

GARDEN GROVE CITY COUNCIL

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE CONTINGENTLY APPROVING SITE PLAN NO. SP-107-2022 TO REDEVELOP THE SITE B2 PROJECT SITE WITH THE NICKELODEON HOTEL RESORT ON PROPERTIES LOCATED AT THE NORTHWEST CORNER OF HARBOR BOULEVARD AND TWINTREE AVENUE, EAST OF TAMERLANE DRIVE, AT 12241, 12261, 12271, 12291, 12311 AND 12323/12321 HARBOR BOULEVARD, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, AND 12321 THACKERY DRIVE, ASSESSOR'S PARCEL NOS. 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, AND 24.

WHEREAS, the subject case was initiated by Kam Sang Company (the "Applicant"); and

WHEREAS, the applicant proposes to develop the 3.72-acre Site B2 Hotel Project site, located at 12241, 12261, 12271, 12291, 12311 and 12323/12321 Harbor Boulevard, 12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291, 12311, and 12321 Thackery Drive, Assessor's Parcel Nos. 231-471-06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24 (collectively, the "Site"), with a Nickelodeon-themed hotel resort project; and

WHEREAS, the applicant is requesting Site Plan approval to authorize the construction of a full-service, high-rise hotel resort with hotel program entertainment, pool deck, ballroom/meeting space, and food and beverage (restaurant) opportunities on the Site; and

WHEREAS, the proposed development will consist of a 500-room hotel resort with a themed pool experience with a lazy river and a pool slide; event space with a 600-seat theater; 17,715 square feet of ballroom/meeting space at; 22,296 square feet of hotel restaurant; 5,480 square feet of retail; themed amenities totaling 13,238 square feet; a 7,000 square foot arcade; a spa and fitness center at 8,532 square feet; a five-level parking structure with 528 parking spaces; and related site improvements; and

WHEREAS, the site consists of 3.72-acres of land located on the northwest corner of Harbor Boulevard and Twintree Avenue, east of Tamerlane Drive, and is located in the Grove District Anaheim Resort Area, which is the City's resort tourism area that is developed with hotels, restaurants, and commercial uses; and

WHEREAS, the Site abuts a Planned Unit Development No. PUD-141-01 zoned property to the north developed with the Sheraton Hotel, Multiple-Family Residential (R-3) zoned properties to the northwest developed with two-story residential apartments, and Single-Family Residential (R-1) zoned properties to the west developed with one-story, single-family homes; to the south of the Site, across Twintree Avenue, are R-1 zoned properties developed with single-family homes and

PUD-121-98 zone properties developed with single-family homes and a commercial building; and across Harbor Boulevard to the east are vacant parcels entitled for the Site C hotel resort project, which are zoned PUD-128-12; and

WHEREAS, the General Plan land use designation of the Site is International West Mixed Use; and

WHEREAS, the applicant is concurrently requesting City Council approval of Planned Unit Development zoning on the site creating a sub-area PUD, PUD-141-01(A), establishing development standards to facilitate the development of the proposed hotel resort project; and

WHEREAS, additional approvals will also be needed to fully implement the hotel project described above, including: a street vacation to vacate Thackery Drive and the public alley to integrate into the project site (denominated as Street Vacation No. SV-002-2022), a tentative tract map to consolidate the project site, and conditional use permit(s) to allow the sale of alcoholic beverages in the hotel, restaurants, and the ballroom and meeting space; and

WHEREAS, the above-described hotel project, Planned Unit Development No. PUD-141-01(A), Site Plan No. SP-107-2022, and the additional future approvals necessary to implement the hotel project are collectively referred to as the "Project"; and

WHEREAS, an Initial Study and proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program have been prepared for the Project in accordance with the California Environmental Quality Act, California Public Resources Code Section 21000 *et seq.* ("CEQA"), and CEQA's implementing guidelines, California Code of Regulations, Title 14, Section 15000 *et seq.*; and

WHEREAS, following a public hearing held on July 7, 2022, the Garden Grove Planning Commission (1) adopted Resolution No. 6044-22, recommending that the City Council adopt a Mitigated Negative Declaration for the Project and approve Planned Unit Development No. PUD-141-01(A), and (2) adopted Resolution No. 6045-22, determining that Site Plan No. SP-107-2022 should be approved, contingent upon the adoption and effectiveness of a resolution approving Street Vacation No. SV-002-2022 and an ordinance approving Planned Unit Development PUD-141-01(A) by the Garden Grove City Council; and

WHEREAS, on July 7, 2022, the Garden Grove Planning Commission also considered and adopted Resolution No. 6046-22, finding and reporting to the City Council, pursuant to Government Code Section 65402, that proposed Street Vacation No. SV-002-2022 is in conformity with the Garden Grove General Plan; and

WHEREAS, on July 27, 2022, UNITE HERE Local 11 and Marlene Perez filed an appeal of the above-described actions taken by the Planning Commission; and

WHEREAS, on August 9, 2022, the City Council adopted Resolution No. _____, providing notice of its intention to vacate Thackery Drive and the public alley and setting a public hearing thereon for September 13, 2022; and

WHEREAS, pursuant to a legal notice, a Public Hearing regarding the Project, the Mitigated Negative Declaration, Planned Unit Development No. PUD-141-01(A), Site Plan No. SP-107-2022, and the appeal of the Planning Commission's July 7, 2022 actions was held by the City Council on August 23, 2022, and all interested persons were given an opportunity to be heard; and

WHEREAS, concurrently with the adoption of this Resolution, the City Council: (1) adopted Resolution No. _____, denying the appeal of the Planning Commission's July 7, 2022 recommendations filed by UNITE HERE Local 11 and Marlene Perez; (2) adopted Resolution No. _____, adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project; and (3) introduced and conducted first reading of an Ordinance approving Planned Unit Development No. PUD-141-01(A); and

WHEREAS, the Planning Commission gave due and careful consideration to the matter during its meeting of August 23, 2022, and considered all oral and written testimony presented.

NOW, THEREFORE, the City Council of the City of Garden Grove does hereby resolve as follows:

1. The City Council finds that the above recitals are true and correct.
2. City Council Resolution No. _____ adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project is incorporated herein by reference with the same force and effect as if set forth in full herein.
3. Site Plan No. SP-107-2022 is hereby approved, subject to and contingent upon the adoption and effectiveness of a resolution approving Street Vacation No. SV-002-2022 and an ordinance approving Planned Unit Development PUD-141-01(A) by the Garden Grove City Council.
4. The facts, findings, and reasons supporting the conclusion of the City Council, as required pursuant to Section 9.32.030 of the Garden Grove Municipal Code, are as follows:
 - A. The Site Plan complies with the spirit and intent of the provisions, conditions and requirements of Title 9 and is consistent with the General Plan.

The Project Site is located in the City's Grove District Anaheim Resort Area, which is the City's entertainment and tourism resort area. The

Project Site has a General Plan Land Use Designation of the International West Mixed Use. Approval of the Site Plan is contingent upon adoption and effectiveness of an Ordinance approving PUD-141-01(A) establishing development standards for the Site to facilitate development of the Project, which is being processed in conjunction with this Site Plan request.

