



**GARDEN GROVE**

AGENDA

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ZONING ADMINISTRATOR MEETING

Garden Grove City Hall – 3<sup>rd</sup> Floor Training Room  
11222 Acacia Parkway

Thursday, January 27, 2022

9:00 a.m.

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

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 Comments by the Public. Each speaker shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing.

**Meeting Assistance:** Any person requiring auxiliary aids and services, due to a disability, should contact the Department of Community & Economic Development at (714) 741-5312 or email [planning@ggcity.org](mailto:planning@ggcity.org) 72 hours prior to the meeting to arrange for special accommodations. (Government Code §5494.3.2).

All revised or additional documents and writings related to any items on the agenda, which are distributed to the Zoning Administrator within 72 hours of a meeting, shall be available for public inspection (1) at the Planning Services Division during normal business hours; and (2) in the 3<sup>rd</sup> Floor Training Room 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 Zoning Administrator may take legislative action deemed appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

1. PUBLIC HEARING ITEM(S):

a. CONDITIONAL USE PERMIT NO. CUP-214-2022

APPLICANT: Thanh Do  
LOCATION: 12342 Brookhurst Street

REQUEST: To operate a new restaurant, Oc 7\$, with a new original Alcoholic Beverage Control (ABC) Type "41" (On-Sale, Beer and Wine, Public Eating Place) License. The site is in the C-1 (Neighborhood Commercial) zone. In conjunction with the request, the Zoning Administrator will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 - Existing Facilities - of the State CEQA Guidelines.

b. CONDITIONAL USE PERMIT NO. CUP-215-2022

APPLICANT: Linh Nguyen  
LOCATION: 12936 Main Street

REQUEST: To allow an existing coffee and tea shop, Phuc Long Coffee and Tea, to operate with limited live entertainment in the form of a two (2) person band: one (1) instrumentalist and one (1) vocalist. The proposed entertainment will occur on Friday, Saturday, and Sunday from 6:00 p.m. to midnight. The site is in the CC-2 (Civic Center Main Street) zone. In conjunction with the request, the Zoning Administrator will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 - Existing Facilities - of the State CEQA Guidelines.

2. COMMENTS BY THE PUBLIC
3. ADJOURNMENT

GARDEN GROVE ZONING ADMINISTRATOR MEETING  
Garden Grove City Hall – 3<sup>rd</sup> Floor Training Room  
11222 Acacia Parkway, Garden Grove, CA 92840

Meeting Minutes  
Thursday, December 9, 2021

CALL TO ORDER: 9:00 a.m.

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. CUP-213-2021

Applicant: Ivy Trang (A.N. Food World)  
Location: 9920 Garden Grove Boulevard  
Date: December 9, 2021

Request: To operate a new restaurant, Furai Fried Chicken, with a new original Alcoholic Beverage Control (ABC) Type "41" (On-Sale, Beer and Wine, Public Eating Place) License. The site is in the GGMU-3 (Garden Grove Boulevard Mixed Use 3) zone. In conjunction with the request, the Zoning Administrator will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 – Existing Facilities – of the State CEQA Guidelines.

Action: Public Hearing Held. Speaker(s): Ivy Trang

Action: The Zoning Administrator adopted Decision No. 1809-21.

PUBLIC HEARING – VARIANCE NO. V-035-2021

Applicant: Cottage Industries, LLC  
Location: 11421 Garden Grove Boulevard and 12931 9<sup>th</sup> Street  
Date: December 9, 2021

Request: Variance approval to: (1) allow a 150 square foot addition to an existing building at 12931 9<sup>th</sup> Street, to encroach into the required 15-foot front and 5-foot side setback areas to accommodate a new trash enclosure area, and (2) allow a 6-foot block wall at 11421 Garden Grove Boulevard, to encroach into the required 15-foot front and 7-foot side street setback areas to secure the proposed community garden. The proposed improvements are integral to the design and operation of the Cottage Industries Farm Block project. The site is in the CC-1 (Civic Center East) zone. In conjunction with the request, the Zoning Administrator will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305 – Minor Alterations in Land Use Limitations – of the State CEQA Guidelines.

Action: Public Hearing Held. Speaker(s): Linda Sadeghi

Action: The Zoning Administrator adopted Decision No. 1810-21.

ORAL COMMUNICATIONS – PUBLIC: None.

ADJOURNMENT: The Zoning Administrator adjourned the meeting at 9:17 a.m.

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Judith Moore, Recording Secretary

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> 1.a.	<b>SITE LOCATION:</b> East side of Brookhurst Street, between Lampson Avenue and Chapman Avenue, at 12342 Brookhurst Street
<b>HEARING DATE:</b> January 27, 2022	<b>GENERAL PLAN:</b> LC (Light Commercial)
<b>CASE NO.:</b> Conditional Use Permit No. CUP-214-2022	<b>ZONE:</b> C-1 (Neighborhood Commercial)
<b>APPLICANT:</b> Thanh Do	<b>CEQA DETERMINATION:</b> Exempt - Section 15301 - Existing Facilities
<b>PROPERTY OWNER:</b> Shih Huang Cho	<b>APN:</b> 089-362-03

## **REQUEST:**

The applicant is requesting approval of a Conditional Use Permit to allow a new restaurant, Oc 7\$, to operate with an original State Alcoholic Beverage Control (ABC) Type "41" (On-Sale, Beer and Wine, Public Eating Place) License.

## **BACKGROUND:**

The subject site is a commercial center improved with an in-line retail building and two (2) pad restaurants. The site is located on the east side of Brookhurst Street, between Lampson Avenue and Chapman Avenue, at 12342 Brookhurst Street. The site has a General Plan Land Use designation of Light Commercial (LC), and is zoned C-1 (Neighborhood Commercial). The shopping center is adjacent to a C-2 (Community Commercial) zoned property to the north, a C-1 zoned property and a Planned Unit Development No. PUD-106-74 zoned property to the south, an O-S (Open Space) zoned property to the east, and R-1 (Single-Family Residential) zoned properties, across Brookhurst Street, to the west. The site is located in a neighborhood that consists of different types of uses including retail commercial, single-family and multifamily residential.

The specific tenant space under application occupies the entire pad building located to the northeast of the in-line retail building. The pad building is approximately 4,662 square feet in size. According to Business Tax records, the subject tenant space has been used as a restaurant since 1996. In 1998, the Planning Commission approved Conditional Use Permit No. CUP-388-98 to allow the previous restaurant, Royal Sea Food Restaurant, to operate with an ABC Type "41" (On-Sale, Beer and Wine, Public Eating Place) License. When the Royal Sea Food Restaurant ceased its operation in 2012, the sale of beer and wine was also discontinued. The pad building is continuing to be used as a restaurant, under different ownership, without the sale of alcohol.

In October 2021, the applicant purchased the restaurant, and changed its name to Oc 7\$, which can be translated to English as Snails 7\$ A Plate. The Oc 7\$ is a Vietnamese restaurant that specializes in seafood. The restaurant was originally established in the City of Westminster in 2018, located at 9299 Bolsa Avenue. The restaurant has been operating without alcohol sales at this location. As Oc 7\$ is expanding its operation, the applicant wishes to relocate the restaurant to a larger location that can better accommodate a larger clientele. The subject tenant space was chosen due to its size. Once the new location starts to operate, the applicant will close the original restaurant in the City of Westminster. To further enhance the dining experience at the restaurant, the applicant is requesting Conditional Use Permit approval to operate the Oc 7\$ with a new original State Alcoholic Beverage Control (ABC) Type "41" (On-Sale, Beer and Wine, Public Eating Place) License. Garden Grove Municipal Code Section 9.16.020.080 requires a Conditional Use Permit to operate the restaurant with an original ABC License.

**DISCUSSION:**

The new restaurant, Oc 7\$, will be a restaurant specializing in seafood. The restaurant tenant space has a total floor area of approximately 4,662 square feet. The floor area will consist of a waiting area, a 2,900 square foot dining area, a kitchen area, storage area with a walk in cooler, men and women's restrooms, an employee locker area and utility rooms.

The Oc 7\$ will operate as a full-service restaurant. Beer and wine sales will be permitted only for on-site consumption. The service of beer and wine is intended to complement meals, and enhance the dine-in experience. Sales of alcohol will be incidental to the service of food. At no time shall the quarterly sales of alcohol exceed 35% of the quarterly sales of food.

Oc 7\$ hours of operation will remain the same as the original location, from 10:00 a.m. to 9:00 p.m., seven (7) days a week. These hours are consistent with the City's standard operating hours of 8:00 a.m. to 11:00 p.m., Sunday through Thursday, and 8:00 a.m. to 12:30 a.m., Friday and Saturday. In the event problems arise concerning the operation of this business, the hours of operation may be reduced by order of the Police Department.

The restaurant is located in a high-crime district, and in an area with an over-concentration of Alcoholic Beverage Control on-sale licenses. In order to approve the request, a Finding of Public Convenience or Necessity is required. A summary of the district and the Findings of Public Convenience or Necessity can be found in Decision No. 1811-22 for Conditional Use Permit No. CUP-214-2022.

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 an ABC Type "41" License will apply.

**CEQA:**

CEQA's Class 1 exemption applies to the operation, repair, maintenance, permitting, leasing, licensing, and minor alterations of existing facilities, with negligible or no expansion of use (CEQA Guidelines §15301). The subject request for the ABC License does not expand the use of restaurant. The restaurant is a permitted use, and the addition of the ABC license does not involve the intensification or expansion of said use. Therefore, the proposed project is exempt from CEQA.

**RECOMMENDATION:**

Staff recommends that the Zoning Administrator take the following action:

1. Adopt Decision No. 1811-22, approving Conditional Use Permit No. CUP-214-2022, subject to the recommended conditions of approval.



