



A G E N D A

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

July 2, 2020

COMMUNITY MEETING CENTER
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 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 and will be uploaded to the City's website.

In light of health risks associated with COVID-19, masks are required to be worn with adherence to six-foot distancing from others when attending public meetings. Members of the public are asked to consider very carefully before attending this meeting in person. Please do not attend this meeting if you have traveled internationally, particularly to China, European countries, Iran, Japan, South Korea, Taiwan, and/or have had direct contact with someone who has travelled to those places or tested positive for Coronavirus (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. – COUNCIL CHAMBER

ROLL CALL: CHAIR LEHMAN, VICE CHAIR PEREZ
COMMISSIONERS LE, LINDSAY, NGUYEN, 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.

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

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

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

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

- A. ORAL COMMUNICATIONS - PUBLIC
- B. APPROVAL OF MINUTES: June 18, 2020
- C. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)

- C.1. SITE PLAN NO. SP-082-2020
CONDITIONAL USE PERMIT NO. CUP-180-2020

APPLICANT: 7-ELEVEN, INC.

LOCATION: NORTHWEST CORNER OF CHAPMAN AVENUE AND DALE STREET AT 8471 CHAPMAN AVENUE

REQUEST: Site Plan and Conditional Use Permit approval to demolish an existing convenience store and to construct a new service station, which includes an 1,800 square foot fueling canopy with four Multi-Product Dispensing units, each with two pumps, and a new 2,232 square foot 24-hour convenience store. Currently, the existing store operates with an Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer and Wine) License under CUP-228-08. Upon approval and exercising of the subject request, the Conditional Use Permit governing the existing convenience store, CUP-228-08, shall be revoked and become null and void and a new CUP created for the gas station and for the ABC Type "20" License. The site is in the C-1 (Neighborhood Commercial) 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-082-2020 and Conditional Use Permit No. CUP-180-2020, subject to the recommended Conditions of Approval.

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

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

Meeting Minutes
Thursday, June 18, 2020

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

Chair Lehman
Vice Chair Perez
Commissioner Le
Commissioner Lindsay
Commissioner Nguyen
Commissioner Ramirez
Commissioner Soeffner

Absent: None.

PLEDGE OF ALLEGIANCE: Led by Commissioner Lindsay.

ORAL COMMUNICATIONS – PUBLIC – None.

April 16, 2020 and May 7, 2020 MINUTES:

Action: Received and filed.

Motion: Lindsay Second: Perez

Ayes: (7) Le, Lehman, Lindsay, Perez, Nguyen, Ramirez,
Soeffner

Noes: (0) None

CONTINUED PUBLIC HEARING FROM APRIL 16, 2020 – 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: June 18, 2020

Request: To modify the approved plans and Conditions of Approval, under Conditional Use Permit No. CUP-339-11 (REV. 2014), for an existing indoor sports facility, MAP Sports Facility, to expand the hours of operation allowing daytime weekday business hours and activities and to expand the existing parking lot to provide additional parking spaces. In conjunction with the request, the Planning Commission will consider

a determination that the project is categorically exempt from the California Environmental Quality act (CEQA) pursuant to Section 15301 – Existing Facilities.

Action: The item was continued to the September 17, 2020 meeting, with the public hearing left open, to allow the applicant time to conduct a neighborhood meeting to discuss the proposed request and changes to the operation, and to comply with the current Conditions of Approval. One letter of concern was submitted by Royden Fujimori, CC & R, and two letters of concern were submitted by Spencer Hurtt of Container Supply. Two letters in response were submitted by the applicant, Terry Teeple. Speaker(s): Terry Teeple, David Choye.

Motion: Lindsay Second: Perez

Ayes: (6) Le, Lehman, Lindsay, Nguyen, Perez, Ramirez
Noes: (1) Soeffner

Due to a conflict of interest, Chair Lehman recused himself from Items D.1 and D.2 at 8:14 p.m. Vice Chair Perez called for a 10-minute recess. The meeting reconvened at 8:25 p.m.

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-178-2020 FOR PROPERTY LOCATED ON THE EAST SIDE OF HARBOR BOULEVARD, SOUTH OF CHAPMAN AVENUE AT 12100 HARBOR BOULEVARD.

Applicant: TARGET CORPORATION
Date: June 18, 2020

Request: Conditional Use Permit approval to allow an existing retail store, Target, to operate with a new State Alcoholic Beverage Control (ABC) Type "21" (Off-Sale, General) License. Currently, the store is operating with an ABC Type "20" (Off-Sale, Beer and Wine) License under CUP-132-04. The site is in the HCSP-TCB (Harbor Corridor Specific Plan-Tourist Commercial B) zone. Upon approval and exercising of the subject request, the Conditional Use Permit previously governing the tenant space, CUP-132-04, shall be revoked and become null and void. In conjunction with the request, the Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality act (CEQA) pursuant to Section 15301 – Existing Facilities.

Action: Resolution No. 5993-20 was approved. The applicant, who was not present, submitted a letter via email indicating agreement with the Conditions of Approval. The letter was included in the staff report. Speaker(s): None

Motion: Ramirez Second: Lindsay

Ayes: (6) Le, Lindsay, Nguyen, Perez, Ramirez, Soeffner
Noes: (0) None
Absent: (1) Lehman

PUBLIC HEARING – SITE PLAN NO. SP-085-2020 FOR PROPERTY LOCATED ON SOUTHEAST CORNER OF CHAPMAN AVENUE AND HARBOR BOULEVARD AT 12100 HARBOR BOULEVARD.

Applicant: KIMLEY-HORN AND ASSOCIATES, INC. (JUSTIN BECKER)
Date: June 18, 2020

Request: Site Plan approval to allow the conversion of 9,292 square feet of an existing garden center structure into stock area for an existing Target store. The site is in the HCSP-TCB (Harbor Corridor Specific Plan – Tourist/Commercial “B”) zone. In conjunction with the request, the Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality act (CEQA) pursuant to Section 15301 – Existing Facilities.

Action: Resolution No. 5989-20 was approved with an amendment to add a Condition of Approval - “Prior to construction, the applicant shall provide notice to the manager/president of the Chapman Commons Home Owner’s Association, with the contact information of the contractor and store manager.” One letter of concern regarding construction noise during late hours and dust was submitted by Tatsuya Murase. Speaker(s): Jennifer Steen, Bob Tucker.

Motion: Lindsay Second: Nguyen

Ayes: (6) Le, Lindsay, Nguyen, Perez, Ramirez, Soeffner
Noes: (0) None
Absent: (1) Lehman

Chair Lehman rejoined the meeting at 8:48 p.m.

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-188-2020 FOR PROPERTY LOCATED ON THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, BETWEEN BEACH BOULEVARD AND COAST STREET, AT 8100 GARDEN GROVE BOULEVARD.

Applicant: YOUNG YI PARK
Date: June 18, 2020

Request: Conditional Use Permit approval to allow the operation of a new trade school, Sierra State University, in an existing 6,765 square foot one-story building. The existing Conditional Use Permit governing the tenant

space, for a culinary and trade school, CUP-035-2015, shall be revoked, and become null and void. The site is in the GGMU-1 (Garden Grove Boulevard Mixed Use 1) 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 15301 – Existing Facilities.

Action: Resolution No. 5990-20 was approved. Speaker(s): Young Yi Park

Motion: Lindsay Second: Soeffner

Ayes: (7) Le, Lehman, Lindsay, Nguyen, Perez, Ramirez, Soeffner

Noes: (0) None

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-187-2020, INTERPRETATION OF USE NO. IOU-003-2020, AND VARIANCE NO. V-031-2020 FOR PROPERTY LOCATED NORTH OF CHAPMAN AVENUE, BETWEEN GILBERT STREET AND BROOKHURST STREET, AT 9691 CHAPMAN AVENUE.

Applicant: L & L KIDS ENTERTAINMENT, INC.

