



**GARDEN GROVE**

## **A G E N D A**

**GARDEN GROVE PLANNING COMMISSION**

January 20, 2022 - 7:00 PM

Meeting conducted telephonically – Public attendance at Community Meeting Center, 11300 Stanford Avenue, Garden Grove, CA 92840 or by phone at (669) 900-6833 ID 85185070121 - further instructions at <https://ggcity.org/commissions/planning-meetings-participation>.

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**COVID-19 Information:** Consistent with State Assembly Bill 361, members of the Planning Commission may be present or participate telephonically. Members of the public can address the Planning Commission during the public comment portion of the meeting in person or via teleconference. If you plan to attend the meeting in person, masks or face coverings are required to be worn at all times. If you feel ill or are showing symptoms of COVID-19, please participate via teleconference. Teleconference instructions are available on the City's website at <https://ggcity.org/commissions/planning-meetings-participation>.

**Meeting Assistance:** Any person requiring auxiliary aids and services, due to a disability, to address the Planning Commission, 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).

**Agenda Item Descriptions:** Are intended to give a brief, general description of the item. The Planning Commission 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.

**Documents/Writings:** Any revised or additional documents/writings related to an item on the agenda distributed to all or a majority of the Planning Commission within 72 hours of a meeting, are made available for public inspection at the same time (1) in the Planning Services Division Office at 11222 Acacia Parkway, Garden Grove, CA 92840, during normal business hours; and (1) at the Community Meeting Center at the time of the meeting.

**Public Comments:** Members of the public who attend the meeting in-person and would like to address the Planning Commission may complete a yellow speaker card indicating their name and address, and identifying the subject matter they wish to address. This card should be given to the Recording Secretary before the meeting begins. General comments are made during "Oral Communications" and are limited to three (3) minutes and to matters the Planning Commission has jurisdiction over. Persons wishing to address the Planning Commission regarding a Public Hearing matter will be called to the podium at the time the matter is being considered. Members of the public who wish to comment on matters before the Commission, in lieu of doing so in person, may submit comments by emailing [planning@ggcity.org](mailto:planning@ggcity.org) no later than 3:00 p.m. the day of the meeting. The comments will be provided to the Commission as part of the meeting record. Members of the public participating via teleconference should review the instructions on the City's website pertaining to Live Virtual Public Comments at: <https://ggcity.org/commissions/planning-meetings-participation>

**PLEASE SILENCE YOUR CELL PHONES DURING THE MEETING.**

## REGULAR MEETING AGENDA

ROLL CALL: CHAIR PEREZ, VICE CHAIR LINDSAY  
COMMISSIONERS ARESTEGUI, CUNNINGHAM, LEHMAN, RAMIREZ,  
SOEFFNER

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

A. SELECTION OF CHAIR AND VICE CHAIR

B. ORAL COMMUNICATIONS - PUBLIC

C. APPROVAL OF MINUTES:

C.1. November 18, 2021 and December 2, 2021

D. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)

D.1. CONDITIONAL USE PERMIT NO. CUP-212-94 (REV. 2022)

APPLICANT: MIRA MESA LANES, LLC

LOCATION: WEST SIDE OF VALLEY VIEW STREET, SOUTH OF  
CHAPMAN AVENUE AT 12141 VALLEY VIEW STREET

REQUEST: A request to modify the Conditions of Approval for Conditional Use Permit No. CUP-212-94 to allow a 13,740 square foot bowling alley to continue to operate with an original Alcoholic Beverage Control (ABC) Type "47" (On-Sale, General) License and with live entertainment in the form of three (3) karaoke rooms. The proposed bowling alley will occupy a portion of the former AMF Bowling Alley building. The site is in the PUD-104-73 (Planned Unit Development No. PUD-104-73 REV. 2018/2020) zone. The project is exempt from CEQA pursuant to Government Code Section 15301 - Existing Facilities of the State CEQA Guidelines.

STAFF RECOMMENDATION: Approve Conditional Use Permit No. CUP-212-94 (REV. 2022).

D.2. SITE PLAN NO. SP-091-2020TE1 (TIME EXTENSION)

APPLICANT: PETER SHAVER

LOCATION: SOUTHWEST CORNER OF TRASK AVENUE AND  
BROOKHURST STREET AT 9898 TRASK AVENUE

REQUEST: A request to approve a one-year time extension for the entitlements approved under Site Plan No.

SP-091-2020. The entitlements approved the remodel, and 500 square foot expansion of Hyundai of Garden Grove. The site is in the Planned Unit Development No. PUD-110-96 zone. A CEQA determination is not required as the project was previously exempted.

STAFF RECOMMENDATION: Approve Site Plan No. SP-091TE1, subject to the recommended Conditions of Approval.

E. MATTERS FROM COMMISSIONERS

F. MATTERS FROM STAFF

G. ADJOURNMENT

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

Meeting Minutes  
Thursday, November 18, 2021

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

Chair Perez  
Vice Chair Lindsay  
Commissioner Arestegui  
Commissioner Cunningham  
Commissioner Lehman  
Commissioner Ramirez  
Commissioner Soeffner

Absent: None.

PLEDGE OF ALLEGIANCE: Led by Commissioner Lindsay.

ORAL COMMUNICATIONS – PUBLIC – None.

November 4, 2021 MINUTES:

Action: Received and filed.  
Motion: Lindsay Second: Lehman  
Ayes: (7) Arestegui, Cunningham, Lehman, Lindsay, Perez,  
Ramirez, Soeffner  
Noes: (0) None

Commissioner Arestegui recused herself from the discussion due to being employed by General Council for a tenant of the project. As the conflict of interest fell under the City Code, Commissioner Arestegui remained in the room.

CONTINUED PUBLIC HEARING – MITIGATED NEGATIVE DECLARATION, MITIGATION MONITORING AND REPORTING PROGRAM, AND SITE PLAN NO. SP-101-2021 FOR PROPERTY LOCATED ON THE NORTH SIDE OF WESTMINSTER AVENUE, WEST OF BROOKHURST STREET, AT 13861 BROOKHURST STREET.

Applicant: DENNIS O'NEIL (SUNBELT STORES, INC.)  
Date: November 18, 2021

**Request:** Site Plan approval to expand an existing 180,449 square foot shopping center, which is currently improved with the Garden Grove Superstore, a Target retail store, and a Firestone auto repair shop, by constructing (i) two (2) new 4,000 square foot drive-thru pad buildings, (ii) one (1) new 4,000 square foot multi-tenant commercial building attached to the existing Target, and (iii) replacing the existing Firestone auto repair shop with a 5,600 square foot drive-thru multi-tenant building. The site is in the C-1 (Neighborhood Commercial) zone. In conjunction with the request, the Planning Commission will also consider the adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project.

Motion 1:

**Action:** Motion to leave the public hearing open and continue the item to the December 2<sup>nd</sup> Planning Commission meeting in order for Traffic Engineering to look into mitigation efforts regarding the driveway approach location.

**Motion:** Lindsay      **Second:** Perez

**Ayes:** (3) Lindsay, Perez, Ramirez  
**Noes:** (3) Cunningham, Lehman, Soeffner  
**Absent:** (1) Arestegui

The Motion failed.

Motion 2:

**Action:** Resolution No. 6029-21 was approved with updates to the Resolution and Conditions of Approval using bold and strikethrough to highlight changes, along with modifications to Condition Nos. 94d and 94e to read:

- a. Any individual building project must include the landscaping improvements within the area described above in Condition 94.a. and, in addition, must include the landscaping improvements required within any new or reconfigured parking areas needed to comply with above Condition 94.c.
- b. Any individual building project must include the site lighting improvements within the area described above in Condition 94.a. and, in addition, must include the site lighting improvements within any new or reconfigured parking areas needed to comply with above Condition 94.c.

Motion: Lehman Second: Soeffner  
Ayes: (6) Cunningham, Lehman, Lindsay, Perez, Ramirez,  
Soeffner  
Noes: (0) None  
Absent: (1) Arestegui

Commissioner Arestegui rejoined the discussion.

PUBLIC HEARING – SITE PLAN NO. SP-105-2021 AND LOT LINE ADJUSTMENT NO. LLA-028-2021 FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF YOCKEY STREET AND DAKOTA AVENUE AT 13361 YOCKEY STREET.

Applicant: TOBY NGUYEN  
Date: November 18, 2021

Request: Site Plan approval to construct a 5-unit apartment complex that includes one (1) affordable unit for very low income. Pursuant to State Density Bonus Law, the applicant requests the following three (3) concessions from the R-3 (Multiple-Family Residential) zone development standards: (1) to increase the maximum building height from 35 feet to 37 feet, (2) to allow the 3<sup>rd</sup> story building area to increase from 50% threshold to 100%, and (3) to reduce the distance between residential units and the drive-aisle along the northerly property line from 10 feet to zero feet. Also, a request for Lot Line Adjustment approval to consolidate the two (2) existing parcels into one (1) lot. The site is in the R-3 (Multiple-Family Residential) zone. In conjunction with the request, the Planning Commission will also consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15303 – New Construction or Conversion of Small Structures and 15305 – Minor Alterations in Land Use Limitations.

Action: Resolution No. 6034-21 was approved. Other than the applicant’s representative, one person spoke with parking concerns, limited access to the neighborhood, and homeless issues.

Motion: Lindsay Second: Lehman  
Ayes: (7) Arestegui, Cunningham, Lehman, Lindsay, Perez,  
Ramirez, Soeffner  
Noes: (0) None

MATTERS FROM COMMISSIONERS: None.

MATTERS FROM STAFF: Assistant City Attorney, James Eggert, presented a PowerPoint discussion on Senate Bill 9 (SB9). The bill requires a proposed housing

development, which contains no more than two (2) residential units within a single-family residential zone, to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

The City cannot impose customized conditions of approval, however, it is permitted to impose objective development standards on the units. If the units are not in conformance or compliance with current setbacks, the City cannot require the new units to meet those setbacks.

ADJOURNMENT: At 8:42 p.m. to the next Meeting of the Garden Grove Planning Commission on Thursday, December 2, 2021, at 7:00 p.m. in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

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Rosemarie Jacot  
Recording Secretary

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

Meeting Minutes  
Thursday, December 2, 2021

CALL TO ORDER: 7:00 p.m.

ROLL CALL:

Chair Perez  
Vice Chair Lindsay  
Commissioner Arestegui  
Commissioner Cunningham  
Commissioner Lehman  
Commissioner Ramirez  
Commissioner Soeffner

Absent: Lehman, Perez

PLEDGE OF ALLEGIANCE: Led by Commissioner Soeffner.

ORAL COMMUNICATIONS – PUBLIC – None.

November 18, 2021 MINUTES: The November 18<sup>th</sup> Minutes will be available for receiving and filing at the next regularly scheduled Planning Commission Meeting in January of 2022.

PUBLIC HEARING – AMENDMENT NO. A-033-2021, CITY OF GARDEN GROVE, CITYWIDE.

Applicant: CITY OF GARDEN GROVE  
Date: December 2, 2021

Request: A request by the City of Garden Grove to amend portions of Title 9 of the Garden Grove Municipal code to implement the provisions of California Government Code Sections 65852.21 and 66411.7, added by Senate Bill 9, and to add regulations and development standards for two-unit housing developments and parcel maps for urban lot splits in single-family residential zones. The project is exempt from CEQA pursuant to Government Code Sections 65852.21(j) and 66411.7(n) and Sections 15303 and 15315 of the State CEQA Guidelines.

Action: Resolution No. 6035-21 was approved.

Motion: Soeffner Second: Lindsay



Ayes: (5) Arestegui, Cunningham, Lindsay, Ramirez, Soeffner  
Noes: (0) None  
Absent: (2) Lehman, Perez

MATTERS FROM COMMISSIONERS: Commissioners wish staff Happy Holidays.

MATTERS FROM STAFF: Staff gave a brief description of future agenda items and stated the December 16<sup>th</sup> and January 6<sup>th</sup> meetings would be cancelled. Staff then wished the Commissioners Happy Holidays.

