

EXHIBIT "A"

Conditional Use Permit No. CUP-120-2018

14291 Euclid Street #D101

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 the project applicant, Quan Hoa An LLC c/o Kimberly B. Le, the owner(s) and tenant(s) of the property, and each of their respective successors and assigns, including all subsequent purchasers and/or tenants. The applicant and subsequent owner/operators of such business shall adhere to the conditions of approval for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the Zoning Administrator, 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. Modifications, which do not change the intent of the project, may be approved by the Community and Economic Development Director.
4. If major modifications are made to the approved floor plan, site plan, or other related changes that result in the intensification of the project or create impacts that have not been previously addressed, the proper entitlements shall be obtained reflecting such changes.
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. Hours of operation of the establishment shall be permitted only between the hours of 10:00 a.m. to 12:00 a.m., seven (7) days a week. Karaoke live entertainment shall cease by 10:00 p.m., seven (7) days a week. The City of Garden Grove reserves the right to reduce hours of operation of the establishment and/or the hours of karaoke live entertainment, by order of the Chief of the Police Department, in the event problems arise concerning the operation of this business.
8. There shall be no customers or patrons in or about the premises 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. 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.
11. The business shall show proof to the Police Department, within 60 days, unless otherwise extended by the Chief of 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.
12. 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).
13. In the event that an 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 City Council for review or further consideration.

14. In the event that it is found in any incident, reported by the Police Department, that the business has violated any of the Conditions of Approval, under CUP-120-2018, and/or at the discretion and request of the Chief of the Police Department, the Conditional Use Permit shall be presented to the City Council for review and further consideration.
15. The sale and service of alcohol shall cease thirty (30) minutes prior to the required closing time.

Fire Department

16. Illuminated exit signs shall be provided.
17. Occupant sign shall be posted.
18. Fire extinguishers shall be provided within the establishment as required by the Fire Department.

Public Works Department

19. In the event the following improvements are not already provided, and as required, a properly sized grease interceptor shall be installed on the sewer lateral and maintained by the property owner. There is to be a separate sanitary waste line that will connect to the sewer lateral downstream of the grease interceptor. All other waste lines shall be drained through the grease interceptor. The grease interceptor is to be located outside of the building and accessible for routine maintenance. The property owner shall maintain comprehensive grease interceptor maintenance records and shall make the records available to the City of Garden Grove upon request.
20. In the event the following improvements are not already provided, and as required, a Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have a RPPD device. Any carbonation dispensing equipment is to have a stainless steel RPPD device. Installation to be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross connection inspector is to be notified for inspection after the installation is completed. Owner is to have RPPD device tested once a year by a certified backflow device tester and the test results to be submitted to the Public Works, Water Services Division.

Community and Economic Development Department

21. The establishment shall be operated as a "Bona Fide Public Eating Place" as defined by Alcoholic Beverage Control 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.
22. At all times 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 sales of food.
23. 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.
24. Food shall accompany any sales and service of alcoholic beverages in the restaurant.
25. There shall be no separate bar or lounge area to provide direct and sole service of alcoholic beverages to customers.
26. The owner of the establishment shall, upon request, provide the City of Garden Grove with an audited report of sales ratio of food to alcoholic beverages.
27. The sale of alcoholic beverages for consumption off the premises is prohibited.
28. No outside storage or displays shall be permitted at any time.
29. The open space, on the north side of the restaurant, shall be kept clean from all debris, storage, and food preparation.
30. 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.

31. Limited live entertainment shall be subject to the following:

- a. Live entertainment shall be limited to karaoke. There shall be no other forms of live entertainment permitted such as dancing, sports bar, or disc jockey entertainment, on the premises at any time.
- b. All live entertainment shall be conducted only within the wholly enclosed building.
- c. Sound or vibration emitted from the premises shall not be audible from outside the boundaries (walls and/or windows) of the establishment. The applicant shall provide and implement sound attenuation to ensure noises and vibrations emitted from the premises do not negatively impact neighboring uses and properties.
- d. No amplified sound shall be permitted outside of the fully enclosed building.
- e. The applicant shall submit a proposal, subject to review and approval by the Community and Economic Development Department, Planning Division, which outlines specific mitigation measures and improvements to be made, by the applicant, to the restaurant/establishment in order to provide adequate sound attenuation. This shall include a double door system, insulated window system, interior sound absorbing materials, or other effective mitigation measures as deemed adequate by the Community and Economic Development Department. These measures shall be installed prior to commencement of any karaoke live entertainment, and all necessary permits shall be obtained, as required, from the Building and Safety Division.
- f. There shall be no dance floor allowed within the premises at any time.
- g. Audience participation may be allowed provided it is only in conjunction with karaoke live entertainment activities.
- h. The restaurant shall not operate as a night club or bar at any time.
- i. Provided building permits are obtained and finalized as necessary, a raised platform or stage, in association with the permitted live entertainment, may be allowed on the premises, subject to review and

approval by the Community and Economic Development Department, Planning Division.

- j. Live entertainment shall be incidental to the restaurant. At no time shall the live entertainment be utilized as a primary use.
 - k. Food service shall be provided during all hours of operation, including when the live entertainment is occurring.
 - l. No cover charge or other type of entrance fees shall be required for entrance into the restaurant.
32. No employee or agent shall be permitted to accept money or any other thing of value from a customer for purposes 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 or for the customers.
33. The property owner 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 manner so as not to unreasonably illuminate adjacent properties.
34. There shall be no uses or activities permitted of an adult-oriented nature as outlined in City Code Section 9.16.020.070.
35. There shall be no deliveries to or from the premises before 8:00 a.m. and after 10:00 p.m., seven (7) days a week.
36. All rear doors shall be kept closed at all times, except to permit employee ingress and egress, and in emergencies.
37. 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.
38. The trash bin 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.

39. Graffiti shall be removed from the premises, and all parking lots under the control of the licensee and/or the property owner, within 120 hours upon notification or application.
40. 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.
41. No roof-mounted mechanical equipment, including exhaust vents, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Community and Economic Development Department, Planning Division. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.
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 Division.
43. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
44. 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 windows and/or doors shall count toward the maximum window coverage area. No curtains or solid window or door coverings shall be permitted at any time.
45. 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.
46. A copy of the decision approving Conditional Use Permit No. CUP-120-2018 shall be kept on the premises at all times.
47. The permittee shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-120-2018, and his/her agreement with all conditions of the approval.

48. Conditional Use Permit No. CUP-102-03 shall become null and void, and therefore, is superseded in its entirety by the approval of Conditional Use Permit No. CUP-120-2018.
49. The approval of Conditional Use Permit No. CUP-120-2018 is probationary and shall be reviewed by the City Council six (6) months from the effective date of this approval to review the operational behavior and determine if the restaurant, under the ownership of the applicant, Kimberly B. Le, or respective successors and assigns, including any subsequent purchasers and/or tenants, is operating in compliance with CUP-120-2018. In addition, the applicant shall submit an audited report of sales ratio of food to alcoholic beverages to the City for review, pursuant to Condition Nos. 22 and 26. Should the City Council approve the business to continue its operation, under CUP-120-2018, the Conditional Use Permit shall be reviewed every year thereafter, in order to determine if the business is operating in compliance.
50. 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 the approval of a new Conditional Use Permit subject to the approval by the appropriate hearing body.
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 CUP-120-2018. 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.