Date: June 18, 2020

Request: Interpretation of Use approval to determine the compatibility between an indoor playground with arcade games and the NMU zone classification, and to allow the proposed use subject to Conditional Use Permit. Also, a request for Conditional Use Permit approval to allow the operation of a new, 14,000 square foot, indoor playground with arcade games and food service, L & L Kids Entertainment, at the Garden Grove Promenade shopping center, and Variance approval to allow the proposed use to deviate from the required minimum distance of 200 feet between an arcade use and a residentially zoned property. 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 15301 – Existing Facilities.

Action: Resolution No. 5991-20 was approved. Speaker(s): Bao Pham

Motion: Le Second: Lindsay

Ayes: (7) Le, Lehman, Lindsay, Nguyen, Perez, Ramirez, Soeffner

Noes: (0) None

PUBLIC HEARING – SITE PLAN NO. SP-086-2020 AND LOT LINE ADJUSTMENT NO. LLA-024-2020 FOR PROPERTY LOCATED NORTH OF CHAPMAN AVENUE, BETWEEN GILBERT STREET AND BROOKHURST STREET, AT 9665 CHAPMAN AVENUE.

Applicant: HGGA PROMENADE, LP
Date: June 18, 2020

Request: Site Plan approval to construct a new, 4,200 square foot one-story bank building for City Bank, along with associated site improvements, at the Garden Grove Promenade Shopping Center. Also, a request for Lot Line Adjustment approval to adjust an interior lot line by 61.99 feet to accommodate the construction of the new building. The site is in the NMU (Neighborhood Mixed Use) zone. In conjunction with the request, the Planning Commission will 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.

Action: Resolution No. 5992-20 was approved with an amendment to the Conditions of Approval to add – “If the water main is exposed during installation of the sewer lateral, a 20 foot section of the water main shall be replaced with a 20-foot PVC C-900 DR-14 Class 305 water pipe, size in kind and centered at the crossing.” Speaker(s): Geoff Reeslund, Robert Abbott

Motion: Ramirez Second: Perez

Ayes: (7) Le, Lehman, Lindsay, Nguyen, Perez, Ramirez, Soeffner

Noes: (0) None

PUBLIC HEARING – VEHICLE MILES TRAVELED (VMT) THRESHOLD

Applicant: CITY OF GARDEN GROVE
Date: June 18, 2020

Request: The Planning Commission will consider and make a recommendation to City Council regarding adoption of a Vehicle Miles Traveled (VMT) threshold related to transportation analysis for California Environmental Quality Act compliance as well as adopting Local Guidelines for implementation pursuant to Senate Bill 743.

Action: After a brief presentation by the Consultant, and with no speakers during the public hearing portion, the Planning Commission recommended City Council approve a resolution to adopt a Vehicle Miles Traveled (VMT) threshold related to transportation analysis for California

Environmental Quality Act (CEQA) compliance as well as a Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service. Speaker(s): Dai Vu, Spencer Reed (Consultant).

Motion: Le Second: Perez

Ayes: (6) Le, Lehman, Nguyen, Perez, Ramirez, Soeffner
Noes: (0) None
Abstain: (1) Lindsay

MATTERS FROM COMMISSIONERS: Commissioner Soeffner mentioned the overgrown weeds and poor condition of the fence at the Cottage Industries lots and Community Garden site. Staff would contact Code Enforcement to look into the matter. Commissioner Lindsay added that a property near Acacia Avenue and Goldenwest Street also had overgrown weeds.

Commissioner Ramirez asked for an update on the Theater project at Valley View Street. Staff responded that the City was waiting for the environmental and plans, and that Jack in the Box would go in first.

Commissioner Ramirez then asked if staff could do a future update on the Housing Element. Staff replied that a consultant agreement was being finalized to start the Housing Element process by the end of July. The consultant would also work on the Safety Element and the Environmental Justice Element. Staff noted that SCAG (Southern California Association of Governments) had postponed voting on the RHNA numbers (Regional Housing Needs Allocation) to possibly September, and in the interim, the consultant would hold neighborhood and stakeholder meetings. Commissioner Ramirez then stated that a Planning Commissioner should be involved in the Housing Element process due to the significant land use impact on the City.

Chair Lehman noted he would be absent from the July 2nd meeting.

MATTERS FROM STAFF: Staff gave a brief summary of the agenda items for the next two Planning Commission meetings of July 2nd and July 16th.

ADJOURNMENT: At 9:52 p.m. to the next Meeting of the Garden Grove Planning Commission on Thursday, July 2, 2020, at 7:00 p.m. in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

Judith Moore
Recording Secretary

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.1.	SITE LOCATION: Northwest corner of Chapman Avenue and Dale Street, at 8471 Chapman Avenue
HEARING DATE: July 2, 2020	GENERAL PLAN: Light Commercial
CASE NO.: Site Plan No. SP-082-2020, Conditional Use Permit No. CUP-180-2020	ZONE: C-1 (Neighborhood Commercial)
APPLICANT: 7-Eleven, Inc.	CEQA DETERMINATION: Exempt
PROPERTY OWNER(S): Same as applicant	APN: 131-184-01

REQUEST:

A request for Site Plan and Conditional Use Permit approval to demolish an existing convenience store, construct and operate a new 1,800 square foot fueling canopy with four (4) multi-product dispensing units, each with two pumps, and a new 2,232 square foot 24-hour convenience store, on an existing lot located at 8471 Chapman Avenue. Additionally, a request for Conditional Use Permit approval to allow the convenience store to continue to operate with a State Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer and Wine) License. Upon the approval and exercise of the subject request, the existing Conditional Use Permit governing the site, CUP-228-08, shall be revoked, and become null and void.

BACKGROUND:

The subject property is an approximately 19,233 square foot lot, located on the northwest corner of Chapman Avenue and Dale Street. The property is currently improved with an existing 3,745 square foot building, with one vacant tenant space, and one tenant space occupied by a 7-Eleven convenience store. The property has a General Plan Land Use Designation of Light Commercial, and is zoned C-1 (Neighborhood Commercial). The property is adjacent to an R-3 (Multiple-Family Residential) property to the west and the north. To the east, across Dale Street, the subject property is adjacent to R-1 (Single-Family Residential) and C-1 properties. To the south, across Chapman Avenue, the subject property is adjacent to residential uses in the City of Stanton.

In 1961, the City of Garden Grove annexed the subject property, with an existing R-1 (Single-Family Residential) zoning, and a nonconforming service station. In 1968, the City Council approved Site Plan Amendment No. SPA-114-68 for minor

improvements to the existing facilities, and to change the zoning of the site to C-1 (Neighborhood Commercial). In 1972, permits were issued for the demolition of the service station and all existing site improvements.

Shortly thereafter, in 1974 and 1975, the City approved Site Plan No. SP-124-74, and Lot Split No. LS-101-75, respectively. The site plan approval was to allow the construction of a 2,400 square foot 7-Eleven store, and an additional 1,200 square foot attached tenant space. The lot split separated the subject property from the adjacent property to the north, and included a street dedication at the southeast corner.

In 2008, the Zoning Administrator approved Conditional Use Permit No. CUP-228-08 for the operation of the convenience store with a new Type-20 (Off-Sale, Beer and Wine) State ABC License. The convenience store currently operates under the same Conditional Use Permit. The attached 1,200 square foot tenant space has been vacant since 2019.

Now, the applicant is requesting Site Plan and Conditional Use Permit approval to construct and operate a new service station with a convenience store. Also, a request for a Conditional Use Permit to allow the convenience store to operate with a State Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer and Wine) License. The Municipal Code requires a new Conditional Use Permit when there is a change in the floor area in an existing ABC licensed establishment.

