

EXHIBIT "A"

Conditional Use Permit No. CUP-242-08 12672 and 12682 Brookhurst Street CONDITIONS OF APPROVAL

GENERAL CONDITIONS

1. The applicant shall record a "Notice Of Agreement With Conditions of Approval and Discretionary Permit," as prepared by the City Attorney's Office, on the property. Proof of such recordation is required prior to the issuance of building permits. 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 of the Planning Commission.
2. Approval of this Conditional Use Permit shall not be construed to mean any waiver of: Applicable and appropriate zoning regulations, or any Federal, State, County, and City laws and regulations. Unless otherwise expressly specified, all other requirements of the Garden Grove Municipal Code shall apply. The applicant shall obtain, and abide by, any necessary permits or licenses required to conduct the use, in compliance with all applicable laws.
3. Minor modifications may be approved by the Community Development Department. If other than minor changes are made in the proposed development, a Site Plan and/or Conditional Use Permit shall be filed which reflects the revisions made to, or changes to the design/placement of the new building.
4. The approved floor plan and the use of the subject property are integral parts of the decision approving this Conditional Use Permit application. There shall be no change in the design of the floor plan and the operation of the proposed childcare facility without the approval of the community Development Department. Any change in the approved floor plan or the use of the subject property, which has the effect of expanding or intensifying the proposed development, shall require the appropriate entitlement(s).
5. The approval of the subject Conditional Use Permit shall be contingent upon the City Council's approval of Amendment No. A-142-08. In the event that Amendment No. A-142-08 is not approved, this approval shall become null and void.

Engineering Services Division Conditions:

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 and basement and septic facilities and contamination.
7. A separate street permit is required for work performed within the public right-of-way.
8. A grading plan prepared by a registered civil engineer is required. The 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 0.50% for concrete flow lines, 1.25% for asphalt surfaces, and 2.0% for landscaped areas. The grading plan shall also include water and sewer improvements (if any).
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:
 - 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.
 - Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
 - Incorporates Treatment Control BMPs as defined in the DAMP.
 - Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
 - Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
 - 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:
 - 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.
 - Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.

- Demonstrate that an adequate number of copies of the approved Project WQMP are available on-site.
 - Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.
12. Remove existing driveway approaches along Brookhurst Street and reconstruct a new driveway approach in accordance with City Standard Plan No. B-120 in order to comply with the latest arterial street ingress and egress requirement.
 13. New trash enclosures shall be constructed per Garden Grove Standard Plan No. B-502. The trash enclosures shall be located to allow pick-up and maneuvering, including turnarounds, in the area of the enclosure.
 14. All storm water shall be carried to a public street via parkway culverts. The parkway culverts shall be constructed per Orange County PF&RD Std. Plan 1309, Type B or approved equal.
 15. No food grinders in the kitchen shall be permitted. Any existing food grinders shall be removed.

Building Services Division Conditions:

16. The change in occupancy for the building shall comply with the 2007 California Building Codes. Structural plans and calculations shall be required if any interior bearing walls are removed.
17. The building plans, including grading and site development plans and all construction activity shall comply with the current editions of the 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.

Fire Department Conditions:

18. Submitted Plans shall comply with the 2007 Fire and Building Codes as well as any State or County requirements for childcare facilities. Plans shall be submitted to the Garden Grove Fire Department for review and approval prior to issuance of building permits.
19. If required, a fire hydrant shall be installed. Coordination for installation of a fire hydrant shall be with the City of Garden Grove Fire Department.

Community Development Department Conditions:

20. This approval shall be for the expansion of an existing childcare facility and shall be contingent upon City Council approval of Amendment No. A-142-08.

