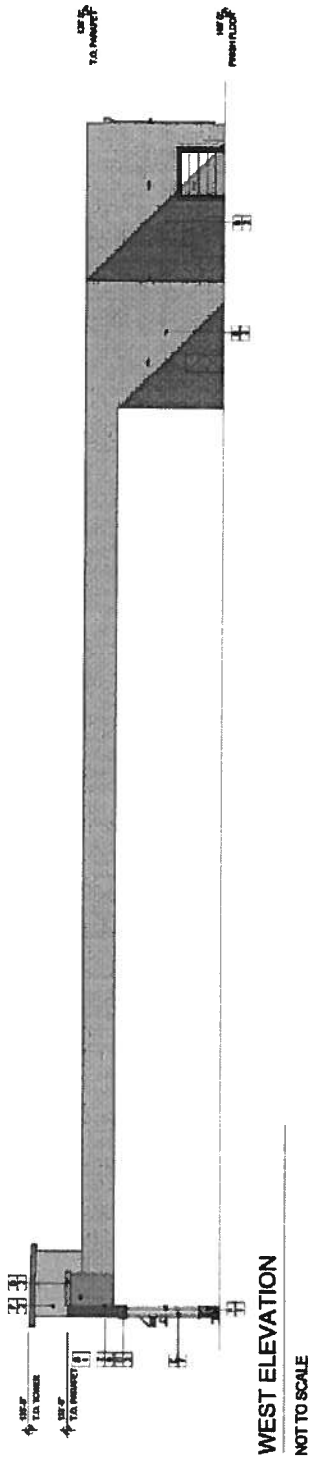


FRONT ELEVATION  
NOT TO SCALE

- MATERIAL LEGEND**
- B - SMOOTH FACE CMU
  - C - SPLIT FACE CMU
  - D - METAL TRIM
  - E - CORRUGATED METAL PANELS (VERTICAL)
  - F - ALUMINUM PANEL
  - G - METAL CANOPY
  - Z - APOLIC METAL PANELS



**DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION** The building images shown are a representation of the current design intent only. The building images may not reflect actual construction. All dimensions are in feet and inches. All materials, finishes, and construction details are subject to change without notice. All materials, finishes, and construction details are subject to availability. All materials, finishes, and construction details are subject to availability.



Sprouts Farmers Market | Garden Grove, CA  
Front Elevation  
April 9, 2020

**DESIGN REPRESENTATION ONLY - NOT FOR CONSTRUCTION** The building images shown are a representation of the current design intent only. The building images may not reflect what is in color, size, finish, material, or other details. All construction details are subject to change without notice. All construction details are subject to change without notice. All construction details are subject to change without notice.

RESOLUTION NO. 6026-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-204-2021, TO ALLOW ALCOHOL BEVERAGE SALES IN CONJUNCTION WITH OPERATION OF A NEW GROCERY STORE LOCATED AT THE SOUTH SIDE OF CHAPMAN AVENUE, WEST OF BROOKHURST STREET, AT 9848 CHAPMAN AVENUE, ASSESSOR'S PARCEL NO. 133-111-20.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove does hereby approve Conditional Use Permit No. CUP-204-2021 to allow alcohol beverage sales in conjunction with the operation of a new grocery store located at the south side of Chapman Avenue, west of Brookhurst Street, at 9848 Chapman Avenue, Assessor's Parcel No. 133-111-20 and hereby determines that public convenience or necessity would be served by issuance of a new original State Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer and Wine) License at this location.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-204-2021, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Sprouts Farmers Market.
2. The applicant is requesting approval of a Conditional Use Permit to allow a new grocery store, Sprouts Farmers Market, to operate with a new original State Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer and Wine) License.
3. The potential environmental impacts associated with the construction and operation of this shopping center were analyzed in an initial study and mitigated negative declaration. A Notice of Determination was filed and posted by the County Clerk on February 19, 2021. No further environmental review is required. (Public Resources Code § 21166; CEQA Guidelines § 15162.)
4. The property has a General Plan Land Use designation of Residential/Commercial Mixed Use 2, and is zoned NMU (Neighborhood Mixed Use).
5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property have been reviewed.
6. Report submitted by City Staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on June 17, 2021, 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 June 17, 2021, 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 (Conditional Use Permits), are as follows:

FACTS:

The subject property is located on the west side of Brookhurst Street, south of Chapman Avenue, with frontage along Chapman Avenue. The site, approximately 7.03 acres (306,411 square feet), is currently being developed with an approximately 65,980 square foot shopping center consisting of a 3,500 square foot drive-thru restaurant pad building, an 11,200 square foot commercial multi-tenant pad building, and a 51,280 square foot multi-tenant commercial building, with Sprouts Farmers Market as the major tenant. The subject site has a General Plan Land Use Designation of Residential/Commercial Mixed Use 2 and is zoned NMU (Neighborhood Mixed Use). The property abuts NMU zoned properties. The Pavilion Plaza shopping center and Southland Integrated Services medical building are located to the east of the subject site, the Sydney Plaza shopping center to the west, the Promenade shopping center to the north across Chapman Avenue, and a portion of the OCTA Pacific Electric Right of Way (ROW) to the south.

The subject 24,600 square foot grocery store was approved by the Planning Commission in February 2021 as part of the Pavilion Plaza West shopping center under Site Plan No. SP-096-2021, Conditional Use Permit CUP-200-2021, Variance No. V-032-2021 and Tentative Parcel Map No. PM-2020-174. The Municipal Code requires the approval of a Conditional Use Permit when there is an application for a new original ABC license. Approval of this Conditional Use Permit will establish conditions of approval to regulate the operation of the grocery store to minimize potential impacts to the community due to the sale of alcohol.

The convenience store is located in a high-crime district, and in an area with an over-concentration of Alcoholic Beverage Control Off-Sale Licenses. A summary of the district is as follows:

- The subject site is located in Crime Reporting District No. 93.
- The crime count for the District is 125.
- Average crime count per district in the City is 91.
- A District is considered high when it exceeds the Citywide average by 20%.
- The subject District has a crime count of 37% above the Citywide average; therefore, it is considered a high-crime area.
- The subject site is located in Alcoholic Beverage Control Census Report District No. 882.03.
- ABC Census Reporting District No. 882.03 allows for two (2) off-sale licenses within the District. Currently, there are six (6) off-sale licenses in the District. The approval of this Conditional Use Permit will increase the number of off-sale ABC Licenses in District 890.03 by one (1), and the total number of off-sale licenses in the District will be seven (7).

PUBLIC CONVENIENCE OR NECESSITY:

Because the establishment is located within a district with a high-crime rate and in an area with an over-concentration of ABC licenses, pursuant to Business and Provisions Code Sections 23958 and 23958.4, ABC may not issue a new alcohol license to the applicant unless the Planning Commission determines that the public convenience or necessity would be served by issuance of the license.

Although the subject site is located in an area considered to be in a high-crime district and in an area with an over-concentration of off-sale ABC licenses, a finding for public convenience or necessity is warranted given the potential community benefit through the operation of the grocery store with an ABC Type "20" (Off-Sale, Beer and Wine) License. The addition of the new ABC Type "20" License would provide an amenity that enhances the customer shopping experience, allows the store to be competitive with other grocery stores, and maintains the intent of being a business serving the local community. The use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. Provided 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.

FINDINGS AND REASONS:

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

The subject site has a General Plan Land Use Designation of Residential Commercial Mixed Use 2 and is zoned NMU (Neighborhood Mixed Use). Off-site sales of alcohol in conjunction with a grocery store are conditionally permitted in the NMU zone. The subject site has been approved to be developed with a new shopping center, Pavilion Plaza West, under Site Plan No. SP-096-2021, Conditional Use Permit CUP-200-2021, Variance No. V-032-2021 and Tentative Parcel Map No. PM-2020-174. The Municipal Code requires the approval of a Conditional Use Permit when there is an application for a new original ABC license. Approval of this request will allow Sprouts Farmers Market to operate with a new original ABC Type "20" (Off-Sale, Beer and Wine) License at the subject location. Provided that conditions of approval are complied with, the use will be 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 Municipal Code requires the approval of a Conditional Use Permit when there is an application for a new original ABC license. Approval of this Conditional Use Permit will establish conditions of approval to regulate the operation of the grocery store to minimize potential impacts to the community due to the sale of alcohol. The new grocery store, Sprouts Farmers Market, will operate in the new Pavilion Plaza West shopping center with a new original ABC Type "20" License. The grocery store will operate seven (7) days a week, from 7:00 a.m. to 10:00 p.m., which is within the standard permitted hours for an ABC Type "20" License. The sale of alcoholic beverages at the subject site will also be restricted for off-site consumption only. Provided 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. By operating as a retail grocery store, with ancillary beer and wine sales for off-site consumption only, the use will be compatible with the surrounding uses.

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, provided the conditions of approval are adhered to for the life of the project. By operating as a grocery store, with ancillary beer and wine sales for off-site consumption only, the use will be compatible with the surrounding uses and within the proposed uses within the new shopping center.

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 site, with the proposed site improvements as part of the Pavilion Plaza West shopping center previously approved under Site Plan No. SP-096-2021, Conditional Use Permit CUP-200-2021, Variance No. V-032-2021 and Tentative Parcel Map No. PM-2020-174, is of adequate size to accommodate and integrate the proposed use with the uses in the surrounding area. The addition of alcohol sales to the grocery store does not require the addition of additional yards, walls, fences, parking and loading facilities, or landscaping.

4. That the proposed site is adequately served: by highways or streets or 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.

Upon completion of the shopping center, as previously approved under approved under Site Plan No. SP-096-2021, Conditional Use Permit CUP-200-2021, Variance No. V-032-2021 and Tentative Parcel Map No. PM-2020-174, the site will continue to be accessed from two (2) common existing drive approaches along Chapman Avenue. A Traffic Study was prepared for the

shopping center that reviewed the project's site access and circulation and determined that the site design is adequate. The site is also adequately served by the public service facilities required such as public utilities: gas, electric, water, and sewer facilities.

INCORPORATION OF FACTS AND REASONS SET FORTH IN THE STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Conditional Use Permit does possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.32.030 (Conditional Use Permits) and 9.18.060.030 (Alcoholic Beverage Sales).
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 Conditional Use Permit No. CUP-204-2021.



**EXHIBIT "A"**  
**Conditional Use Permit No. CUP-204-2021**

9848 Chapman Avenue

**CONDITIONS OF APPROVAL**

**General Conditions**

1. Each owner of the property shall execute, and the applicant shall record against the property, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, within 30 days of approval. This Conditional Use Permit runs with the land and is binding upon the property owner, his/her/its heirs, assigns, and successors in interest.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, Sprouts Farmers Market, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. The applicant and subsequent owner/operators of such business shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the applicable City hearing body, except as otherwise provided herein.
3. Approval of this 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.
4. This Conditional Use Permit only authorizes the operation of a 24,600 square foot grocery store, Sprouts Farmers Market, with a new original Alcoholic Beverage Control Type "20" (Off-Sale, Beer and Wine) License as identified on the floor plan attached to these Conditions of Approval. Approval of this 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. Modifications, which do not change the intent of the project, may be approved by the Community and Economic Development Director.
5. Minor modifications to the approved site plan, floor 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

approved floor plan, site plan, or Conditions of Approval that would result in the intensification of the project or create impacts that have not been previously addressed, and which are 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.

6. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

**Police Department**

7. 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.
8. The grocery store will operate seven (7) days a week, from 7:00 a.m. to 10:00 p.m. The hours of operation shall be applicable to the entire premises. The City of Garden Grove reserves the right to reduce hours of operation, by order of the Chief of the Police Department, in the event problems arise due to noise, disturbances or other problems that may be resolved by modifying the hours of operation.
9. There shall be no customers or patrons in or about the premises when the establishment is closed.
10. In the event security problems occur, and at the request of the Police Department, the permittee, at his own expense, shall provide a California licensed, uniformed security guard(s) on the premises during such hours as requested by the Police Department.
11. The sale of alcoholic beverages for consumption on the premises is prohibited. Consumption of alcoholic beverages shall not occur anywhere on the site or within the premises.
12. All pay phones located on the property, adjacent to the premises, shall be limited to out-going calls only. This condition shall be complied with within 30 days following approval of this application.
13. The business, prior to obtaining the Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer and Wine) License, shall show proof to the Police Department that all members of the business staff have completed the LEAD training (Licensee Education on Alcohol and Drugs) through the Alcoholic

Beverage Control Department or an ABC approved "Responsible Beverage Service (RBS) Training" program.