ADJOURNMENT: At 7:27 p.m. to the next Meeting of the Garden Grove Planning Commission on Thursday, January 20, 2022, at 7:00 p.m. in the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

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Judith Moore  
Recording Secretary

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> D.1.	<b>SITE LOCATION:</b> West side of Valley View Street, south of Chapman Avenue at 12141 Valley View Street
<b>HEARING DATE:</b> January 20, 2022	<b>GENERAL PLAN:</b> Light Commercial
<b>CASE NO.:</b> Conditional Use Permit No. CUP-212-94 (REV. 2022)	<b>ZONE:</b> Planned Unit Development No. PUD-104-73 (REV. 2018/ REV. 2021)
<b>APPLICANT:</b> Mira Mesa Lanes, LLC	<b>CEQA DETERMINATION:</b> Exempt – Section 15301 – Existing Facilities
<b>PROPERTY OWNER:</b> Valley View Cinema Center, LLC	<b>APN:</b> 224-202-17

## **REQUEST:**

The applicant requests approval to modify the conditions of approval for Conditional Use Permit No. CUP-212-94 to allow a 13,740 square foot bowling alley to continue to operate with an original Alcoholic Beverage Control (ABC) Type "47" (On-Sale, General) License and with live entertainment in the form of three (3) karaoke rooms. The proposed bowling alley will occupy a portion of the former AMF Bowling Alley building.

## **BACKGROUND:**

The subject site is located on the west side of Valley View Street, south of Chapman Avenue. The subject site has a General Plan Land Use designation of Light Commercial, and is zoned Planned Unit Development (PUD) No. PUD-104-73 (REV. 2018/ REV. 2021).

The bowling alley was originally constructed in 1975 with approval of PUD-104-73. PUD-104-73 authorized the construction of a 32-lane bowling alley (12141 Valley View Street), a 900 seat movie theater (12111 Valley View Street), a 7,500 square foot restaurant (12101 Valley View Street), a 3,600 square foot drive-thru restaurant (12051 Valley View Street), a 41,850 square foot senior facility for 120 people (5900 Chapman Avenue), and a 126-unit residential condominium (currently known as Stonegate).

A bowling alley has been operating from this location since 1975 under different ownership.

In 1991, Conditional Use Permit No. CUP-113-91 was approved, and allowed the bowling alley to continue to operate with an ABC Type "47" (On-Sale, General) License for the sale of beer, wine, and distilled spirits.

In 1994, Conditional Use Permit No. CUP-212-94 was approved and allowed the bowling alley: 1) to continue to operate with an ABC Type "47" License, 2) to increase the number of coin-operated video games from 24 to 31, 3) to increase the number of pool tables from one to two, 4) to allow entertainment in the form of karaoke, and 5) to modify the hours of operation. According to the staff report, the coin-operated games were located in the lounge area and pro-shop, while the two (2) pool tables and karaoke were located in the lounge area (see Attachment 1). With approval of CUP-212-94, the hearing body determined that live entertainment in the form of karaoke and amusement devices was a conditionally permitted use in the PUD-104-73 zone in conjunction with the bowling alley.

Under CUP-212-94, the bowling alley was allowed to operate from 8:00 a.m. to 2:00 a.m., Sunday through Wednesday, and 8:00 a.m. to 3:00 a.m., Thursday through Saturday. The karaoke entertainment was permitted to operate from 8:00 a.m. to 2:00 a.m., seven days a week.

Changes to the ownership of the bowling alley have occurred over the years and since adoption of CUP-212-94; however, despite the change of ownership, all operators were required to comply with the conditions of approval of CUP-212-94. The previous bowling alley operator, AMF Valley View Lanes, operated the business from 1998 to early 2018 when the operation ceased. The bowling alley building has remained vacant since. The ABC Type "47" License owned by the previous bowling alley operator was transferred to a new location, 12900 Main Street for the AUM Beer Club, through a premises-to-premises transfer on October 20, 2020. Therefore, there is no current active ABC license for the bowling alley.

The bowling alley parcel is currently being redeveloped. The property owner of the bowling alley parcel also owns the adjacent property to the north that is developed with the Starlight Cinema, the Jack-in-the-Box, and the Fast 5 Express car wash, and also owns and operates the Starlight Cinema. In 2018, the property owner received land use approval from the City to redevelop and revitalize the movie theater property, including remodeling the movie theater, and constructing an automatic car wash (Fast 5 Express) and a pad drive-thru restaurant (Jack-in-the-Box). The improvements were completed in 2020, and the shopping center was re-named the West Grove Center.

The property owner purchased the bowling alley property in March 2019. In 2021, the property owner received land use approval (General Plan Amendment No. GPA-002-2021 and Site Plan No. SP-097-2021) to revitalize the bowling alley property by re-purposing the existing bowling alley building with commercial retail and restaurant uses, including a new anchor tenant and in-line restaurant tenants. The proposal included reducing the size of the bowling alley building from 33,375 square feet to approximately 19,296 square feet to accommodate the proposed site improvements, including path-of-travel, parking, and landscaping. The proposed

uses rely on the adjacent movie theater property for parking through a reciprocal parking agreement.

The property owner has since indicated that the anchor tenant will be re-occupied by a bowling alley. A bowling alley is permitted by right under PUD-104-73 (REV. 2018/ REV. 2021). Therefore, a Conditional Use Permit is not required to allow the continued operation of the bowling alley on the subject site; however, the sale of alcohol and live entertainment are conditionally permitted uses. A modification to CUP-212-94 is required to allow the bowling alley to continue to operate with an ABC Type "47" (On-Sale, General) License and with live entertainment in the form of three (3) karaoke rooms.

In August 2021, the property owner submitted plans to the City to re-purpose the bowling alley building, which included plans for the bowling alley to occupy 13,767 square feet of the building. The applicant will submit separate tenant improvement plans to the City for the interior remodel of the bowling alley tenant space. Site construction is currently underway for the pad building.

The applicant proposes to continue to operate the bowling alley with an original ABC Type "47" (On-Sale, General) License, and with live entertainment in the form of three (3) karaoke rooms. The proposed alcohol sales and live entertainment are a continuation of ancillary uses allowed at the bowling alley under Conditional Use Permit No. CUP-212-94; however, the form of karaoke entertainment provided will be modified to occur within three (3) karaoke rooms. In order to continue to operate the bowling alley with an original ABC Type "47" license, and with live entertainment in the form of three (3) karaoke rooms, the conditions of approval of CUP-212-94 will be modified to include new standard conditions of approval to regulate the sale of alcohol and the live entertainment.

The applicant has 20 years of experience owning and operating bowling alleys. The applicant currently owns and operates the Arlington Lanes located in Riverside and the Mira Mesa Lanes located in San Diego. The applicant formerly owned and operated the Tustin Lanes located in Tustin, the Chaparral Lanes located in San Dimas, and the Temecula Lanes located in Temecula. The applicant also has experience operating a bowling alley with karaoke. The Mira Mesa Lanes currently operates with karaoke, and the Tustin Lanes and Arlington Lanes previously operated with karaoke.

### **DISCUSSION:**

The applicant proposes to operate a family-friendly bowling entertainment center that offers bowling, food and beverages, karaoke, and amusement devices in a fun and safe environment. The applicant's goal is to provide activities that attract and provide entertainment to customers of different ages.

The bowling alley will be approximately 13,767 square feet in size, and will consist of fourteen (14) bowling lanes with an adjoining bowler's seating area, an open area with seating and nine (9) amusement devices, three (3) karaoke rooms, a

front lobby area, a front desk, a bar and snack bar area, a kitchen, restrooms, and storage rooms. An existing second-story mezzanine will be demolished as part of the tenant improvement for the bowling alley.

The applicant proposes to continue to operate the bowling alley with karaoke entertainment in the form of three (3) karaoke rooms. CUP-212-94 allowed the bowling alley to operate with karaoke. The proposed request includes providing karaoke within three (3) individual karaoke rooms. The karaoke rooms will be rented to patrons per hour with the typical rental time per room occurring between 1-1/2 to 3 hours depending the size of the group. The karaoke room rental will stop 60 minutes prior to the established business closing time.

The karaoke rooms are designed to accommodate small parties with single or duet users. Two (2) karaoke rooms will be 116 square feet in size, and one (1) karaoke room will be 117 square feet. Each karaoke room will include the karaoke equipment and furniture, such as a couch. The City's Building and Safety Division has estimated that the occupancy of each room will be approximately 8 persons; however, the final occupancy of each karaoke room will be determined as part of the building permit process. To provide visibility into each karaoke room from the bowling alley common area, each karaoke room will be fitted with windows within the upper portion of each corridor partition wall and door as required by the Police Department, and as illustrated on the floor plan.

The bowling alley will also operate with nine (9) incidental amusement devices, including six (6) arcade machines and three (3) pool tables. Title 5 of the Municipal Code, Section 5.40.110, allows up to three (3) pool tables to be permitted as incidental amusement devices.

The bowling alley will offer for purchase typical foods and beverages offered at a bowling alley. The food items will include pizza, hamburgers, hot dogs, fries, nachos, sandwiches, salads, breakfast items, soft drinks and alcoholic beverages. The applicant also proposes to continue to operate the bowling alley with an ABC Type "47" (On-Sale, General) License for the sale of beer, wine, and distilled spirits.

The hours of operation for the bowling alley will be modified and reduced from the closing time approved under CUP-212-94. The new hours of operation will vary during the week, with opening times occurring in the morning or late afternoon depending on the day, but with a regular closing time of 10:00 p.m. Sunday through Thursday and 1:00 a.m. on Friday and Saturday. To standardize the hours of operation, the bowling alley will be allowed to operate from 8:00 a.m. to 10:00 p.m., Sunday through Thursday, and 8:00 a.m. to 1:00 p.m., Friday and Saturday. The Police Department has reviewed the proposed hours of operation and is in support.

The bowling alley will be accessed from two (2) entrances located at the easterly and westerly sides of the establishment. The entry door located on the westerly side of the bowling alley is intended to encourage patrons to use the parking area located on the west side (rear) of the property. This entry door will include a

vestibule with self-closing doors to minimize possible noise impacts to the residential development located to the west of the project site.

The parking for the subject property has been calculated as part of the overall site development, which includes the bowling alley parcel and the adjacent movie theater parcel. The bowling alley is required to provide a total of 83 parking spaces. The 83 parking spaces includes the required parking for the bowling alley lanes, the lobby and seating area, the karaoke rooms, the office, back of house, and kitchen.

The entire commercial development is required to provide 301 parking spaces to accommodate the existing uses on the movie theater parcel and the proposed uses on the subject site, including the bowling alley and the new commercial tenants. The development will provide a total of 316 parking spaces in the form of 288 parking stalls and 28 queuing spaces along the drive thru lanes. Therefore, the site will continue to provide the required number of parking spaces to continue to accommodate the bowling alley, and the existing and proposes uses.

The bowling alley is not located in a high-crime district, or in an area with an undue concentration of Alcoholic Beverage Control Licenses. A summary of the district and crime count can be found in Resolution No. 6036-22 for Conditional Use Permit No. CUP-212-94 (REV. 2022).

The Community and Economic Development Department and the Police Department have reviewed the request and are in support of the proposal. All standard conditions of approval for a Type "47" (On-Sale, General) License with live entertainment will apply.

**RECOMMENDATION:**

Staff recommends that the Planning take the following action:

1. Adopt Resolution No. 5036-22 approving Conditional Use Permit No. CUP-212-94 (REV. 2022), subject to the recommended conditions of approval.



LEE MARINO  
Planning Services Manager



By: Maria Parra  
Senior Planner

Attachment 1: Resolution No. 4481 for Conditional Use Permit CUP-113-91 with Staff Report

RESOLUTION NO. 4481

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE, APPROVING CONDITIONAL USE PERMIT NO. CUP-212-94 FOR A PARCEL OF LAND LOCATED ON THE WEST SIDE OF VALLEY VIEW STREET SOUTH OF CHAPMAN AVENUE AT 12141 VALLEY VIEW STREET, PARCEL NO.224-202-17.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on September 22, 1994, does hereby approve Conditional Use Permit No. CUP-212-94.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-212-94, the Planning Commission of the City of Garden Grove does report as follows:

1. The subject case was initiated by Robert Yu (Valley View Bowl).
2. The applicant requests renewal of a Conditional Use Permit for an existing bowling alley, and approval of video machines, karaoke entertainment, and a change in the hours of operation.
3. The City of Garden Grove has determined that this action is exempt pursuant to Section 15301 (Existing Facilities) of CEQA.
4. The property has a General Plan designation of Commercial and is zoned PUD-104-73 (Planned Unit Development). The site is improved with a commercial development.
5. Existing Land Use, Zoning, and General Plan designation of property in the vicinity of the property have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to legal notice, public hearing was held on September 22, 1994, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting of September 22, 1994; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.24.030, are as follows:

FACTS:

The site is approximately 2.149 acres in size.

The site is zoned PUD-104-73 (Planned Unit Development)

The bowling alley is approximately 30,760 square feet in size.

The bowling alley is a conditionally permitted use in the PUD-104-73 (Planned Unit Development) zone.

The establishment is currently operating as a bowling alley (Valley View Bowl).