- The childcare facility shall be limited to a maximum of 95 students at any given time.
21. All on-site structures shall be painted to match. Color and material samples shall be reviewed and approved by the Planning Division prior to issuance of building permits.
 22. All exterior lights shall be reviewed and approved by the City's Planning Division. 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 the window area of nearby residences. Lighting shall be restricted to decorative type wall-mounted lights, or preferably, a ground lighting system. Parking area lighting shall be provided during the hours of darkness when the establishment is open at a minimum of two-foot candles of light on the parking surface, and a minimum of one-foot candle of light during all other hours of darkness. No pole-mounted lights shall be permitted along the easterly property line.
 23. A reciprocal parking and access agreement between the two properties shall be prepared and recorded prior final of any building permits.
 24. The parking lot shall be striped in substantial compliance with the submitted plans. Parking space striping shall conform to Garden Grove Standard Plan B-311.
 25. The front yard fencing shall be setback a minimum of 15'-0" from the front property line. Fencing surrounding both play areas shall match and be painted the same color.
 26. Any new roof top equipment shall be completely screened from public view. A line of site detail shall be included within plans submitted for building permit and shall be reviewed and approved by the Planning Division prior to issuance of a building permit. The mechanical equipment on the roof of the medical building shall be screened from public view. Final design of the screening shall be subject to Planning Division review and approval prior to issuance of building permits.
 27. No exterior piping, plumbing, or mechanical ductwork shall be permitted on any exterior façade.
 28. The applicant shall submit a complete, detailed landscape plan governing the entire development. The plan shall include type, size, location and quantity of all plant material. The plan shall include irrigation plans 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 applicant is and shall be responsible for installation and maintenance of all landscaping on the property and adjacent public parkway.
 - c. The plan shall provide a mixture of a minimum of ten (10) percent of the trees at 48-inch box, ten (10) percent of the trees at 36-inch box, fifteen (15) percent of the trees at 24-inch box and sixty (60) percent of the trees at 15-gallon. Remaining five (5) percent may be of any size.
 - d. Trees planted within ten (10) feet of any public right-of-way shall be planted in root barrier shield. All landscaping along street frontage adjacent to driveways shall be of the low height variety to ensure safe site clearance.
 - e. All above ground utilities (e.g., water backflow devices, electrical transformers, irrigation equipment, etc.) shall be shown on the landscaping plan in order to ensure that proper landscape screening will be provided.
 - f. Landscaping along Brookhurst Street shall be in a hierarchical design incorporating trees, shrubs, and flowering ground covers.
 - g. A row of screening trees planted 20'-0" on center shall be planted along the entire easterly property line, adjacent to the single-family residential zone.
29. All landscaping shall be maintained in a healthy green growing condition. All paved areas shall be maintained at all times.
 30. The applicant/property owner shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-242-08 and their agreement with all conditions of approval.
 31. The property shall be maintained free of graffiti. Graffiti shall be removed from the premises and all parking lots under the control of the licensee and/or applicant/owner within 120 hours of occurrence or notice.
 32. During permitted hours of operation, noise generated by the operation shall not exceed 55 dBA as measures at the boundaries of the property.
 33. 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.
34. During construction the applicant/property owner shall comply with the following measures to contain fugitive dust as required by the City's General Plan EIR:
- a. Adherence to SCAQMD Rule 403, Fugitive Dust, as revised, which includes dust minimization measures such as daily watering of soils, application of non-toxic soils stabilizers, replacement of ground cover in disturbed areas as soon as possible, suspension of excavating and grading operations when wind speeds (or instantaneous gusts) exceed 25 miles per hour, and maintenance of a minimum two feet of freeboard on all trucks hauling dirt, sand, soil or other loose material.
 - b. Sweeping of streets near construction area.
 - c. Rinsing of wheels on construction vehicles prior to leaving construction area.
 - d. Paving of all construction access roads at least 100 feet onto the site from the main access points.
 - e. Use of electricity from power poles rather than temporary diesel or gasoline powered generators.
 - f. Use of methanol, natural gas, propane or butane-powered on-site mobile equipment rather than diesel or gasoline powered equipment.
 - g. During construction, if paleontological or archaeological resources are found all attempts will be made to preserve in place or leave in an undisturbed state in compliance with CEQA.