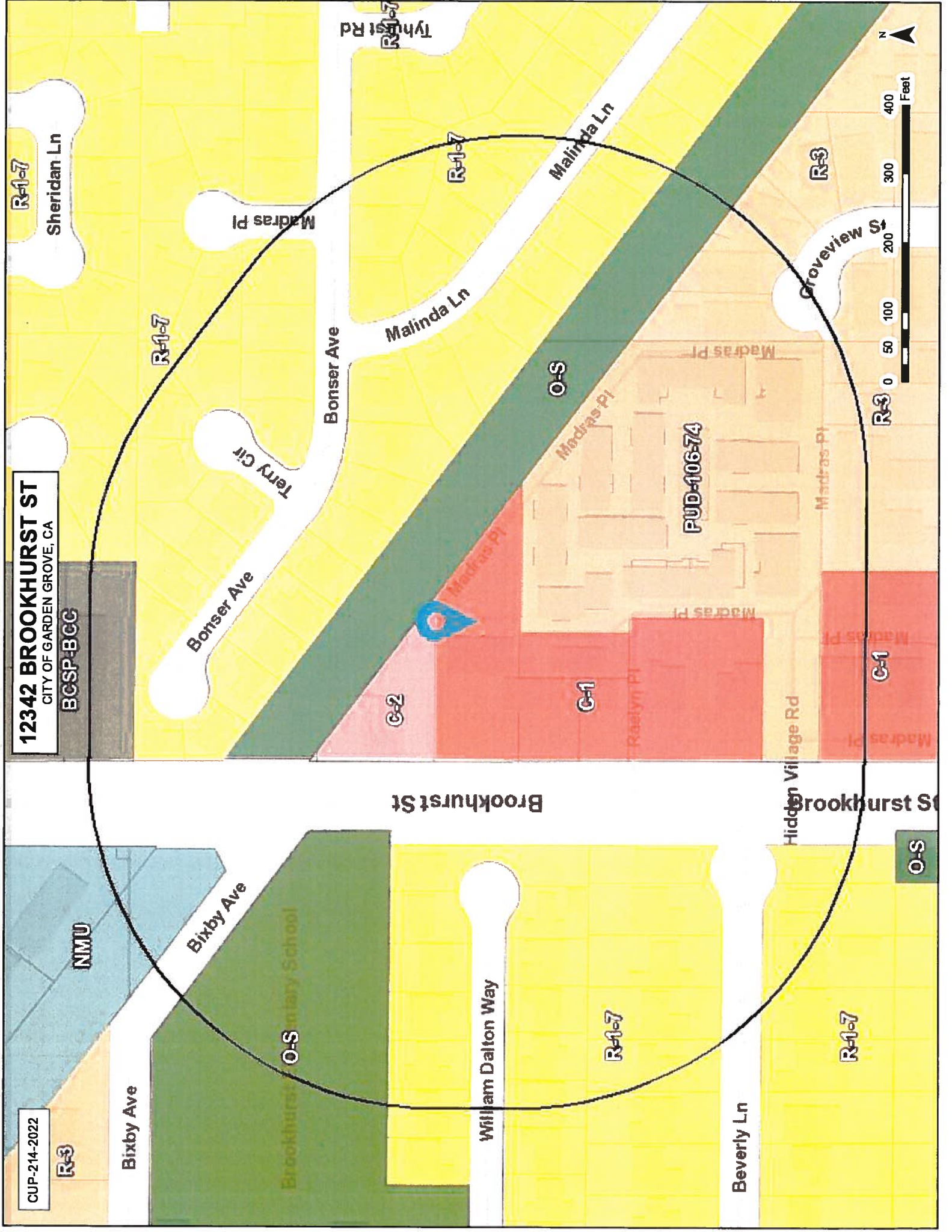
LEE MARINO  
Planning Services Manager



By: Huong Ly  
Assistant Planner

**12342 BROOKHURST ST**  
CITY OF GARDEN GROVE, CA  
BCSP/BCC

CUP-214-2022  
R-3



NMU

Bixby Ave

Bixby Ave

Brookhurst Elementary School

O-S

William Dalton Way

R-1-7

Beverly Ln

Brookhurst St

Hidden Village Rd

O-S

Bonser Ave

Terry Cir

Bonser Ave

Malinda Ln

R-1-7

Malinda Ln

Madras Pl

PUD-106-74

Groveview St

Madras Pl

C-1

R-3

R-1-7

Sheridan Ln

R-1-7

Madras Pl

Tyhurst Rd

R-1-7

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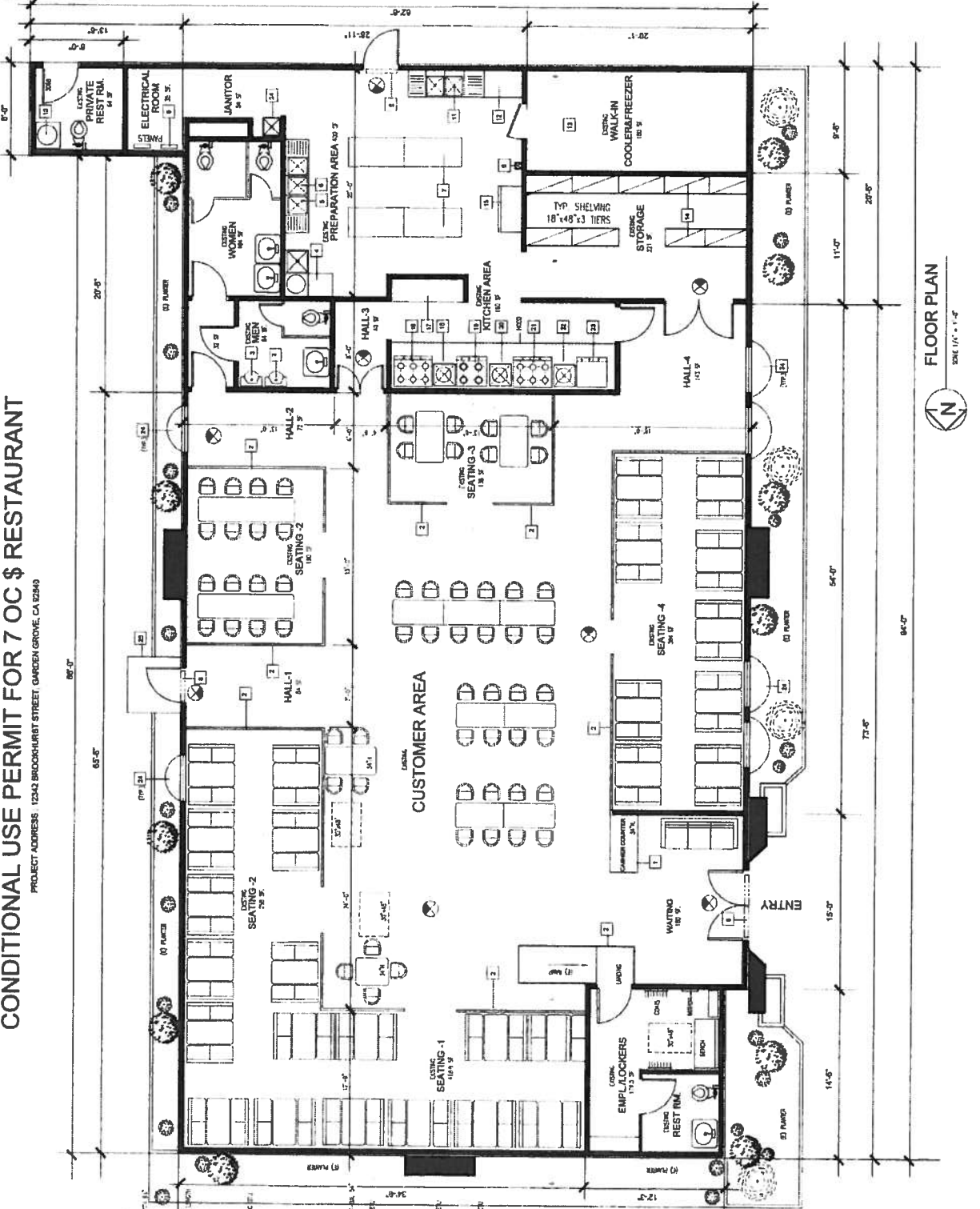




# CONDITIONAL USE PERMIT FOR 7 OC \$ RESTAURANT

PROJECT ADDRESS: 12342 BROOKHURST STREET, GARDEN GROVE, CA 92640

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">REVISION</th> <th style="text-align: left;">BY</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	REVISION	BY							<p>TENANT IMPROVEMENT FOR 7 OC \$ RESTAURANT</p> <p>12342 BROOKHURST ST., GARDEN GROVE, CA</p> <p>TRAVIS HALL, PEAK 20, FL. (714) 221-6448 LVA. @ENRCHITARCH.COM</p>	<p>TITLE: FLOOR PLAN</p>		<p>DATE: 10-20-2011</p> <p>SCALE: 1/8" = 1'-0"</p> <p>DRAWN BY: TRAVIS HALL</p> <p>CHECKED BY: TRAVIS HALL</p> <p>PROJECT NO.: 12342</p> <p>REV: 10-20-2011</p>
REVISION	BY											



**FLOOR PLAN KEY NOTES**

1. 30' CAVED CEILING
2. 12' METAL CLADDING
3. 8' DOWN
4. 10' COMPACT REFRIGERATOR, ONE WALK-IN COOLER
5. 10' 1/2" COMPACT REFRIGERATOR, ONE WALK-IN FREEZER, ONE WALK-IN CHILLER
6. 10' 1/2" 1/2" 1/2" 1/2" 1/2"
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**LEGEND:**

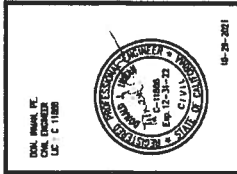
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REVISION	DATE	BY

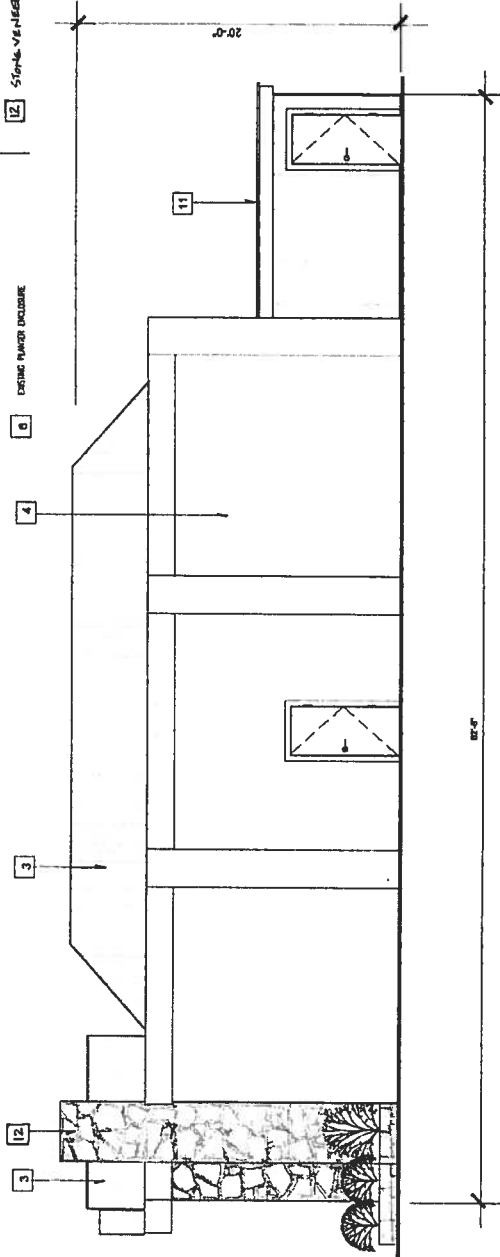
TENANT IMPROVEMENT FOR 700\$ RESTAURANT  
 12342 BROOKHURST ST., GARDEN GROVE, CA  
 DWG# NAME: 70001.DWG TEL: (714) 622-0419 EMAIL: THW000177@TRMCA.COM

TITLE: BUILDING ELEVATION (SIDE VIEW)

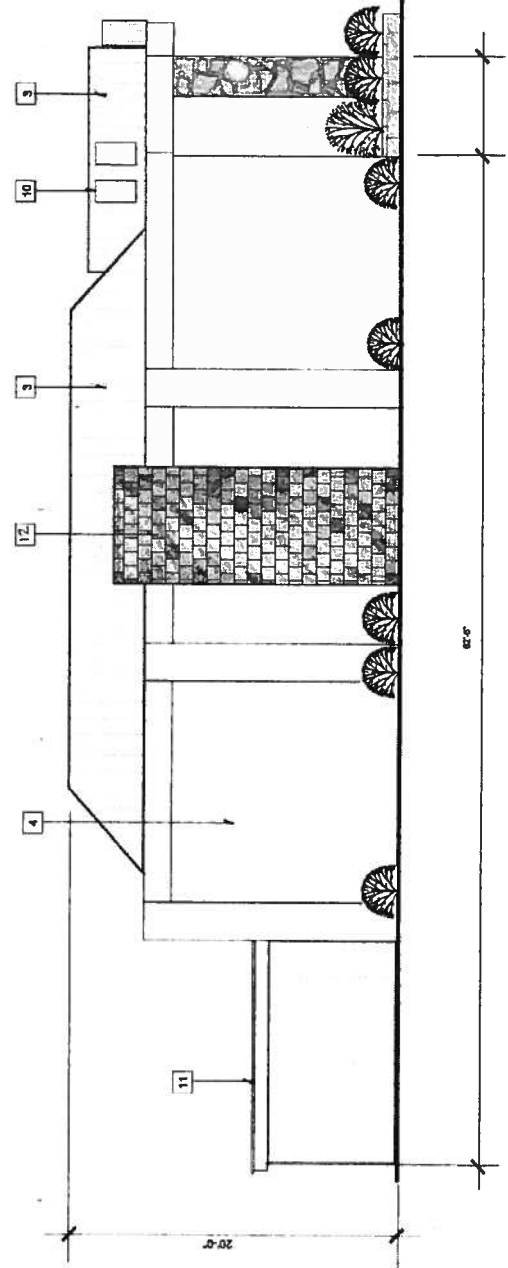


DATE: 10-29-2021  
 SCALE: 1/8" = 1'-0"  
 DESIGNER: [Logo]  
 PROJECT: 70001.DWG  
 PROJECT LOCATION: 12342 BROOKHURST ST., GARDEN GROVE, CALIFORNIA  
 TEL: 714-622-0419  
 FILE: A-4  
 DATE: 10-29-2021

- 1. EXISTING FRONT EXTERIOR WALL W/ STONE MOUNTED FINISH
- 2. EXISTING GABLE ROOF 4:12 PITCH BRACING
- 3. EXISTING SCHEDING AROUND GUTTER ROOF
- 4. EXISTING EXTERIOR WITH STUCCO FINISH
- 5. EXISTING AWING OVER THE WINDOW
- 6. EXISTING PLUMBING DISCONNECT
- 7. EXISTING EXTENDED GLASS WINDOW
- 8. EXISTING REAR EXIT DOOR
- 9. EXISTING CHIMNEY AIRING
- 10. EXISTING SKY LIGHT
- 11. EXISTING PLUMB ROOF
- 12. 5'-0" x 6'-0" x 6'-0" x 6'-0"



SOUTH ELEVATION ( LEFT SIDE VIEW )  
 SCALE 1/8" = 1'-0"



NORTH ELEVATION ( LEFT SIDE VIEW )  
 SCALE 1/8" = 1'-0"

# CONDITIONAL USE PERMIT FOR 7 OC \$ RESTAURANT

PROJECT ADDRESS 12342 BROOKHURST STREET, GARDEN GROVE, CA 92640

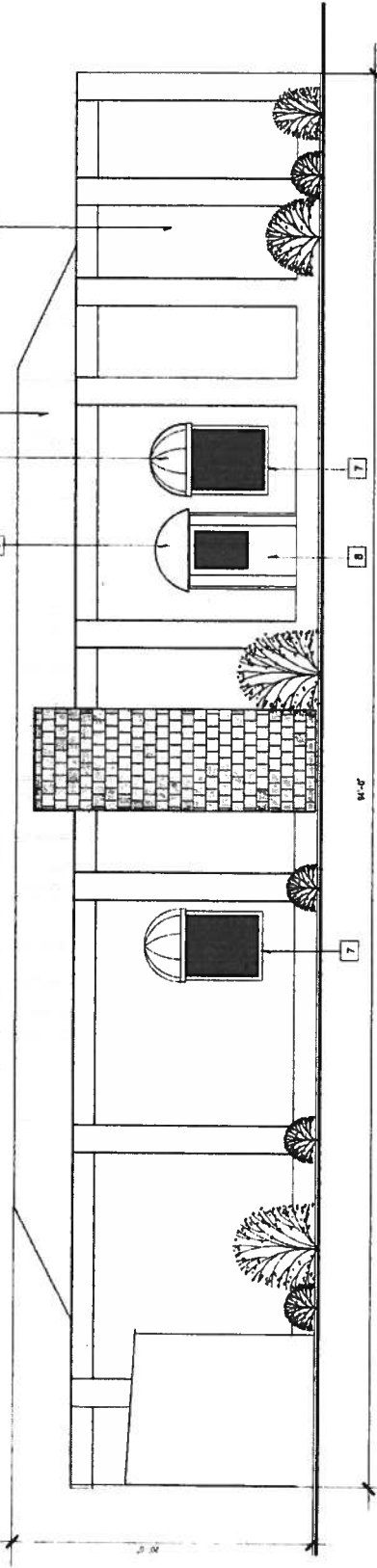
REVISION	DATE	BY

TENANT IMPROVEMENT FOR 7 OC'S RESTAURANT  
 12342 BROOKHURST ST. GARDEN GROVE, CA  
 TRAFFIC NAME: NAME TO: TEL: (714) 427-0449 FAX: (714) 427-0449  
 EMAIL: TRAFFIC@7OC.COM

TITLE: BUILDING ELEVATION (FRONT&REAR)



DATE: 10-3-2011  
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 DESIGNER: [Signature]  
 TEL: 714-351-1864  
 FILE: A-3  
 DATE: 10-3-2011