14. In the event that the Alcoholic Beverage Control (ABC) License is suspended for any period of time and/or fined for any ABC violation as a result of disciplinary action, the Conditional Use Permit shall be presented to the Planning Commission for review or further consideration.
15. 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**

16. This approval shall allow the grocery store to operate with ancillary alcoholic beverage sales.
17. The sales area for alcoholic beverages shall not exceed 5% of the retail sales floor area of the store.
18. No outdoor storage or display shall be permitted outside of the building, including, but not limited to, storage and display of merchandise, cardboard, pallets, or boxes.
19. 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 shall be displayed near or at the entrance, and shall also be visible to the public.
20. There shall be no amusement devices permitted on the premises at any time.
21. Any adult merchandise (books, magazines, videos) shall be kept under the control of the management, behind the cashier's counter, and must be segregated and screened from minors.
22. There shall be no uses or activities permitted of an adult-oriented nature as outlined in City Code Section 9.08.070.
23. There shall be no deliveries to or from the premises between the hours of 10:00 p.m. and 7:00 a.m., seven (7) days a week.

Conditional Use Permit No. CUP-204-2021  
Conditions of Approval

24. All rear doors shall be kept closed at all times, except to permit employee ingress and egress, and in emergencies.
25. 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.
26. All trash bins shall be kept inside the trash enclosure, and gates closed at all times, except during disposal and pick-up. Trash pick-up shall be at least three (3) times a week.
27. The applicant/property owner shall maintain all existing landscaped areas in a neat and healthy condition. Landscaping maintenance shall include pruning or removal of overgrown weeds and vegetation.
28. The applicant/property owner shall abate all graffiti vandalism within the premises. The applicant/property owner 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/property owner as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
29. The applicant is advised that the establishment is 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.
30. No roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department, Planning Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
31. The applicant shall be responsible for providing adequate parking area lighting in compliance with City regulations. Lighting in the parking area shall be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate adjacent properties.

Conditional Use Permit No. CUP-204-2021  
Conditions of Approval

32. No satellite dish antennas shall be installed on said premises unless, and until, plans have been submitted to and approved by the Community and Economic Development Department, Planning Services Division. No advertising material shall be placed thereon.
33. There shall be no outdoor activities conducted on the premises without approval of a Special Event Permit or Community Event Permit.
34. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
35. 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. Any opaque material applied to the store front, such as window tint, shall count toward the maximum window coverage area.
36. Any modifications to existing signs or the installation of new signs shall require approval by the Community and Economic Development Department, Planning Services Division prior to issuance of a building permit.
37. A copy of the decision and the conditions of approval for Conditional Use Permit No. CUP-204-2021 shall be kept on the premises at all times.
38. The permittee shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-204-2021 and his/her agreement with all conditions of the approval.
39. 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.
40. 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.
41. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents

Conditional Use Permit No. CUP-204-2021  
Conditions of Approval

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 Conditional Use Permit No. CUP-204-2021. 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.

42. 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-204-2021 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.
43. The applicant is advised that if the use of the establishment ceases to operate for more than 90 days, then the existing Conditional Use Permit will become null and void and the new applicant shall be required to apply for a new Conditional Use Permit subject to the approval by the Community and Economic Development Department, Planning Services Division. In the event the use(s) authorized by the CUP cease and the property owner no longer desires to continue such use(s) on the property, property owner may voluntarily terminate the CUP and all rights and obligations thereunder by executing and recording a request for voluntary revocation and termination of the CUP in a form acceptable to the City.