In order to continue operating the bowling alley the applicant is required to apply for an extension of a previously issued Conditional Use Permit.

FINDINGS AND REASONS:

1. The use is consistent with the General Plan and Redevelopment Plan. The establishment is a conditionally permitted use in the PUD-104-73 (Planned Unit Development) zone and complies with all applicable code provisions.
2. The proposed use will not adversely affect the health, peace comfort or welfare of persons residing or working in the surrounding area provided the conditions of approval are adhered to for the life of the project. The established use will be harmonious with the persons who work and live within the area.
3. The establishment will not unreasonably interfere with the use, enjoyment or valuation of 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. The establishment will be compatible with the surrounding area.
4. The establishment will not jeopardize, endanger or otherwise constitute a menace to public health, safety or general welfare. The conditions of approval for the establishment will ensure the public, health, safety, and welfare.
5. The approval for the renewal of the Conditional Use Permit will not affect the quality or design of the original plan.
6. The Conditional Use Permit renewal to operate as a bowling alley with ancillary uses will not adversely affect the use and enjoyment of adjacent properties.

The hours of operation are consistent with other similar uses in the area. If the applicant operates this use in compliance with the conditions of approval there will be no impact on the adjoining properties.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN THE STAFF REPORT:

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



BE IT FURTHER RESOLVED that the Planning Commission does conclude:

Conditional Use Permit No. CUP-212-94 does possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.24.030.

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 shall apply to CUP-212-94:

CONDITIONS OF APPROVAL

- A. 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 other requirements of the Garden Grove Municipal Code shall apply.
- B. All requests for minor modifications shall be submitted to the Planning Commission for approval. If other than minor changes are proposed in the development, approval of a new Conditional Use Permit, containing all proposed revisions, shall be required.
- C. The approved floor plan is an integral part of the decision approving this Conditional Use Permit. There shall be no change in the design of the floor plan without the approval of the Development Services Department. Any change in the approved floor plan which has the effect of expanding or intensifying the present use shall require a new Conditional Use Permit.
- D. The subject establishment shall be operated as a "Bowling Alley" and shall be operated in a manner typically associated with this type of business. The facility shall provide a clean and sanitary environment including restrooms.
- E. The sale of beer and/or wine for consumption off the premises is prohibited.
- F. Entertainment shall be limited to "karaoke" only. Amplified music may be permitted but the sound emitted from the premises shall not exceed the ambient noise level established for the area in which the premises are located. Karaoke shall be permitted only between the hours of 8:00 a.m. and 2:00 a.m. seven (7) days a week.
- G. The separate entrance into the bar area from the exterior of the premises shall be used for emergency exit only. Panic hardware is required.
- H. There shall be no more than two (2) pool tables and thirty-one (31) coin operated games maintained upon the premises at any time.
- I. There shall be no gaming tables or gaming machines as outlined in City Code Section 8.20.10 and .20 on the premises at any time.

- J. There shall be no uses or activities permitted of an adult-oriented nature as outlined in City Code Section 9.08.070.
- K. There shall be no enclosed booths on the premises at any time
- L. Hours of operation of the bowling alley shall be permitted only between the hours of 8:00 a.m. and 2:00 a.m. Sunday through Wednesday, and 8:00 a.m. through 3:00 a.m. Thursday through Saturday.
- M. During the School year, persons under the age of eighteen (18) years shall not be allowed to operate electronic game machines, except legal holidays, after 10:00 p.m. Sunday through Thursday, and after 12:00 midnight Friday and Saturday, unless accompanied by a parent or legal guardian.
- N. There shall be no deliveries from or to the premises before 8:00 a.m. and after 10:00 p.m., seven (7) days a week.
- O. There shall be no customers or patrons in or about the premises between the hours of 2:00 a.m. and 8:00 a.m., Sunday through Wednesday and between 3:00 a.m. and 8:00 a.m. Thursday through Saturday.
- P. The rear doors of the bowling alley shall be kept closed at all times during the operation of the premises except in case of emergency or to permit deliveries. Panic hardware on doors shall comply with all City Municipal Code requirements.
- Q. The applicant/property owner shall be responsible for maintaining free of litter, the areas adjacent to the premises over which he/she has control.
- R. No roof mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Development Services Department. Said screening shall block visibility of any roof mounted equipment from view of public streets and surrounding properties.
- S. All requirements of the Fire Department shall be met, including all necessary occupancy permits and inspections.
- T. All requirements of the Building Department shall be met.
- U. Within thirty (30) days from the effective date of this resolution the site shall comply with all requirements of the State of California regarding parking and accessibility of the physically impaired including the installation of vertical identification signs at each handicapped parking space and, if not already provided, a wheelchair ramp to the front entrance of the establishment.
- V. All new signs must comply with the City of Garden Grove sign requirements. Not more than 15% of the window area shall be covered with advertising.

- W. This Conditional Use Permit shall be reviewed annually from the date of approval. This Conditional Use permit may be called for review by City staff, the City Council, Planning Commission and/or Neighborhood Improvement and Conservation Commission, if 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 other applicable provisions of law.
- X. This Conditional Use Permit shall expire in three (3) years unless the permittee applies for and is granted an extension by the Planning Commission. Extensions may be granted upon findings, that all conditions of the permit have been observed and that the use is compatible with adjacent uses.
- Y. The permittee shall sign a letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-212-94, and his/her agreement with all conditions of approval.
- Z. Acopy of the decision approving Conditional Use Permit No. CUP-212-94 shall be kept on the premises at all times.
- AA. The permittee, at his/her own expense, shall provide a uniformed security guard(s) on the premises during the operation of the establishment, at the request of the Police Department, in the event security problems occur.
- BB. The applicant/property owner shall be responsible for providing parking area lighting during the hours of darkness the establishment is open at a minimum of two (2) foot candles of light on the parking surface and a minimum of one (1) foot candle of light during all other hours of darkness. Lighting in the parking area shall be directed, positioned, or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences.
- CC. The applicant/property owner shall provide and maintain on the property one (1) standard refuse enclosure to accommodate all trash bins for use by the tenants of the property. Food handling business such as restaurants and markets shall have a minimum of three (3) trash pickups a week. Food handling establishments such as restaurants and markets shall have a minimum of three (3) trash pickups a week.
- DD. Conditional Use Permit No. CUP-113-91 and Zoning Administrator Decision No. 1396, are revoked. The applicant, and property owner if different from the applicant, shall submit a signed letter acknowledging the revocation, which shall be submitted to the Development Services Department within ten (10) days of the effective date of approval of CUP-212-94. Conditional Use Permit No. CUP-212-94 shall not become effective unless and until the letter has been submitted to and approved by the Development Services Department.

EE. The applicant/property owner shall be responsible for keeping the private sidewalk continuously maintained in a clean and orderly condition.

ADOPTED this 22nd day of September 1994.

/s/ HARRY KREBS  
CHAIRMAN

I HEREBY CERTIFY that the foregoing resolution was duly adopted at the regular meeting of the Planning Commission of the City of Garden Grove, State of California, held on September 22, 1994, and carried by the following votes:

AYES:	COMMISSIONERS:	KREBS, BUTTERFIELD, INGEGNERI, KILLINGBECK, WILSON
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

/s/ PRISCILLA STIERSTORFER  
SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is October 13, 1994.



# DEVELOPMENT SERVICES DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO. 8.  
 HEARING DATE September 22, 1994  
 CASE NO. Conditional Use Permit  
No. CUP-212-94  
 APPLICANT Robert Yu (Valley View Bowl)  
 OWNER 12141 Valley View Incorporated

SITE LOCATION @12141 Valley View St.  
W/S Valley View St, S/O Chapman Ave.  
 GENERAL PLAN Commercial  
 ZONE PUD-104-73 (Planned Unit Dev't)  
 CEQA DETERMINATION Exempt

**REQUEST:**

Renewal of a Conditional Use Permit for an existing bowling alley (Valley View Bowl Inc.) operating under a State Alcoholic Beverage Control (ABC) License Type "47" (On-Sale General - Eating Place) and to incorporate an existing area within the bowling alley devoted to coin operated video games and pool tables. The request also includes the addition of entertainment in the form of "karaoke" and a modification in the hours of operation.

**PROJECT STATISTICS:**

<u>Item</u>	<u>Provided</u>	<u>Code</u>
Lot Size:	2.149 Acres	15,000 s.f.
<u>Building Area:</u> Bowling Alley	30,760 s.f.	N/A
<u>Parking:</u> Standard	96	96*

\* All parking spaces are mutually shared within the center, which consists of 510 spaces.

**BACKGROUND:**

The original commercial development was approved under PUD-104-73 (Planned Unit Development), and contains a bowling alley, a theater and two restaurants. The development provides recreational type activities for the west Garden Grove area.

This establishment (Valley View Bowl Inc.) as approved by Conditional Use Permit No. CUP-113-91 was permitted to operate under a State Alcoholic Beverage Control (ABC) License Type "47" (On-Sale General - Eating Place). CUP-113-91 permitted

the transfer of ownership and the continuation of the selling of beer wine and distilled spirits. The applicant is currently operating twenty-four (24) coin operated video games and one (1) pool table in the lounge room. The applicant wishes to increase the number of coin operated video games, and pool tables, add entertainment (karaoke) and modify the hours of operation.

**DISCUSSION:**

The applicant is requesting approval of a renewal of the Conditional Use Permit for an existing bowling alley in the PUD-104-73 (Planned Unit Development) zone. The prior CUP expired three (3) years from the date of approval by the Zoning Administrator. Additionally, the applicant wishes to increase the number of coin operated video games from 24 to 31, add another pool table for a total of two (2), add entertainment in the form of "karaoke", and modify the hours of operation. The coin operated games will be located between the lounge area and pro-shop room adjacent to the hallway wall. Whereas, the two (2) pool tables and entertainment (karaoke) will be placed in the lounge area.

The bowling alley has an area of approximately 30,760 square feet. The floor plan indicates an office area, kids play room, storage areas, pro-shop, lounge, kitchen, video game area, snack bar and ice cream shop. No modifications to the existing floor plan are proposed. The present hours of operation for the bowling alley are 8:00 a.m. to 2:00 a.m. seven (7) days a week. However, the applicant is proposing to change these hours. The proposed hours of operation for the bowling alley are from 8:00 a.m. to 2:00 a.m. Sunday through Wednesday and 8:00 a.m. to 3:00 a.m. Thursday through Saturday.

**ISSUES:**

The Police Department is concerned with the hours of operation of the video games in that minors tend to gather around these areas. Therefore, it is recommended that these games shall not be in operation after 12:00 midnight. In addition, the Garden Grove Municipal Code (GGMC 8.45 After-hours operations) prohibits any premises within the city to conduct any type of after-hours activities between 2:00 a.m. and 6:00 a.m. during any day of the week; including but not limited to live music, whether performed by professionals or customers. Therefore the karaoke activities shall not be permitted after 2:00 a.m. A condition of approval has been placed in the resolution addressing these issues.

**CONDITIONAL USE PERMIT:**

The subject bowling alley is located in the PUD-104-73 (Planned Unit Development) zone which allows a bowling alley with coin operated (video) games, pool tables and entertainment ("karaoke") as ancillary uses with the approval of a Conditional Use Permit.

The Conditional Use Permit allows conditions of approval to be placed on the establishment in order to ensure compatibility of the use with surrounding uses and improvements. The building is well separated from any residential uses and could be compatible with the other commercial uses in the center with the application of specific conditions regulating the activities in and about the premises.

The Police and Development Services Department support the subject request provided that all of the conditions of approval contained in the Planning Commission resolution are adhered to the life of the project.

The existing bowling alley and associated uses are consistent with the City's adopted General Plan and Redevelopment Plan. The existing bowling alley and associated uses will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; unreasonably interfere with the use, enjoyment or valuation of the property of other persons located in the vicinity of the site; or adversely affect safety or general welfare.

**RECOMMENDATION:**

Staff has reviewed the requirements for the operation of the bowling alley and associated uses and the Conditional Use Permit provisions in relation to the goals and objectives of the Garden Grove Municipal Code and applicable ordinances and finds the request to be in compliance. Staff therefore recommends approval of Conditional Use Permit No. CUP-212-94.