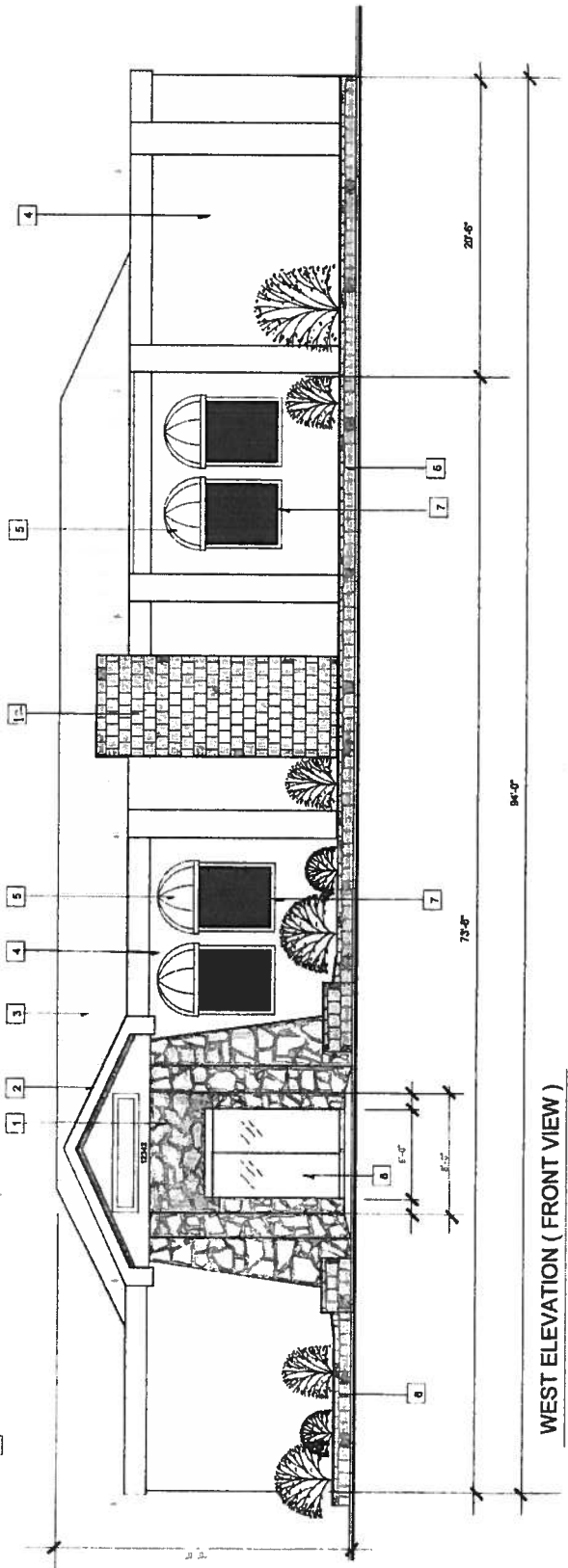


EAST ELEVATION ( REAR VIEW )

SCALE: 1/8" = 1'-0"

**BUILDING ELEVATION KEY NOTES :**

- 1. EXISTING FRONT EXTERIOR WALL BY STONE VENEER FINISH
- 2. EXISTING GABLE ROOF AT FRONT BUILDING
- 3. EXISTING SATELLITE DISH MOUNTED OVER ROOF
- 4. EXISTING EXTERIOR WITH STUCCO FINISH
- 5. EXISTING JAMB OVER THE WINDOW
- 6. EXISTING PLASTER ENCLOSURE
- 7. EXISTING EXTERIOR GLASS WINDOW
- 8. EXISTING REAR EXIT DOOR
- 9. EXISTING CHIMNEY FINISH



WEST ELEVATION ( FRONT VIEW )

SCALE: 1/8" = 1'-0"

DECISION NO. 1811-22

A DECISION OF THE ZONING ADMINISTRATOR OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-214-2022 FOR A PROPERTY LOCATED AT 12342 BROOKHURST STREET.

BE IT RESOLVED that the Zoning Administrator of the City of Garden Grove does hereby approve Conditional Use Permit No. CUP-214-2022 for a property located on east of Brookhurst Street, between Chapman Avenue and Lampson Avenue, at 12342 Brookhurst Street, Assessor's Parcel No. 089-362-03.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-214-2022, the Zoning Administrator of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated Thanh Do for Oc 7\$.
2. The applicant is requesting an approval for Conditional Use Permit to operate a new restaurant, Oc 7\$, to operate with a new original State Alcoholic Beverage Control ABC Type "41" License.
3. The City of Garden Grove has determined that this project is exempt pursuant to Article 19, Section 15301, Existing Facilities, of the California Environmental Quality Act.
4. The property has a General Plan Land Use designation of Light Commercial, and is zoned C-1 (Neighborhood Commercial).
5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property have been reviewed.
6. Report submitted by City Staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on January 27, 2022 and all interested persons were given an opportunity to be heard.
8. The Zoning Administrator gave due and careful consideration to the matter during its meeting of January 27, 2022 and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Zoning Administrator, as required under Municipal Code Section 9.32.030 (Conditional Use Permits), are as follows:

**FACTS:**

The subject site is a commercial center improved with an in-line retail building and two (2) pad restaurants. The site is located on the east side of Brookhurst Street, between Lampson Avenue and Chapman Avenue, at 12342 Brookhurst Street. The site has a General Plan Land Use designation of Light Commercial (LC), and is zoned C-1 (Neighborhood Commercial). The shopping center is adjacent to a C-2 (Community Commercial) zoned property to the north, a C-1 zoned property and a Planned Unit Development No. PUD-106-74 zoned property to the south, an O-S (Open Space) zoned property to the east, and R-1 (Single-Family Residential) zoned properties, across Brookhurst Street, to the west. The site is located in a neighborhood that consists of different types of uses including retail commercial, single-family and multifamily residential.

The specific tenant space under application occupies the entire pad building located to the northeast of the in-line retail building. The pad building is approximately 4,662 square feet in size. According to Business Tax records, the subject tenant space has been used as a restaurant since 1996. In 1998, the Planning Commission approved Conditional Use Permit No. CUP-388-98 to allow the previous restaurant, Royal Sea Food Restaurant, to operate with an ABC Type "41" (On-Sale, Beer and Wine, Public Eating Place) License. When the Royal Sea Food Restaurant ceased its operation in 2012, the sale of beer and wine was also discontinued. The pad building is continuing to be used as a restaurant, under different ownership, without the sale of alcohol.

In October 2021, the applicant purchased the restaurant, and changed its name to Oc 7\$, which can be translated to English as Snails 7\$ A Plate. The Oc 7\$ is a Vietnamese restaurant that specializes in seafood. The restaurant is originally established in the City of Westminster in 2018, located at 9299 Bolsa Avenue. The restaurant has been operating without alcohol sales at this location. As Oc 7\$ is expanding its operation, the applicant wishes to relocate the restaurant to a larger location that can better accommodate a larger clientele. The subject tenant space was chosen due to its size. Once the new location starts to operate, the applicant will close the original restaurant in the City of Westminster. To further enhance the dining experience at the restaurant, the applicant is requesting Conditional Use Permit approval to operate the Oc 7\$ with a new original State Alcoholic Beverage Control (ABC) Type "41" (On-Sale, Beer and Wine, Public Eating Place) License. Garden Grove Municipal Code Section 9.16.020.080 requires a Conditional Use Permit to operate the restaurant with an original ABC License.

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

- The subject site is located in Crime Reporting District No. 103.
- The crime count for the District is 65.

- Average crime count per district in the City is 91.
- A District is considered high when it exceeds the Citywide average by 20%.
- The subject District has a crime count of 28% above the Citywide average; therefore, it is considered a high-crime area.
- The subject site is located in Alcoholic Beverage Control Census Report District No. 882.03.
- ABC Census Reporting District No. 882.03 allows for five (5) on-sale licenses within the District. Currently, there are ten (10) on-sale licenses in the District. The approval of this CUP will increase the number of on-sale licenses in District 882.03 to eleven (11).

PUBLIC CONVENIENCE OR NECESSITY:

A finding for public convenience or necessity would have to be made in order to approve an establishment that is requesting an original Alcoholic Beverage Control license that is located within a district with a high-crime rate and/or in an area with an over-concentration of ABC Licenses. California Business and Professions Code Section 23817.5 prohibits the ABC from issuing new alcoholic licenses in areas of over-concentration. Business and Professions Code Section 23817.7 provides the following exception:

(a) Notwithstanding Section 23817.5, the department may approve an application for an on-sale beer and wine license in areas covered by Section 23817.5, if the applicant shows that public convenience or necessity would be served by the issuance, and where all of the following conditions are found to exist:

(1) The applicant premises are located in a crime-reporting district that is below that specified pursuant to paragraph (1) of subdivision (a) of Section 23958.4.

(2) The applicant premises are located in an area that falls below the concentration level provided in paragraph (3) of subdivision (a) of Section 23958.4.

(3) The local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body determines that public convenience or necessity would be served by the issuance.

Furthermore, California Business and Professions Code Section 23958 states the following:

The department further shall deny an application for a license if issuance of that license would tend to create a law enforcement problem or if issuance would result in or add to an undue concentration of licenses, except as provided in Section 23958.4

California Business and Professions Code Section 23958.4(b) provides the following exception:

(b) Notwithstanding Section 23958, the department may issue a license as follows:

(1) With respect to a nonretail license, a retail on-sale bona fide eating place license, a retail license issued for a hotel, motel, or other lodging establishment, as defined in subdivision (b) of Section 25503.16, a retail license issued in conjunction with a beer manufacturer's license, or a winegrower's license, if the applicant shows that public convenience or necessity would be served by the issuance.

(2) With respect to any other license, if the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. The 90-day period shall commence upon receipt of the local governing body of (A) notification by the department of an application for licensure, or (B) a completed application according to local requirements, if any, whichever is later.

ABC Census Reporting District No. 882.03 shows the subject site to be located in an area considered to be in a high-crime district and in an area with an over-concentration of On-Sale ABC licenses. Although the proposed establishment is located in a high-crime area with an over-concentration of On-Sale ABC licenses, staff is able to support a finding for public convenience or necessity given the potential community benefit through the addition of a beer and wine, which would provide an additional amenity that would enhance the customer experience at the Oc 7\$ restaurant. The use will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area. The conditions of approval will minimize potential impacts to the adjoining area. Provided the conditions of approval are adhered to for the life of the project, the use will be harmonious with the persons who work and live in the area.

The Community and Economic Development Department and the Police Department have reviewed the request and support the proposal. All standard conditions of approval for an ABC Type "41" License will apply.

**FINDINGS AND REASONS:**

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

The subject site has a General Plan Land Use Designation of Light Commercial, and is zoned C-1 (Neighborhood Commercial). The Light Commercial (LC) designation is intended to allow a range of commercial activities that serve local residential neighborhoods and the larger community. In particular, the subject proposal is consistent with the following General Plan Goals, Policies, and Implementation Measures:

*Policy LU-1.3 Encourage a wide variety of retail and commercial services, such as restaurants and cultural arts / entertainment, in appropriate locations.* The subject restaurant is located on Brookhurst Street in an area already developed with restaurant, retail, and other commercial services. The subject restaurant, with the proposed service of alcohol, can further enhance the commercial district.

*Goal LU-4 The City seeks to develop uses that are compatible with one another.* The proposed use is a restaurant with the incidental service of alcohol. The location of the restaurant is in a developed commercial center, with a variety of uses. Directly adjacent to the subject use are retail, restaurant, and personal service uses. Restaurant uses are compatible with these uses, and other lighter, commercial uses. Furthermore, provided the conditions of approval are adhered to for the life of the project, the use will be compatible with other commercial uses.

*Goal LU-5 Economically viable, vital, and attractive commercial centers throughout the City that serve the needs of the community.* Restaurant uses, in a variety of different cuisines and services, can enhance the vitality of the City's commercial centers. The proposed Conditional Use Permit would allow for the service of alcohol at a new restaurant, Oc 7\$. The service of alcohol is intended to enhance the dining experience at the restaurant. This enhances the community, by providing another unique dining opportunity.

*Policy LU-6.2 Encourage a mix of retail shops and services along the commercial corridors and in centers that better meet the needs of area's present and potential clientele.* The subject request for a Conditional Use Permit allowing the service of alcohol at the Oc 7\$ restaurant would add a new use to a major commercial corridor. The area surrounding the subject restaurant already features a wide variety of commercial uses. With the subject request, the proposed use will further enhance the variety of uses in the area. By providing a vast variety of commercial uses, the shopping center, and the Brookhurst Street commercial corridor can become more resilient to any future demands.

*Goal ED-2 The City must attract new businesses, while supporting and assisting those already located within Garden Grove.* The proposed Conditional Use Permit is intended to enhance the dining experience at a new restaurant, the Oc 7\$ restaurant. Should the Conditional Use Permit be approved, the City is providing new businesses all the resources they need to be successful.

*SAF-IMP-2C Involve law enforcement agencies in the design and planning phases of ABC licensed establishments to reduce design elements that conceal or encourage criminal activity.* The Garden Grove Police Department has reviewed all relevant data pertaining to the proposed Conditional Use Permit. The intent of their review is to reduce the number of alcohol-related crimes,



and promote the safe operation of the restaurant. No concerns were raised by the Police Department regarding the addition of an ABC License to the restaurant, and they are therefore supportive of the Conditional Use Permit request.

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. Previously, the restaurant was operating with an ABC Type "41" (On-Sale, Beer and Wine, Eating Place) License from 1998 to 2012 under governance of Conditional Use Permit No. CUP-388-98. However, the sale of beer and wine was discontinued in 2012 when the previous restaurant, the Royal Sea Food Restaurant, ceased its operation. The tenant space has been used as a restaurant, under different ownership, without alcohol sale since 2012. The applicant proposes to operate a new restaurant, Oc 7\$, at this location with a new original ABC Type "41" License. A new Conditional Use Permit is required to allow the applicant to operate an existing restaurant with an original State Alcohol Beverage Control Type "41" (On-Sale, Beer and Wine, Eating Place) License. The restaurant will operate from 10:00 a.m. to 9:00 p.m., seven (7) days a week. Standard hours of operation that apply to Type "41" Licensed restaurant have been applied. The conditions of approval will minimize potential impacts to the adjoining area. Provided the conditions of approval are adhered to for the life of the project, the use will be harmonious with the persons who work and live in the area.

