

EXHIBIT "A"

Conditional Use Permit No. CUP-108-2017

11277 Garden Grove Boulevard, Suite Nos. 200 and 203

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 thirty (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 (the "Applicant") shall mean and refer to the project applicant, American Heritage College, the current Owner(s) of the property, the future owner(s) and tenant(s) of the property, and each of their respective successors and assigns, including all subsequent purchasers and/or tenants. 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 Planning Commission, except as otherwise provided herein.
3. This Conditional Use Permit only authorizes the operation of a 4,416 square foot adult private educational institution as identified on the site plan and 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.
4. 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.

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

Fire Department

6. The Applicant shall comply with all requirements of the Fire Department for all life safety issues. This includes, but is not limited to, ensuring that proper exiting is provided and maintained at all times.
7. Provide occupancy breakdown per room that will determine exiting requirements pursuant to the current California Fire Code Standards.
8. Provide emergency lighting throughout the building pursuant to the current California Fire Code Standards.

Police Department

9. There shall be no students in or about the premises when the establishment is closed.
10. 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 GGMA 1.22.010(a) in addition to other penalties provided by law.

Building Services Division

11. The Property Owner and/or Applicant shall modify the vanity tops in the second floor men's and women's restrooms to be accessible, install an accessible drinking fountain in the common hallway, and modify the first floor front entry that leads directly to the second floor to be accessible pursuant to the current California Building Code Standards.
12. Any building modifications shall comply with all provisions to the California Building Code Standards, City adopted amendments and California Plumbing and Electrical Code.

Community and Economic Development Department

13. This approval shall allow the operation of an adult private educational institution. There shall be no additional uses, activities, or changes in operation, or expansion of the use without first obtaining approval by the City through the appropriate process.

14. The adult private educational institution shall be permitted and licensed for a maximum occupancy of twelve (12) full-time employees/ instructors and up to a maximum of twenty-one (21) students in the establishment at any one time.
15. The use shall meet all requirements of the California Building Standards Code for "B" occupancy. Should there be a change of occupancy, the Applicant shall submit plans prepared by a licensed architect to the Building Division for review and approval.
16. The permitted hours of operation for the adult private educational institution shall be from 9:00 a.m. to 9:00 p.m., Monday through Friday. The class sessions will be between 9:00 a.m. to 2:00 p.m. and 6:00 p.m. to 9:00 p.m. 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 concerning the operation of this business.
17. All activities associated with the adult private educational institution shall be conducted within the fully enclosed building.
18. At no time shall the establishment operate as other than its intended use as an adult private educational facility as permitted by this Conditional Use Permit. Use of the establishment for other types of assembly uses, including, without limitation, as a church or religious facility, is not permitted.
19. Based on the Applicant's representation that there will be a maximum of twelve (12) full-time employees/ instructors and up to twenty-one (21) students, a total of nineteen (19) on-site parking spaces shall be available on the property for the operation of the private adult educational institution. The parking spaces shall be available at all times for employee(s) and client parking.
20. In the event the site cannot accommodate the parking demand for the proposed adult private educational use, at any given time, which causes a nuisance, hindrance, and/or problem with either on-site and/or off-site parking and circulation, as determined in the reasonable discretion of the Community and Economic Development Director, the Applicant and Property Owner shall devise and implement a plan to relieve the situation. Upon request of the City, the Applicant and Property Owner shall submit a plan to manage parking issues for review and approval by the Community and Economic Development Department. The plan may include, but not be limited to: reducing the hours of operation; staggering class times; instituting an off-site parking arrangement; having on-site parking control personnel;

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and/or other alternatives that may be deemed applicable to the situation. If the City deems such action is necessary to address parking and circulation problems, such action shall be required within thirty (30) days of written notice. Failure to take appropriate action may result in the City restricting the overall use of the facility or revoking Conditional Use Permit No. CUP-108-2017.

21. There shall be no smoking permitted inside the licensed business at any time pursuant to State Labor Code Section 6404.5 (ref: State Law AB 13).
22. 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 and the public. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background.
23. There shall be no deliveries to or from the premises before 7:00 a.m. and after 10:00 p.m., seven days a week.
24. No outside storage or displays shall be permitted at any time.
25. The Applicant and Property Owner shall be responsible for maintaining the premises free from debris and litter. Litter shall be removed daily from the premises, including adjacent to the premises, public sidewalks, and from all parking areas under the control of the Applicant or Property Owner. These areas shall be swept or cleaned continuously, either mechanically or manually, on a weekly basis, to maintain the said area in a clean and orderly condition.
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 once per week. However, if additional pick-ups are needed to accommodate the uses on the site, the Property Owner shall increase the number of pick-ups as required.
27. The Applicant and Property Owner shall be responsible for maintaining the premises, including the parking lot, landscaped area, walkways, and paved surfaces, free from graffiti, debris, and litter. Graffiti shall be removed from the project site and all parking lots under the control of the Applicant within 120 hours of notification.
28. No roof-mounted mechanical equipment, including exhaust vents, 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.

29. 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 Division. No advertising material shall be placed thereon.
30. All ground-mounted mechanical equipment shall be screened from view from any place on or off the site.
31. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
32. All signs shall comply with the City of Garden Grove sign requirements. No more than fifteen percent (15%) of the total window area and clear doors shall bear advertising or signs of any sort. Any opaque material applied to the store front, such as on a window, shall count toward the maximum window coverage area. Any modifications to existing signs or the installation of new signs, ground or wall signs, shall require approval by the Community and Economic Development Department, Planning Services Division prior to issuance of a building permit.
33. 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.
34. The Applicant and Property Owner shall be responsible for all parking lot areas of the licensed premises and ensure that the provided lighting be of sufficient power and in working order to illuminate and make easily discernible the appearance and conduct of all persons on or about all parking lot areas.
35. All lighting in the parking lot areas of the licensed premises shall be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate the window areas of nearby residences.
36. All parking lot light standard poles and heads designated to the licensed premises shall be painted and maintained.

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37. Any Conditional Use Permit previously governing this tenant space shall become null and void, and superseded in its entirety, by the approval of Conditional Use Permit No. CUP-108-2017.
38. A copy of the Resolution No. 5895-17 approving Conditional Use Permit No. CUP-108-2017 shall be kept on the licensed premises at all times and be made available upon request by City Staff and/or Police Department.
39. The Applicant shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-108-2017, and his/her agreement with all conditions of the approval.
40. The Conditional Use Permit shall be reviewed within one (1) year from the date of this approval. On a yearly basis, as determined by Staff, the business operator shall meet with members of the Planning Division and Police Department to discuss operating conditions of the business and to determine if the business is operating in compliance with the Conditions of Approval.
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 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-108-2017. The Applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The Applicant shall 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 defend the City with legal counsel mutually selected by the Applicant and the office of the City Attorney and 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.