Millie J. Summerlin  
Planning Services Manager

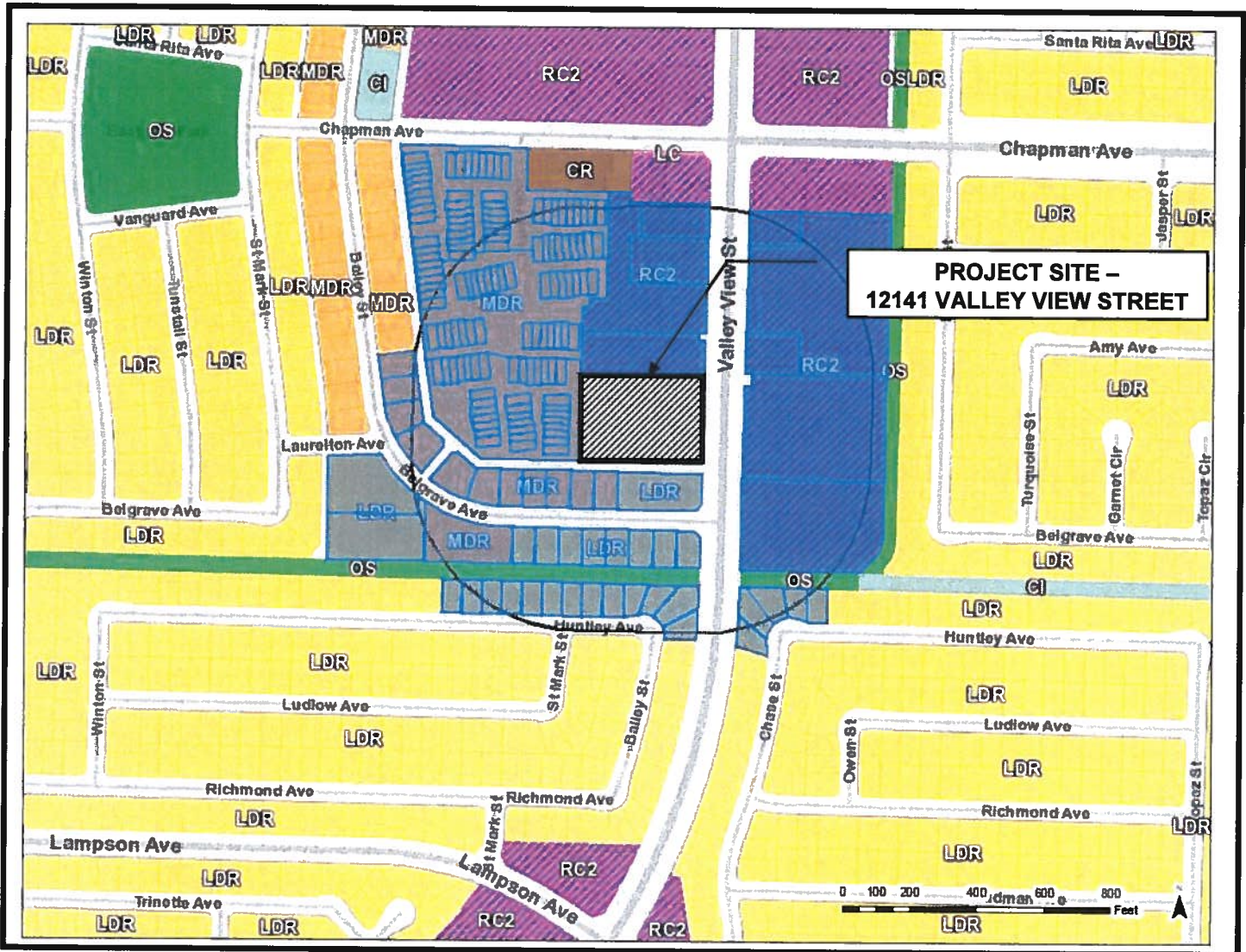
  
By: Salvador M. Salazar  
Assistant Planner

cup-212-94







**CONDITIONAL USE PERMIT NO.  
CUP-212-94 (REV. 2022)**



**LEGEND**

-  SUBJECT SITE(S) – 12141 VALLEY VIEW STREET
-  500 FOOT RADIUS

**NOTES**

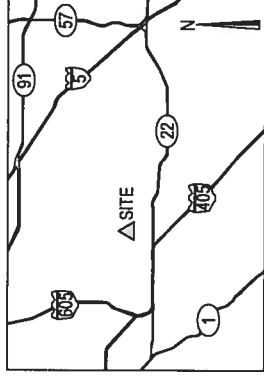
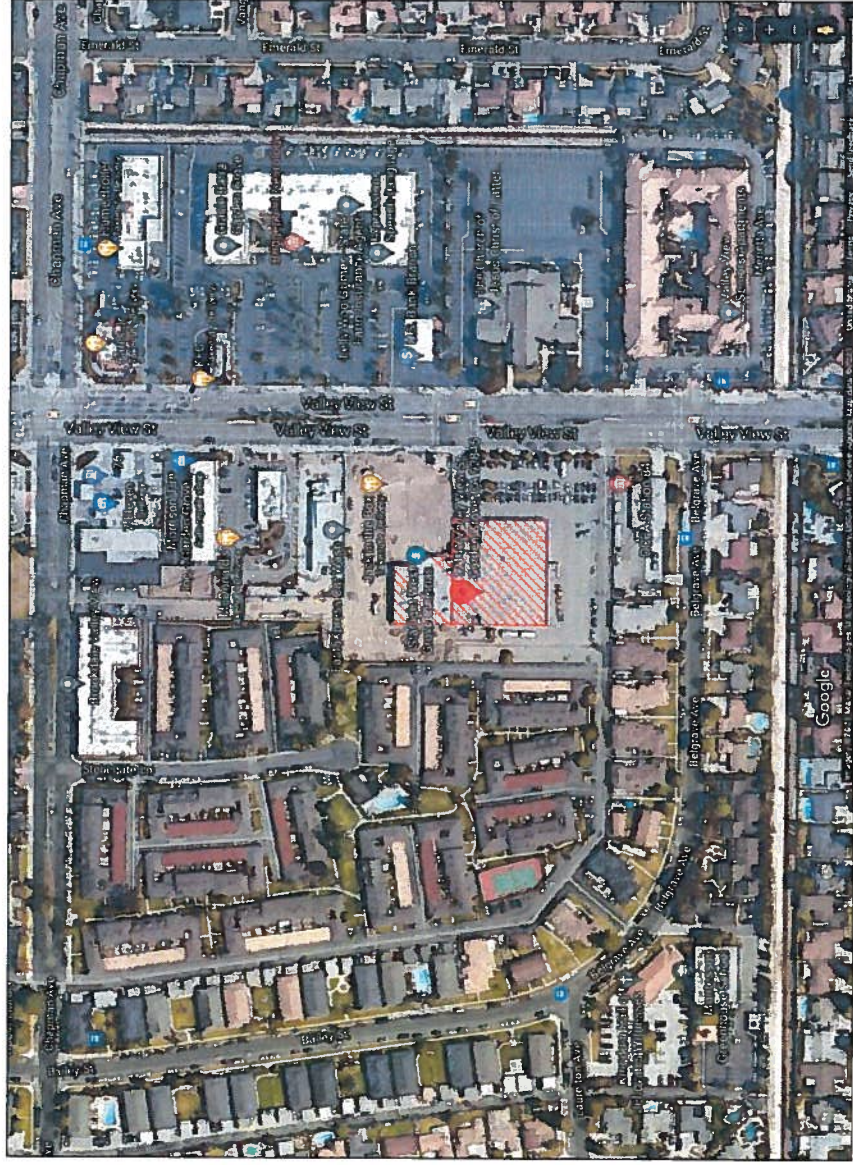
1. SITE ADDRESSES – 12141 VALLEY VIEW STREET.
2. ZONING: PLANNING DEVELOPMENT NO. PUD-104-73 (REV. 2018/REV. 2021)
3. GENERAL PLAN: LIGHT COMMERCIAL

**CITY OF GARDEN GROVE  
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
JANUARY 2022**



# VALLEY VIEW LANES TENANT IMPROVEMENT PROJECT

12141 VALLEY VIEW LANES, GARDEN GROVE, CA 92845

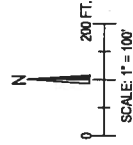


VICINITY MAP

N.T.S.

**PROJECT SCOPE**

TENANT IMPROVEMENTS: 41,570 SQ. FT. LEASED SPACE WITH 4,116 SQ. FT. BOILING ALLEY AND 6,000 SQ. FT. OF OFFICE SPACE WITH 2,000 SQ. FT. BOILING ALLEY.  
 EXISTING BUILDING CONSTRUCTION TYPE: TUB, 1-A  
 TOTAL AREA OCCUPIED BY BOILING ALLEY: 21,570 SF  
 TOTAL # OF LINES HI-RISE BOILING ALLEY: 13,747 SF  
 REQUIRED # OF PARKING FOR BOILING ALLEY: 44 LINES  
 CONDITIONAL USE PERMIT FOR BOILING ALLEY: TYPE "J" (AIRC. LICENSED)



AERIAL MAP

Comments/Notes

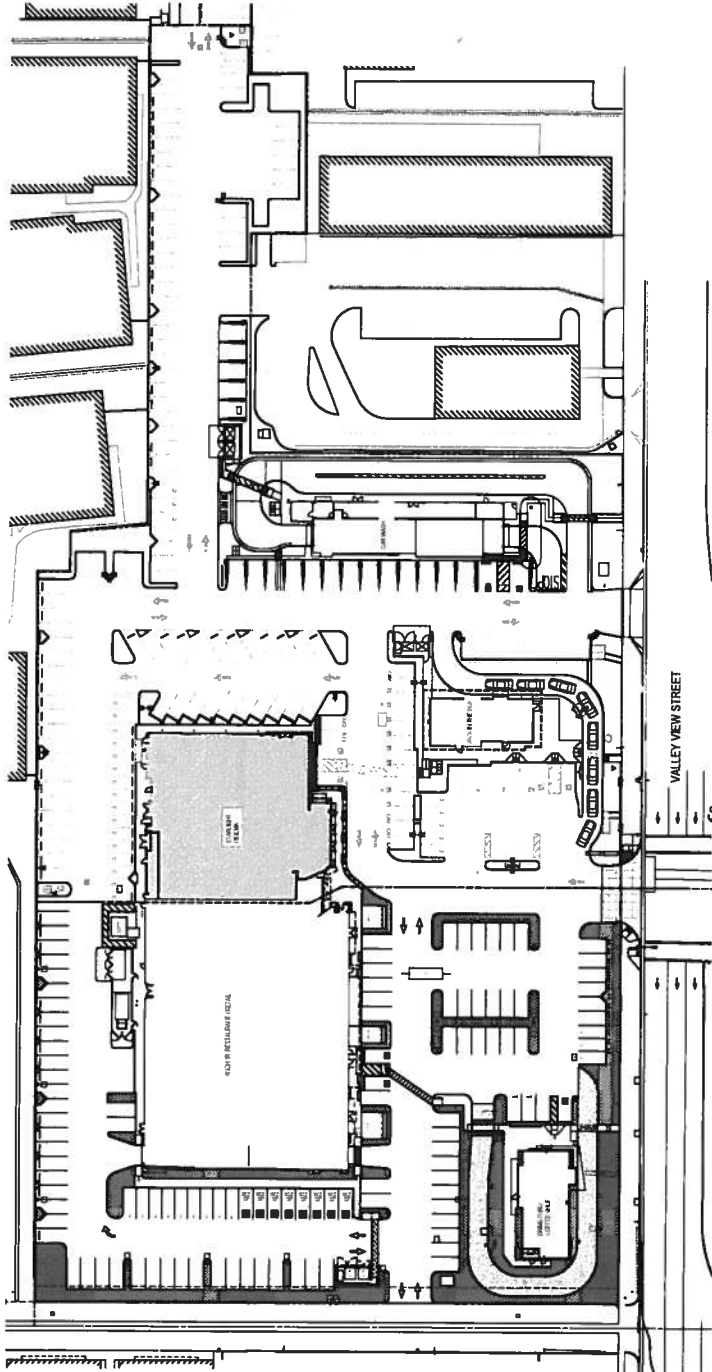
No.	Revisions/Changes	Date

Project Location: 12141 VALLEY VIEW LANE, GARDEN GROVE, CA 92845  
 PROJECT NO.: 12141-VV-2017-01  
 PROJECT DATE: 12/15/17