The use will not unreasonably interfere with the use, enjoyment or valuation of the property of other persons located within the vicinity of the site, provided the conditions of approval are adhered to for the life of the project.

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.

All site improvements are existing, including parking, and fencing. The site, with the existing site improvements, is of adequate size to accommodate the proposed uses within the surrounding area.

4. That the proposed site is adequately served: by highways or streets or sufficient width and improved as necessary to carry the kind and quantity of

traffic such as to be generated, and by other public or private service facilities as required.

The site is located east of Brookhurst Street, between Chapman Avenue and Lampson Avenue, which are fully developed streets that provide adequate traffic circulation and driveway access to public parking areas. The site is also sufficiently served by the public service facilities required, such as public utilities: gas, electric, water, and sewer facilities.

INCORPORATION OF FACTS AND REASONS SET FORTH IN THE STAFF REPORT

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

BE IT FURTHER RESOLVED that the Zoning Administrator does conclude:

1. The Conditional Use Permit does possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030 (Conditional Use Permits).
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the following Conditions of Approval, attached as Exhibit "A", shall apply to Conditional Use Permit No. CUP-214-2022.

Dated: January 27, 2022

## **EXHIBIT "A"**

### **Conditional Use Permit No. CUP-214-2022**

12342 Brookhurst Street

#### **CONDITIONS OF APPROVAL**

##### **General Conditions**

1. Each owner of the property shall execute, and the applicant shall record against the property, a "Notice of Discretionary Permit Approval and Agreement with Conditions of Approval," as prepared by the City Attorney's Office, within 30 days of approval. This Conditional Use Permit runs with the land and is binding upon the property owner, his/her/its heirs, assigns, and successors in interest.
2. All Conditions of Approval set forth herein shall be binding on and enforceable against each of the following, and whenever used herein, the term "applicant" shall mean and refer to each of the following: the project applicant, Thanh Do for Oc 7\$, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. The applicant and subsequent owner/operators of such business shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the applicable City hearing body, except as otherwise provided herein.
3. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
4. This Conditional Use Permit only authorizes the operation of a 4,662 square foot restaurant with an Alcoholic Beverage Control Type "41" (On-Sale, Beer and Wine, Public Eating Place) License as identified on the floor plan attached to these Conditions of Approval. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply. Modifications, which do not change the intent of the project, may be approved by the Community and Economic Development Director.
5. Minor modifications to the approved site plan, floor plan, and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the approved floor plan, site plan, or Conditions of Approval that would result in

the intensification of the project or create impacts that have not been previously addressed, and which are determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.

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

**Police Department**

7. There shall be no gaming tables or gaming machines, as outlined in City Code Sections 8.20.010 and 8.20.050, on the premises at any time.
8. Hours of operation shall be permitted only between the hours of 8:00 a.m. to 11:00 p.m., Sunday through Thursday, and 8:00 a.m. to 12:30 a.m., Friday and Saturday. The hours of operation shall be applicable to the entire premises. The City of Garden Grove reserves the right to reduce hours of operation by order of the Chief of the Police Department, in the event problems arise due to noise, disturbances or other problems that may be resolved by modifying the hours of operation.
9. There shall be no customers or patrons in or about the premises when the establishment is closed.
10. In the event security problems occur, and at the request of the Police Department, the permittee, at his own expense, shall provide a California licensed, uniformed security guard(s) on the premises during such hours as requested by the Police Department.
11. The sale of alcoholic beverages for consumption off of the premises is prohibited. Consumption of alcoholic beverages shall not occur anywhere outside of the establishment at any time.
12. The sale or service of alcohol shall cease thirty (30) minutes prior to the required closing time.
13. There shall be no enclosed booths on the premises at any time. Walls and/or partitions exceeding thirty-six (36) inches in height, which partially enclose or separate booths, shall be of a clear and transparent material. No item shall be placed in the area of the booths that would limit or decrease the visibility of the interior of the business from any location within the business.

14. The applicant shall maintain a level of lighting in the establishment sufficient to ensure that individuals inside the restaurant can be clearly seen and identified by an observer at all times. Low-level lighting that does not enable an observer to clearly see and identify individuals inside the restaurant is prohibited.
15. No payment (entrance fee/cover charge) shall be charged to gain access to the business at any time.
16. No "B-girl" or "hostess" activity (as defined in Penal Code Section 303) shall occur within the establishment at any time.
17. No employee or agent shall, be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the establishment, nor shall the business provide or permit, or make available either gratuitous or for compensation, male or female persons who act as escorts, companions, or guests of and for the customers.
18. No employee or agent shall solicit or accept any alcoholic or nonalcoholic beverage from any customer while in the business.
19. 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 Alcoholic Beverage Control (ABC) or an ABC approved "Responsible Beverage Service (RBS) Training" program.
20. 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.
21. Any violations or noncompliance with the conditions of approval may result in the issuance of an Administrative Citation of up to \$1,000 pursuant to GGMC 1.22.010 (a).

**Community and Economic Development Department**

22. The establishment shall be operated as a "Bona Fide Public Eating Place" as defined by Alcoholic Beverage Control (ABC) License. The restaurant shall contain sufficient space and equipment to accommodate a full restaurant kitchen, and the kitchen shall be open and preparing food during all hours the

- establishment is open. The establishment shall provide an assortment of foods normally offered in restaurants. The service of only appetizers, sandwiches and/or salads shall not be deemed in compliance with this requirement.
23. The applicant shall schedule an inspection with the Building and Safety Division, and obtain a "Certificate of Occupancy" prior to business opening for services.
  24. At all time when the establishment is open for business, the sale of alcoholic beverages shall be incidental to the sale of food. The quarterly gross sales of alcoholic beverages shall not exceed 35% of the quarterly gross sales of food.
  25. Food service shall be provided during all hours the restaurant is open, and shall also be available at all times when alcoholic beverages are being served.
  26. The applicant shall, upon request, provide the City of Garden Grove with an audited report of sales ratio of food to alcoholic beverages.
  27. No outdoor storage or display shall be permitted outside of the building, including, but not limited to, storage and display of merchandise, cardboard, pallets, or boxes.
  28. A prominent, permanent sign stating "NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES" shall be posted in a place that is clearly visible to patrons of the licensee. The sign lettering shall be four (4) to six (6) inches high with black letters on a white background. The sign shall be displayed near or at the entrance, and shall also be visible to the public.
  29. There shall be no live entertainment, dancing, karaoke, or disc jockey (DJ) entertainment permitted on the premises at any time. Amplified background music emitted from a jukebox or other amplified stereo system may be permitted to enhance the dining experience, but the sound emitted from the premises shall not be audible outside of the establishment.
  30. There shall be no raised platform, stage or dance floor allowed on the premises at any time.
  31. There shall be no amusement devices permitted on the premises at any time.

32. There shall be no uses or activities permitted of an adult-oriented nature as outlined in City Code Section 9.08.070.
33. There shall be no deliveries to or from the premises before 7:00 a.m. and after 10:00 p.m., seven days a week.  
2
34. All rear doors shall be kept closed at all times, except to permit employee ingress and egress, and in emergencies.
35. 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.
36. All trash bins shall be kept inside the trash enclosure, and gates closed at all times, except during disposal and pick-up. Trash pick-up shall be at least three (3) times a week.
37. The applicant/property owner shall maintain all existing landscaped areas in a neat and healthy condition. Landscaping maintenance shall include pruning or removal of overgrown weeds and vegetation.
38. 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.
39. 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.
40. No roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department, Planning Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.

41. The applicant shall be responsible for providing adequate parking area lighting in compliance with City regulations. Lighting in the parking area shall be directed, positioned, or shielded in such a manner so as not to unreasonably illuminate adjacent properties.
42. No satellite dish antennas shall be installed on said premises unless, and until, plans have been submitted to, and approved by, the Community and Economic Development Department, Planning Services Division. No advertising material shall be placed thereon.
43. There shall be no outdoor activities conducted on the premises without approval of a Special Event Permit or Community Event Permit.
44. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
45. 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.
46. 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.
47. A copy of the decision and the conditions of approval for Conditional Use Permit No. CUP-214-2022 shall be kept on the premises at all times.
48. The permittee shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-214-2022 and his/her agreement with all conditions of the approval.
49. The Conditional Use Permit may be called for review by City staff, the City Council, or Planning Commission, if noise or other complaints are filed and verified as valid by the Code Enforcement office or other City department concerning the violation of approved conditions, the Garden Grove Municipal Code, or any other applicable provisions of law.
50. If deemed necessary by the Community and Economic Development Director, the Conditional Use Permit may be reviewed within one year from the date of



this approval, and every three (3) years thereafter, in order to determine if the business is operating in compliance.

51. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Conditional Use Permit No. CUP-214-2022. 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.
52. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the use authorized by this approval of Conditional Use Permit No. CUP-214-2022 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.
53. The applicant is advised that if the use of the establishment ceases to operate for more than 90 days, then the existing Conditional Use Permit will become null and void and the new applicant shall be required to apply for a new Conditional Use Permit subject to the approval by the Community and Economic Development Department, Planning Services Division. In the event the use(s) authorized by the CUP cease and the property owner no longer desires to continue such use(s) on the property, property owner may voluntarily terminate the CUP and all rights and obligations thereunder by executing and recording a request for voluntary revocation and termination of the CUP in a form acceptable to the City.
54. No alcoholic beverages shall be sold until all conditions of approval have been met, as determined by the Planning Services Division, and the State Alcoholic Beverage Control Board (ABC) has approved the release of the ABC License.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> 1.b.	<b>SITE LOCATION:</b> East side of Main Street, between Garden Grove Boulevard and Acacia Parkway, at 12936 Main Street.
<b>HEARING DATE:</b> January 27, 2022	<b>GENERAL PLAN:</b> Civic Center Mixed Use
<b>CASE NO.:</b> Conditional Use Permit No. CUP-215-2022	<b>ZONE:</b> Civic Center Main Street (CC-2)
<b>APPLICANT:</b> Linh Nguyen	<b>CEQA DETERMINATION:</b> Exempt – 15301 - Existing Facilities
<b>PROPERTY OWNER:</b> Khanh Le	<b>APNs:</b> 090-161-12

**REQUEST:**

The applicant is requesting Conditional Use Permit approval to allow an existing coffee and tea shop, Phuc Long Coffee and Tea, to operate with limited live entertainment in the form of a two (2) person band: one (1) instrumentalist and one (1) vocalist. The proposed entertainment will occur on Thursday, Friday and Saturday between 8:00 p.m. to 10:30p.m.

**BACKGROUND:**

The subject property is approximately 2,800 square feet, and is located within Garden Grove’s Historic Main Street, at 12936 Main Street. The property is zoned CC-2 (Civic Center Main Street), and has a General Plan Land Use Designation of Civic Center Mixed Use. The subject property is improved with a 2,500 square foot, one-story commercial building.

Previously, the subject property was used as a showroom for a cabinet store. In December 2020, the applicant proposed to convert the showroom to a new coffee and tea shop, Phuc Long Coffee and Tea. In January 2021, both the Downtown Commission and the Planning Commission approved the improvement to the building’s façade that includes: removing the existing windows, doors, and front awning; relocating the front building wall to create a new approximately 150 square foot open patio dining area (within the subject property), and repainting the building’s exterior. In May 27, 2021, the Director of the Community and Economic Development Department approved Director’s Review No. DR-052-2021 that allows the installation of a new outdoor dining area in the public right-of-way in front of the shop. The outdoor dining area on the public right-of-way is approximately 185 square feet. Phuc Long Coffee and Tea started its operation on August 20, 2021.

To further enhance the experience at the Phuc Long Coffee and Tea shop, the applicant now proposes to operate the coffee shop with limited live entertainment in the form of two (2) person band: one (1) instrumentalist and one (1) vocalist. Garden Grove Municipal Code Section 9.18.020.030 requires a Conditional Use Permit for coffeehouses to operate with limited live entertainment.

**DISCUSSION:**

Phuc Long Coffee and Tea is 2,500 square feet in size. The floor plan of the shop consists of a service counter area, a kitchen area, a dining area, a storage areas and restrooms.

Section 9.18.030.150 of the Municipal Code limits the live entertainment at coffeehouses to include up to two (2) performers in the form of one (1) amplified instrumentalist and one (1) vocalist. The code further stresses that the live entertainment must be in conjunction with the sale of food and beverage, and cannot be the main attraction that draws customers to the establishment.

The applicant proposes to operate the Phuc Long Coffee and Tea shop with limited entertainment in the form of a two (2) person band that includes one (1) instrumentalist and one (1) vocalist. The designated performance area will be centrally located inside the building, and will be adjacent to the kitchen area. No raised platform is included in the proposed plan. Overall, the proposed limited live entertainment is consistent with the requirements of the Code.

The Phuc Long Coffee and Tea will continue to operate from 8:30 a.m. to 9:00 p.m., Saturday to Wednesday, and 8:30 a.m. to 11:00 p.m., from Thursday to Saturday. The proposed limited live entertainment will occur between 8:00 p.m. to 10:30 p.m., from Thursday to Saturday. The proposed entertainment is required to be ancillary use to the coffee shop, and to cease 30-minutes before the designated closing time. The appropriate conditions of approval have been incorporated to regulate the operation of the limited live entertainment within the coffee shop, to include that no dancing, nightclub, or D.J (disc jockey) are permitted.

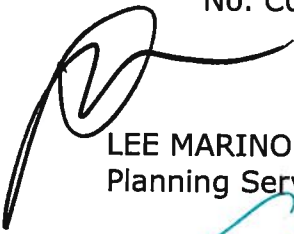
Potential noise impacts are often a concern that neighbors have about an establishment with entertainment, especially in the neighborhood that consists of both residential and commercial uses like the Historic Main Street. In order to prevent any amplified music, sound or vibrations from being audible outside of the premises, a condition of approval that requires the front folding door to be closed during the hours the entertainment occurs has been included in the approval. The purpose of this condition is to contain the sound from entertainment activities within the building. If noise complaints are received about the entertainment activities of the Phuc Long Coffee and Tea, the operator will be required to address and resolve the issue to the satisfaction of the Community and Economic Development Department.