PROJECT STATISTICS

	Provided	Required
Setbacks (Building)		
Front	99'-0"	15'-0"
Street Side	57'-10"	10'-0"
Side	10'-0"	10'-0"
Rear	10'-0"	10'-0"
Setbacks (Canopy)		
Front	26'-0"	15'-0"
Street Side	22'-1"	10'-0"
Side	26'-1"	10'-0"
Rear	92'-0"	10'-0"
Building Height	22'-8"	Two stories or 35'-0"
Parking Spaces	14 spaces	14 spaces
Landscaping	9.0%	8.0%

DISCUSSION:

SITE PLAN:

Site Design, Circulation & Floor Plan:

The applicant is proposing to demolish all current site improvements, and construct a new service station, with a new 2,232 square foot convenience store, and a 1,800 square foot canopy structure over four (4), two-sided fuel dispensers. The interior of the 2,232 square foot convenience store will consist of a merchandise area, a cashier counter, a walk-in cooler, a beverage bar, a hot food island, an all-gender restroom, an office area, and a backroom area. There are no proposed interior or exterior customer dining areas. Both the canopy structure and the convenience store building have been designed to meet the minimum required setbacks for the C-1 zone.

The project site will provide one (1) new 30'-0" wide driveway approach along Dale Street, and one (1) new 28'-0" wide driveway along Chapman Avenue. Additionally, three (3) existing driveway approaches, two (2) on Dale Street, and one (1) on Chapman Avenue, are being completely removed. The new driveway approaches comply with the Municipal Code's special operating conditions and development standards for new service stations.

The site plan has been designed to provide sufficient drive aisle widths, as well as sufficient spacing in between fuel pump islands and parking areas, including when vehicles are parked next to their respective fuel pumps. Additionally, the site plan has been designed to provide sufficient access to allow for truck deliveries, and emergency vehicle access, without creating any vehicular circulation issues on- or off-site.

Parking:

For a service station with a convenience store, the Municipal Code requires a minimum of one (1) parking space per fuel pump, plus one (1) parking space per 200 square feet of gross floor area of sales area in the convenience store. The proposed project includes a 2,232 square foot convenience store, with 1,106 square feet of sales area, and eight (8) fuel pumps. Therefore, based on the parking requirements of the Municipal Code, a minimum of fourteen (14) parking spaces are required. The proposed project provides a total of fourteen (14) parking spaces, which equals the minimum number of required parking spaces. Six (6) parking spaces will be located in front of the convenience store, and spaces are available adjacent to each fuel pump to accommodate up to eight (8) parked vehicles. One (1) parking space in front of the convenience store will be striped as accessible, meeting ADA requirements.

Building Design:

The applicant has designed the convenience store and the canopy to be compatible in appearance and exterior finishes. The structures will consist of a combination of stucco, tile, and metal finishes.

The convenience store building is designed in an asymmetric, contemporary design, reflecting the tenant's newest corporate design. The proposed building's design has an angular parapet atop a flat roof, with multiple aluminum bands and glass awnings to articulate the building. Materials are varied between stucco, wall tiles, and aluminum siding to further visually articulate the building. A glass storefront extends across much of the front elevation. The architectural detailing on the building includes: varied aluminum window and door framing widths, aluminum bands in corporate colors accentuating one corner of the building, a suspended glass awning with metal brackets, and an angled parapet and roof overhang.

The canopy over the fuel dispensing area is designed as a simple rectangular structure, which is complementary to the contemporary design of the convenience store. Materials include painted metal finishes, and a faux-rock veneer around the base of the support columns, all of which is to pair with the convenience store.

Landscaping:

Based on the landscape requirements of the Municipal Code, the site is required to provide a minimum of 1,539 square feet of landscaping on-site (8% of the overall site), excluding any landscaping provided in required setbacks. The proposed site design will provide a total of 1,731 square feet of landscaping, not counting setback areas. In addition to the landscaping provided in all required setbacks, the site provides the minimum 250 square feet of landscaping, required by Code, at the southeast corner of the property. A twenty-five by twenty-five foot (25'-0" x 25'-0") triangular portion of the southeast corner of the site has previously been dedicated to the City. Within this portion, the applicant will provide landscaping, but not to exceed three feet (3'-0") in height, satisfying the Municipal Code's requirements for intersection vision clearance. In total, the site will provide 7,985 square feet of new landscaping, inclusive of the landscaping in the setback areas, to a site that was largely devoid of any landscaping.

The applicant is required to submit a landscape and irrigation plan to the City that complies with the landscaping requirements of Title 9 of the Municipal Code, including the Landscape Water Efficiency Guidelines. All landscaping shall be watered by means of an automatic irrigation system meeting the City's Landscape Water Efficiency Guideline requirements for water conservation. A separate landscape application will be submitted, and building permit will be obtained for the proposed on-site landscaping.

Signage:

All proposed signage shall adhere to Section 9.20, Sign Standards, of Title 9 of the Municipal Code, including all applicable requirements of subsection 9.20.070, sign standards for service stations. The entire site is not to exceed 200 square feet of informational and directional signage, which includes wall, canopy and freestanding signs. Furthermore, exterior advertisement displays and exterior wall advertisements are not allowed. Advertisements can only be placed on the convenience store windows, provided that the combined signage does not exceed 15% of the total window area. Signs advertising alcoholic beverages are not allowed on any windows. A separate sign application will be submitted, and building permit will be obtained for the proposed on-site signage.

CONDITIONAL USE PERMIT:

A Conditional Use Permit is required to regulate the operation of the service station, as well as continue to allow the convenience store to operate with a Type "20" (Off-Sale, Beer and Wine) Alcoholic Beverage Control License. Upon approval and exercise of the new Conditional Use Permit, the existing Conditional Use Permit governing the tenant space, CUP-228-08, shall be revoked, and become null and void.

The existing convenience store currently operates twenty-four (24) hours a day. The new service station and the new convenience store will continue to operate twenty-four (24) hours a day. However, if problems arise, the hours of operation may be reduced as prescribed by the City. The sale of alcohol shall only be permitted between 6:00 a.m. and 2:00 a.m., per Alcoholic Beverage Control regulations.

A new Conditional Use Permit is required whenever there is a change in the floor plan to an existing ABC licensed establishment. The convenience store will continue to operate with the same type of ABC license, a Type "20" (Off-Sale, Beer and Wine) Alcoholic Beverage Control License. This will not increase the number of licenses in the area.

The proposed convenience store is located in a low-crime district, and in an area of an over-concentration of Alcoholic Beverage Control off-sale licenses. A summary of the district, can be found in Resolution No. 5994-20 for Conditional Use Permit No. CUP-180-2020.

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

CEQA:

CEQA's Class 3 exemption applies to new construction, or conversion of small structures (CEQA Guidelines §15303.). This includes the construction of a store, motel, office, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 10,000 square feet in floor area within an urbanized location and in a zone that allows for such a use (CEQA Guidelines §15303.(c)).

Under various statutory schemes referenced by CEQA, gasoline cannot be reasonably construed as a "hazardous substance." The proposed service station will only feature the sale of gasoline, and does not feature automotive repair, or any non-petroleum-based hazardous materials. A service station could be considered a "similar structure," as it is used in the Class 3 exemption. The two proposed structures, the convenience store and fueling canopy, have a combined floor area of less than 10,000 square feet. The site is zoned C-1 (Neighborhood Commercial), which allows for service stations, subject to Conditional Use Permit approval.

Thus, the new structure and facilities will be in an urbanized area, less than 10,000 square feet in floor area, involves the construction of similar structures to the uses listed in the Class 3 exemption, does not involve the use of a significant amount of hazardous materials, and is currently zoned for the proposed use. Therefore, the project is exempt from CEQA.