Project Name: 12141 VALLEY VIEW LANE, GARDEN GROVE, CA 92845  
 PROJECT NO.: 12141-VV-2017-01  
 PROJECT DATE: 12/15/17

**A-0**  
AERIAL MAP



PHASE 2 SITE PLAN

PARKING ANALYSIS

<b>PHASE 1 PARCEL AREA:</b> 11,007 S.F. 0.25 ACRES	<b>PHASE 2 PARCEL AREA:</b> 10,006 S.F. 2.15 ACRES	<b>PHASE 3 PARCEL AREA:</b> 2,711 S.F. 0.062 ACRES	<b>TOTAL SITE AREA:</b> 21,724 S.F. 4.96 ACRES
<b>TOTAL BUILDING AREA:</b> F.A.R. 0.15	<b>TOTAL BUILDING AREA:</b> F.A.R. 0.23	<b>TOTAL BUILDING AREA:</b> F.A.R. 0.18	<b>TOTAL BUILDING AREA:</b> F.A.R. 0.18
<b>BUILDING AREA &amp; PARKING SUMMARY:</b>	<b>BUILDING AREA &amp; PARKING SUMMARY:</b>	<b>BUILDING AREA &amp; PARKING SUMMARY:</b>	<b>BUILDING AREA &amp; PARKING SUMMARY:</b>
STARLIGHT CINEMA 251 SEATS 1870 S.F. 10/1000	STARLIGHT CINEMA 251 SEATS 1870 S.F. 10/1000	STARLIGHT CINEMA 251 SEATS 1870 S.F. 10/1000	STARLIGHT CINEMA 251 SEATS 1870 S.F. 10/1000
JACK IN THE BOX 200 S.F. 10/1000	JACK IN THE BOX 200 S.F. 10/1000	JACK IN THE BOX 200 S.F. 10/1000	JACK IN THE BOX 200 S.F. 10/1000
PATIO 2 STALLS 30 SPACES+3 EMPLOYEE FOR THRUWAY	PATIO 2 STALLS 30 SPACES+3 EMPLOYEE FOR THRUWAY	PATIO 2 STALLS 30 SPACES+3 EMPLOYEE FOR THRUWAY	PATIO 2 STALLS 30 SPACES+3 EMPLOYEE FOR THRUWAY
CARWASH 4241 S.F. 5x (8)	CARWASH 4241 S.F. 5x (8)	CARWASH 4241 S.F. 5x (8)	CARWASH 4241 S.F. 5x (8)
<b>PARKING SUMMARY:</b>	<b>PARKING SUMMARY:</b>	<b>PARKING SUMMARY:</b>	<b>PARKING SUMMARY:</b>
STANDARD 111 STALLS	STANDARD 98 STALLS	STANDARD 75 STALLS	STANDARD 201 STALLS
COMPACT 24 STALLS	COMPACT 12 STALLS	COMPACT 19 STALLS	COMPACT 38 STALLS
VACUUM 18 STALLS	VACUUM 9 STALLS	VACUUM 14 STALLS	VACUUM 18 STALLS
ADA 8 STALLS	ADA 3 STALLS	ADA 5 STALLS	ADA 8 STALLS
CAV 19 STALLS	CAV 11 STALLS	CAV 17 STALLS	CAV 18 STALLS
EV 175 STALLS	EV 114 STALLS	EV 143 STALLS	EV 18 STALLS
TOTAL 175 STALLS	TOTAL 114 STALLS	TOTAL 143 STALLS	TOTAL 288 STALLS
REQUIRED: 175 STALLS (100%+118)	REQUIRED: 128 STALLS	REQUIRED: 178 STALLS	REQUIRED: 288 STALLS (100%+318)
TOTAL LANDSCAPE AREA 12,807 S.F.	TOTAL LANDSCAPE AREA 12,216 S.F.	TOTAL LANDSCAPE AREA 4,004 S.F.	TOTAL LANDSCAPE AREA 24,034 S.F.
12.807 S.F. 32.7% OF SITE	12.216 S.F. 17.3% OF SITE	4.004 S.F. 13.9% OF SITE	24.034 S.F. 13.9% OF SITE

LEGEND

PHASE 1 PARCEL (SEE SHEET)



2021 - 11 - 05  
1511 VALLEY VIEW STREET  
GARDEN GROVE, CA 92641







RESOLUTION NO. 6036-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-212-94 (REV. 2022) FOR PROPERTY LOCATED ON THE WEST SIDE OF VALLEY VIEW STREET, SOUTH OF CHAPMAN AVENUE, AT 12141 VALLEY VIEW STREET, ASSESSOR'S PARCEL NO. 224-202-17.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove does hereby approve Conditional Use Permit No. CUP-212-94 (REV. 2022) for a property located on the west side of Valley View Street, south of Chapman Avenue at 12141 Valley View Street, Assessor's Parcel No. 224-202-17.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-212-94 (Rev. 2022), the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Mira Mesa Lanes, LLC.
2. The applicant requests approval to modify the conditions of approval for Conditional Use Permit No. CUP-212-94 to allow a 13,740 square foot bowling alley to continue to operate with an original Alcoholic Beverage Control (ABC) Type "47" (On-Sale, General) License and with live entertainment in the form of three (3) karaoke rooms. The proposed bowling alley will occupy a portion of the former AMF Bowling Alley building.
3. The Planning Commission hereby determines that the proposed project is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to Article 19, Section 15301, Existing Facilities, of the CEQA Guidelines.
4. The property has a General Plan Land Use designation of Light Commercial, and is zoned Planned Unit Development No. PUD-104-73 (REV. 2018/REV. 2021).
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 20, 2022, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting of January 20, 2022, and;

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

FACTS:

The subject site is located on the west side of Valley View Street, south of Chapman Avenue. The subject site has a General Plan Land Use designation of Light Commercial, and is zoned Planned Unit Development (PUD) No. PUD-104-73 (REV. 2018/ REV. 2021). The bowling alley was originally constructed in 1975 with approval of PUD-104-73. A bowling alley is permitted by right under PUD-104-73 (REV. 2018/ REV. 2021).

A bowling alley has been operating from this location since 1975 under different ownership. The bowling alley operated with an Alcoholic Beverage Control Type "47" (On-Sale, General) License and with live entertainment in the form of karaoke under Conditional Use Permit No. CUP-212-94. The sale of alcohol and live entertainment are considered conditionally permitted uses in the PUD-104-73 (REV. 2018/ REV. 2021) zone with approval of CUP-212-94.

The previous operator, AMF Valley View Lanes, operated the bowling alley from 1998 until early 2018 when the operation ceased. The bowling alley building remained vacant.

In 2021, the property owner received land use approval (General Plan No. GPA-002-2021 and Site Plan No. SP-097-2021) to revitalize the property by re-purposing the existing bowling alley building with commercial retail and restaurant uses, including a new anchor tenant and in-line restaurant tenants. The proposal included reducing the size of the bowling alley building from 33,375 square feet to approximately 19,296 square feet to accommodate the proposed site improvements.

The anchor tenant will now be re-occupied by a smaller bowling alley. The bowling alley will be 13,767 square feet, and will consist of fourteen (14) lanes, an adjoining bowler's seating area, an open area with seating and nine (9) amusement devices, three (3) karaoke rooms, a front lobby area, a front desk, a bar and snack bar area, a kitchen, restrooms, and storage rooms. An existing second-story mezzanine will be demolished as part of the tenant improvement for the bowling alley.

The applicant proposes to continue to operate the bowling alley with an original ABC Type "47" (On-Sale, General) License for the sale of beer, wine, and distilled spirits, and with live entertainment in the form of three (3) karaoke rooms. The proposed alcohol sales and live entertainment are a continuation of ancillary uses allowed at the bowling alley under Conditional Use Permit No. CUP-212-94; however, the form of karaoke entertainment provided will be modified to occur within three (3) karaoke rooms. In order to continue to operate the bowling alley with an original ABC Type

"47" License and with live entertainment in the form of three (3) karaoke rooms, the conditions of approval of CUP-212-94 must be modified to include new standard conditions of approval to regulate the sale of alcohol and the live entertainment.

The bowling alley will offer food and beverages to customers for purchase. The food items include pizza, hot snacks, sandwiches, salads, breakfast items, soft drinks and alcoholic beverages. The bowling alley will operate with an ABC Type "47" (On-Sale, General) License for the sale of beer, wine, and distilled spirits. The previous bowling alley also operated with an ABC Type "47" License.

The bowling alley will be conditioned to operate from 8:00 a.m. to 10:00 p.m., Sunday through Thursday, and 8:00 a.m. to 1:00 p.m., Friday and Saturday. The proposed hours of operation have been reviewed by the Police Department.

The bowling alley is not located in a high-crime district, or in an area with an undue concentration of Alcoholic Beverage Control Licenses. A summary of the district is as follows:

- The subject site is located in Crime Reporting District No. 13.
- The crime count for the District is 50.
- 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 45% below the Citywide average; therefore, it is not considered a high-crime district.
- The subject site is located in Alcoholic Beverage Control (ABC) Census Report District No. 1100.01.
- ABC Census Reporting District No. 1100.01 allows for five (5) on-sale licenses within the District. Currently, there are two (2) on-sale licenses in the District. Approval of this CUP will increase the number of on-sale licenses in the District to three (3).

A finding for public convenience or necessity is not required for this request since the bowling alley is not located in a district with a high-crime rate or in an area with an undue concentration of ABC licenses.

The Community and Economic Development Department and the Police Department have reviewed the request and are supporting the proposal. All standard conditions of approval for a Type "47" License with live entertainment 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 Planned Unit Development No. PUD-104-73 (REV.

2018/ REV. 2021). The Light Commercial designation is intended to allow a range of commercial activities that serve local residential neighborhoods and the larger community. The proposed project is consistent with the goals and policies of the General Plan, including:

*Policy LU-1.3 that encourages a wide variety of retail and commercial services, such as restaurants and cultural arts / entertainment, in appropriate locations AND Goal LU-4 that seeks to develop uses that are compatible with one another.*

A bowling alley is a permitted use in the PUD-104-73 (REV. 2018/ REV. 2021) zone. A bowling alley has operated from this location since 1975 under different ownership. The bowling alley operated with an ABC Type "47" License and with live entertainment in the form of karaoke under Conditional Use Permit No. CUP-212-94. The sale of alcohol and live entertainment are considered ancillary uses to the bowling alley and were established as conditionally permitted in the PUD with approval of CUP-212-94.

The bowling alley building will be repurposed to accommodate new commercial retail and restaurant tenants. A portion of the building will remain to accommodate a smaller, 13,767 square foot, fourteen (14) lane bowling alley. The bowling alley will operate as a family-friendly bowling entertainment center that offers bowling, food and beverages, karaoke, and amusement devices. The applicant proposes to continue to operate the bowling alley with alcohol sales and live entertainment in the form of three (3) karaoke rooms to enhance the services offered to customers and the community. The proposed alcohol sales and live entertainment are compatible with existing commercial and residential uses in the area, and are a continuation of existing uses permitted at the bowling alley. The conditions of approval will ensure that the operation of the bowling alley continues to be compatible with the existing uses in the area, and the approval of the Conditional Use Permit will allow a bowling alley to have services that will enhance the customer's experience at the establishment.

*Goal LU-5 that seeks economically viable, vital, and attractive commercial centers throughout the City that serve the needs of the community.*

The proposed site improvements to the center will modernize the property and will introduce new commercial uses that will serve the needs of the community. The bowling alley will continue to remain, and will continue to offer a recreation/amusement service to the community. Approval of the Conditional Use Permit will allow the bowling alley to continue to operate with an alcohol license and with live entertainment to enhance the services offered by the bowling alley to local residents and customers. The bowling alley will operate as a family-friendly bowling center that intends to provide activities



that attract and entertainment customers of different ages to serve the needs of the community.

*Policy LU-6.2 encourages 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 site is located on Valley View Street, which is a major corridor in the City developed with commercial centers with a mix of retail uses. The business is the only bowling alley that operates in the City. The applicant's vision is to provide a family-friendly environment that offers a range of services that will appeal to different customers. Allowing the bowling alley to continue to operate with an alcohol license and with live entertainment in the form of three (3) karaoke rooms will allow the business to provide a service that will enhance a customer's experience. The area surrounding in the vicinity of the bowling alley features a wide variety of commercial uses. With the proposed request, the proposed uses will further enhance the variety of uses in the area. By providing a vast variety of commercial uses, the shopping center, and the Valley View Street commercial corridor will be enhanced and become more vibrant.

*Goal ED-2 that seeks to attract new businesses, while supporting and assisting those already located within Garden Grove.*

The existing bowling alley building will be remodeled, and a portion of the building will continue to operate as a bowling alley with fourteen (14) lanes. Continuing to operate the bowling alley with alcohol sales and with live entertainment in the form three (3) karaoke rooms is considered an enhanced service that will attract residents and customers to the business and to the area.