The Community and Economic Development Department and the Police Department have reviewed the request and are in support of the proposal.

**RECOMMENDATION:**

Staff recommends that the Zoning Administrator take the following action:

1. Approve the attached Decision No. 1812-22 approving Conditional Use Permit No. CUP-215-2022, subject to the recommended conditions of approval.



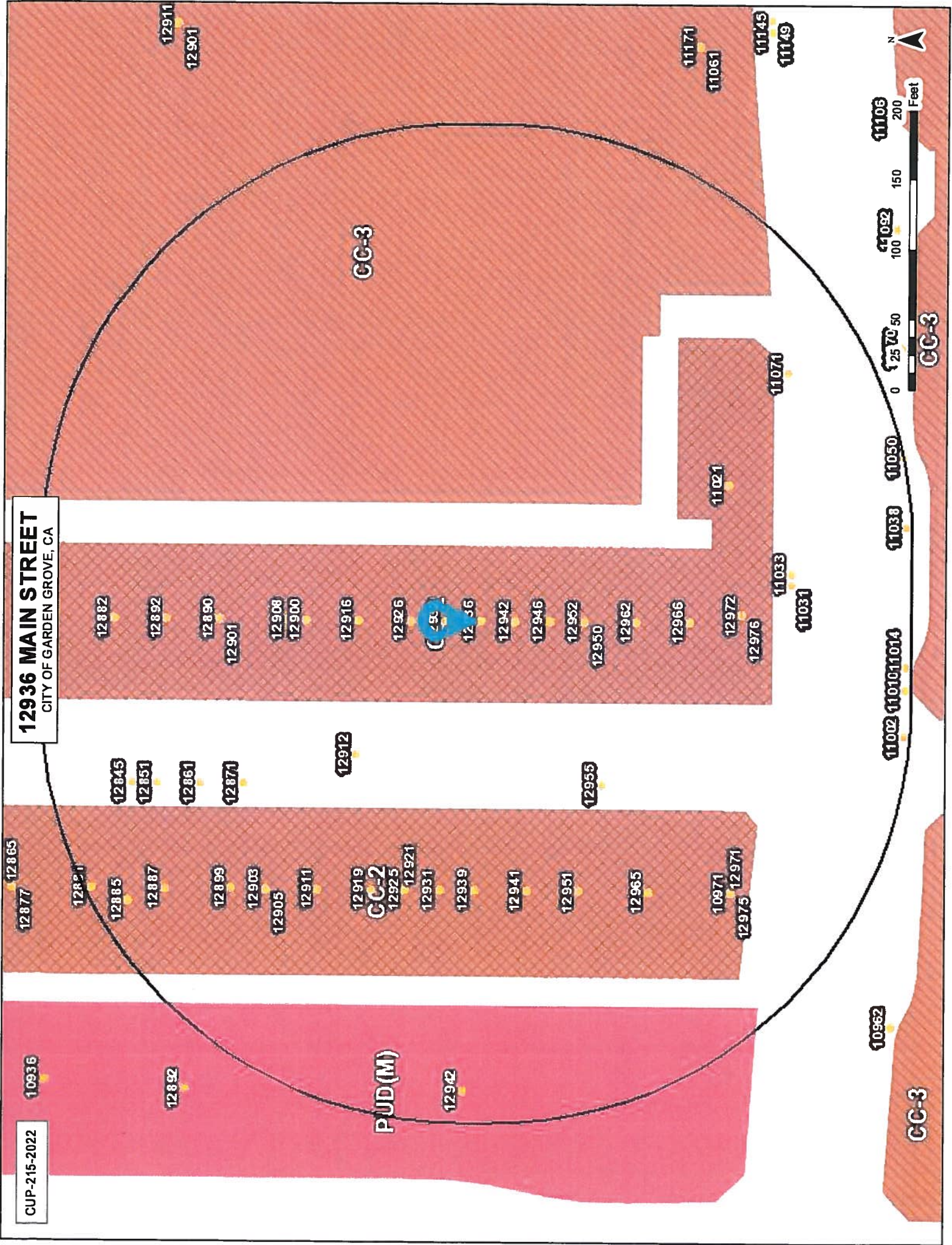
LEE MARINO  
Planning Services Manager



By: Huong Ly  
Assistant Planner

CUP-215-2022

12936 MAIN STREET  
CITY OF GARDEN GROVE, CA





REV	DESCRIPTION	DATE

PROJECT: 12936 MAIN STREET  
GARDEN GROVE, CA 92640

SHEET TITLE: COVER SHEET

CS	SHEET	1	SHEETS

**DRAWING INDEX**

**ARCHITECTURAL**

CS COVER SHEET  
 01 GENERAL REQUIREMENTS  
 02 SITE PLAN  
 03 FLOOR PLAN  
 04 ELEVATIONS

**JOB SITE:**

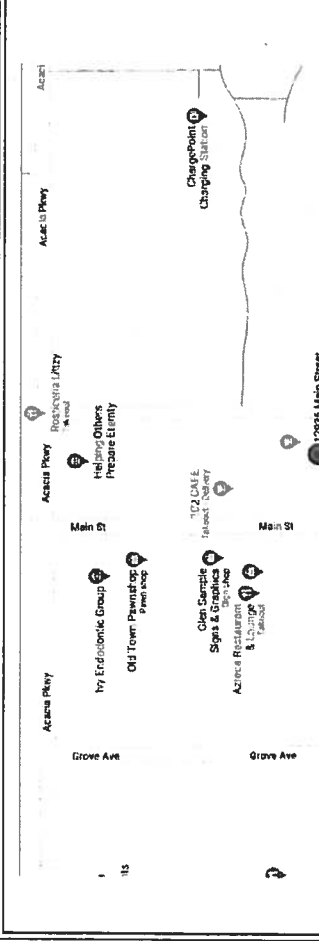
STREET ADDRESS: 12936 MAIN STREET, GARDEN GROVE, CA 92640

**STRUCTURE:**

LOAD BEARING WALLS, WOOD ROOF FRAMING

**BUILDING CODE:**

2018 CALIFORNIA BUILDING CODE  
 2018 CALIFORNIA ELECTRICAL CODE  
 2018 CALIFORNIA PLUMBING CODE  
 2018 CALIFORNIA FIRE ALARM AND SMOKE DETECTION SYSTEMS CODE  
 2018 CALIFORNIA MECHANICAL CODE  
 2018 CALIFORNIA ENERGY STANDARDS



**BUILDING DATA:**

EXISTING OCCUPANCY: SINGLE STORY  
 PREVIOUS OCCUPANCY: SINGLE STORY  
 STORY OF BUILDING: 1-4 (NON-SPRINKLERED) DIFFERED SUBMITTAL FOR SPRINKLER SYSTEM IF APPLICABLE  
 CONSTRUCTION TYPE: 1-4 (NON-SPRINKLERED) DIFFERED SUBMITTAL FOR SPRINKLER SYSTEM IF APPLICABLE  
 LOT AREA: 1,300 SQ FT  
 FLOOR AREA: NO

**TENANT:**

PHUC LONG COFFEE & TEA  
 146 HOLDING LLC  
 6732 ALAMITOS, WASHINGTON BEACH, CA 92647

**LEGAL DESCRIPTION**

STREET ADDRESS: 12936 MAIN STREET, GARDEN GROVE, CA 92640  
 AREA INCLUSION: NO CHANGE TO BUILDING FOOTPRINT  
 ZONING: L-4 "LOCAL COMMERCIAL"  
 EXISTING LAND USE: COMMERCIAL

**SCOPE OF WORK**

- TENANT IMPROVEMENT  
 - NEW INTERIOR PART AREA  
 - NEW EXTERIOR PARTIOLA DECK IN FRONT AND REAR

**DEFERRED SUBMITTAL**

- SPRINKLER

**LIFE SAFETY SYSTEM:**

EMERGENCY LIGHTING: YES - NO  
 EXIT SIGNS: YES - NO  
 FIRE ALARM AND SMOKE DETECTION SYSTEM: YES - NO  
 FIRE EXTINGUISHERS: YES - NO  
 FIRE SPRINKLER: YES - NO

**BUSINESS DESCRIPTION**

THIS FACILITY WILL BE USED AS A CAFE RESTAURANT. THERE WILL BE COOKING OR FOOD PREPARATION.