The International West Mixed Use land use designation is intended to promote resort, entertainment, retail, restaurants, and hotels along Harbor Boulevard. PUD-141-01(A) will establish development standards for the entire Project Site that will facilitate the development of the proposed hotel. The proposed PUD will establish development standards that will regulate the number of hotel rooms, building height, building setbacks, landscaping, permitted uses, required parking, site circulation and access, signage, utilities, storage and refuse collection, and environmental mitigation measures. The proposed Project has been designed to comply with the development standards of PUD-141-01(A). In addition, pursuant to the PUD Performance Standards, the applicant must obtain City approval of a subdivision map prior to submitting construction plans to the City.

In addition, the proposed Site Plan and Project are consistent with the goals and policies of the General Plan Land Use Element, the Community Design Element, and the Economic Development Element, including:

- i. *Policy LU-1.4 to encourage a wide variety of retail and commercial uses, such as restaurant and cultural arts/entertainment, in appropriate locations AND Policy LU-6.2 to encourage a mix of retail and commercial services along major corridors and in centers to meet the community needs.*

The Site is located in the City's resort tourism district, the Grove District Anaheim Resort Area, which encourages restaurants, retail, entertainment and hotel uses along Harbor Boulevard. The proposed Project will introduce a new hotel resort, Nickelodeon Hotel Resort. The proposed hotel resort will feature 500 hotel rooms with themed hotel amenities, including a themed pool deck with a lazy river and a pool slide; a 600-seat theater (Nick studio), and themed entertainment venues (Studio Hall and Nick Arcade). The hotel resort will also include restaurants (food and beverage) and event space (ballroom and meeting space). The proposed Project will expand and enhance the hospitality services currently available in the City's resort area by introducing a new hotel resort with unique hotel amenities that will attract local and regional visitors.

- ii. *Policy LU-1.5 to encourage active and inviting pedestrian-friendly street environments that include a variety of uses within commercial and mixed-use areas.*

The Site is located in the City's resort area, which is developed with hotels, restaurants, and retail uses that are conveniently located within walking distance of one another. The proposed Project will enhance the City's resort area and will continue to encourage pedestrian activity and a pedestrian-friendly street environment. The Project will provide landscaping and a decorative public sidewalk pattern that is specific to the resort area. The landscape pattern will liven the streetscape to encourage pedestrian activity within the resort area. The landscape pattern along Harbor Boulevard, including the public right-of-way, will include a double row of palm trees and canopy trees with up-lighting, shrubs, and ground cover that will create an inviting environment for pedestrians.

- iii. *Goal LU-4 that seeks to develop uses that are compatible with one another AND Policy LU 4.5 that requires that commercial developments adjoining residential uses be adequately screened and buffered from residential areas.*

The Site is located in the City's resort area, which is developed with hotels, restaurants, and other commercial uses. The Site directly abuts the Sheraton Hotel to the north, and directly abuts residential uses to the northwest and west. The proposed Project will be compatible with the existing hotel developments in the resort district. The hotel will offer hotel themed amenities that are unique to the Nickelodeon hotel brand, including a themed pool with a lazy river and a pool slide, a 600-seat theater (Nick Studio), and entertainment venues, including Studio Hall and a Kid's Lounge. The proposed Project will incorporate specific mitigation measures and project design features to minimize impacts to the adjacent residential uses from noise generated from the hotel, including from the parking structure and the pool deck. Implementation of the mitigation measures and project design features will ensure that the adjacent residential uses are adequately screened and buffered from the proposed hotel use.

- iv. *Goal LU-9 Creation of tourism and entertainment-related destination area that will benefit all residents, businesses, and visitors AND Policy LU-9.6 Locate tourist or entertainment related uses with adequate access to freeways or major arterials to encourage both local and regional patronage.*

The Site is located in the City's resort tourism district, the Grove District Anaheim Resort Area, which is a tourist destination that encourages restaurants, retail, entertainment, and hotel uses. The proposed Project

will introduce a themed hotel resort that will cater to residents, businesses, and visitors alike. The proposed Project will introduce unique hotel resort amenities that will appeal to residents and the general public. The proposed Project will introduce new employment opportunities to the local community. The proposed Project is located on Harbor Boulevard, which is a major arterial that connects to the State Route (SR) 22 and the I-5 Freeways, and that also connects to other major City arterial streets that intersect with Harbor Boulevard, such as Chapman Avenue, Garden Grove Boulevard, Trask Avenue, and Westminster Avenue. The proposed hotel resort is conveniently accessed by major arterial streets and freeways, which serve to provide convenient access to the project site to local and regional visitors.

- v. *Policy CD-7.1 Encourage future development and redevelopment projects to reinforce district scale, identity, and urban form.*

The existing hotels located in the Grove District Anaheim Resort vary in design, massing, and building height with each hotel brand incorporating its own unique architectural design. Similarly, the proposed hotel will feature a contemporary architecture design that compliments and reflects the Nickelodeon brand. The intent of the project is to create a themed resort environment through enhanced architectural elements that integrate with the intent and vision of the resort district.

- vi. Policy ED-1.1 Continue to encourage the development and expansion of hotel facilities in key corridors of the City (i.e., Harbor Boulevard)

The proposed Project will further facilitate the development and expansion of the Grove District Anaheim Resort through the construction of a new, 500-room, themed hotel resort. The proposed Project will develop nineteen (19) existing parcels that are currently vacant and unimproved, including a public street and alley that will be vacated, with a hotel resort that will offer themed amenities, event space, restaurants, and entertainment. The proposed Project will enhance the City's resort area and expand the hospitality services available in the area.

- B. The Project will not adversely affect essential on-site facilities such as off-street parking, loading and unloading areas, traffic circulation, and points of vehicular and pedestrian access.

The Project will be accessed from an existing vehicular entrance located on Harbor Boulevard that currently serves the Sheraton Hotel. This vehicular entrance will be modified to accommodate the necessary lanes for vehicle ingress and egress. The Harbor Boulevard entrance is designed to align with the proposed main entrance of the future Site C

hotel resort, and will be signalized. The proposed Project will continue to be served by an existing right-turn lane (southbound on Harbor Boulevard) and a left-turn lane (northbound Harbor Boulevard) that currently serves the Sheraton Hotel property. The Harbor Boulevard entrance will serve as the main entrance to the project site for all guests, visitors, and hotel employees. Tourist buses and shuttle buses will also use the Harbor Boulevard entrance for access. The Project will provide a secondary vehicular entrance on Twintree Avenue that will be restricted for use by emergency vehicles, maintenance vehicles, and for trash and delivery trucks only. Vehicles entering and exiting the site from Twintree Avenue will be limited to left turn-out and right turn-in to minimize traffic impacts to the adjacent residential neighborhood.