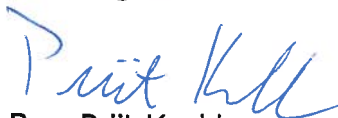
RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions:

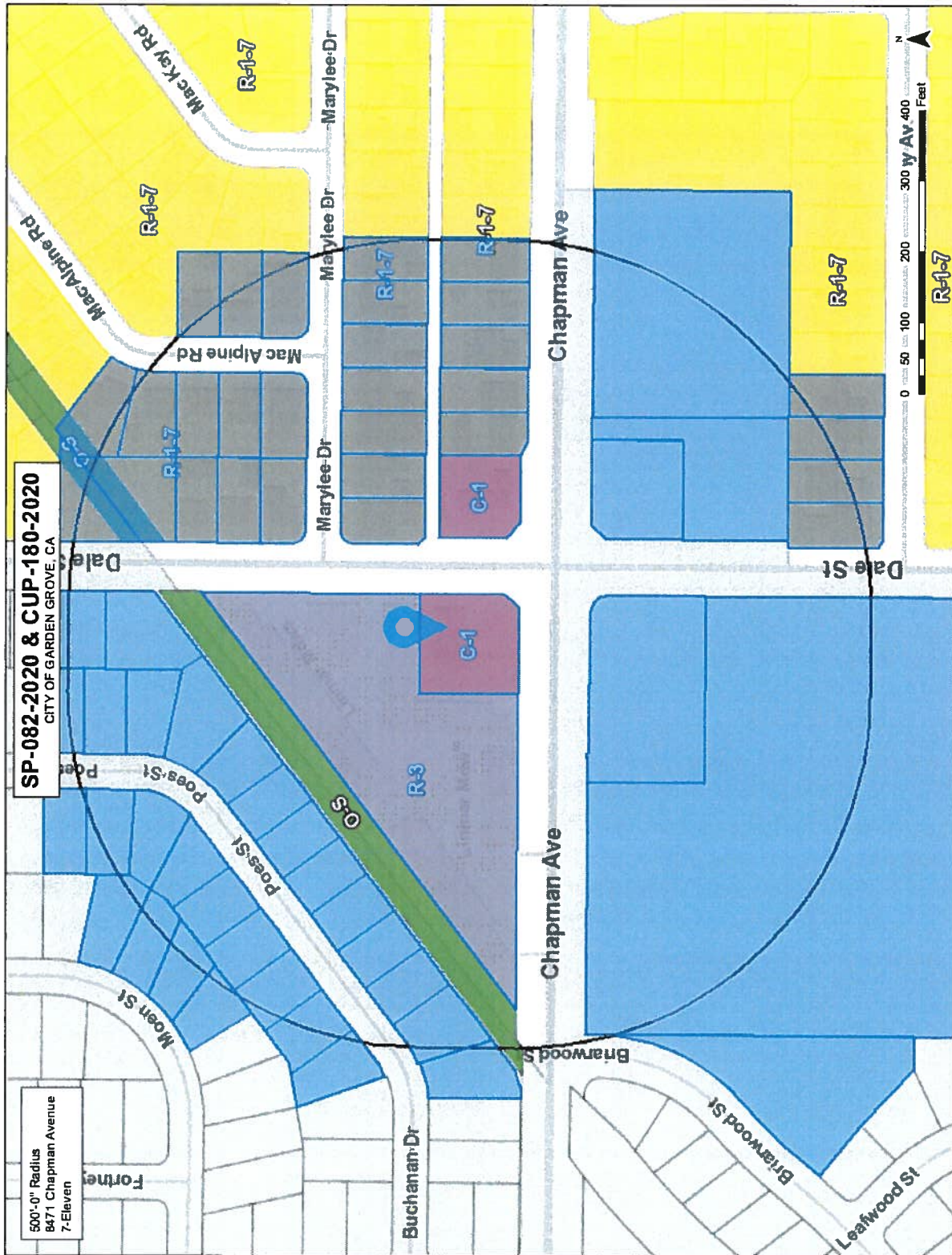
1. Adopt Resolution No. 5994-20 approving Site Plan No. SP-082-2020, Conditional Use Permit No. CUP-180-2020, and revoking Conditional Use Permit No. CUP-228-08, subject to the recommended Conditions of Approval.

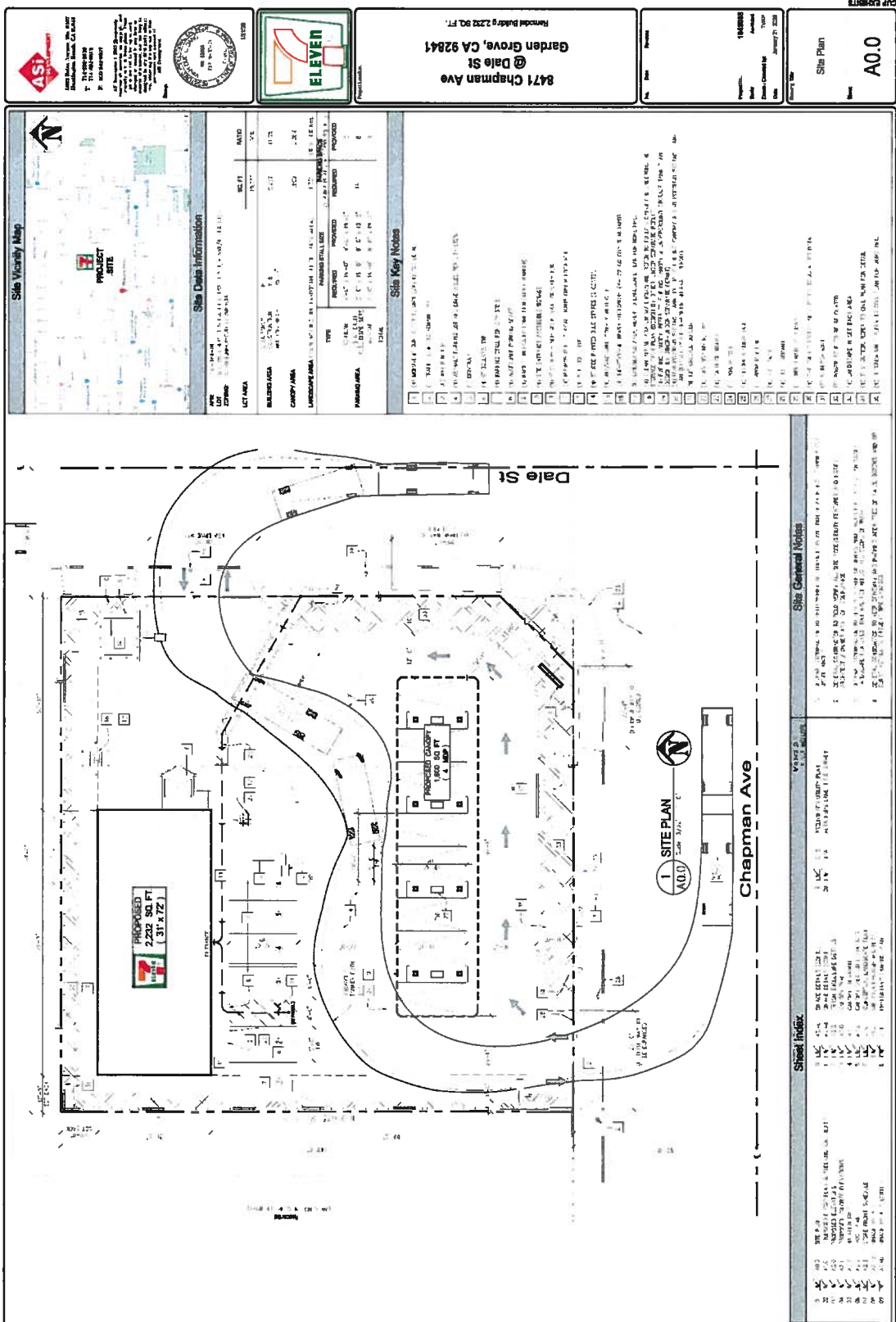



LEE MARINO
Planning Services Manager




By: Priit Kaskla
Assistant Planner







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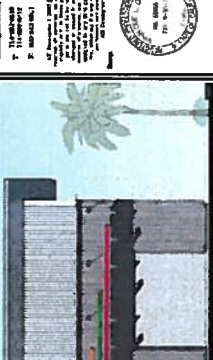


ELEVEN
 1845 S. Bascom Avenue, Suite 400
 San Jose, CA 95128
 T: 415.964.2800
 F: 415.964.2801
 www.eleven.com


8471 Chapman Ave
 @ Dale St
 Garden Grove, CA 92841
 Parcel Building 222 sq. ft.

Property No: 1842880
 Address: 8471 Chapman Ave
 Date Checked In: 7/20/18
 Date: January 18, 2020