*SAF-IMP-2C that seeks to 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 the request to continue to operate the bowling alley with an ABC Type "47" license and with live entertainment in the form of three (3) karaoke rooms. The Police Department has incorporated appropriate conditions of approval to regulate the operation of the alcohol sales and live entertainment to reduce the number of alcohol and entertainment-related calls for service, and to promote the safe operation of the bowling alley. The Police Department is in support of the bowling alley's request to operate with an ABC Type "47" License and with live entertainment in the form of three (3) karaoke rooms. Furthermore, the conditions of approval will be modified to incorporate new

standard conditions of approval to regulate the sale of alcohol and live entertainment.

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. A bowling alley has been operating at this location since 1975 under different ownership, and with an ABC Type "47" License for the sale of alcohol and with live entertainment in the form karaoke approved under Conditional Use Permit No. CUP-212-94. Approval of this modification to CUP-212-94 will allow the bowling alley to continue to operate with an ABC Type "47" license and will modify the form of karaoke entertainment to occur within three (3) karaoke rooms. The conditions of approval will be updated to include new standard conditions of approval that apply to establishments that operate with alcohol sales and live entertainment to minimize potential impacts to the community. Nevertheless, the sale of alcohol and the live entertainment will continue to function as ancillary uses that complement the bowling alley and the family-friendly center vision that the applicant proposes to create.

The bowling alley will operate from 8:00 a.m. to 10:00 p.m., Sunday through Thursday, and 8:00 a.m. to 1:00 a.m., Friday and Saturday. The hours of operation proposed by this CUP modification include an earlier closing time than the hours of operation allowed by CUP-212-94. Food is required to be served during all hours of operation, and the sale of alcohol must be incidental to the sale of food. In addition, each karaoke room will include windows on the upper portion of the corridor partition walls and doors to allow clear and unobstructed visibility into each karaoke room from the bowling alley common 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. By operating as a bowling alley with ancillary alcohol sales and karaoke entertainment, the uses will be compatible with the surrounding uses, including the uses proposed in the center.

3. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other

development features prescribed in this title or as is otherwise required in order to integrate such use with the uses in the surrounding area.

The bowling alley property is currently being remodeled to construct new site improvements, as contemplated under Site Plan No. SP-097-2021, which include re-configuring the parking area, loading facilities, and landscaping. The property owner will repurpose the existing bowling alley building for commercial and retail use, including retaining a portion of the existing building to continue the bowling alley use. The site is of adequate size to accommodate and integrate the proposed use in the surrounding area. The request to continue to operate the bowling alley with alcohol sales and live entertainment does not require the incorporation of additional yards, walls, fences, parking and loading facilities, or landscaping.

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

The subject property is located along Valley View Street, a major arterial that is developed to accommodate the anticipated traffic generated by the bowling alley. The subject property is currently being remodeled to construct the site improvements contemplated under Site Plan No. SP-097-2021. Upon completion of the improvements, the project site will continue to be accessed from two (2) driveways from Valley View Street, and from the public alley, as well as continue to maintain shared on-site access with the adjacent movie theater property. The site will also be adequately served by the public service facilities required such as public utilities: gas, electric, water, and sewer facilities. Therefore, the site will continue to be adequately served by all existing highways, streets, and other public and private service facilities.

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

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Conditional Use Permit does possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.32.030 (Conditional Use Permits) and 9.16.020.080 (Alcoholic Beverage Sales).
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-212-94 (REV. 2022). The conditions of approval approved by Resolution No. 4481 shall be replaced in its entirety by the conditions of approval contained in Exhibit "A" of Resolution No. 6036-22.

## **EXHIBIT "A"**

### **Conditional Use Permit No. CUP-212-94 (REV. 2022)**

12141 Valley View 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, Mira Mesa Lanes, LLC, 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 ("GGMC") shall apply.
4. This Conditional Use Permit only authorizes the operation of a 13,767 square foot bowling alley with an Alcoholic Beverage Control Type "47" (On-Sale, General) License and with live entertainment in the form of three (3) karaoke rooms as identified in 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 GGMC shall apply.
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 GGMC 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 10:00 p.m., Sunday through Thursday, and 8:00 a.m. to 1:00 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, 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.
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 the premises is prohibited. Consumption of alcoholic beverages shall not occur anywhere outside of the establishment at any time.
12. The sale and service of alcohol shall cease thirty (30) minutes prior to the required closing time.
13. With exception of the three (3) karaoke rooms, there shall be no other 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 booth from any location within the business.

14. Applicant shall maintain a level of lighting in the establishment sufficient to illuminate the interior of the premises and to ensure that individuals inside the bowling alley, the karaoke rooms, and all common areas, 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 all areas of the bowling alley is prohibited. All illumination shall meet the approval of the Garden Grove Police Department.
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 an Alcoholic Beverage Control (ABC) License associated with the premises is suspended for any period of time and/or the applicant is fined for any ABC violation as a result of disciplinary action, the Conditional Use Permit may be presented to the Hearing Body 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 Garden Grove Municipal Code Section 1.22.010(a).
22. The proposed secondary entry door located on the westerly side of the establishment shall incorporate a vestibule with self-closing doors.
23. Entertainment shall be limited to the following operating requirements:

- a. Live entertainment shall be limited to karaoke provided within three (3) karaoke rooms.
- b. All live entertainment shall cease one (1) hour prior to the designated closing time.
- c. Each individual karaoke room shall be fitted with un-obscured glass windows within the top half of the corridor partition walls and doors beginning at a height of 36-inches as measured from the finished floor, and as approved by the Police Department. The corridor partition walls shall be fitted with windows with minimum dimensions of 5'-0" wide by 4'-0" tall, and the doors shall be fitted with 3'-0" wide and 3'-8" tall windows, as identified on the floor plan. All windows shall be of transparent, clear, colorless, non-reflective glass or similar material, and must remain unobstructed at all times, and shall provide complete visibility into the karaoke rooms at all times.
- d. No items, including plants, curtains, stickers, blinds or shades, shall be placed in the area of the doors and windows of the karaoke rooms. The doors of the rooms shall not be equipped with locks.
- e. The interior of each individual karaoke room shall be equipped with lighting of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within the rooms.
- f. All entertainment shall comply with the City's adopted Noise Ordinance.
- 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. Amplified background music emitted from a jukebox or other amplified stereo system may be permitted.
- i. No dancing, nightclub or D.J. (disc jockey) shall be permitted.
- j. There shall be no raised platform, stage or dance floor allowed on the premises at any time.



- k. At all times that the business is operating, all tables and chairs shall remain in place to accommodate dining within the restaurant area. At no time shall any portion of the communal area converted into a dance floor, nightclub area or other entertainment area by removing or reconfiguring the dining tables and chairs.
- l. The karaoke entertainment is intended to be incidental to the primary bowling alley activity, and shall not be utilized as a primary use or as an attraction to draw customers to the establishment.
- m. All karaoke 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 use of the karaoke rooms.
- n. 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.

**Community and Economic Development Department**

- 24. The establishment shall be operated as a "Bona Fide Public Eating Place" as defined by the Alcoholic Beverage Control License. The bowling alley shall contain sufficient space and equipment to accommodate suitable kitchen facilities, 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 an establishment that operates with an ABC Type "47" License. The business shall make actual and substantial sales of food for consumption on the premises.
- 25. 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 quarterly gross sales of food.
- 26. Food service shall be provided during all hours the bowling alley is open, and shall also be available at all times when alcoholic beverages are being served.
- 27. The applicant shall, upon request, provide the City of Garden Grove with an audited report of sales ratio of food to alcoholic beverages.

Conditional Use Permit No. CUP-212-94 (REV. 2022)  
Conditions of Approval

28. 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.
29. 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 establishment's entrances, and shall also be visible to the public.
30. A maximum of nine (9) incidental amusement devices shall be permitted on the premises, including a combination of arcade machines and up to three (3) pool tables.
31. There shall be no uses or activities permitted of an adult-oriented nature as outlined in GGMC Section 9.16.020.070.
32. There shall be no deliveries to or from the premises before 8:00 a.m. or after 10:00 p.m., seven days a week.
33. 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.
34. The 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.
35. 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.

Conditional Use Permit No. CUP-212-94 (REV. 2022)  
Conditions of Approval

36. 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.
37. 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.
38. 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.
39. 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. No advertising material shall be placed thereon.
40. There shall be no outdoor activities conducted on the premises without approval of a Special Event Permit or Community Event Permit.
41. Permits from the City of Garden Grove shall be obtained prior to displaying any temporary advertising (i.e., banners).
42. 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.
43. 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.
44. A copy of the decision approving Conditional Use Permit No. CUP-212-94 (REV. 2022) shall be kept on the premises at all times.

45. The applicant shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-212-94 (REV. 2022), and his/her agreement with all conditions of the approval.
46. 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.
47. 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.
48. 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.
49. 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-212-94 (REV. 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.
50. 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-212-94 (REV. 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.

51. 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.
52. The conditions of approval approved by Resolution No. 4481 shall be replaced in its entirety by the conditions of approval of CUP-212-94 (REV. 2022).

**Public Works Water Services Division**

53. Water meters shall be located within the City right-of-way. Fire services and water services shall be installed by contractor with Class A or C-34 license, per City water standards and inspected by approved Public Works inspection.
54. 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.
55. 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.
56. A composite utility site plan shall be part of the water plan approval.
57. 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.
58. There shall be no structures or utilities built on, or crossing, water main easements.

59. New utilities shall have a minimum 5-foot horizontal and a minimum 1-foot vertical clearance from water main and appurtenances.
60. There shall be a minimum clearance from sewer main and water main of 10 feet from outside of pipe to outside of pipe.
61. Any new or existing water valve located within new concrete driveway or sidewalk construction shall be reconstructed per City Standard B-753.
62. Fire service and/or 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 Services Division.
63. No permanent structures, trees or deep-rooted plants shall be placed over water main.
64. Location and number of fire hydrants shall be as required by Water Services Division and the Orange County Fire Authority (OCFA).
65. 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.
66. 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.
67. 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.
68. Owner shall install new sewer lateral with clean out at right-of-way line tied to Valley View St sewer main. Lateral in public right-of-way shall be 6-inch minimum diameter, extra strength VCP with wedgelock joints.

69. Contractor shall abandon any existing unused sewer lateral(s) at street right-of-way on the property owner's side. The sewer pipe shall be capped with an expansion sewer plug and encased in concrete. Only one sewer connection per lot is allowed.
70. All perpendicular crossings of the sewer, including laterals, 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.
71. If water main is exposed during installation of sewer lateral, a 20-foot section of the water main shall be replaced with 20-foot PVC C-900 DR-14 Class 305 water pipe, size in kind and centered at the crossing.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> D.2.	<b>SITE LOCATION:</b> Southwest corner of Trask Avenue and Brookhurst Street, at 9898 Trask Avenue
<b>HEARING DATE:</b> January 20, 2022	<b>GENERAL PLAN:</b> Heavy Commercial
<b>CASE NOS.:</b> Site Plan No. SP-091-2020TE1 (Time Extension #1)	<b>ZONE:</b> Planned Unit Development No. PUD-110-96
<b>APPLICANT:</b> BTAA Property Investment VII, LLC	<b>APN:</b> 098-090-57 & 098-090-58
<b>PROPERTY OWNER(S):</b> Same as applicant	<b>CEQA DETERMINATION:</b> N/A

## **REQUEST:**

The applicant is requesting approval of a one-year time extension for the approved entitlements under Site Plan No. SP-091-2020. The Site Plan approved a 500 square foot building addition, a new 709 square foot vehicle pick-up canopy, and the conversion of an existing covered service area into an indoor service area for the existing Hyundai of Garden Grove car dealership.

## **BACKGROUND:**

The property is an approximately 2.46-acre new car dealership located on the southwest corner of Trask Avenue and Brookhurst Street, at 9898 Trask Avenue. The property has a General Plan Land Use Designation of Heavy Commercial and is zoned Planned Unit Development No. PUD-110-96. The site has been used as a car dealership since 1995.

The property is located in the Garden Grove Auto Center area. To the north, across Trask Avenue, the property is adjacent to R-1 (Single-Family Residential), and O-S (Open Space) zoned properties. To the east, across Brookhurst Street, the subject property is adjacent to Planned Unit Development No. PUD-110-96 zoned properties, also improved with car dealerships. To the south, the subject property is adjacent to State Highway 22. To the west, the subject property is adjacent to car dealerships zoned Planned Unit Development PUD-103-82.

On November 5, 2020, the Planning Commission approved Site Plan No. SP-091-2020, with four (4) yes votes, and two (2) commissioners absent. The approval allowed a 500 square foot building addition, a new 709 square foot vehicle pick-up canopy, and the conversion of an existing covered service area into an indoor service area for the existing Hyundai of Garden Grove car dealership.



