

## **EXHIBIT "A"**

### **Site Plan No. SP-362-05, Tentative Parcel Map No. PM-2004-291 & Variance No. V-122-05**

12753 TO 12781 GARDEN GROVE BOULEVARD

### **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, Tentative Parcel Map, and Variance 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, a new entitlement application 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 and street improvement plans prepared by a registered Civil Engineer are required. Minimum grades within the parking lot shall be 0.50% for concrete flow lines and 1.25% for asphalt surfaces.
- 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 onsite.
  - d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.
12. 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. TIES TO HORIZONTAL CONTROL: Prior to recordation of a final parcel map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor/engineer shall submit record information to the City on Auto Cad DWG format.
14. DIGITAL MAP SUBMISSION: Prior to recordation of a final parcel map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital graphics file of said map in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor/engineer shall submit record information to the City on Auto Cad DWG format.

15. 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.
16. The existing driveway approaches along Garden Grove Boulevard (5), in addition to all remnant sections of curb & gutter and sidewalk, shall be removed and new curb & gutter and sidewalk shall be constructed in accordance with City Std. Plans B-113 (Type C-8) and B-106, respectively.
17. The proposed driveway approach on Garden Grove Boulevard shall be constructed per City Standard Plan B-120. Radial curbs may be permitted provided 20-foot minimum radii are used.

**Public Works Water Services Division**

18. 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.
19. Water meters shall be located within the Garden Grove Blvd right-of-way. 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.
20. 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. Owner shall dedicate all rights to underground water without the right to surface entry.
22. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.

23. 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.
24. 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.
25. Location and number of fire hydrants shall be as required by Water Services Division and the Fire Department.
26. 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**

27. The building plans, site plan and all construction shall comply with the current editions of the C.B.C., U.P.C., U.M.C., and N.E.C. as amended by the City of Garden Grove and State of California for handicap access, energy conservation and sound transmission control requirements and related construction improvements, including 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.

#### **Garden Grove Fire Department**

28. All requirements of the Garden Grove Building Division and Fire Department shall be met, including any required occupancy permits and inspections.
29. A fire sprinkler system shall be provided. The system shall conform to Fire Department Standards and shall have the minimum fire flow as required, which also includes providing a fire pump in order to provide adequate pressure per the Fire Department requirements. This infrastructure shall be installed and fully operational prior to granting any occupancy of the building.
30. Adequate Fire Department access to the emergency gate located at the rear of the site, which serves the condominium project north of the site, shall be maintained at all times.

31. A complete fire alarm system per Fire Department standards shall be installed and maintained. The system shall be fully installed and fully operational prior to granting any occupancy of the building.
32. A fire hydrant shall be provided in the rear portion of the site, location subject to Fire Department and Public Works Water Services Division approval. Hydrant shall be installed and operational prior to any combustible material being delivered to the site.
33. The access way/easement to the rear of the site that includes a portion of the adjoining easterly property as a shared access easement, shall serve as a fire lane (this includes being able to carry the weight loads of Fire Department trucks and emergency vehicles) and be in place prior to beginning construction, maintained as a fire access way including serving as the access to the condominium project to the north of the site at all times, and shall maintain an aisle width of 25 feet at all times.

**Community Development Department**

34. The applicant shall submit a complete landscape plan governing the entire development. Said plan shall include type, size, location and quantity of all plant material. This includes enhanced landscaping for the walkway areas. It 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 common area landscaping shown on the plan for the new dwelling unit. The sprinklers shall be of low flow/precipitation 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. Trees shall be incorporated into the landscaped frontage along Jefferson Street. Where clinging vines are considered for covering walls, Boston Ivy shall be used.
  - c. The property owner shall be responsible for installing and maintaining the common area landscaping.
  - d. No trees shall be planted closer than five feet (5') from any public right-of-way. Trees planted within ten feet (10') of any public right of way shall be planted in a root barrier shield. All landscaping along the street frontage adjacent to the driveway shall be of the low height variety to ensure safe sight clearance.

- e. The landscape treatment along Garden Grove Boulevard frontage, including the area designated as public right-of-way, shall incorporate low mounding and berming with trees, shrubs and bushes, and ground cover that enhance the exterior appearance between the new development and the street.
- 35.No exterior piping, plumbing, or mechanical ductwork shall be permitted on any exterior facade and/or visible from any public right-of-way or adjoining property.
- 36.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.
- 37.Noise generated by the uses on-site shall be subject to the noise ordinance as adopted by the City of Garden Grove.
- 38.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.
- 39.All lighting on the project site shall be enclosed in vandal resistant fixtures. The fixtures shall be maintained and replaced as needed.
- 40.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.
- 41.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 developers' name, address, and a 24-hour emergency telephone number.
- 42.The applicant shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-362-05, Tentative Parcel Map No. PM-2004-291 & Variance No. V-122-05 and the agreement with all conditions of approval.

43. 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.
44. Graffiti shall be removed from the project site and all parking lots under the control of the developers within 120 hours of application. This includes complying with the City's anti-graffiti ordinance throughout the term of the project as a Best Management practice effort in the event of any such vandalism.
45. Signage for the project shall conform to the sign criteria for signs under Title 9 and shall be obtained with a separate building permit.
46. 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.
47. The floor plan is an integral part of the decision approving this development. 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 approved use shall require a new Site Plan.
48. 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.
49. 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.
50. 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).
51. The building address shall be a minimum of 12 inches in height and in contrasting color to the building. The entry monument sign shall bear only the senior apartment complex's name and site address. The monument sign shall not exceed a height of four (4) feet as measured from the finished grade where



the sign is placed and is to be located within the front landscape area east of the main driveway entrance on Garden Grove Boulevard.

52. Mailboxes shall be provided and installed by the developer. The local postmaster shall approve the design and location.
53. Individual balcony/patio areas are not to be used for storage or drying of laundry.
54. All windows shall be dual pane glass for sound attenuation and energy conservation measures. All glass doors (sliding glass doors) shall also be dual pane glass.
55. The applicant shall enter into a binding Development Agreement with the City of Garden Grove. This includes the payment of a Development Impact Mitigation Payment in accordance with City Council Resolution.
56. The developer shall record a reciprocal access and maintenance easement with the adjoining property owner to the west of the subject site in order to facilitate the improvement of the main drive aisle serving the subject site as well as potentially serving the future improvements to the west of the subject site, which is also anticipating the development of the westerly properties with senior housing. The existing emergency access easement that serves the condominium development north of the adjoining westerly property shall be relocated to reflect the circulation pattern of the new drive aisle serving the development, this includes any modification to the existing easement shown on the subject property. The developer shall prepare necessary improvement plans in order to improve this drive aisle that will also serve as the emergency access road, this shall be shown on the final Parcel Map and grading plans, and comply with Fire Department's conditions noted above. This condition shall be satisfied prior to the issuance of any permits.
57. The proposed development of the subject site is for the improvement of the site with 93 senior apartment units. The project shall remain as a senior housing development for senior citizens and at no time shall the operation of the senior apartment change without City approval including obtaining any necessary entitlements reflective of the proposed changes.

SP36205coa