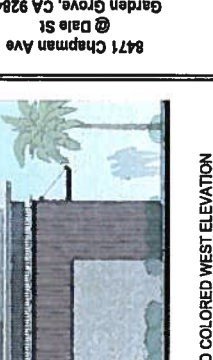
Proposed Colored Elevation
 A2.1




1 PROPOSED COLORED SOUTH ELEVATION
 A2.1 Scale: 1/8" = 1'-0"




2 PROPOSED COLORED EAST ELEVATION
 A2.1 Scale: 1/8" = 1'-0"






3 PROPOSED COLORED NORTH ELEVATION
 A2.1 Scale: 1/8" = 1'-0"

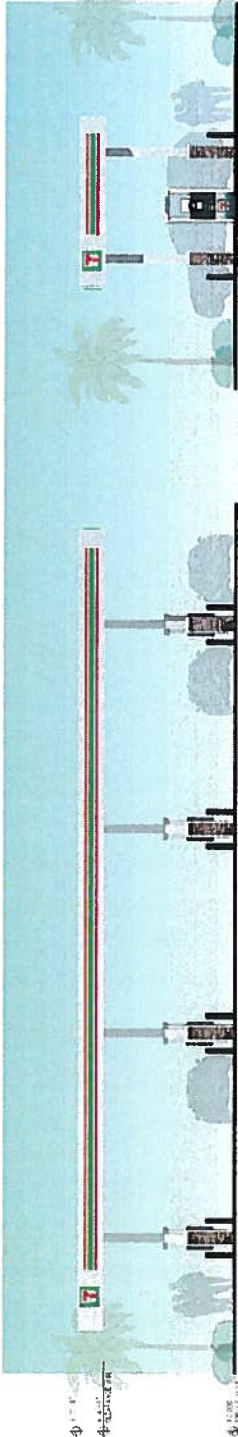


4 PROPOSED COLORED WEST ELEVATION
 A2.1 Scale: 1/8" = 1'-0"




Key Plan

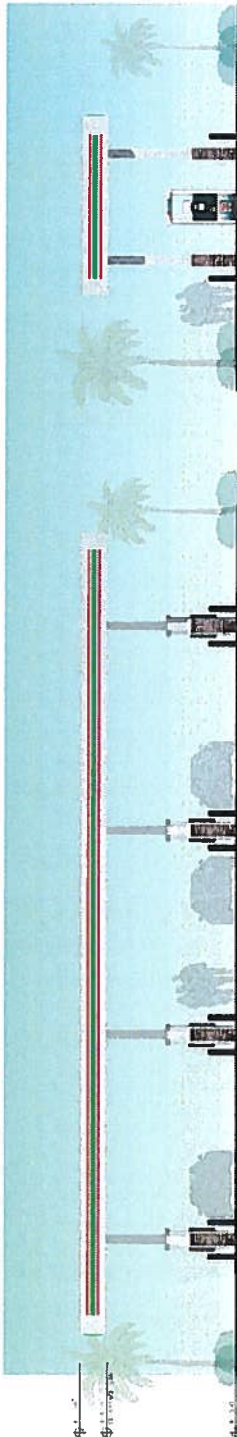
 ASI 14000 E. 15th Avenue, Suite 100 Denver, CO 80232 Phone: 303.751.8800 Fax: 303.751.8801 Email: info@asi.com Website: www.asi.com	 PROFESSIONAL ENGINEER STATE OF COLORADO No. 10000 EXPIRES 12/31/2020	 ELEVEN 14000 E. 15th Avenue, Suite 100 Denver, CO 80232 Phone: 303.751.8800 Fax: 303.751.8801 Email: info@eleven.com Website: www.eleven.com	8471 Chapman Ave @ Dale St Garden Grove, CA 92841 Parcel ID: 2222 00, FT	Project No.: 18-00000 Date: 1/18/2020 Drawn: [Name] Checked: [Name] Date: January 16, 2020	Title: Colored Canopy Elevation Sheet: A3.2
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1 PROPOSED COLORED SOUTH ELEVATION
18.01.13A-1-C



2 PROPOSED COLORED EAST ELEVATION
18.01.13A-2-C



3 PROPOSED COLORED NORTH ELEVATION
18.01.13A-3-C



4 PROPOSED COLORED WEST ELEVATION
18.01.13A-4-C

CUP EXHIBITS

RESOLUTION NO. 5994-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-082-2020, AND CONDITIONAL USE PERMIT NO. CUP-180-2020, FOR A PROPERTY LOCATED ON THE NORTHWEST CORNER OF CHAPMAN AVENUE, AND DALE STREET, AT 8471 CHAPMAN AVENUE, ASSESSOR'S PARCEL NO. 131-184-01.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in a regular session assembled on July 2, 2020, hereby approves Site Plan No. SP-082-2020, Conditional Use Permit No. CUP-180-2020, and revokes Conditional Use Permit No. CUP-228-08, for the construction and operation of a new service station with a convenience store, and to continue to operate the convenience store with a State Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer & Wine) License (the "Project") for the property located on the northwest corner of Chapman Avenue and Dale Street, at 8471 Chapman Avenue, Assessor's Parcel No. 131-184-01.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-082-2020, and Conditional Use Permit No. CUP-180-2020, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by 7-Eleven, Inc.
2. The applicant is requesting Site Plan and Conditional Use Permit approval to demolish an existing convenience store, construct and operate a new 1,800 square foot fueling canopy with four (4) multi-product dispensing units, each with two pumps, and a new 2,232 square foot 24-hour convenience store, on an existing lot located at 8471 Chapman Avenue. Additionally, a request for Conditional Use Permit approval to continue to allow the operation of the convenience store with a State Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer and Wine) License.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the Planning Commission hereby determines that the proposed project is categorically exempt from the CEQA pursuant to Section 15303(c) (New Construction or Conversion of Small Structures) of the CEQA Guidelines (14 Cal. Code Regs., Section 15303).
4. The property has a General Plan Land Use designation of Light Commercial, and is zoned C-1 (Neighborhood Commercial). The subject property is currently an approximately 19,233 square foot lot, improved with an existing 3,600 square foot retail building, located on the northwest corner of Chapman Avenue and Dale Street.
5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.

6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on July 2, 2020, 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 July 2, 2020, and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.32.030 are as follows:

FACTS:

The subject property is currently an approximately 19,233 square foot lot improved with a 3,600 square foot retail building, located on the northwest corner of Chapman Avenue and Dale Street. The property has a General Plan Land Use Designation of Light Commercial, and is zoned C-1 (Neighborhood Commercial). The property is adjacent to an R-3 (Multiple-Family Residential) property to the west and the north. To the east, across Dale Street, the subject property is adjacent to R-1 (Single-Family Residential) and C-1 properties. To the south, across Chapman Avenue, the property is adjacent to residential uses in the City of Stanton.

In 1961, the City of Garden Grove annexed the subject property, with an existing R-1 (Single-Family Residential) zoning, and a nonconforming service station. In 1968, the City Council approved Site Plan Amendment No. SPA-114-68 in 1968 for improvements to the existing facilities, and to change the zoning of the site to C-1 (Neighborhood Commercial). In 1972, permits were issued for the demolition of the service station, and all existing site improvements. In 1974 and 1975, the City approved Site Plan No. SP-124-74, and Lot Split No. LS-101-75, respectively, reflecting the current state of the improvements. A State Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer and Wine) License was approved in 2008 under Conditional Use Permit No. CUP-228-08.

Now, the applicant is requesting Site Plan and Conditional Use Permit approval to construct and operate a new service station with a convenience store. Also, a request for a Conditional Use Permit to allow the convenience store to operate with a State Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer and Wine) License. The Municipal Code requires a new Conditional Use Permit when there is a change in the floor area in an existing ABC licensed establishment.