Prior to the expiration of the subject entitlements on November 26, 2021, the applicant filed an application to the City, requesting a one-year time extension.

**TIME EXTENSION:**

Site Plan No. SP-091-2020 went into effect on November 26, 2020, with an expiration date of November 26, 2021. The applicant filed an application to the City for a time extension request (Time Extension #1) prior to the entitlements expiring.

Grading and building plans have been submitted to the City for plan check review, and are progressing through the plan check process. Permits have yet to be issued, and therefore the approved entitlements have not been exercised. The dealership owners have faced unforeseen delays with the project due to the COVID-19 pandemic. The requested one-year extension would give the applicant adequate time to work through their design and construction delays. It is anticipated that plans will be approved, and the permits issued within the next year.

Title 9 of the Municipal Code allows for a one (1) year time extension for approved entitlements, provided that the Planning Commission finds that: (a) the request for the time extension was submitted prior to the permit expiration date, (b) there has been no change in the general plan designation or zoning of the site, and (c) there is no land use action or study currently underway that would have the potential to render the development nonconforming.

The applicant submitted the time extension application prior to the expiration of the entitlements. In addition, the General Plan Land Use Designation and the zoning of the property have remained the same, and there are no pending land use actions or studies that would have the potential to render the approved development nonconforming. As such, the car dealership use still conforms to the General Plan and zoning designations of the property. No changes are proposed to the previously approved project. Therefore, the subject request is in compliance with Municipal Code standards for time extensions.

**CEQA:**

As a part of their approval in 2020, the Planning Commission determined that the project was categorically exempt from the California Environmental Quality Act, pursuant to CEQA Guidelines Section 15301 (Existing Facilities). No changes are proposed to the project that was previously approved, and no further environmental review is required.

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

1. Adopt Resolution No. 6037-22 approving a one-year time extension for Site Plan No. SP-091-2020 (Time Extension #1).



LEE MARINO  
Planning Services Manager



By: Preet Kaskla  
Assistant Planner

- Attachment 1: Planning Commission Staff Report dated November 5, 2020  
Attachment 2: Planning Commission Resolution of Approval dated November 5, 2020  
Attachment 3: Exhibit "A" Final Conditions of Approval

RESOLUTION NO. 6037-22

A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING A ONE-YEAR TIME EXTENSION FOR SITE PLAN NO. SP-091-2020 (REFERRED TO AS SP-091-2020TE1).

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on January 20, 2022, does hereby approve a one (1) year time extension for the entitlements approved under Site Plan No. SP-091-2020, for land located on the southwest corner of Trask Avenue and Brookhurst Street, at 9898 Trask Avenue, Assessor's Parcel No. 098-090-57 and 098-090-58.

BE IT FURTHER RESOLVED in the matter of the time extension for Site Plan No. SP-091-2020TE1, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by BTAA Property Investment VII, LLC.
2. The applicant is requesting approval of a one (1) year time extension for the approved entitlement Site Plan No. SP-091-2020. The Site Plan approved a 500 square foot building addition, a new 709 square foot vehicle pick-up canopy, and the conversion of an existing covered service area into an indoor service area for the existing Hyundai of Garden Grove car dealership.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove previously determined that the proposed project was categorically exempt from the CEQA pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines (14 Cal. Code Regs., Section 15301).
4. The property has a General Plan Land Use designation of Heavy Commercial, and is currently zoned Planned Unit Development No. PUD-110-96. The subject property is currently a 2.46-acre new car dealership located on the southwest corner of Trask Avenue and Brookhurst Street.
5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on January 20, 2022, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting of January 20, 2022; and

BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.32.030.D.9, are as follows:

**FACTS:**

The property is an approximately 2.46-acre new car dealership located on the southwest corner of Trask Avenue and Brookhurst Street, at 9898 Trask Avenue. The property has a General Plan Land Use Designation of Heavy Commercial and is zoned Planned Unit Development No. PUD-110-96. The site has been used as a car dealership since 1995.

The property is located in the Garden Grove Auto Center area. To the north, across Trask Avenue, the property is adjacent to R-1 (Single-Family Residential), and O-S (Open Space) zoned properties. To the east, across Brookhurst Street, the subject property is adjacent to Planned Unit Development No. PUD-110-96 zoned properties, also improved with car dealerships. To the south, the subject property is adjacent to State Highway 22. To the west, the subject property is adjacent to car dealerships zoned Planned Unit Development PUD-103-82.

On November 20, 2020, the Planning Commission approved Site Plan No. SP-091-2020, with four (4) yes votes, and two (2) absent. The Site Plan approval allowed a 500 square foot building addition, a new 709 square foot vehicle pick-up canopy, and the conversion of an existing covered service area into an indoor service area for the existing Hyundai of Garden Grove car dealership.

The approved entitlements went into effect on November 26, 2020, with an expiration date of November 26, 2021. In accordance with the Municipal Code, and because the approved entitlements were not yet exercised, the applicant is now requesting a one-year time extension for the previously approved entitlements. No changes are proposed to the previously approved project.

**FINDINGS AND REASONS:****Time Extension:**

1. A request for a time extension, including the reasons therefore, has been submitted prior to the permit expiration date, or the hearing body finds that due to special circumstances demonstrated by the property owner or the applicant, a late-filed request should be considered.

The applicant submitted a timely request to extend the Site Plan approval of the subject project for one (1) year, prior to the entitlement expiration date of November 26, 2021. The applicant has indicated that additional time will be necessary to complete the project, as there have been unexpected delays related to the COVID-19 pandemic. The applicant expects to have all permits issued within the next year.

2. There has been no change in the General Plan designation or Zoning of the site that would render the development or use nonconforming.

The subject site's General Plan Land Use Designation, Heavy Commercial, and the zone, Planned Unit Development No. PUD-110-96, have not changed since the original approval in November of 2020. Therefore, the development will not be rendered nonconforming.

3. There are no land use actions or studies currently underway that would have the potential to render the development or use nonconforming.

There are no known studies or actions that would affect the site or proposed development that would possibly render the development nonconforming.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Time Extension for the approved Site Plan do possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.32.030.D.9 (Time Extension).
2. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the originally approved conditions of approval for Site Plan No. SP-091-2020 shall remain in effect.

# COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> C.1.	<b>SITE LOCATION:</b> Southwest corner of Trask Avenue and Brookhurst Street, at 9898 Trask Avenue
<b>HEARING DATE:</b> November 5, 2020	<b>GENERAL PLAN:</b> Heavy Commercial
<b>CASE NO.:</b> Site Plan No. SP-091-2020	<b>ZONE:</b> Planned Unit Development No. PUD-110-96
<b>APPLICANT:</b> Pete Shaver	<b>CEQA DETERMINATION:</b> Exempt Section 15301 – Existing Facilities
<b>PROPERTY OWNER(S):</b> Hyundai of Garden Grove	<b>APN:</b> 098-090-57 & 098-090-58

## **REQUEST:**

The applicant is requesting Site Plan approval to enclose approximately 3,000 square feet of an existing covered service area into an indoor service area for the existing Hyundai car dealership. An additional 500 square feet of building area will be added to the existing service customer waiting area and showroom building, and a new 709 square foot vehicle pick-up canopy will also be added.

## **BACKGROUND:**

The property is an approximately 2.46-acre new car dealership located on the southwest corner of Trask Avenue and Brookhurst Street, at 9898 Trask Avenue. The property has a General Plan Land Use Designation of Heavy Commercial and is zoned Planned Unit Development No. PUD-110-96. The site has been used as a car dealership since 1995.

The property is located in the Garden Grove Auto Center area. To the north, across Trask Avenue, the property is adjacent to R-1 (Single-Family Residential), and O-S (Open Space) zoned properties. To the east, across Brookhurst Street, the subject property is adjacent to Planned Unit Development No. PUD-110-96 zoned properties, also improved with car dealerships. To the south, the subject property is adjacent to State Highway 22. To the west, the subject property is adjacent to car dealerships zoned Planned Unit Development PUD-103-82.

The subject site has a long history of being used as a car dealership. In 1985, the zoning of the property was changed to Planned Unit Development No. PUD-101-85 to allow the establishment of a car dealership, consistent with the existing PUD designations and dealerships to the west of the property. A Hyundai car dealership showroom and service building were approved under Site Plan No. SP-136-85. The

dealership was changed to Dodge in 1995. In 1996, the zoning was changed to Planned Unit Development No. PUD-106-96 to facilitate the expansion of the dealership to the former service station property on the southwest corner of Trask Avenue and Brookhurst Street. Later that year, the zoning was changed to the current Planned Unit Development No. PUD-110-96 in order to address signage throughout the Garden Grove Auto Center area.

In 2002, the City entered into Development Agreement No. DA-106-127 to redesign the car dealership onsite. Site Plan No. SP-302-02 and Parcel Map No. PM-2001-243 were approved in 2002 for the consolidation of two lots into one, and the construction of the current car dealership and service center. This reflects the current improvements on the site. Hyundai returned to the location in 2009, according to Business Tax records. The applicant is now proposing to enclose a previously covered area into an indoor service area, add approximately 500 square feet of building area, and add a new 709 square foot vehicle pick-up canopy.

The Garden Grove Municipal Code requires Site Plan approval when an addition to a commercial building exceeds 10% of the existing floor area, or 1,000 square feet, whichever is less. In this case, the applicant proposes approximately 1,200 square feet in new building area, thus warranting a Site Plan.

**PROJECT STATISTICS:**

	<b>Provided</b>	<b>PUD-110-96 Requirements</b>
<b>Minimum Lot Size</b>	2.46 Acres	1 Acre
<b>Setbacks</b>		
Front (North)	52'-1"	10'-0"
Rear (South)	0'-0"	0'-0"
Side (East)	39'-10"	0'-0"
Side (West)	320'-0"	0'-0"
<b>Parking</b>	198 spaces	89 spaces
<b>Building Height</b>	31'-0"	60'-0"
<b>Site Coverage</b>	26.8%	50% net site area

**DISCUSSION:**

**SITE PLAN:**

**Circulation, Parking, and Unit Design**

The project will consist of enclosing approximately 3,000 square feet of the existing service area canopy structure into additional service area. The existing entrance to the service portion of the building is already covered with a roof structure. The applicant is proposing to enclose this space, structurally maintaining the existing roof canopy. Therefore, it is already considered building area, and the enclosure of the space is not considered to be a new addition to the existing building.

Additionally, 500 square feet of new building area will be added to the north side of the dealership building. The addition will expand the showroom, and customer lounge area. A new 709 square foot canopy structure will be added to the showroom building. The new canopy will be located on the far west side of the existing building to serve as a vehicle pick-up area. Unlike the enclosing of the service area vehicle drop-off, these additions are considered new building area.

As a part of the subject request, the on-site circulation of the site will not change. The new service area drop-off area, as previously mentioned, is considered existing building area, and walls will only enclose the space. The addition to the dealership building will narrow the existing sidewalk space in front of the building, but still maintain required pedestrian circulation. The new vehicle pick-up canopy will occupy a currently empty space next to a utility closet, and the existing electronic billboard. No on-site parking will be lost as a result of the subject request.

The Planned Unit Development No. PUD-110-96 refers to the Municipal Code in its parking requirements. The required number of parking spaces for "Auto Retail" is based on the square footages of the display, service, and storage areas on the property. The Municipal Code requires one (1) space per 400 square feet of gross floor area of inside display, plus one (1) space per 2,000 square feet of outside display, plus one (1) space per 500 sq. ft. of gross floor area of repair, plus one (1) space per 300 square feet of gross floor area of parts storage and sales area. Under the subject proposal, the dealership building has 3,267 square feet of indoor display area, 49,391 square feet of outside display area, a 15,342 square foot repair area, and 7,396 square feet of parts storage and sales. This requires 89 parking spaces. The site provides 198 parking spaces, a one hundred nine (109) space surplus. Even with the changes to the design of the building, the parking requirements of the Municipal Code have been met.

The alterations and additions to the building will help modernize the dealership's services. With the additional square footage, the dealership can reconfigure, and redesign its interior display, service, and sales operations. Furthermore, the changes to the building will be consistent with the overall design of the building.

### Building Design

Currently the design of the dealership building features softer, rounded corners, and circular columns. The subject request, with its alterations to the building will feature harder, squared corners, consistent with more contemporary designs. The addition to the showroom portion of the building will bring the walls outward, flush with the existing columns that support the roof structure. Similarly, the enclosing of the service area will square off the space, allowing for vehicles to pull straight into the service area, instead of at an angle. The building's roof structure and shape will not change as a part of this request, with the overall height of the building remaining at thirty-one feet (31'-0"). No changes are proposed to the second-story parking deck and office area as a part of this request.