The proposed Project will provide an internal vehicular circulation system designed to comply with the City's minimum drive-aisle standards, that accommodates two-way traffic, and that provides appropriate access for trash trucks and emergency vehicles. The Project includes two (2) roundabouts that will be designed to provide adequate clearance for all vehicles. The proposed Project will provide on-site sidewalks that originate from the public right-of-way that allow for pedestrian access to the Project site.

The parking for the Project will be provided within a five-level parking structure (four levels above-grade and one level below-grade) with a total of 528 parking spaces. A Shared Parking Study was prepared to estimate the parking demand for the Project to ensure that sufficient on-site parking is provided at all times to accommodate the hotel's uses. A Shared Parking Study is an appropriate analysis to determine the required parking for the Project since the project is a hotel resort with compatible and complimentary land uses that lend themselves to shared parking since patrons will utilize more than one use in the same trip.

The Shared Parking Study determined that the peak parking demand for the Project is estimated at 471 parking spaces during the weekday at 8:00 p.m., and 480 parking spaces during the weekend at 9:00 p.m. Therefore, the Project is required to provide a total of 480 parking spaces. The proposed Project will provide a total of 528 parking spaces, which is sufficient to accommodate the proposed peak parking demand of 480 parking spaces.

In addition, a Traffic Study was prepared for the Project that reviewed the Project's traffic and circulation, and the appropriate mitigation measures and circulation recommendations have been incorporated to minimize impact to off-site and on-site facilities.

The City's Traffic Engineering Section has reviewed the proposed Site Plan, and the appropriate conditions of approval have been incorporated to minimize any adverse impacts to surrounding streets.

- C. The Project will not adversely affect essential public facilities such as streets and alleys, utilities, and drainage channels.

The streets in the area will be adequate to accommodate the development once the developer provides the necessary improvements for the project. Utilities and drainage channels in the area are existing and are adequate to accommodate the development. The proposed development will provide landscaping and proper grading of the site, thereby, improving drainage in the area.

The City's Public Works Department has reviewed the proposed project, and all appropriate conditions of approval and mitigation measures have been incorporated to minimize any adverse impacts to surrounding streets.

- D. The Project will not adversely impact the Public Works Department's ability to perform its required function.

The proposed Project will not adversely impact the Public Works Department ability to perform its required function. The City's Public Works Department has reviewed the proposed Site Plan, and has incorporated all the appropriate conditions of approval and mitigation measures to minimize any adverse impacts.

- E. The Project is compatible with the physical, functional, and visual quality of the neighboring uses and desirable neighborhood characteristics.

The Site is located in the City's Grove District Anaheim Resort, which is designated as a resort destination that encourages hotels, restaurants, and entertainment uses. The resort area is improved with existing hotels, restaurants, and retail uses. The proposed Project will be compatible with the existing hotel developments in the area, and will expand and enhance the hospitality services currently available in the resort district. The building elevations will be designed to reflect the Nickelodeon hotel brand, and will include architectural elements that are unique to the hotel brand. The Project will provide landscaping and a decorative sidewalk pattern that is specific to the resort area intended to create a lively streetscape and an attractive environment. The landscape treatment along Harbor Boulevard will include a double row of palm trees and canopy trees with up-lighting, shrubs, and ground cover. The proposed Project, including the building architecture and landscaping, will be compatible and compliment other hotel developments in the resort area. Therefore, the Project will have a

reasonable degree of physical, functional, and visual compatibility with the characteristics of the resort area.

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

The proposed Project will revitalize existing vacant and unimproved properties located in the City's Grove District Anaheim Resort with a vibrant and attractive hotel resort development. The hotel will feature a contemporary architectural design that will incorporate elements that are unique to the Nickelodeon brand, including enhanced articulation, detailing, and varied building massing. The placement and design of the hotel building allows for appropriate outdoor hotel amenities and landscaping to be accommodated. The hotel will include a pool deck with a lazy river and a pool slide that will enhance the experience of hotel guests. The Project will provide landscaping along Harbor Boulevard and Twintree Avenue that is compatible with the resort area landscape pattern that will create a lively streetscape and an attractive environment for visitors and guests. The landscape treatment along Harbor Boulevard will include a double row of palm trees and canopy trees with up-lighting, shrubs, and ground cover, along with a decorative public sidewalk pattern.

5. In addition to the foregoing, the City Council incorporates herein by this reference, the facts and findings set forth in the Planning Commission and City Council staff reports for the Project and in Planning Commission Resolution No. 6045-22.

6. The Site Plan possesses characteristics that justify the request in accordance with Section 9.30.030.D.3 (Site Plan) of the Garden Grove Municipal Code.

7. In order to fulfill the purpose and intent of the Planned Unit Development No. PUD-141-01(A) and the Municipal Code and thereby promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") that shall apply to Site Plan No. SP-107-2022.

8. Approval of Site Plan No. SP-107-2022 shall be contingent upon the adoption and effectiveness of a resolution approving Street Vacation No. SV-002-2022 and an ordinance approving Planned Unit Development PUD-141-01(A) by the Garden Grove City Council.

EXHIBIT "A"

Site Plan No. SP-107-2022

12241, 12261, 12271, 12291, 12311 and 12323/12321 Harbor Boulevard
12246, 12252, 12262, 12282, 12292, 12312, 12322, 12251, 12261, 12281, 12291,
12311, and 12321 Thackery Drive.

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, on the property. Proof of such recordation is required prior to issuance of building permits.
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, Kam Sang Company, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Except as otherwise expressly provided herein, any changes to the Conditions of Approval require approval by the applicable hearing body
3. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.
4. Approval of this Site Plan 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 and Planned Unit Development No. PUD-141-01(A) shall apply.
5. Except as expressly specified herein, Site Plan No. SP-107-2022 shall be subject to all Performance Standards applicable to Planned Unit Development No. PUD-141-01(A) ("PUD Performance Standards"), which are hereby incorporated into these Conditions of Approval by this reference. These Conditions of Approval are intended to supplement the PUD Performance Standards. In the event any actual or perceived conflict between any PUD Performance Standard and more specific provisions of these Conditions of Approval, the more specific provisions of these Conditions of Approval shall apply. The City's Community and Economic Development Director is authorized to make interpretations of these Conditions of Approval and to resolve any such actual or perceived conflicts.

6. Minor modifications to the Site Plan and/or these Conditions of Approval, which do not materially change the scope or intensity of the project and which will not result in new significant impacts that have not previously been addressed, may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval determined by the Community and Economic Development Director not to be minor in nature shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body. Any significant changes to setbacks, building heights, or building locations shall require preparation and City approval of a new shade and shadow study.
7. The applicant shall, 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 the Project, including, without limitation, Site Plan No. SP-107-2022 and the associated Mitigation Monitoring and Reporting Program for the Project. 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 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.
8. The applicant shall design the Project to comply with all mitigation measures and project design features specified in the Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program. In order to verify compliance with all applicable project mitigation measures and design features, these Conditions of Approval, and the PUD Performance Standards, the applicant shall submit plans to the city prior to plan check submittal as described in PUD Performance Standard No. 6.