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

- The subject site is located in Crime Reporting District No. 62.
- The crime count for the District is 13.
- Average crime count per district in the City is 97.
- A District is considered high when it exceeds the Citywide average by 20%.
- The subject District has a crime count of 86.5% below the citywide average; therefore, it is not considered a high-crime area.
- The subject site is located in Alcoholic Beverage Control (ABC) Census Report District No. 879.02.
- ABC Census Reporting District No. 879.02 allows for three (3) off-sale licenses within the District. Currently, there are four (4) off-sale licenses in the District. The approval of this CUP will not increase the number of off-sale ABC Licenses in the District, because the existing convenience store being replaced has an off-sale license that is being replaced. The total number of off-sale licenses will remain at four (4).

There is no additional State Alcoholic Beverage Control (ABC) license being added, because the premises are already licensed. Therefore, findings of Public Convenience or Necessity are not required.

FINDINGS AND REASONS:

SITE PLAN:

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

The project has a General Plan land use designation of Light Commercial and is zoned C-1 (Neighborhood Commercial). The Light Commercial (LC) land use designation is intended to allow a range of commercial activities that serve local residential neighborhoods and the larger community. The C-1 zone is intended to provide for business at the neighborhood level in small scale convenience shopping facilities. The shopping facilities are encouraged to be integrated into the surrounding area to maintain the image of the neighborhood and to ensure operational compatibility. The project complies with the land use designation and the zoning requirements for the property.

The proposed project has been designed within the parameters of the C-1 zone and Section 9.16.020.050.BB (Service Station, Special Operating Conditions and Development Standards) of Title 9 of the Municipal Code. The placement of the structures, the site design, the parking lot and drive-aisles, the

number of on-site parking spaces, and the landscape areas are consistent with the spirit and intent of the requirements of the Municipal Code.

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

The project site will provide one (1) new 30'-0" wide driveway approach along Dale Street, and one (1) new 28'-0" wide driveway along Chapman Avenue. Additionally, three (3) existing driveway approaches, two (2) on Dale Street, and one (1) on Chapman Avenue, are being completely removed. Reducing the amount of driveway access-points from four (4) to two (2) will minimize any adverse effects on traffic circulation.

The site plan has been designed to provide sufficient drive aisle widths, as well as sufficient spacing in between fuel pump islands and parking areas, including when vehicles are parked next to respective fuel pumps. Additionally, the site plan has been designed to provide sufficient spacing for ingress and egress to allow for truck deliveries, and emergency vehicle access, without creating any vehicular circulation issues on- or off-site.

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

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

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

The proposed development will also provide landscaping and proper grading of the site in order to improve drainage in the area. The site as currently developed is largely flat, with minimal landscaping. The proposed alterations, including with the landscaping will vastly improve drainage.

The Public Works Engineering and Water Services Division have reviewed the plans, and all appropriate conditions of approval will eliminate any adverse impacts to the streets and alleys, utilities and drainage channels.

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

The project is located in an area with both commercial and residential uses. The proposed project features a contemporary design, which is compatible with the surrounding area, and land uses. The proposed structures were designed to be oriented toward the intersection of Chapman Avenue and Dale Street, and not toward residential uses.

Landscaping has been designed to lessen the visual impacts of the proposed development. This includes meeting all of Title 9 of the Municipal Code requirements for landscaping along setback areas, and exceeding the Code required overall site landscaping. The design of the proposed development landscaping, and other site improvements, will ensure a reasonable degree of compatibility with adjacent developments.

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

The project has been designed to consider building appearance, building placement, landscaping, and other amenities in order to balance the need of visitors arriving by multiple modes of transportation. Adequate access is provided for motor vehicles, bicyclists, and pedestrians.

The proposal increases the total landscape area, as compared to the previous site design. The total landscape area exceeds the minimum amount required by Title 9 of Municipal Code. All landscaped areas are required to adhere to the landscaping requirements, including the Water Efficient Landscaping Guidelines of Title 9 of the Municipal Code. Through the conditions of approval for the project, the necessary agreements for the protection and maintenance of all landscaping will be achieved.

CONDITIONAL USE PERMIT:

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

The site has a General Plan Land Use Designation of Light Commercial and is zoned C-1 (Neighborhood Commercial). The Light Commercial (LC) land use designation is intended to allow a range of commercial activities that serve local residential neighborhoods and the larger community. The C-1 zone is intended to provide for business at the neighborhood level in small scale convenience shopping facilities. The shopping facilities are encouraged to be

integrated into the surrounding area to maintain the image of the neighborhood and to ensure operational compatibility. Service stations, with alcohol sales, for off-site consumption, are conditionally permitted uses in the C-1 zone. Provided that the conditions of approval are complied with, the use is consistent with the General Plan, and Municipal Code.

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 proposed service station, with convenience store, will be consistent and compatible with the existing uses in the area. The proposed use complies with the intent of the Light Commercial land use designation, and C-1 zoning by providing a small scale convenience shopping facility, oriented to the neighborhood level. The convenience store currently on-site has been operating twenty-four (24) hours a day, with a State Alcoholic Beverage Control (ABC) Type "20" (Off-Sale, Beer & Wine) License since 2008. The new convenience store proposes to keep the same hours of operation, and the same license type, Type "20" (Off-Sale, Beer & Wine). The operation of the convenience store will be consistent with the use previously approved for the site. The project has been designed to comply with all development standards for the C-1 zone. Provided that the project adheres to the conditions of approval, the project will not adversely affect the health, peace, comfort, or welfare of the persons residing or working in the surrounding area.

The use will not unreasonably interfere with the use, enjoyment or valuation of the property of other persons located within the vicinity of the site. The proposed development will be similar to the existing uses in the vicinity of the site. Similar uses have occupied the site since the property has been incorporated into the City. The site has historically been improved with a service station that was later demolished in 1974 to accommodate a convenience store. The project has been designed to comply with all development standards for the C-1 zone. Provided that the project adheres to the conditions of approval, the project will not unreasonably interfere with the use, enjoyment or valuation of the property of other persons located within the vicinity of the site.

The use will not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare. The project has been designed to comply with all Municipal Code Title 9 development standards for the zone.

The City's Departments have reviewed the plan, and all appropriate conditions of approval have been incorporated. The conditions of approval will ensure public health, safety, and welfare.

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

The proposed site is adequate in size and shape to accommodate the required yards, walls, loading facilities, landscaping and other development standards required by the Municipal Code. The proposed development, and subject use meet all of the requirements of the C-1 zone, including Municipal Code Section 9.16.020.050.BB (Service Station, Special Operating Conditions and Development Standards). The City's Departments have reviewed the plan for compliance with applicable codes, and all appropriate conditions of approval have been incorporated.

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

Adequate parking and vehicular access are available for the subject site in accordance with the requirements of Title 9. The proposed development meets the minimum parking requirements of the Municipal Code, as well as provides sufficient drive aisle widths, and spacing in between fuel pump islands and parking areas. The proposal has been reviewed by City Departments, and Orange County Fire Authority, responsible for traffic, water services, environmental services, and safety. These Departments have determined that the site for the proposed service station and convenience store will be adequately served by existing infrastructure, circulation, and other facilities to allow its operation.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan, and Conditional Use Permit possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030.
2. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the following conditions of approval, attached as "Exhibit A," shall apply to Site Plan No. SP-082-2020, and Conditional Use Permit No. CUP-180-2020.

Adopted this 2nd day of July, 2020

EXHIBIT "A"

Site Plan No. SP-082-2020 Conditional Use Permit No. CUP-180-2020

8471 Chapman Avenue

CONDITIONS OF APPROVAL

General Conditions

1. The applicant and each owner of the property shall execute, and 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 prior to issuance of a building permit.
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, 7-Eleven, Inc., 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 of the Conditions of Approval require approval by the Planning Commission.
3. 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.
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. The approved site plan, floor plan, and use of the subject property, as represented by the Applicant, are an integral part of the decision approving this Site Plan, and Conditional Use Permit. If major modifications are made to the approved floor plan, site plan, or other related changes that result in the intensification of the project or create impacts that have not been previously addressed, the proper entitlements shall be obtained reflecting such changes.