SYMBOL LEGEND:	ABBREVIATIONS	LEGAL DESCRIPTION	DEFERRED SUBMITTAL
<p>1. 1" = 10' SCALE</p> <p>2. 1" = 20' SCALE</p> <p>3. 1" = 40' SCALE</p> <p>4. 1" = 80' SCALE</p> <p>5. 1" = 160' SCALE</p> <p>6. 1" = 320' SCALE</p> <p>7. 1" = 640' SCALE</p> <p>8. 1" = 1280' SCALE</p> <p>9. 1" = 2560' SCALE</p> <p>10. 1" = 5120' SCALE</p> <p>11. 1" = 10240' SCALE</p> <p>12. 1" = 20480' SCALE</p> <p>13. 1" = 40960' SCALE</p> <p>14. 1" = 81920' SCALE</p> <p>15. 1" = 163840' SCALE</p> <p>16. 1" = 327680' SCALE</p> <p>17. 1" = 655360' SCALE</p> <p>18. 1" = 1310720' SCALE</p> <p>19. 1" = 2621440' SCALE</p> <p>20. 1" = 5242880' SCALE</p> <p>21. 1" = 10485760' SCALE</p> <p>22. 1" = 20971520' SCALE</p> <p>23. 1" = 41943040' SCALE</p> <p>24. 1" = 83886080' SCALE</p> <p>25. 1" = 167772160' SCALE</p> <p>26. 1" = 335544320' SCALE</p> <p>27. 1" = 671088640' SCALE</p> <p>28. 1" = 1342177280' SCALE</p> <p>29. 1" = 2684354560' SCALE</p> <p>30. 1" = 5368709120' SCALE</p> <p>31. 1" = 10737418240' SCALE</p> <p>32. 1" = 21474836480' SCALE</p> <p>33. 1" = 42949672960' SCALE</p> <p>34. 1" = 85899345920' SCALE</p> <p>35. 1" = 171798691840' SCALE</p> <p>36. 1" = 343597383680' SCALE</p> <p>37. 1" = 687194767360' SCALE</p> <p>38. 1" = 1374389534720' SCALE</p> <p>39. 1" = 2748779069440' SCALE</p> <p>40. 1" = 5497558138880' SCALE</p> <p>41. 1" = 10995116277760' SCALE</p> <p>42. 1" = 21990232555520' SCALE</p> <p>43. 1" = 43980465111040' SCALE</p> <p>44. 1" = 87960930222080' SCALE</p> <p>45. 1" = 175921860444160' SCALE</p> <p>46. 1" = 351843720888320' SCALE</p> <p>47. 1" = 703687441776640' SCALE</p> <p>48. 1" = 1407374883553280' SCALE</p> <p>49. 1" = 2814749767106560' SCALE</p> <p>50. 1" = 5629499534213120' SCALE</p> <p>51. 1" = 11258999068426240' SCALE</p> <p>52. 1" = 22517998136852480' SCALE</p> <p>53. 1" = 45035996273704960' SCALE</p> <p>54. 1" = 90071992547409920' SCALE</p> <p>55. 1" = 180143985094819840' SCALE</p> <p>56. 1" = 360287970189639680' SCALE</p> <p>57. 1" = 720575940379279360' SCALE</p> <p>58. 1" = 1441151880758558720' SCALE</p> <p>59. 1" = 2882303761517117440' SCALE</p> <p>60. 1" = 5764607523034234880' SCALE</p> <p>61. 1" = 11529215046068469760' SCALE</p> <p>62. 1" = 23058430092136939520' SCALE</p> <p>63. 1" = 46116860184273879040' SCALE</p> <p>64. 1" = 92233720368547758080' SCALE</p> <p>65. 1" = 184467440737095516160' SCALE</p> <p>66. 1" = 368934881474191032320' SCALE</p> <p>67. 1" = 737869762948382064640' SCALE</p> <p>68. 1" = 1475739525896764129280' SCALE</p> <p>69. 1" = 2951479051793528258560' SCALE</p> <p>70. 1" = 5902958103587056517120' SCALE</p> <p>71. 1" = 11805916207174113034240' SCALE</p> <p>72. 1" = 23611832414348226068480' SCALE</p> <p>73. 1" = 47223664828696452136960' SCALE</p> <p>74. 1" = 94447329657392904273920' SCALE</p> <p>75. 1" = 188894659314785808547840' SCALE</p> <p>76. 1" = 377789318629571617095680' SCALE</p> <p>77. 1" = 755578637259143234191360' SCALE</p> <p>78. 1" = 1511157274518286468382720' SCALE</p> <p>79. 1" = 3022314549036572936765440' SCALE</p> <p>80. 1" = 6044629098073145873530880' SCALE</p> <p>81. 1" = 12089258196146291747061760' SCALE</p> <p>82. 1" = 24178516392292583494123520' SCALE</p> <p>83. 1" = 48357032784585166988247040' SCALE</p> <p>84. 1" = 96714065569170333976494080' SCALE</p> <p>85. 1" = 193428131138340667952988160' SCALE</p> <p>86. 1" = 386856262276681335905976320' SCALE</p> <p>87. 1" = 773712524553362671811952640' SCALE</p> <p>88. 1" = 1547425049106725343623905280' SCALE</p> <p>89. 1" = 3094850098213450687247810560' SCALE</p> <p>90. 1" = 6189700196426901374495621120' SCALE</p> <p>91. 1" = 12379400392853802748991242240' SCALE</p> <p>92. 1" = 24758800785707605497982484480' SCALE</p> <p>93. 1" = 49517601571415210995964968960' SCALE</p> <p>94. 1" = 99035203142830421991929937920' SCALE</p> <p>95. 1" = 198070406285660843983859875840' SCALE</p> <p>96. 1" = 396140812571321687967719751680' SCALE</p> <p>97. 1" = 792281625142643375935439503360' SCALE</p> <p>98. 1" = 1584563250285286751870879006720' SCALE</p> <p>99. 1" = 3169126500570573503741758013440' SCALE</p> <p>100. 1" = 6338253001141147007483516026880' SCALE</p> <p>101. 1" = 12676506002282294014967032053760' SCALE</p> <p>102. 1" = 25353012004564588029934064107520' SCALE</p> <p>103. 1" = 50706024009129176059868128215040' SCALE</p> <p>104. 1" = 101412048018258352119736256430080' SCALE</p> <p>105. 1" = 202824096036516704239472512860160' SCALE</p> <p>106. 1" = 405648192073033408478945025720320' SCALE</p> <p>107. 1" = 811296384146066816957890051440640' SCALE</p> <p>108. 1" = 1622592768292133633915780102881280' SCALE</p> <p>109. 1" = 3245185536584267267831560205762560' SCALE</p> <p>110. 1" = 6490371073168534535663120411525120' SCALE</p> <p>111. 1" = 12980742146337069071326240823050240' SCALE</p> <p>112. 1" = 25961484292674138142652481646100480' SCALE</p> <p>113. 1" = 51922968585348276285304963292200960' SCALE</p> <p>114. 1" = 103845937170696552570609926584401920' SCALE</p> <p>115. 1" = 207691874341393105141219853168803840' SCALE</p> <p>116. 1" = 415383748682786210282439706337607680' SCALE</p> <p>117. 1" = 830767497365572420564879412675215360' SCALE</p> <p>118. 1" = 1661534994731144841129758825350430720' SCALE</p> <p>119. 1" = 3323069989462289682259517510700861440' SCALE</p> <p>120. 1" = 6646139978924579364519035021401722880' SCALE</p> <p>121. 1" = 1329227995784915872903807004283445760' SCALE</p> <p>122. 1" = 2658455991569831745807614008566891520' SCALE</p> <p>123. 1" = 5316911983139663491615228017133783040' SCALE</p> <p>124. 1" = 10633823966279326983230456034267566080' SCALE</p> <p>125. 1" = 21267647932558653966460912068535132160' SCALE</p> <p>126. 1" = 42535295865117307932921824137070264320' SCALE</p> <p>127. 1" = 85070591730234615865843648274140528640' SCALE</p> <p>128. 1" = 170141183460469231731687296548281057280' SCALE</p> <p>129. 1" = 340282366920938463463374593096562114560' SCALE</p> <p>130. 1" = 680564733841876926926749186193124229120' SCALE</p> <p>131. 1" = 1361129467683753853853498372386248458240' SCALE</p> <p>132. 1" = 2722258935367507707706996744772496916480' SCALE</p> <p>133. 1" = 5444517870735015415413993489544993832960' SCALE</p> <p>134. 1" = 10889035741470030830827986979089987665920' SCALE</p> <p>135. 1" = 21778071482940061661655973958179975331840' SCALE</p> <p>136. 1" = 43556142965880123323311947916359950663680' SCALE</p> <p>137. 1" = 87112285931760246646623895832719901327360' SCALE</p> <p>138. 1" = 174224571863520493293247791665439802654720' SCALE</p> <p>139. 1" = 348449143727040986586495583330879605309440' SCALE</p> <p>140. 1" = 696898287454081973172991166661759210618880' SCALE</p> <p>141. 1" = 1393796574908163946345982333323518421237760' SCALE</p> <p>142. 1" = 2787593149816327892691964666647036842475520' SCALE</p> <p>143. 1" = 5575186299632655785383929333294073684951040' SCALE</p> <p>144. 1" = 1115037259926531157076785866658814699902080' SCALE</p> <p>145. 1" = 2230074519853062314153571733317636399804160' SCALE</p> <p>146. 1" = 4460149039706124628307143466635272799608320' SCALE</p> <p>147. 1" = 8920298079412249256614286933270545599216640' SCALE</p> <p>148. 1" = 17840596158824498513228573866541091198433280' SCALE</p> <p>149. 1" = 35681192317648997026457147733082183968666560' SCALE</p> <p>150. 1" = 71362384635297994052914295466164367937333120' SCALE</p> <p>151. 1" = 142724769270595988105828590932328735874666240' SCALE</p> <p>152. 1" = 285449538541191976211657181864657471749332480' SCALE</p> <p>153. 1" = 57089907708238395242331436372931494349864960' SCALE</p> <p>154. 1" = 114179815416476790484662872745829886899729920' SCALE</p> <p>155. 1" = 228359630832953580969325745491659773799459840' SCALE</p> <p>156. 1" = 456719261665907161938651490983319547598919680' SCALE</p> <p>157. 1" = 913438523331814323877302981966639095197839360' SCALE</p> <p>158. 1" = 1826877046663628647754605963933277903975678720' SCALE</p> <p>159. 1" = 3653754093327257295509211927866555807951357440' SCALE</p> <p>160. 1" = 7307508186654514591018423855733111615902714880' SCALE</p> <p>161. 1" = 1461501637330902918203684771146622323180542960' SCALE</p> <p>162. 1" = 2923003274661805836407369542293244646361085120' SCALE</p> <p>163. 1" = 5846006549323611672814739084586489292722170240' SCALE</p> <p>164. 1" = 1169201309864722334562947816917377848544434480' SCALE</p> <p>165. 1" = 2338402619729444669125895633834755697088868960' SCALE</p> <p>166. 1" = 4676805239458889338251791267669511394177737920' SCALE</p> <p>167. 1" = 9353610478917778676503582535339022788355475840' SCALE</p> <p>168. 1" = 1870722095783555735300716507067804557671091680' SCALE</p> <p>169. 1" = 3741444191567111470601433014135609115534213360' SCALE</p> <p>170. 1" = 7482888383134222941202866028271218310668426720' SCALE</p> <p>171. 1" = 1496577676626844588240573255654243662133695360' SCALE</p> <p>172. 1" = 2993155353253689176481146511308487324267390720' SCALE</p> <p>173. 1" = 5986310706507378352962293022616974648534781440' SCALE</p> <p>174. 1" = 119726214130147567059245860452339492970695680' SCALE</p> <p>175. 1" = 239452428260295134118491720904678985941391680' SCALE</p> <p>176. 1" = 478904856520590268236983441809357971882783360' SCALE</p> <p>177. 1" = 957809713041180536473966883618715943765566720' SCALE</p> <p>178. 1" = 1915619426082361072947933667237431887531133440' SCALE</p> <p>179. 1" = 3831238852164722145895867334474863775062266880' SCALE</p> <p>180. 1" = 766247770432944429179173466894972755012453760' SCALE</p> <p>181. 1" = 1532495440865888858358346933789945510024907520' SCALE</p> <p>182. 1" = 306499088173177771671669386757989102004981440' SCALE</p> <p>183. 1" = 612998176346355543343338773515978204009962880' SCALE</p> <p>184. 1" = 1225996352692711086686677447031564080019925760' SCALE</p> <p>185. 1" = 2451992705385422173373354894063128160039851520' SCALE</p> <p>186. 1" = 4903985410770844346746709788126256320079703040' SCALE</p> <p>187. 1" = 9807970821541688693493419576252512640159406080' SCALE</p> <p>188. 1" = 19615941643083377386986839152505025280318811680' SCALE</p> <p>189. 1" = 39231883286166754773973678305010050560637623680' SCALE</p> <p>190. 1" = 78463766572333509547947356610020101121275247360' SCALE</p> <p>191. 1" = 156927533144667019095894713220040202242550494720' SCALE</p> <p>192. 1" = 31385506628933403819178942644008040448510099440' SCALE</p> <p>193. 1" = 62771013257866807638357885288016080897020198880' SCALE</p> <p>194. 1" = 125542026515733615276715770576032161794040397760' SCALE</p> <p>195. 1" = 251084053031467230553431541152064323588080795520' SCALE</p> <p>196. 1" = 50216810606293446110686308230412864717716151040' SCALE</p> <p>197. 1" = 100433621212586892221372616460825734355432302080' SCALE</p> <p>198. 1" = 200867242425173784442745232921651468710864604160' SCALE</p> <p>199. 1" = 40173448485034756888549046584330293742173210240' SCALE</p> <p>200. 1" = 80346896970069513777098093168660587484346420480' SCALE</p> <p>201. 1" = 16069379394013902755419618633732117488689280960' SCALE</p> <p>202. 1" = 32138758788027805510839237267464234977378561920' SCALE</p> <p>203. 1" = 64277517576055611021678474534928469954757123840' SCALE</p> <p>204. 1" = 128555035152111222043356949069856939909514447680' SCALE</p> <p>205. 1" = 257110070304222444086713898139713879819028895360' SCALE</p> <p>206. 1" = 514220140608444888173427796279427759638057790720' SCALE</p> <p>207. 1" = 1028440281216889776346855592558855519276115581440' SCALE</p> <p>208. 1" = 2056880562433779552693711185117711385532311162880' SCALE</p> <p>209. 1" = 411376112486755910538742237023542277106462325760' SCALE</p> <p>210. 1" = 822752224973511821077484474047084554212924651520' SCALE</p> <p>211. 1" = 1645504449947023642154968948094169108425849303040' SCALE</p> <p>212. 1" = 3291008899894047284309937896188338216851696606080' SCALE</p> <p>213. 1" = 6582017799788094568619875792376676337103393212160' SCALE</p> <p>214. 1" = 13164035599576189137239751584753352674206786424320' SCALE</p> <p>215. 1" = 26328071199152378274479503169506745548413572848640' SCALE</p> <p>216. 1" = 52656142398304756548959006339013491097827145797280' SCALE</p> <p>217. 1" = 105312284796609513097918012678026982195654291594560' SCALE</p> <p>218. 1" = 210624569593219026195836025356053964391308581989120' SCALE</p> <p>219. 1" = 421249139186438052391672050712107928782617173978240' SCALE</p> <p>220. 1" = 842498278372876104783344101424215857565233447956480' SCALE</p> <p>221. 1" = 1684996576745752209566688202848431715130466895912960' SCALE</p> <p>222. 1" = 3369993153491504419133376405696863430260933791825920' SCALE</p> <p>223. 1" = 6</p>			



PROJECT: 12936 MAIN STREET GARDEN GROVE, CA 92840  
 SHEET TITLE: SITE PLAN  
 DATE: \_\_\_\_\_  
 REV: \_\_\_\_\_  
 DESCRIPTION: \_\_\_\_\_

CHECKER: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 SHEET: A1

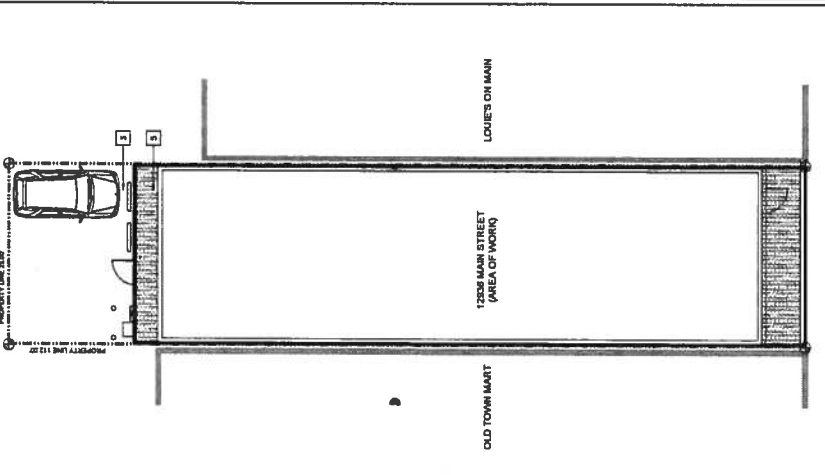
**SITE PLAN KEYNOTES**

MARK	DESCRIPTION OF WORK
1	1/4" HIGH WOOD PATIO WALKING
2	EXTERIOR WALL BELOW
3	PARKING SPACE TO BE REMOVED
4	EXISTING CURB TO BE REMOVED
5	EXISTING CURB TO BE RECONSTRUCTED
6	ELECTRICAL TRANSFORMER TO REMAIN
7	CASE METERS & BOLLARDS TO REMAIN
8	UNAUTHORIZED PARKING SIGN
9	PARKING STRIPE TO BE REMOVED
10	DRINK LINE
11	ROOF TOP A/C MECHANICAL EQUIPMENT TO REMAIN EXISTING
12	ROOF TOP ACCESS DOOR

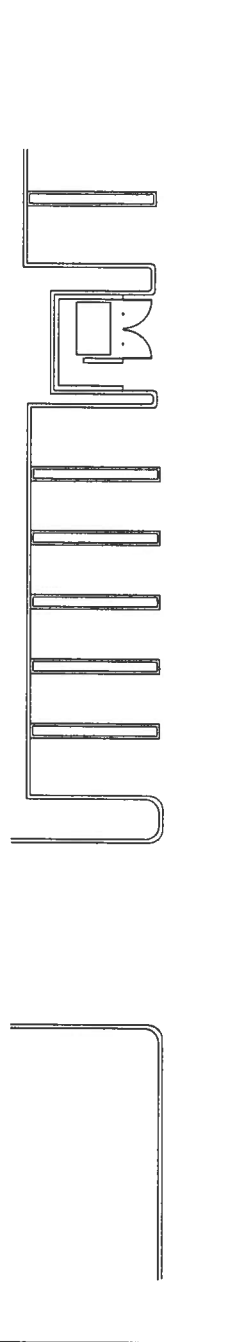
ASSEMBLY SHALL BE TRAVEL, MAXIMUM 2% GRADE  
 SLOPE AND MAXIMUM 3% SLOPE IN THE DIRECTION OF  
 TRAVEL. NO ADJUST CHANGES IN ELEVATION ALONG THE  
 LOADING/UNLOADING AND ACCESSIBLE PEDESTRIAN  
 WALKWAY (W/ 2% MAX SLOPE) STRIPING