Public Works Engineering Division

Project Design

9. A geotechnical study prepared by a registered geotechnical engineer is required. The report shall analyze the liquefaction potential of the site and make recommendations. The report shall analyze sub-surface issues related to the past uses of the site, including sub-surface tanks and basement and septic facilities. Any soil or groundwater contamination shall be remediated prior to the issuance of a building permit per the requirements of the Orange County Health Department and the mitigation requirements of governing regulatory requirements. The report shall make recommendations for foundations and pavement structural section design of interior streets and

parking spaces. The report shall also test and analyze soil conditions for LID (Low Impact Development) principles and the implementation of water quality for stormwater run-off, including potential infiltration alternatives, soil compaction, saturation, permeability and groundwater levels.

10. Prior to the issuance of any grading or building permits, the applicant shall submit to the City for review and approval a final design Water Quality Management Plan that:
 - a. Addresses required mitigation Site Design Best Management Practices (BMPs) based upon the latest Santa Ana Regional Water Quality Control Board (SARWQCB) Drainage Area Management Plan (DAMP) as identified in the geotechnical report recommendations and findings, including, but not limited to, infiltration minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas as required by the latest adopted County of Orange Technical Guidance Document (TGD).
 - b. BMP's shall be sized per the requirements of the latest Technical Guidance Documents.
 - c. Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
 - d. Incorporates structural and Treatment Control BMPs as defined in the DAMP.
 - e. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
 - f. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
 - g. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
 - h. Provides a hydrological analysis with scaled map as well as hydrologic and hydraulic calculations to size storm drains per the Orange County RDMD standards.
11. Parkway culverts shall be designed per City of Garden Grove Standard Plan B-209. Storm drain lateral pipe connections to City-maintained storm drains within City right-of-way shall be RCP with a minimum diameter of 18-inches.
12. Grading and Street improvement plans prepared by a registered Civil Engineer are required. As required under Section 107 of the California Building Code

(CBC), the grading plan shall be based on a current survey of the site, including a boundary survey, topography on adjacent properties up to 30'-0" outside the boundary, and designed to preclude cross-lot drainage. Minimum grades shall be 0.50% for concrete flow lines and 1.25% for asphalt. The grading plan shall also include water and sewer improvements. The grading plan shall include a coordinated utility plan showing all existing utility facilities, easements and proposed utility facilities. All on-site improvements shall be tied by horizontal dimensional control to the property boundary as established by survey. A minimum uninterrupted 20-foot wide throat access to the site is required from the street for commercial projects and shall meet the requirements of the California Fire Code throughout the site. Vehicle maneuvering, as demonstrated by Auto Turn along private streets and access ways, shall be demonstrated on the grading plan. Street improvement plans shall conform to all format and design requirements of the City Standard Drawings & Specifications.

13. The applicant shall coordinate with Planning Services Division and the Orange County Fire Authority to identify proper emergency vehicle access to the site and shall provide the Engineering Division a copy of the approval letters upon first submittal of the grading and street improvement plans.
14. Prior to the issuance of the street improvement encroachment permit and grading permit, provide subdivision completion bonds for all work constructed under the street improvements and grading permit for review and approval by the City Engineer, City Attorney, and City Finance Department (Risk Management). Alternate forms of security may be considered, solely at the discretion of the City Engineer and with the concurrence of the City Attorney and City Finance Department (Risk Management)
15. Prior to issuance of a grading permit, the applicant shall design overhead street lighting within the frontage of the development in conformance with City specifications and the approval of the City's Lighting Administrator. Location of lighting poles shall be shown on all the improvement plans and grading plan.
16. The grading plan shall depict an accessibility route for the ADA pathway in conformance with the requirements of the Department of Justice standards, latest edition and section 1110A of the California Building Code.
17. All trash container areas shall meet the following requirements per City of Garden Grove Standard B-502 and State mandated commercial organic recycling laws, including AB 1826 and its implementing regulations, and any other applicable State recycling laws related to refuse, recyclables, and/or organics, i.e., AB 939, AB 341, SB 1383:
 - a. Paved with an impervious surface, designed not to allow run-on mixing of drainage from adjoining areas, designed to divert drainage from adjoining roofs and pavements to be directed around the area for trash

roll-out, and screened or walled to prevent off-site transport of trash by water or wind.

- b. Provide solid roof or awning to prevent direct precipitation into the enclosure.
- c. Connection of trash area drains to the municipal storm drain system is prohibited. Drainage from the enclosure may be directed to a conforming grease or contaminant interceptor.
- d. Potential conflicts with fire code access requirements and garbage pickup routing for access activities shall be considered in implementation of design and source control. See CASQA Storm Water Handbook Section 3.2.9 and BMP Fact Sheet SD-32 for additional information
- e. The trash enclosure and containers shall be located to allow pick-up and maneuvering, including turnarounds, in the area of enclosures, and concrete aprons for roll-out areas.
- f. Pursuant to state mandated commercial organic recycling law-AB 1826, the applicant is required to coordinate storage and removal of the organics waste with local recycling/trash company.
- g. Pursuant to applicable state mandated laws, the applicant is required to contact and coordinate with the operations manager of the local recycling/trash company (Republic Services, 800-700-8610) to ensure the trash enclosure includes the appropriate size and number of containers for the disposal of items such as, but may not limited to, municipal solid waste (MSW), recyclables, and organic green waste.
- h. Based on the amount of waste disposed, per week, the applicant shall coordinate with the local recycling/trash company to ensure the adequate frequency of trash pick-up is serviced to the site for municipal solid waste (MSW), recyclables, and organic green waste, including any other type of waste.
- i. The applicant shall ensure large bulk items, intended for coordinated and scheduled pick-up by the local recycling/trash company, are not placed in areas that encroach into drive aisles, parking spaces, pedestrian pathways, or areas in the front of the property including areas public right-of-way (e.g., street, sidewalk), during and after construction. Any large bulk items shall be out of public vantage points.
- j. The requirements for the trash enclosure and design criteria are bound and coordinated with the Water Quality Management Plan (WQMP), when required, as depicted on the project grading plan, which shall be

incorporated into the WQMP by narrative description, exhibits and an Operation and Maintenance Plan (O&M).