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

Public Works Engineering Division

7. 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.
8. All vehicular access drives to the site shall be provided in locations approved by the City Traffic Engineer.
9. All parking spaces that abut to sidewalks that are not elevated with a curb face to the stall, if any, shall have wheel stops in order to prevent vehicle overhang into sidewalk. Minimum six foot (6'-0") width sidewalk is required for parking spaces that are utilizing elevated sidewalk curb face as a wheel stop and must maintain a four foot (4'-0") minimum from the overhang of the vehicle bumper for ADA pathway.
10. No parallel curb parking shall be permitted anywhere on the site.
11. Prior to issuance of a grading permit, the applicant shall design overhead lighting within the development in a manner meeting the approval of the City Engineer. Location of lighting poles shall be shown on the precise grading plans.
12. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit in a manner meeting the approval of the City Engineer in concert with the Orange County Health Department. The report shall make recommendations for pavement design the interior streets and parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and implementations, including potential infiltration alternatives, soil compaction, saturation, permeability, and groundwater levels.
13. A separate street permit is required for work performed within the public right-of-way.
14. 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 thirty feet (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. Grading improvement plan shall conform to all format and design requirements of the City Standard Drawings & Specifications.

15. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.
16. The grading plan shall depict an accessibility route for the ADA pathway in conformance with the requirements of the Department of Justice standards, latest edition.
17. 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.
18. 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.

19. 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.
20. 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.
21. The applicant and their 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. The applicant and their 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 their contractor shall be liable for, at their expense, any resurvey required due to their negligence in protecting existing ties, monuments, benchmarks, or any such horizontal and vertical controls.
22. 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.
 23. The applicant shall identify a temporary parking site(s) for construction crew and construction trailers office staff prior to issuance of a grading permit. No construction parking is allowed on local streets.
 24. Prior to issuance of a grading permit, the applicant shall submit and obtain approval of a worksite traffic control plan, satisfactory to the City Traffic Engineer.
 25. 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.
 26. Any required lane closures should occur outside of peak travel periods.
 27. Construction vehicles should be parked off traveled roadways in a designated parking area.
 28. In accordance to City of Garden Grove Municipal Code (Chapter 9.48.030), the applicant is required to underground the existing northeast utility pole fronting the property on Dale Street. All existing improvements and utilities shall be shown as part of the grading submittal package in the topography section. The developer 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 utilities, per Garden Grove Municipal Code (Chapter 9.48.050).

29. 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 or City of Garden Grove Standard B-209. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.
30. Prior to issuance of a building permit, the applicant shall design and construct street frontage improvements as identified below:

Chapman Avenue

- a. Remove existing easterly substandard driveways on Chapman Avenue, and construct curb/gutter and sidewalk in accordance with City of Garden Grove Standard B-113 (Type C-8) and B-106.
- b. New eight inch (8") curb and gutter shall be constructed, replacing the existing easterly driveway at forty-two (42'-0") feet from the center line of Chapman Avenue, according to City of Garden Grove Standard Plan B-113 (Type C-8, modified).
- c. Remove the existing easterly driveway aprons on Chapman Avenue, and construct new eight foot (8'-0") sidewalk adjacent to the new curb/gutter, matching existing sidewalk improvements to the immediate west of Chapman Avenue per City Standard Plan B-106.
- d. Remove and replace existing westerly substandard driveway approach to the site on Chapman Avenue per City of Garden Grove Standard B-120 (Option #2). Standard plan B-120 calls for a minimum width of thirty feet (30'-0") opening for commercial projects, with any deviation from the standard to be approved by the City Traffic Engineer and detailed on the plan showing all modifications.
- e. Remove and replace existing ADA curb ramp at the southeast corner of Chapman Avenue and Dale Street per Caltrans Standard Plan No A88A. The applicant shall identify all traffic signal equipment's (poles and pull boxes) prior to start of construction to ensure that such equipment is not in conflict with the new ramp, and properly relocate signal equipment, if needed.
- f. The applicant shall locate and protect all existing public utilities, and public improvements that are fronting the property prior to commencement of mobilization.
- g. Applicant shall coordinate the location of all new water meters, backflow preventers, and backflow devices to be placed in

sidewalk/landscape area on Chapman Avenue with the Planning Services Division and Water Division.

- h. Any proposed new landscaping in public right of way shall be approved by the Planning Services Division and Public Works Streets Division.

Dale Street

- a. Remove existing substandard driveways on Dale Street, and construct curb/gutter and sidewalk in accordance with City of Garden Grove Standard B-113 (Type C-8) and B-106.
- b. New 8-inch curb and gutter shall be constructed replacing the existing driveways at thirty-two feet (32'-0") from the center line of Dale Street, according to City of Garden Grove Standard Plan B-113 (Type C-8).
- c. Remove the existing driveway aprons on Dale Street, and construct a new eight foot (8'-0") sidewalk adjacent to the new curb/gutter, matching existing sidewalk improvements to the immediate north of Dale Street per City Standard Plan B-106.
- d. Construct a new driveway approach to the site on Dale Street per City of Garden Grove Standard B-120 (Option #2).
- e. The applicant shall coordinate the relocation or removal of the existing power pole on Dale Street with Southern California Edison, and other utility owners on that pole prior to start of street improvement construction.
- f. The applicant shall locate and protect all existing public utilities, and public improvements that are fronting the property prior to commencement of mobilization.
- g. Applicant shall coordinate the location of all new water meters, backflow preventers, and backflow devices to be placed in sidewalk/landscape area on Dale Street with the Planning Services Division and Water Division.
- h. Any proposed new landscaping in public right of way shall be approved by the Planning Services Division and Public Works Streets Division.

Public Works Water Services Division

31. New water service installations two inches (2") and smaller, shall be installed by the City of Garden Grove at the owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted.

- Fire services and larger water services three inches (3") and larger shall be installed by developer/owner's contractor per City Standards.
32. Water meters shall be located within the City right-of-way. Fire services and large water services three inches (3") and larger, shall be installed by contractor with a Class A or C-34 license, per City water standards, and inspected by approved Public Works inspection.
 33. 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. The property owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. The property owner must open a water account upon installation of RPPD device.
 34. It shall be the responsibility of the owner/developer to abandon any existing private water well(s) per Orange County Health Department requirements. Abandonment(s) shall be inspected by the Orange County Health Department inspector, after permits have been obtained.
 35. The 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.
 36. If required, fire service shall have above-ground backflow device with a double-check valve assembly per City standard plan B-773. 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. The 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.
 37. 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.
 38. New utilities shall have a minimum five-foot (5'-0") horizontal and a minimum one-foot (1'-0") vertical clearance from the water main and appurtenances.
 39. There shall be a minimum clearance from the sewer main and water main of ten feet (10'-0"), measured from outside of pipe to outside of pipe.

40. If water main is exposed during the installation of a storm drain, a twenty-foot (20'-0") section of the water main shall be replaced with twenty-foot (20'-0") PVC C-900 DR-14 Class 305 water pipe, size in kind, and centered at the crossing.

Public Works Sewer Division

41. Commercial food use of any type shall require the installation of an approved grease interceptor prior to obtaining a business license. Plumbing plan for grease interceptor shall be routed to Environmental Services for review.
42. If applicable, a properly sized grease interceptor shall be installed on the sewer lateral 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 interceptor. All other waste lines shall be drained through the grease interceptor. Grease interceptor shall be located outside of the building and accessible for routine maintenance. The property owner shall maintain comprehensive grease interceptor maintenance records, and shall make them available to the City of Garden Grove upon demand.
43. Food grinders (e.g., garbage disposal devices) are prohibited per Ordinance 6 of the Garden Grove Sanitary District Code of Regulations. Any existing units are to be removed.
44. If needed, the property owner shall install a new sewer lateral with clean out at right-of-way line. The lateral in the public right-of-way shall be six inches (6") minimum diameter, extra strength VCP with wedgelock joints.
45. Contractor shall abandon any existing unused sewer lateral(s) at the 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.

Orange County Fire Authority

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

Police Department

47. 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.
48. Hours of operation shall be permitted twenty-four (24) hours a day, seven (7) days a week. 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.