48" CLEAR WIDTH PATH OF TRAVEL

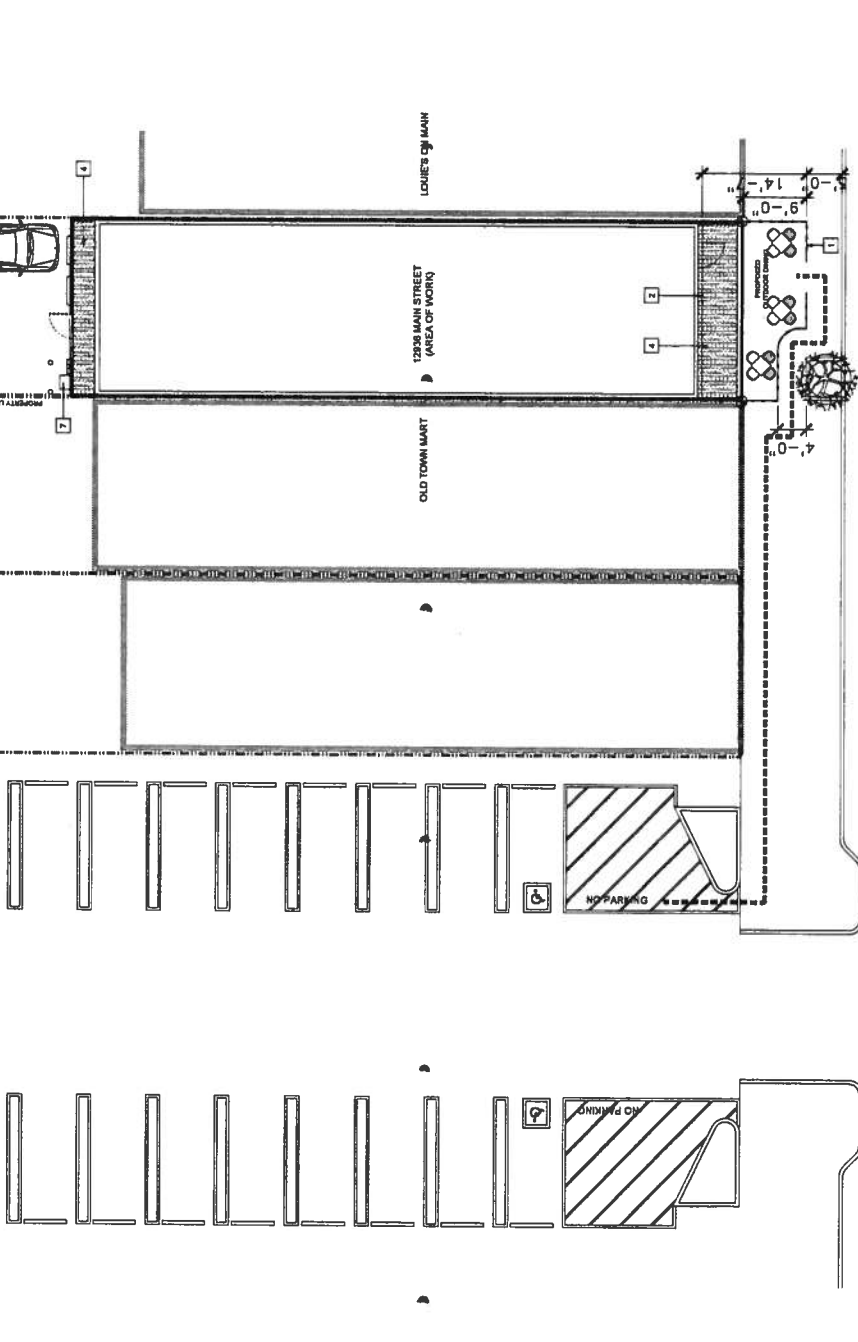
**SYMBOLS LEGEND**



1 PROPOSED SITE PLAN  
 SCALE: 1/8" = 1'-0"



2 EXISTING SITE PLAN  
 SCALE: 1/8" = 1'-0"



1 PROPOSED SITE PLAN  
 SCALE: 1/8" = 1'-0"

REV.	DESCRIPTION	DATE

PROJECT: PHUC LONG COFFEE & TEA  
12936 MAIN STREET  
GARDEN GROVE, CA 92840

SHEET TITLE: FLOOR PLAN

- FLOOR PLAN KEYNOTES**
- 1 FOLGING DOOR SYSTEM
  - 2 8"x18"-BEAM STEEL COLUMN TO REMAIN
  - 3 ELECTRICAL PANEL TO REMAIN
  - 4 3" NON PAID BALING
  - 5 REMOUSH EXISTING STONE FRONT
  - 6 6A TACTILE EXIT SIGNAGE, REFER TO 2/C
  - 7 6A SIGNAGE, REFER TO 2/C
  - 8 EXIT TRAVEL DISTANCE
  - 9 EXISTING COLUMN TO REMAIN
  - 10 COUNTER @ 34" A.C.F., REFER TO 4/2.1
  - 11 EXISTING SUB PANEL
  - 12 EXISTING ELECTRICAL METER

- KITCHEN EQUIPMENT**
- 1 (M) ICE MACHINE
  - 2 (M) 2 COMP. PREP SINK
  - 3 (M) TRASH BIN
  - 4 (M) HAND SINK
  - 5 (M) 3 COMP. SINK
  - 6 (M) STAINLESS STEEL CABINET
  - 7 (M) PERFORMANCE AREA (NO BASED PLATFORM)
  - 8 (M) DISHWASHER
  - 9 (M) DISHWASHER HOT WATER SUPPLY
  - 10 (M) EXPRESS COFFEE
  - 11 (M) VITA-MIX BLENDER

**TABLE/BENCH**  
COMMON PART OF TRAVEL W/O SPRINKLER SYSTEM  
OCCUPANCY: 238  
OCCUPANT LOAD: 318  
SEATING: 52

**TABLE/BENCH**  
SEATING: 52  
OCCUPANT LOAD: 318  
TRAVEL DISTANCE: 190'

**MAX. TRAVEL OF DISTANCE: 190'**

**OCCUPANT LOAD SIGN**  
LETTER SHALL BE OF A CONTRASTING COLOR FROM THE BACKGROUND SURFACE. - ADJACENT TO MAIN ENTRANCE REQUIREMENT.

**EGRESS REQUIREMENTS**

DINING AREA: 1,183 S.F. 74 OCCUPANTS  
COUNTER SERVICE AREA: 300 S.F. 3 OCCUPANTS  
PREP/STORAGE/STAFF AREA: 1,183 S.F. 3 OCCUPANTS  
PREP AREA: 120 S.F. 3 OCCUPANTS  
TOTAL: 2,786 S.F. 83 OCCUPANTS

**OCCUPANT LOAD CALCULATIONS**

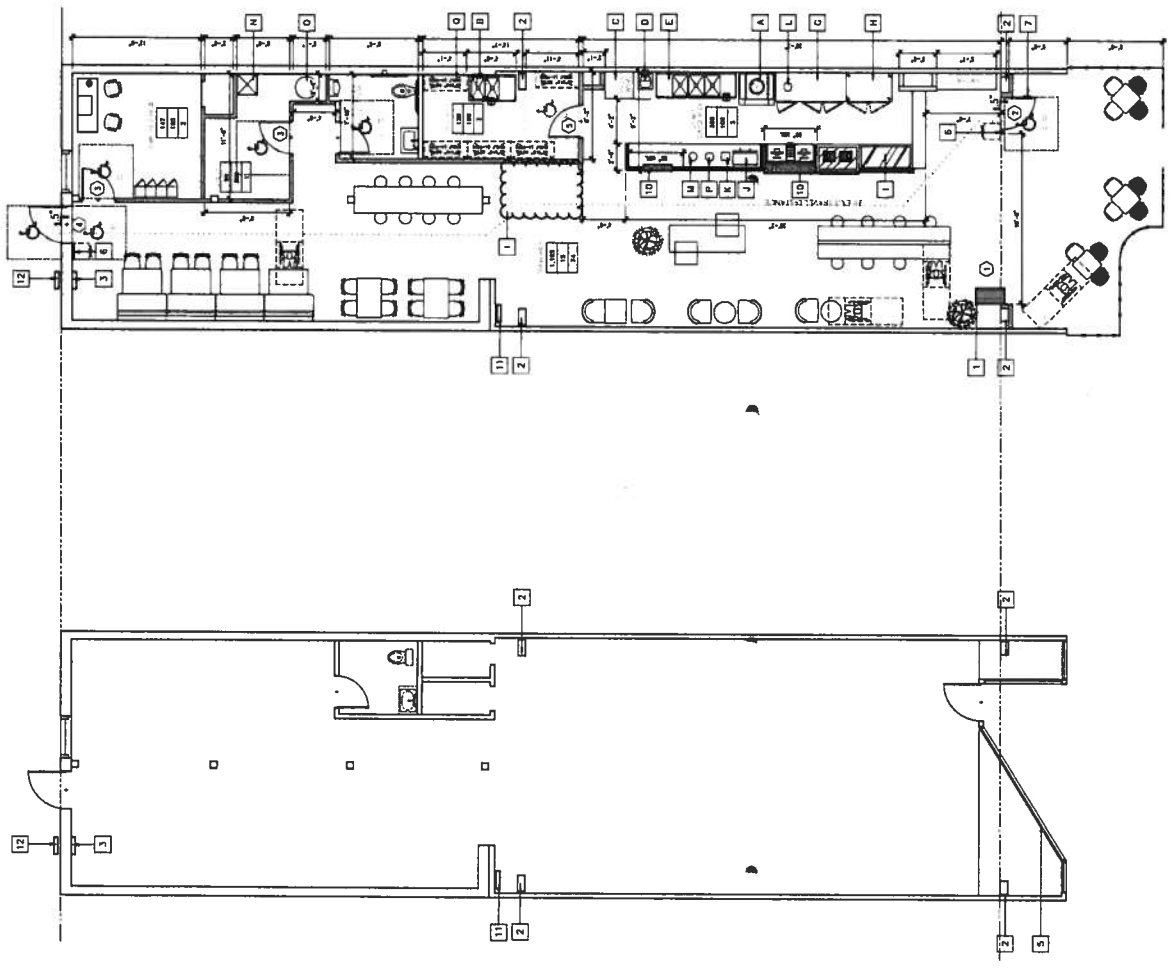
DOOR #	MINIMUM	MAXIMUM	TYPE	SEPARATION
1	10'-0" x 8'-0" x 1'-0"	10'-0" x 8'-0" x 1'-0"	DOOR	10'-0" x 8'-0" x 1'-0"
2	10'-0" x 8'-0" x 1'-0"	10'-0" x 8'-0" x 1'-0"	DOOR	10'-0" x 8'-0" x 1'-0"
3	10'-0" x 8'-0" x 1'-0"	10'-0" x 8'-0" x 1'-0"	DOOR	10'-0" x 8'-0" x 1'-0"
4	10'-0" x 8'-0" x 1'-0"	10'-0" x 8'-0" x 1'-0"	DOOR	10'-0" x 8'-0" x 1'-0"
5	10'-0" x 8'-0" x 1'-0"	10'-0" x 8'-0" x 1'-0"	DOOR	10'-0" x 8'-0" x 1'-0"
6	10'-0" x 8'-0" x 1'-0"	10'-0" x 8'-0" x 1'-0"	DOOR	10'-0" x 8'-0" x 1'-0"
7	10'-0" x 8'-0" x 1'-0"	10'-0" x 8'-0" x 1'-0"	DOOR	10'-0" x 8'-0" x 1'-0"
8	10'-0" x 8'-0" x 1'-0"	10'-0" x 8'-0" x 1'-0"	DOOR	10'-0" x 8'-0" x 1'-0"
9	10'-0" x 8'-0" x 1'-0"	10'-0" x 8'-0" x 1'-0"	DOOR	10'-0" x 8'-0" x 1'-0"
10	10'-0" x 8'-0" x 1'-0"	10'-0" x 8'-0" x 1'-0"	DOOR	10'-0" x 8'-0" x 1'-0"
11	10'-0" x 8'-0" x 1'-0"	10'-0" x 8'-0" x 1'-0"	DOOR	10'-0" x 8'-0" x 1'-0"
12	10'-0" x 8'-0" x 1'-0"	10'-0" x 8'-0" x 1'-0"	DOOR	10'-0" x 8'-0" x 1'-0"

**DOOR SCHEDULE**

- 1 WALL TO REMAIN
- 2 WALL TO BE DEMO
- 3 WALL
- 4 PATH OF TRAVEL
- 5 ILLUMINATED EXIT SIGN W/ EMERGENCY LIGHTING
- 6 ILLUMINATED EXIT SIGN W/ EMERGENCY LIGHTING
- 7 ILLUMINATED EXIT SIGN W/ EMERGENCY LIGHTING
- 8 ILLUMINATED EXIT SIGN W/ EMERGENCY LIGHTING
- 9 ILLUMINATED EXIT SIGN W/ EMERGENCY LIGHTING
- 10 ILLUMINATED EXIT SIGN W/ EMERGENCY LIGHTING
- 11 ILLUMINATED EXIT SIGN W/ EMERGENCY LIGHTING
- 12 ILLUMINATED EXIT SIGN W/ EMERGENCY LIGHTING

**SYMBOL LEGEND**

THRESHOLD: NO MORE THAN 1/2" LOWER THAN THE THRESHOLD OF THE CORRIDOR



2 PROPOSED FLOOR PLAN  
Scale: 3/16" = 1'-0"

1 EXISTING FLOOR PLAN  
Scale: 3/16" = 1'-0"



DECISION NO. 1812-22

A DECISION OF THE ZONING ADMINISTRATOR OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-215-2022 FOR A PROPERTY LOCATED AT 12936 MAIN STREET.