- k. Trash enclosure areas shall be of appropriate size and number in order to accommodate three (3) separate recycling containers according to the recycling regulations of AB 939, AB 341, AB 1826, and SB 1383.
18. Any new or required block walls and/or retaining walls shall be shown on the grading plans, both in plan-view and cross sections. Cross sections shall show vertical and horizontal relations of improvements (existing and proposed) on both sides of property lines. Required wall heights shall be measured vertically from the highest adjacent finished grade. Block walls shall be designed in accordance to City of Garden Grove Standard B-504, B-505, B-506 & B-508 or designed by a professional registered engineer. In addition, the following shall apply:
- a. The color and material of all proposed block walls, columns, and wrought iron fencing shall be approved by the Planning Services Division prior to installation.
 - b. Openings for drainage through walls shall be shown in section details and approved by the City Engineer. Cross-lot drainage is not allowed.
19. The applicant shall remove any existing substandard driveway approaches, curbs, sidewalks, ADA ramps, pavement sections, tree well and landscaping, and construct Harbor Boulevard frontage improvements as identified below. Unless otherwise agreed in writing by the City and approved by the City Council, consistent with the provisions, performance standards, and limitations of Planned Unit Development No. PUD-141-01(A), all landscape, irrigation, sidewalk, signal modifications and lighting improvements installed within the public rights-of-way shall be maintained by the applicant and shall require the approval of the City Engineer, Street Division, and Planning Services Division.
- a. A separate street improvement plan shall be prepared and submitted to the Engineering Division for the proposed improvements within the public right-of-way Harbor Boulevard/Twintree Avenue, which shall include any proposed landscaping and irrigation plans. All work shall be per City standards and specifications.
 - b. Existing substandard driveways (2 total) on Harbor Boulevard shall be removed and replaced with new curb, gutter, landscape, and sidewalk per City standards and specifications.
 - c. Construct curb and gutter when replacing any existing driveway approaches along the property frontage on Harbor Boulevard in accordance with City Standard Plan B-113 (Type C-8 Modified).

- d. The applicant shall coordinate with Public Works Engineering Division to obtain direction on removal and replacement of any existing median or construction of new median improvements per City of Garden Grove Standard B-112 (Type A-8). The applicant shall design and construct median improvements consisting of a landscape/irrigation system fronting the project and completed to match existing median landscaping/irrigation to the other existing medians on Harbor Boulevard. The landscaping template will be provided to the applicant by Engineering Division.
- e. Prior to occupancy, the applicant shall design and construct or modify existing raised island improvements at the main entrance on Harbor Boulevard to improve on site traffic circulation to be approved by the City Traffic Engineer.
- f. Any further deviation from the approved traffic circles at the main entrance and in front of hotel lobby shall be approved by the City Traffic Engineer.
- g. The new modified driveway approach to the site on Harbor Boulevard shall be constructed in accordance with Garden Grove Standard B-120.
- h. The applicant shall remove the existing sidewalk panels fronting the project on Harbor Boulevard and replace it decorative Alicante patterned sidewalk per City Standard Plan B-137 consistent with the existing sidewalk in the Harbor resort area, in a manner meeting the approval of the City Engineer. Said sidewalk shall be separated from the street curb by a five-foot landscaped area designed in a manner consistent with the existing landscaping within the resort area meeting the approval of the Planning Services Division Manager.
- i. The applicant shall remove and replace the street pavement from the edge of the westerly gutter fronting the property on Harbor Boulevard to the edge of the existing median per City Standard B-101.
- j. The new landscaping in the Harbor Boulevard public right-of-way shall be consistent with the existing landscape pattern of the resort to the north of the project site, and as approved by Planning Services Division.
- k. The applicant shall locate all existing public utilities across the property frontage and within the property boundary of the project prior to commencement of grading operation and mobilization.
- l. The applicant shall coordinate with the Planning Services Division and Public Works Street Division before placing any type of tree within public right-of-way and proposed landscape area.

- m. Street signs shall be installed as required and approved by the City Traffic Engineer.
 - n. In addition to payment of fair share costs required pursuant to the Planned Unit Development Performance Standards, in the event the traffic signal at the main entrance to the Project has already been installed and modifications to the approved plans necessitate modifications to the installed traffic signal, the applicant shall be fully responsible to pay for the entire cost to design, purchase, and construct such modifications to the traffic signal, as reasonably determined by the City Engineer.
20. The applicant shall remove any existing substandard driveway approaches, curbs, sidewalks, ADA ramps, pavement sections, tree well and landscaping, and construct Twintree Avenue frontage improvements as identified below. All landscape, irrigation, sidewalk, signal modifications or full signal installation, if necessary, and lighting improvements installed within the public rights-of-way, shall be maintained by the applicant and shall require the approval of the City Engineer, Street Division, and Planning Services Division.
- a. A separate street improvement plan shall be prepared and submitted to the Engineering Division for the proposed improvements within the public right-of-way on Twintree Avenue, which shall include any proposed landscaping and irrigation plans. All work shall be per City standards and specifications.
 - b. Existing substandard driveways (3 total) on Twintree Avenue shall be removed and replaced with new curb, gutter, landscape, and sidewalk per City standards and specifications.
 - c. The single new driveway approach to the site on Twintree Avenue shall be constructed in accordance with Garden Grove Standard B-121. Standard B-121 call for a minimum width of 30-feet for commercial projects, with any deviation from the standard to be approved by the City Traffic Engineer and detailed on the plan showing all modifications.
 - d. The new driveway approach on Twintree Avenue shall be limited to left turn-out and right turn-in only access. The drive approach shall be designated in a manner to allow emergency vehicle access.
 - e. The applicant shall remove all existing damaged sidewalk panels fronting the project on Twintree Avenue and replace it with new sidewalk panels in accordance with City of Garden Grove Standard B-106. The owner/contractor shall verify the removal and replacement sections of the sidewalk concrete panels with public works inspector prior to start of construction. Said sidewalk shall be separated from the street curb by a

six-foot landscaped area designated in a manner meeting the approval of the Planning Services Division.

- f. The applicant shall construct curb and gutter when replacing any existing driveway approach along the property frontage on Twintree Avenue in accordance with City Standard Plan B-114 (Type D-6).
 - g. One new wheelchair ramp and landing shall be constructed per latest Caltrans Standard Plan A88A at the northwest corner of Harbor Boulevard and Twintree Avenue.
 - h. The applicant shall locate all existing public utilities across the property frontage and within the property boundary of the project prior to commencement of grading operation and mobilization.
 - i. The applicant shall coordinate with the Planning Services Division and Public Works Street Division before placing any type of tree within public right-of-way and proposed landscape area.
 - j. Street signs shall be installed as required and approved by the City Traffic Engineer.
21. The width of all private streets with rolled curb & gutter shall be measured from the flowline to flowline of the gutter per City of Garden Grove Standard B-116. Catch basin and parkway drain standards shall be modified to match the design geometrics of rolled curb as required and approved by the City Engineer.
22. A minimum three-foot-by-three-foot-wide maneuvering area shall be provided at the end of a dead-end parking aisle serving more than five (5) consecutive stall and shall consist of nine-foot-by-nineteen-foot-wide turnaround space.

Permit Issuance

23. The applicant shall be subject to Traffic Mitigation Fees, In-Lieu Park Fees Drainage Facilities Fees, Water Assessment Fees, and other applicable mitigation fees identified in Chapter 9.44 of the Garden Grove Municipal Code, along with all other applicable fees duly adopted by the City. The amount of said fees shall be calculated based on the City's current fee schedule at the time of permit issuance.
24. A separate street permit is required for work performed within the public right-of-way.
25. Grading fees shall be calculated based on the current fee schedule at the time of permit issuance.