49. The sale of alcoholic beverages shall cease between the hours of 2:00 a.m. and 6:00 a.m. every day. The operator shall lock the doors to the refrigerated cooler(s) where the alcohol is displayed between the hours of 2:00 a.m. and 6:00 a.m. to ensure that patrons do not have access to alcoholic beverages.
50. 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.
51. 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.
52. 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.
53. There shall be no customers or patrons loitering in or about the premises during the service station and convenience store hours of operation. If the store operators decide to close the store for short periods of time, there shall be no customers or patrons on or about the premises when the establishment is closed.
54. The business 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.
55. 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.
56. 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).

Building and Safety Division

57. The building shall comply with the 2019 California Building Standards Code.
58. Short-term bicycle parking shall be provided per the California Green Code.

59. The applicant shall prepare a soils/geotechnical report that includes an evaluation of the effects of liquefaction, and recommended mitigation measures.
60. All proposed signage and canopies shall be applied for, and permitted on separate building permits.
61. A minimum of 15% of the total roof area shall be designated as a solar zone.
62. The project shall comply with all of the accessibility requirements of the CBC Chapter 11B.

Community and Economic Development Department

63. No outside display of merchandise shall be permitted at any time.
64. 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 store's entrance, and shall also be visible to the public.
65. 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.
66. There shall be no pool tables or incidental amusement devices on the premises at any time.
67. There shall be no uses or activities of an adult-oriented nature permitted as outlined in City Code Section 9.08.070.
68. There shall be no deliveries to or from the premises between the hours of 10:00 p.m. and 8:00 a.m., seven (7) days a week.
69. 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.
70. 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.

71. 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.
72. 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.
73. There shall be no outdoor activities conducted on the premises without approval of a Special Event Permit or Community Event Permit.
74. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
75. 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.
76. Exterior advertisements displays or exterior wall advertisements shall not be allowed.
77. All signs shall comply with Section 9.16.370, Service Station Signs, of Title 9 of the Municipal Code. The entire site shall be limited to 200 square feet of information and directional signage, which includes all wall, canopy and freestanding signs. All signs require a separate permit and shall be installed in accordance with the provision of the sign ordinance. A detailed signage program governing the entire site that includes that height, size, color and locations of all signs, shall be approved by the Community and Economic Development Department, Planning Services Division prior to installation. All exterior wall signage shall be comprised of individual channel letters.
78. 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.
79. 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 as adopted, except that:

- a. Monday through Friday – not before 7:00 a.m. and not after 5:00 p.m.
 - b. Saturday – not before 8:00 a.m. and not after 5:00 p.m. All construction activity on Saturday shall be limited to interior construction only.
 - c. Sunday and Federal Holidays – no construction shall occur.
80. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust), which includes dust minimization measures, using electricity from power poles rather than diesel or gasoline powered generators, and using methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible, using solar or low-emission water heaters, and using low-sodium parking lot lights, to ensure compliance with Title 24.
81. The property owner shall comply with the adopted City Noise Ordinance.
82. The applicant shall install air and water dispensers in an area convenient for customers on the property. The proposed location of the air and water dispensers shall be reviewed and approved by the Planning Services Division.
83. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the Planning Services Division. Lighting adjacent to residential properties shall be restricted to low, decorative type, wall-mounted lights, or ground lighting system. Lighting in the common and parking areas shall be directed, positioned or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences. Parking area lighting shall be provided during the hours of darkness the establishment is open at a minimum of two-foot candles of light, and one-foot candle of light during all other hours of darkness.
84. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department, Planning Services Division, for review and approval prior to submittal of plans for Building Division, Plan Check. The project shall also be subject to the following:
- a. All above-ground utility equipment (e.g., electrical, gas, telephone) shall not be located in the street setbacks and shall be screened to the satisfaction of the Community and Economic Development Department, Planning Services Division.
 - b. No roof or wall mounted mechanical equipment shall be permitted unless the Planning Services Division approves a method of screening complimentary to the architecture of the building, prior to the issuance of building permits. Said screening shall block visibility of any roof-

mounted mechanical equipment from view of public streets, including the surrounding properties.

85. All landscaping shall be consistent with the landscape requirements of the Landscape Water Efficiency Guidelines (Appendix A), per Title 9 of the Municipal Code. The applicant shall submit a separate and complete Water Efficient Landscape Plan for each property. The water efficient landscape submittals shall include landscape plans, irrigation plans, soils report, grading plans, and all other applicable documentation. The landscape plans shall include type, size, location, and quantity of all plant material. The landscape plans are also subject to the following:
- a. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaping areas shown on the plans. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.
 - b. The plans 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. No trees shall be planted closer than five feet (5'-0") from any public right-of-way. Trees planted within ten feet (10'-0") 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. All trees planted on the individual private lots, whether for screening the houses from the neighboring lots, or for aesthetic or selling/marketing purposes, shall have an irrigation system installed in order maintain the trees.
 - d. The landscape treatments along Dale Street, Chapman Avenue, and the area designated as public right-of-way, shall incorporate a mixture of ground cover, flowerbeds, and shrubs. The height of the plant material, and any fences located within the front setback areas shall not exceed three feet (3'-0") in height, in order to ensure visibility to the site from the public rights-of-way.
 - e. Landscape treatments and irrigation shall be installed within the front, side, and rear setback areas of both properties. The landscaping shall incorporate a mixture of ground cover, flowerbeds, shrubs, and trees. The Community and Economic Development Department shall review the type and location of all proposed trees.

- f. The applicant shall be responsible for all installation and permanent maintenance of all landscaping on the properties. Said responsibility shall extend to the parkway landscaping, sidewalk, curb, and pavement of the site. All planting areas are to be kept free of weeds, debris, and graffiti.
 - g. All above-ground utilities (e.g., water backflow devices, electrical transformers, irrigation equipment, etc.) shall be shown on the landscaping plans in order to ensure proper screening.
 - h. The landscape plans shall incorporate and maintain, for the life of the project, means and methods to address water run-off, also identified as Low Impact Development (LID) 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.
 - i. The applicant shall be responsible for installing and maintaining all landscaped areas.
86. 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.
 87. No exterior piping, plumbing, roof top access ladders, or mechanical ductwork shall be permitted on any exterior facade and/or be visible from any public right-of-way or adjoining property.
 88. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant and all agents thereof.
 89. All on-site curbs, not associated with a parking space, shall be painted red.
 90. The site improvements and subsequent operation of the site/business(es) shall adhere to the following:
 - a. There shall be no business activities, or storage permitted outside of the building. All business related equipment and material shall be kept inside the building except for loading or unloading purposes.
 - b. Property owners, employees, and business operators shall not store vehicles anywhere on the site.

- c. The trash enclosure shall match the color and material type used for the building, and shall be gated. The trash bins shall be kept inside the trash enclosure, and gates closed at all times except during disposal and pick-up. The property owner shall provide sufficient trash bins and pick-up to accommodate the site. The trash shall be picked up at least once per week.
 - d. All drive aisles on the site are considered to be fire lanes and shall remain clear and free of any materials, and/or vehicles.
91. The applicant shall work with the Planning Services Division to ensure that the proposed building colors are appropriate, and not overly bright. The applicant shall submit the samples of the proposed paint colors to the Planning Services Division for review and approval.
 92. A copy of the resolution, including the conditions approving Site Plan No. SP-082-2020, and Conditional Use Permit No. CUP-180-2020, shall be kept on the premises at all times.
 93. The Conditional Use Permit may be called for review by City staff, the City Council, 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.
 94. The permittee shall submit a signed letter acknowledging receipt of the decision approving Site Plan No. SP-082-2020, and Conditional Use Permit No. CUP-180-2020, and his/her agreement with all conditions of the approval.
 95. If deemed necessary by the Community and Economic Development Director, the Conditional Use Permit may be reviewed 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.
 96. 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-082-2020, and Conditional Use Permit No. CUP-180-2020. 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.

97. 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 Site Plan No. SP-082-2020, and Conditional Use Permit No. CUP-180-2020 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.
98. 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 for the sale of alcohol 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.