BE IT RESOLVED that the Zoning Administrator of the City of Garden Grove does hereby approve Conditional Use Permit No. CUP-215-2022 for a property located on east side of Main Street, between Garden Grove Boulevard and Acacia Parkway, at 12936 Main Street, Assessor's Parcel No. 090-161-12.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-215-2022, the Zoning Administrator of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated Linh Nguyen for Phuc Long Coffee and Tea.
2. The applicant is requesting an approval for Conditional Use Permit to allow an existing coffee and tea shop, Phuc Long Coffee and Tea, to operate with limited live entertainment in the form of a two (2) person band: one (1) instrumentalist and one (1) vocalist. The proposed entertainment will occur on Thursday, Friday, and Saturday between 8:00 p.m. to 10:30 p.m.
3. The City of Garden Grove has determined that this project is exempt pursuant to Article 19, Section 15301, Existing Facilities, of the California Environmental Quality Act.
4. The property has a General Plan Land Use designation of Civic Center Mixed Use and is zoned CC-2 (Civic Center Main Street).
5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property have been reviewed.
6. Report submitted by City Staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on January 27, 2022 and all interested persons were given an opportunity to be heard.
8. The Zoning Administrator gave due and careful consideration to the matter during its meeting of January 27, 2022 and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Zoning Administrator, as required under Municipal Code Section 9.32.030 (Conditional Use Permits), are as follows:

FACTS:

The subject property is approximately 2,800 square feet, and is located within Garden Grove's Historic Main Street, at 12936 Main Street. The property is zoned CC-2 (Civic Center Main Street), and has a General Plan Land Use Designation of Civic Center Mixed Use. The subject property is improved with a 2,500 square foot, one-story commercial building.

Previously, the subject property was used as a showroom for a cabinet store. In December 2020, the applicant proposed to convert the showroom to a new coffee and tea shop, Phuc Long Coffee and Tea. In January 2021, both the Downtown Commission and the Planning Commission approved the improvement to the building's façade that includes: removing the existing windows, doors, and front awning; relocating the front building wall to create a new approximately 150 square foot open patio dining area (within the subject property), and repainting the building's exterior. In May 27, 2021, the Director of the Community and Economic Development Department approved Director's Review No. DR-052-2021 that allows the installation of a new outdoor dining area in the public right-of-way in front of the shop. The outdoor dining area on the public right-of-way is approximately 185 square feet. Phuc Long Coffee and Tea started its operation on August 20, 2021.

To further enhance the experience at the Phuc Long Coffee and Tea shop, the applicant now proposes to operate the coffee shop with limited live entertainment in the form of two (2) person band: one (1) instrumentalist and one (1) vocalist. Garden Grove Municipal Code Section 9.18.020.030 requires a Conditional Use Permit for coffeehouses to operate with limited live entertainment.

FINDINGS AND REASONS:

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

The subject site has a General Plan Land Use Designation of Civic Center Mixed Use and is zoned CC-2 (Civic Center Main Street). The Civic Center Mixed Use designation is intended to provide for a mix of civic, institutional, commercial, higher density residential, and open space uses. These uses should contribute to the sense that this area is the heart and soul of the community, as well as a public gathering place. In particular, the subject proposal is consistent with the following General Plan Goals, Policies, and Implementation Measures:

*Policy LU-1.3 Encourage a wide variety of retail and commercial services, such as restaurants and cultural arts / entertainment, in appropriate locations.* The subject business is located on Historic Main Street. The area consists of both residential and commercial uses including restaurant, bakery, beauty salon, gallery, and medical and professional office. Allowing limited live

entertainment at the subject location will add to the variety of commercial services that Main Street can provide.

*Goal LU-4 The City seeks to develop uses that are compatible with one another.* Adjacent to the west of the Phuc Long Coffee and Tea, across Main Street, is the Azteca Mexican Restaurant. Azteca Restaurant has been operating with full entertainment since 1980. In addition, coffeehouses with limited entertainment is conditionally approved in the CC-2 zone provided that the proposed live entertainment is in compliance with the Code. Staff has reviewed the proposal, and deemed that the proposed limited live entertainment complies with the code. Thus, the proposed use is compatible with the surrounding uses.

*Goal LU-5 Economically viable, vital, and attractive commercial centers throughout the City that serve the needs of the community.* The proposed limited entertainment, which is in form of two-person band: one (1) vocalist and one (1) instrumentalist, will enhance dining experience at the Phuc Long Coffee and Tea that cannot be found nearby. Allowing the limited live entertainment at the subject coffee shop will create a new amenity for Main Street.

*Goal ED-2 The City must attract new businesses, while supporting and assisting those already located within Garden Grove.* The proposed Conditional Use Permit is intended to enhance the dining experience at the Phuc Long Coffee and Tea. Should the Conditional Use Permit be approved, the City is providing both a new business all the resources they need to be successful.

*SAF-IMP-2E Involve law enforcement agencies in the design review of new and rehabilitated buildings to ensure basic safety measures and surveillance access are achieved.* The Garden Grove Police Department has reviewed the floor plan, and all the relevant data pertaining to the operation of the Phuc Long Coffee and Tea. The intent of their review is to reduce potential crimes as well as potential noise issues might be caused by the proposed limited live entertainment, and to promote the safe operation of the coffee shop. A condition of approval that requires the front folding door to be closed during all the hours that entertainment occurs is included in the conditions of approval. The purpose of the condition is to ensure that all the noise will be contained inside the building.

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.

Phuc Long Coffee and Tea is located at the heart of the Historic Main Street. Surrounding uses include residential, restaurant, bakery, beauty salon, gallery, and medical and professional office. An existing restaurant on Main Street, Azteca Restaurant, has been operating with live entertainment since 1980. Thus, the proposed limited entertainment in form of two person band at the Phuc Long Coffee and Tea is consistent with the neighboring uses.

In addition, the proposed entertainment only occurs on Thursday, Friday, and Saturday of every week, between 8:00 p.m. and 10:30 p.m., which is consistent with standard hours for eating establishments with limited entertainment within the City. To further minimize the potential noise impact from the entertainment activities, a condition of approval that requires the front folding door to be closed during the hours that entertainment occurs, to contain the noise inside the building has been included. Provided the conditions of approval are adhered to for the life of the project, the use will be harmonious with the persons who work and live in the area.

The Police Department has reviewed the request and believes that use will not unreasonably interfere with the use, enjoyment or valuation of the property of other persons located within the vicinity of the site, provided the conditions of approval are adhered to for the life of the project.

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.

All site improvements are existing, including parking, and fencing. The site, with the existing site improvements, is of adequate size to accommodate the proposed uses within the surrounding area.

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

The site is located on Main Street, between Garden Grove Boulevard and Acacia Parkway, which are fully developed streets that provide adequate traffic circulation and driveway access to the site and to public parking areas. The site is also sufficiently served by the public service facilities required, such as public utilities: gas, electric, water, and sewer facilities.

#### INCORPORATION OF FACTS AND REASONS SET FORTH IN THE STAFF REPORT

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

BE IT FURTHER RESOLVED that the Zoning Administrator does conclude:

1. The Conditional Use Permit does possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.32.030 (Conditional Use Permits).
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the following Conditions of Approval, attached as Exhibit "A", shall apply to Conditional Use Permit No. CUP-215-2022.

Dated: January 27, 2022

## **EXHIBIT "A"**

### **Conditional Use Permit No. CUP-215-2022**

12936 Main Street

#### **CONDITIONS OF APPROVAL**

##### **General Conditions**

1. The applicant shall record a "Notice of Agreement with Conditions of Approval and Discretionary Permit Approval," as prepared by the City Attorney's Office, on the property. Proof of such recordation is required 30 days after the approval. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership.
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, Linh Nguyen, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. The applicant and subsequent owner/operators of such business shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the applicable City hearing body, except as otherwise provided herein.
3. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply. The Community Development Director may approve modifications that do not change the intent of the project.
4. Minor modifications to the approved site plan, floor plan, and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the approved floor plan, site plan, or Conditions of Approval that would result in the intensification of the project or create impacts that have not been previously addressed, and which are determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

**Police Department**

6. 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.
7. There shall be no pool tables or amusement devices on the premises at any time.
8. There shall be no customers or patrons in or about the coffee shop when the establishment is closed.
9. 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.
10. 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.
11. 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).
12. No employee or agent shall be permitted to accept money or any other any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the establishment, nor shall the business provide or permit, or make available either gratuitous or for compensation, male or female persons who act as escorts, companion or guests of and for the customers.
13. No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while in the business.
14. Entertainment shall be limited to the following operating requirements:
  - a. The entertainment provided at this location shall be limited to a two-person band: one (1) vocalist and one (1) instrumentalist.
  - b. There shall be no raised platform or stage permitted within the establishment at any time.

- c. The live entertainment shall occur between 8:00 p.m. to 10:30 p.m. Thursday, Friday, and Saturday only.
- d. All live entertainment shall cease thirty (30) minutes prior to the designated closing time.
- e. All entertainment shall comply with the City's adopted Noise Ordinance.
- f. The front folding door shall be closed during all the hours the entertainment occurs.
- g. All amplified music, sound or vibrations shall not be audible from outside the establishment. The applicant shall install appropriate sound attenuation devices to contain all music, sound or vibrations within the establishment.
- h. When the live entertainment is not occurring, amplified background music emitted from a jukebox or other amplified stereo system may be permitted to enhance the dining experience.
- i. No flyer party or nightclub shall be permitted.
- j. The applicant shall take appropriate measures necessary to ensure customers shall not be allowed to stand for the purpose of hearing and/or viewing the entertainment.
- k. Live entertainment is intended to be incidental to the primary activity of dining within the Phuc Long Coffee and Tea, and shall not be utilized as a primary use or as an attraction to draw customers to the establishment.
- l. No payment (entrance fee/cover charge) shall be charged to gain access to the business at any time.
- m. The owner/operator shall not lease space, enter into any agreements with promoters or otherwise allow the facility to be used by promoters for the purpose of promotional events such as live bands, flier events, promoter parties, exotics dancers, multiple person bands or any other type of similar entertainment.



- n. No "B-girl" or "hostess" activity (as defined in Penal Code Section 303) shall occur within the establishment at any time.
  - o. No employee or agent shall, be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the establishment, nor shall the business provide or permit, or make available either gratuitous or for compensation, male or female persons who act as escorts, companions, or guests of and for the customers.
  - p. No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while in the business.
15. At all times that the business is operating, the dining tables and chairs shall remain in place to accommodate dining within the restaurant area. At no time shall the dining area be converted into a dance floor, nightclub area or other entertainment area by removing or reconfiguring the dining tables and chairs.
16. All live entertainment at the establishment is the sole responsibility of the owner/operator of the establishment. The owner/operator of the establishment shall be solely responsible for all bookings and contractual arrangements for any type of live entertainment allowed.
17. No low level lighting shall be provided so that it is difficult or impossible to clearly see or identify individuals inside the restaurant.
18. Employees may remain in these facilities one additional hour after the designated closing time.

**Community and Economic Development Department**

19. Approval of this Conditional Use Permit will allow the establishment, Phuc Long Coffee and Tea, to operate with limited live entertainment in the form of a two-person band: one (1) vocalist and one (1) instrumentalist. There shall be no changes in the design of the floor plan without the approval of the Community and Economic Development Department, Planning Services Division.
20. The Phuc Long Coffee and Tea shall continue to operate as an "Eating establishment/restaurant" as defined by the Garden Grove Municipal Code. The establishment shall provide an assortment of foods and beverages normally offered in coffeehouses.

21. The serving of alcoholic beverages is not allowed on the premise.
22. No outside storage or displays shall be permitted at any time.
23. 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 restaurant's entrance, and shall also be visible to the public.
24. There shall be no uses or activities permitted of an adult oriented nature as outlined in City Code Section 9.08.070.
25. Hours of operation of the Phuc Long Coffee and Tea shall be permitted between the standards hours for coffeehouses, which is from 7:00 a.m. to midnight, seven (7) days a week.
26. The live entertainment shall occur between 8:00 p.m. to 10:30 p.m. Thursday, Friday, and Saturday only. The City of Garden Grove reserves the right to reduce hours of operation, including the hours for the entertainment, 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.
27. There shall be no deliveries to or from the premises before 8:00 a.m. and after 10:00 p.m., seven days a week.
28. 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.
29. All trash bins shall be kept inside the trash enclosure, and gates closed at all times, except during disposal and pick-up. Trash pick-up shall be at least three (3) times a week.
30. 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.

31. 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.
32. No new roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department, Planning Services Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
33. No new satellite dish antennas shall be installed on said premises unless, and until, plans have been submitted to and approved by the Community and Economic Development Department, Planning Services Division. No advertising material shall be placed thereon.
34. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
35. Signs shall comply with the City of Garden Grove sign requirements. No more than 15% of the total window area and clear doors shall bear advertising or signs of any sort.
36. Any modifications to existing signs or the installation of new signs shall require approval by the Community and Economic Development Department, Planning Services Division prior to issuance of a building permit.
37. The Conditional Use Permit may be called for review by City staff, the City Council, or Planning Commission, if noise or other complaints are filed and verified as valid by the Code Enforcement office or other City department concerning the violation of approved conditions, the Garden Grove Municipal Code, or any other applicable provisions of law.
38. A copy of the decision and the conditions of approval for Conditional Use Permit No. CUP-215-2022 shall be kept on the premises at all times.

39. The applicant shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-215-2022, and his/her agreement with all conditions of the approval.
40. If deemed necessary by the Community and Economic Development Director, the Conditional Use Permit may be reviewed within one (1) year from the date of this approval, and every three (3) years thereafter, in order to determine if the business is operating in compliance.
41. The applicant is advised that if the use of the establishment ceases to operate for more than 90 days, then the existing Conditional Use Permit will become null and void and the new applicant shall be required to apply for a new Conditional Use Permit subject to the approval by the Community and Economic Development Department, Planning Services Division.
42. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of Title 9 of the Municipal Code, the use authorized by this approval of Conditional Use Permit No. CUP-215-2022 shall become null and void if the subject use or construction necessary and incidental thereto is not commenced within one (1) year of the expiration of the appeal period and thereafter diligently advanced until completion of the project.
43. The applicant 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 CUP-215-2022. 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.