26. The applicant shall identify a temporary parking site(s) for construction crew and construction trailers office staff prior to issuance of a grading permit. No construction parking is allowed on local streets. Construction vehicles should be parked off traveled roadways in a designated parking area. Parking areas, whether on-site or off-site, shall be included and covered by the erosion control and the Storm Water Pollution Prevention plan (SWPPP).
27. Prior to issuance of a grading permit, the applicant shall submit and obtain approval of a worksite traffic control plan for all the proposed improvements within public right-of-way, and shall be subject to the review and approval of the City Traffic Engineer.
28. In accordance to City of Garden Grove Municipal Code (Chapter 9.48.030), the applicant is required to underground all existing and proposed on-site and off-site utility facilities fronting the project which the developer is developing or redeveloping. All existing improvements and utilities shall be shown as part of the grading submittal package in the topography section.
29. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one acre or more of land, the applicant shall demonstrate that coverage has been obtained under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and be available for City review on request. The assigned WDID number must appear on the cover sheet of the project grading plan.

Project Construction/Operation

30. The applicant shall coordinate with City's Public Works Department (Engineering, Water Services and Streets Division) and set-up appointments for pre-construction inspections for all the on-site and off-site improvements prior to commencement of grading operation and mobilization.
31. In accordance with the Orange County Storm Water Program manual, the applicant and/or its contractors shall provide dumpsters on-site during construction unless an Encroachment Permit is obtained for placement in street.
32. The applicant and its contractor shall be responsible for protecting all existing horizontal and vertical survey controls, monuments, ties (centerline and corner) and benchmarks located within the limits of the project. If any of the above require removal; relocation or resetting, the Contractor shall, prior to any construction work, and under the supervision of a California licensed Land

Surveyor, establish sufficient temporary ties and benchmarks to enable the points to be reset after completion of construction. Any ties, monuments and bench marks disturbed during construction shall be reset per Orange County Surveyor Standards after construction. Applicant and its contractor shall also re-set the tie monuments where curb or curb ramps are removed and replaced or new ramps are installed. The Applicant and its contractor shall be liable for, at his expense, any resurvey required due to his negligence in protecting existing ties, monuments, benchmarks or any such horizontal and vertical controls. Temporary Benchmarks shall not be used for Vertical control. Benchmarks shall be to the National Geodetic Vertical Datum (NGVD).

33. Heavy construction truck traffic and hauling trips, and any required lane closures shall occur outside peak travel periods. Peak travel periods are considered to be from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.
34. Prior to grading or building permit closeout and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
 - a. Demonstrate that all structural best management practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
 - b. Demonstrate that the applicant is prepared to implement and maintain all non-structural BMPs described in the Project WQMP.
 - c. Demonstrate that an adequate number of copies of the approved Project WQMP are available on-site.
 - d. Submit for review and approval by the City an Operations and Maintenance (O&M) Plan for all structural BMPs.
 - e. Identify responsible contractor and individuals for maintaining the new landscape and irrigation improvements for a period of five (5) years following the acceptance of the improvements by the City.

Building and Safety Division Services Division

35. All plans shall conform to the latest California (CA) Building Standards Code (CBC) at time of permit application.
36. The building shall be equipped with an automatic fire sprinkler system per CBC Chapter 9 and CA Fire Code.
37. A soil report complying with CBC Chapter 18 shall be required and shall be submitted for review at time of building permit application.
38. A Geo-technical peer review of the soil report shall be required, and shall be complete prior to building permit application.

- 39. Building commissioning shall be required per CA Energy Standards.
- 40. Exterior path-of-travels and interior accessible routes shall comply with CBC Chapter 11B.
- 41. All rooms/spaces/elements shall be on an accessible route per CBC Chapter 11B.
- 42. Fire rated construction shall comply with CBC Chapter 7.
- 43. The project shall comply with the CA Green Code.

Public Works Water Services Division

- 44. New water service installations 2-inch and smaller, shall be installed by the City of Garden Grove at owner's/developer's expense. Installation shall be scheduled upon payment of applicable fees, unless otherwise noted. Fire services and larger water services 3-inch and larger, shall be installed by developer/owner's contractor per City Standards.
- 45. Water meters shall be located within the City right-of-way or within dedicated waterline easement. Fire services and large water services 3-inch and larger, shall be installed by contractor with Class A or C-34 license, per City water standards and be inspected by approved Public Works inspection.
- 46. Domestic water and fire water shall tie into the existing 12-inch water main on Harbor Blvd.
- 47. If a looped water system is proposed, each point of connection to the City water main shall have a backflow prevention device per City standards.
- 48. Existing 6-inch water main and water services located in Thackery Drive shall be removed and 6" x 6" tee connection in the intersection of Thackery Drive and Twintree Avenue shall be abandoned per City Standards and Specifications.
- 49. A Reduced Pressure Principle Device (RPPD) backflow prevention device shall be installed for meter protection. The landscape system shall also have RPPD device. Any carbonation dispensing equipment shall have a RPPD device. Installation shall be per City Standards and shall be tested by a certified backflow device tester immediately after installation. Cross-connection inspector shall be notified for inspection after the installation is completed. Owner shall have RPPD device tested once a year thereafter by a certified backflow device tester and the test results to be submitted to Public Works, Water Services Division. Property owner must open a water account upon installation of RPPD device.

50. It shall be the responsibility of owner/developer to abandon any existing private water well(s) per Orange County Health Department requirements. Abandonment(s) shall be inspected by Orange County Health Department inspector after permits have been obtained.
51. A composite utility site plan shall be part of the water plan approval.
52. Water system on-site, not protected by backflow prevention device, shall be constructed per City Standards by developer and dedicated to the City. Bonding will be required.
53. There shall be a minimum 15-foot clearance of building footings from water main. Clearances less than 15 feet shall be reviewed and approved by Water Engineering.
54. There shall be no structures or utilities built, on or crossing, water or sewer main easements.
55. New utilities shall have a minimum 5-foot horizontal and a minimum 1-foot vertical clearance from water main and appurtenances.
56. There shall be a minimum clearance from sewer main and water main of 10 feet from outside-of-pipe to outside-of-pipe.
57. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
58. Any fire service and private fire hydrant lateral shall have above-ground backflow device with a double-check valve assembly. Device shall be tested immediately after installation and once a year thereafter by a certified backflow device tester and the results to be submitted to Public Works, Water Services Division. Device shall be on private property and is the responsibility of the property owner. The above-ground assembly shall be screened from public view as required by the Planning Division.
59. No permanent structures, trees or deep-rooted plants shall be placed over sewer main or water main.
60. Location and number of fire hydrants shall be as required by Water Services Division and the Orange County Fire Authority.
61. Commercial food use of any type shall require the installation of an approved grease interceptor prior to obtaining a business license. Plumbing plan for grease interceptor shall be routed to environmental services for review.
62. A properly-sized grease interceptor shall be installed on the sewer lateral and maintained by the property owner. There shall be a separate sanitary waste

line that will connect to the sewer lateral downstream of the grease interceptor. All other waste lines shall be drained through the grease interceptor. Grease interceptor shall be located outside of the building and accessible for routine maintenance. Owner shall maintain comprehensive grease interceptor maintenance records and shall make them available to the City of Garden Grove upon demand.

63. Food grinders (garbage disposal devices) are prohibited per Ordinance 6 of the Garden Grove Sanitary District Code of Regulations. Existing units are to be removed.
64. Owner shall install new sewer lateral with clean-out at right-of-way line. Lateral shall tie in to the 18-inch sewer main on Harbor Boulevard. Lateral in public right-of-way shall be 6-inch minimum diameter, extra strength VCP with wedgelock joints, and shall have a minimum 2% slope or minimum 2 ft/s (feet/second) velocity.
65. Existing 8-inch sewer mains and laterals on Thackery Drive and public alley shall be removed, and the connections to manholes on Twintree Avenue shall be plugged per City Standards and Specifications.
66. All perpendicular crossings of the sewer shall maintain a vertical separation of minimum 12-inch below the water main, outer-diameter to outer-diameter. All exceptions to the above require a variance from the State Water Resources Control Board.

Planning Services Division

67. The applicant shall submit detailed plans, showing the proposed location of utilities and mechanical equipment to the Community and Economic Development Department, Planning Services Division for review and approval prior to submitting plans into the Building and Safety Division Plan Check process. The project shall also be subject to the following:
 - a. All on-site and off-site utilities (off-site refers to the areas within public right-of-way to the center line of the streets adjacent to the subject property), within the perimeter of the site and to the centerline of the adjacent streets shall be installed or relocated underground.
 - b. Above-ground utility equipment (e.g., electrical, gas, telephone, cable TV) shall not be located in the street setbacks along Harbor Boulevard and Twintree Avenue, and shall be screened to the satisfaction of the Community and Economic Development Department.
 - c. No roof-mounted mechanical equipment, including but not limited to dish antennas, shall be permitted unless a method of screening complementary to the architecture of the building is approved by the

Community and Economic Development Department prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.

- d. All ground- or wall-mounted mechanical equipment shall be screened from view from any place on, or off, the site.
 - e. No exterior piping, plumbing, or mechanical ductwork shall be permitted on any exterior façade and/or be visible from any public right-of-way or adjoining property. Roof rain gutters are permitted. The rain gutters shall follow the natural architectural lines of the building.
68. All landscaping shall be consistent with the landscape requirements within the development standards set forth in Planned Unit Development No. PUD-141-01(A). The applicant shall submit a complete and detailed landscaping plan with irrigation systems included for review and approval by the Community and Economic Development Department prior to the issuance of a building permit. Drought tolerant plantings are encouraged. The landscape plan shall include the type (both common and botanical names), size, location, and quantity of all proposed plant material. All proposed landscaping shall be planted prior to the finalization of the building permit. The plan shall be consistent with the landscape requirements set forth and/or incorporated in the Garden Grove Municipal Code. All landscape irrigation shall comply with the City's Landscape Ordinance, associated Water Efficiency Guidelines and all recent applicable revisions from the State of California on water conservation measures shall be to the landscape plans. The landscape plan is also subject to the following:
- a. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaping areas shown on the plan. Subsurface systems are encouraged. The irrigation plan for any new trees shall have a deep-water irrigation system that shall be specified on the landscape plan. A detail of the deep-water irrigation system shall be provided for review. If sprinklers are used, they shall be low flow/precipitation sprinkler heads for water conservation.
 - b. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box, and sixty percent (60%) of the trees at 15-gallon, the remaining five percent (5%) may be of any size. These trees shall be incorporated into the landscaped frontages of all streets. Where clinging vines are considered for covering walls, drought tolerant vines shall be used.
 - c. Clinging vines shall be installed within the landscape planters along the perimeter block walls to deter graffiti.

- d. Trees planted within ten (10) feet of any public right-of-way shall be planted in a root barrier shield. All landscaping along street frontages adjacent to driveways shall be of the low-height variety to ensure safe sight clearance.
- e. Landscaping along Harbor Boulevard, including within the public-of-way, shall include two rows of Date Palm Trees (minimum brown trunk height of 25 feet), canopy trees (minimum 24-inch box), shrubs, and ground covers. Landscape materials shall match the landscape materials used within the project located at the southwest corner of Harbor Boulevard and Chapman Avenue unless the City adopts a landscape design for Harbor Boulevard. The Community and Economic Development Director may approve minor modifications to the foregoing standards as to height, size, and placement of the palm trees along Harbor Boulevard.
- f. Landscaping along Twintree Avenue, including within the public right-of-way shall include canopy trees (minimum 24-inch box), shrubs, and ground covers. Landscape materials shall match the landscape materials used along the Harbor Boulevard, and shall be properly maintained.
- g. Flexibility to the height of the palm trees, and their placement along Harbor Boulevard, shall be reviewed and approved by the Community and Economic Development Director.
- h. All landscape areas, including the areas located within the public right-of-way along Harbor Boulevard and Twintree Avenue, are the responsibility of the developer/operator of the hotel.
- i. The landscape plan shall incorporate and maintain for the life of the project those means and methods to address water run-off also identified as Low Impact Development provisions, in accordance with Chapter 6.40 of the Garden Grove Municipal Code, and the regulations and technical documents incorporated and required thereunder, including, but not limited to any application of Water Quality Management Plans (WQMP), Drainage Area Management Plans (DAMP) and any other water conservation measures applicable to this type of development.
- j. At the time of irrigation installation, the irrigation system shall comply with all applicable provisions of the City's Water Conservation Ordinance, the City's Municipal Code landscape provisions, and all applicable state regulations.
- k. All above-ground utilities (e.g. water backflow devices, electrical transformers, irrigation equipment) shall be shown on the landscaping plan in order to ensure proper landscape screening will be provided.

69. Hours and days of construction and grading shall be as set forth in Chapter 8.47 of the City of Garden Grove Municipal Code, except as follows:
 - a. Monday through Saturday - not before 7:00 a.m. and not after 8:00 p.m. (of the same day).
 - b. Sunday and Federal Holidays - may work same hours, but subject to noise restrictions as established in Chapter 8.47 of the Municipal Code.
70. There shall be no deliveries from or to the premises before 7:00 a.m. and after 10:00 p.m., seven days a week. Signage shall be posted in the designed loading areas reflecting these delivery hours.
71. The parking structure shall be designed to be architecturally compatible with the hotel's architectural design and shall integrate similar design features, details, and materials. The louvered or perforated wall paneling required as part of the project design feature shall be architecturally compatible and integrated with the design of the hotel building. All sides of a parking structure that are in view from adjacent properties and the public rights-of-way shall be architecturally enhanced. The parking structure shall be well illuminated, including having the interior of the parking garage painted a light color, and designed to meet City parking standards for drive-aisle width, stall sizes, and height clearances. The design of the parking structure stairwells shall architecturally match the design of the parking structure, and shall be designed to reduce visibility to the adjacent residential properties.
72. A minimum of 480 parking spaces are required to serve the Project at the full permitted build-out based on the proposed number of hotel rooms and proposed square footages of uses analyzed in the Shared Parking Study. In the event the applicant proposes to modify the number of hotel rooms or the square footages of the other proposed uses beyond those analyzed in the Shared Parking Study, or the applicant proposes to reduce the number of required parking spaces, a new shared parking analysis shall be prepared and approved by the City. The applicant shall implement the recommendations of the Shared Parking Study and/or any subsequent shared parking analysis approved by the City.
73. The service and sale of alcoholic beverages within the hotel, hotel restaurants, and hotel ballroom/meeting rooms shall be subject to approval of a Conditional Use Permit.
74. Any new or required block walls and/or retaining wall(s) shall be shown on the grading plans. Block walls shall be developed to City Standards or designed by a Registered Engineer and shall be measured from on-site finished grade. The applicant shall provide the following:

- a. All block walls constructed on the project site shall be of slump stone or split-face block with decorative caps, subject to Community and Economic Development Department's approval, shall maintain a maximum height of 8-feet as measured from the property's finished grade.
 - b. An eight-foot high block wall shall be constructed along the northwest and western property lines, adjacent to the residential properties. The block wall located adjacent to the Twintree Avenue driveway entrance shall comply with the vehicular line-of-sight clearances designed to the satisfaction of the City's Traffic Engineer.
 - c. Any new block walls constructed along the Twintree Avenue property line (southern property line) shall maintain a five-foot setback from the property line.
 - d. At no time shall a wall be placed within nine-feet from the property line.
 - e. The applicant shall work with adjacent property owners in designing and constructing the required perimeter block wall to avoid having double walls, and to minimize any impact that it might cause to the existing landscaping on the neighbor's side as much as possible. The perimeter block wall shall be constructed and situated entirely within the subject property. In the event that the applicant cannot obtain approval from the adjacent property owners, the applicant shall construct the new wall with a decorative cap to be placed between the new and existing walls. In the event the location of a new wall adjacent to an existing wall or fence has the potential to affect the landscape planter, then the Developer shall work with City Staff to address this situation.
 - f. The Community and Economic Development Director may authorize minor modifications to the required wall heights and setbacks set forth above as authorized pursuant to the Ordinance approving Planned Unit Development No. PUD-141-01(A). Notwithstanding the foregoing, with exception of the block wall on the westerly or northwesterly property line shall comply with all standards required as by mitigation measures pursuant to the mitigated negative declaration and identified in the mitigation monitoring program.
75. Building color and material samples shall be submitted to the Planning Services Division for review and approval prior to issuance of building permits. All buildings shall incorporate decorative design features, architectural enhancements, and other design elements that are designed to the satisfaction of the Community and Economic Development Department.
76. The developer shall comply with all provisions of the Community and Economic Development Department including, but not limited to, the following:

- a. The facades of the hotel shall be designed with sound attenuation features including the use of dual pane windows and limiting, when possible, the use of windows and vents. These features shall be approved by the Community and Economic Development Department prior to the issuance of building permits.
 - b. Prior to the finalization of working drawings, the developer shall submit to the Community and Economic Development Department detailed and dimensioned plot plans, floor plans, exterior elevations, and landscape plans which reflect the above conditions of approval, including mitigation measures and project design features of the Mitigated Negative Declaration of PUD-141-01(A). The plans shall indicate cross sections of all streets within the development, landscape materials, wall materials, and building materials proposed for the project. Each unit shall have phone jacks and cable-TV outlets in all hotel rooms. Mechanical equipment, including air conditioning units, pool equipment, sump pump, etc., shall not be located closer than five feet of any side or rear property line and shall not be located in the front landscape setback. Air conditioning units and all other mechanical shall be completely screened from public view from the street and/or common open space area.
 - c. Should the developer elect to build the project in more than one phase, then a phasing plan shall be submitted to the Community and Economic Development Department prior to issuance of building permits. The phasing plan shall include, but not be limited to, a site plan showing the phasing areas, protection of finished units, and protection for related safety issues concerning pedestrians and non-construction vehicles. The perimeter improvements including landscaping, walls, street improvements, and underground utilities, shall be completed in the first phase. The phasing plan shall be approved by the Community and Economic Development, OCFA, and Public Works Departments prior to issuance of building permits.
 - d. If at any time after the construction of the hotels, the City receives complaints about the light and glare reflected by the hotel's windows, the developer/operator shall remedy the situation to the reasonable satisfaction of the Community and Economic Development Department.
77. The project shall comply with the following refuse storage requirements:
- a. The refuse storage and collection areas shall be provided and subject to both Garden Grove Sanitation District (GGSD), and GGSD contracted solid waste handler/hauler approval, and be subject to applicable building and fire codes.

- b. The refuse storage and collection areas shall be designed to comply with the City's B-502 trash enclosure standard, or with an alternative design approved by the Public Works Engineering Division.
 - c. The refuse storage areas shall be properly maintained. The refuse storage enclosure doors shall be kept closed and secured, except during trash disposal or pickup. Trash pickups and automated parking lot cleaning/sweeping, shall occur between the hours of 8:00 a.m. and 6:00 p.m. The applicant shall provide sufficient trash bins and pick-ups to accommodate the site.
 - d. The refuse storage area shall have a unifying color and exterior finish that matches, and are integrated, with the proposed development. The proposed roof design of the trash enclosure shall be architecturally compatible with the design of the development. The Planning Services Division shall review and approve the design of the proposed roof and the material(s). The proposed roof and materials shall also comply with the building code requirements.
78. 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, which may require proper screening to hide such appurtenances from public view.
79. All service doors shall be kept closed at all times during hours of operation except in case of emergency or to permit deliveries. Panic hardware on doors shall comply with all City Code requirements.
80. Litter shall be removed daily from the project site including adjacent public sidewalks and all parking areas under the control of the applicant. These areas shall be swept or cleaned, either mechanically or manually, on a weekly basis, to control debris.
81. The applicant shall abate all graffiti vandalism within the premises. The applicant 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 as soon as reasonably possible after it is discovered, but not later than 72 hours after discovery.
82. The developer/owner shall submit signed letters acknowledging receipt of the decision for Site Plan No. SP-107-2022, and their agreement with all conditions of approval.

83. In accordance with Garden Grove Municipal Code Sections 9.32.160 and 9.40.070.A, respectively, the rights granted pursuant to Site Plan No. SP-107-2022 shall be valid for a period of two years from the effective date of this approval. Unless a time extension is granted pursuant to Section 9.32.030.D.9 of the Municipal Code, the rights conferred by Site Plan No. SP-107-2022 shall become null and void if the subject development and construction necessary and incidental thereto is not commenced within one (1) years of the expiration of the appeal period and thereafter diligently advanced until completion of the project. In the event construction of the project is commenced, but not diligently advanced until completion, the rights granted pursuant to Site Plan No. SP-107-2022 shall expire if the building permits for the project expire.