The additions to the building will be designed in a contemporary style to match the remainder of the building. The enclosed service area will use stucco walls with some scorings, and will rely primarily on paint to add visual interest. New doors and windows also help add visual interest. The new addition to the showroom portion of the building will feature floor-to-ceiling windows and a new storefront door. A patterned aluminum band, painted in a bronze color will be featured across the front façade, visually connecting the vehicle pick-up, expanded showroom, and service areas of the building. The entirety of the building will be repainted in Earthy tones of beiges and browns. The building design, as well as the new signage, meet all applicable Municipal Code requirements.

**CEQA**

The California Environmental Quality Act (CEQA) Class 1 exemption applies to minor alterations to private structures involving negligible or no expansion beyond the existing use (CEQA Guidelines §15301.). This includes additions to existing structures, provided that the addition will not result in an increase more than 50 percent of the floor area before the addition, or 2,500 square feet, whichever is less (CEQA Guidelines §15301.(e).1.). The subject request for the expansion of the existing showroom building will only result in approximately 1,200 square feet of new building area being added. This does not exceed the 2,500 square foot threshold. Therefore, the proposed project is exempt from CEQA.

**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

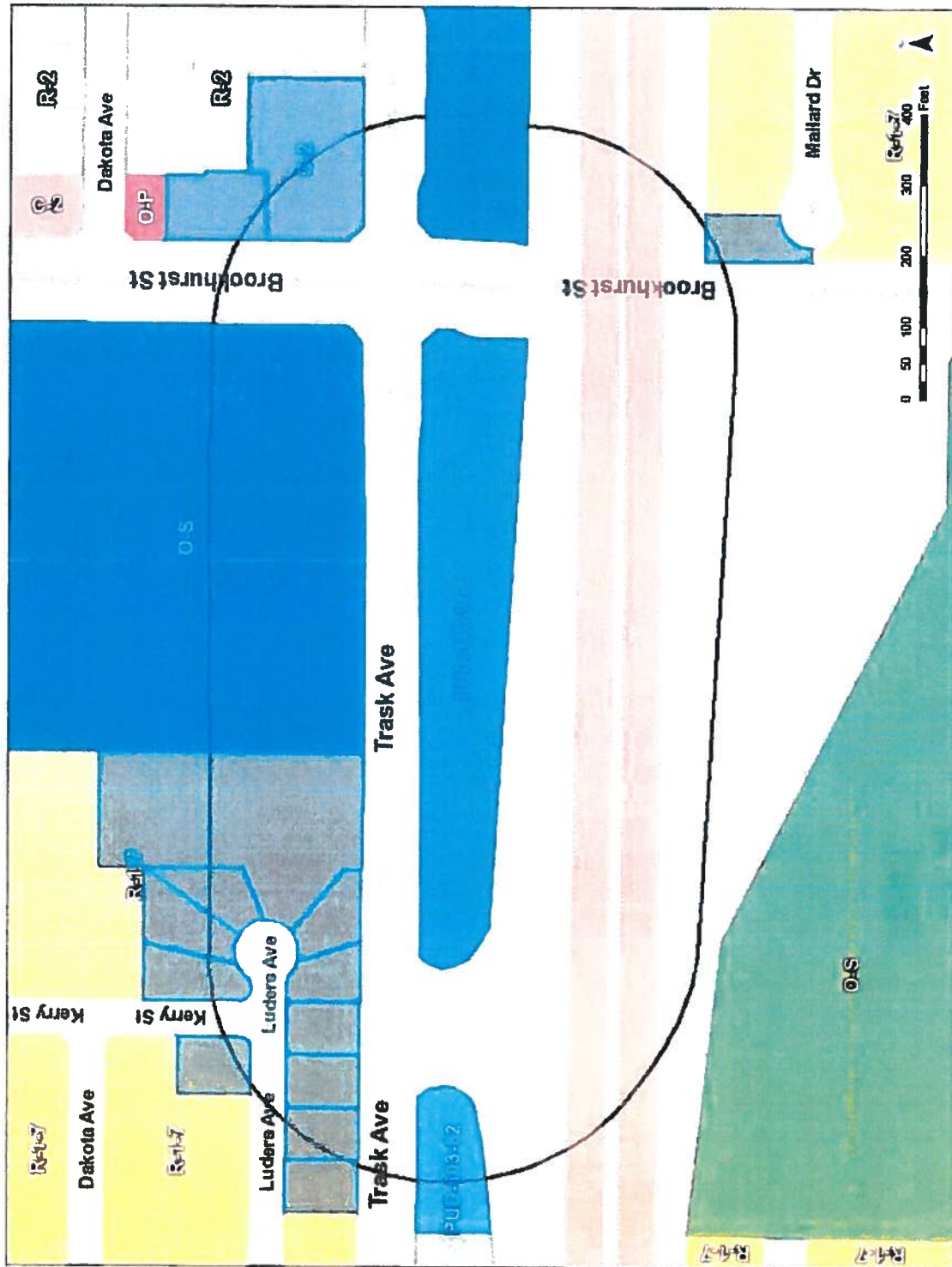
1. Adopt Resolution No. 6010-20, approving Site Plan No. SP-091-2020, subject to the recommended Conditions of Approval.



**LEE MARINO**  
Planning Services Manager

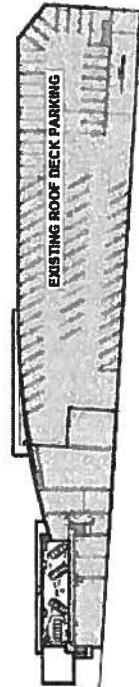


By: **Priit Kaskla**  
Assistant Planner

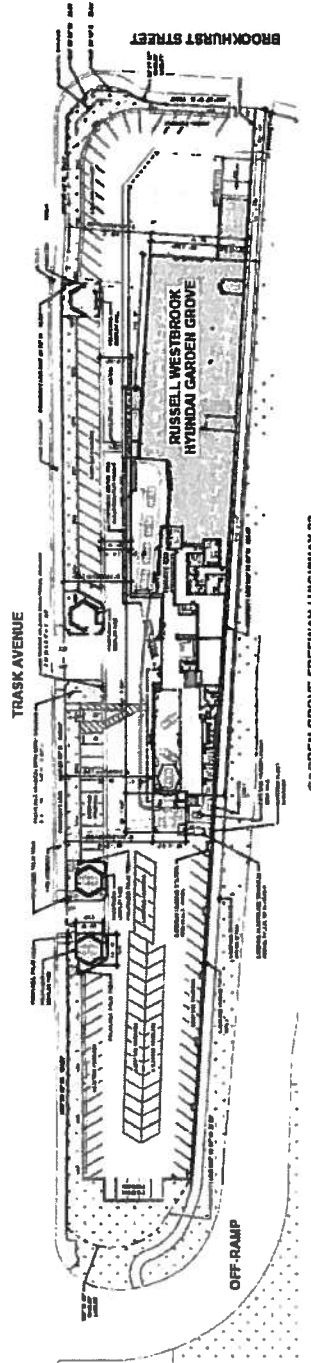


<b>GOREE CONSULTANTS</b> 1000 UNIVERSITY AVENUE, SUITE 100 SAN JOSE, CALIFORNIA 95128 WWW.GOREECONSULTANTS.COM	<b>RUSSELL WESTBROOK HYUNDAI GARDEN GROVE</b>  PROJECTING FACILITY NAME 1000 TRASK AVE GARDEN GROVE, CA 94543		<b>A2</b> PROPOSED SITE PLAN

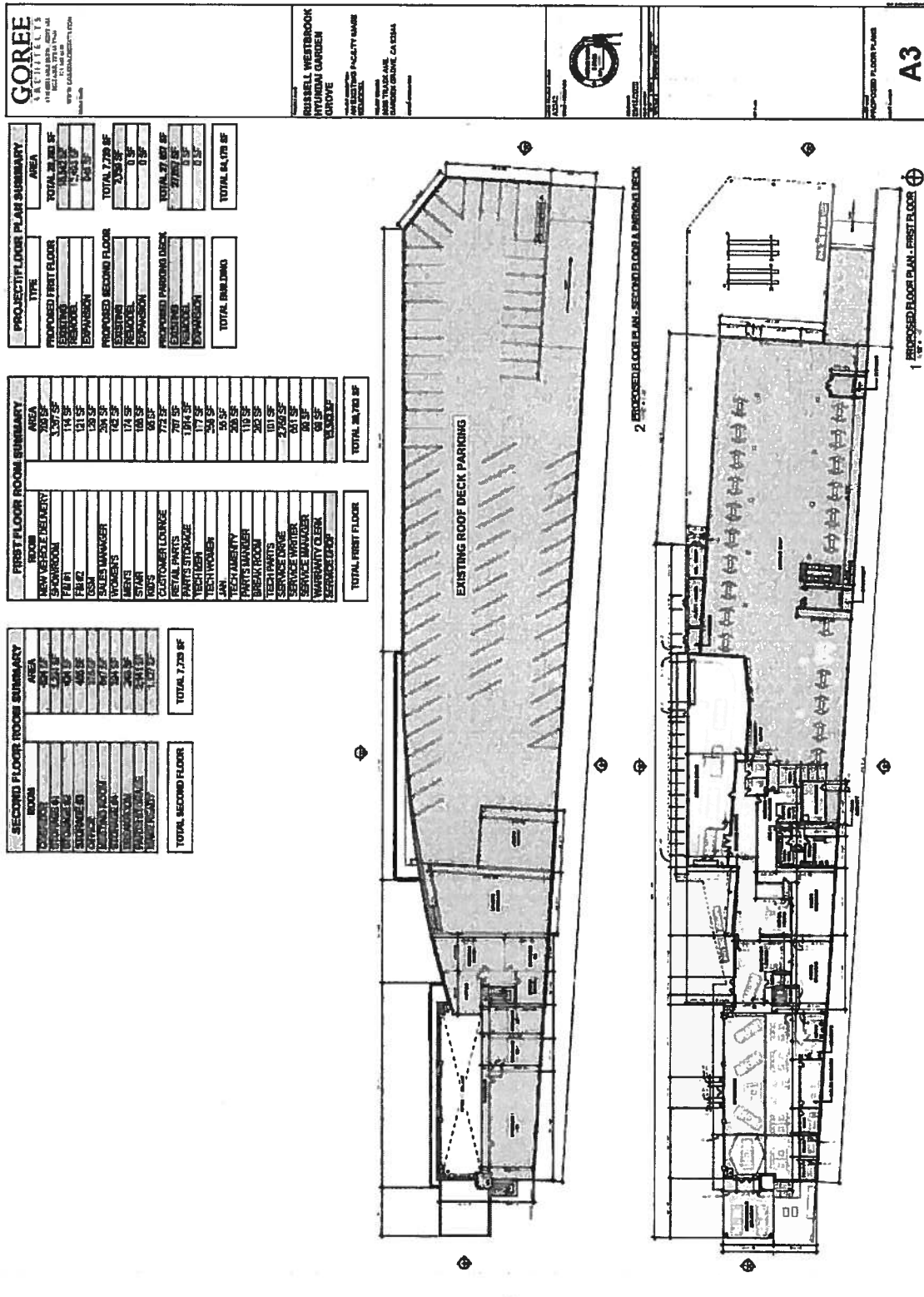
PROJECT SITE SUMMARY	
TYPE	UNIT/AREA
NET PARCEL SIZE	107,247 SF
LANDSCAPING AREA	15,551 SF
EXISTING BUILDING AREA	
FIRST FLOOR	23,307 SF
SECOND FLOOR	7,708 SF
SECOND FLOOR - PARKING DECK	27,627 SF
PROPOSED BUILDING AREA	
FIRST FLOOR	28,783 SF
SECOND FLOOR	7,708 SF
SECOND FLOOR - PARKING DECK	27,627 SF
PARKING	
TOTAL NO. SPACES	131 SPACES
SITE PARKING	63 SPACES
ROOF DECK PARKING	2 SPACES
ADA PARKING SPACE	(1% OF PARKING)
PARKING AREA	
TOTAL AREA OF	40,361 SF
SITE PARKING	27,288 SF
ROOF DECK PARKING	0 SF
LANDSCAPE WITHIN PARKING AREA	(0% OF PARKING)



2 SECOND FLOOR & PARKING DECK



1 PROPOSED SITE PLAN



**GOREE ARCHITECTS**  
1111 MARKET STREET, SUITE 100  
SAN FRANCISCO, CA 94102  
(415) 774-1111  
WWW.GOREEARCHITECTS.COM

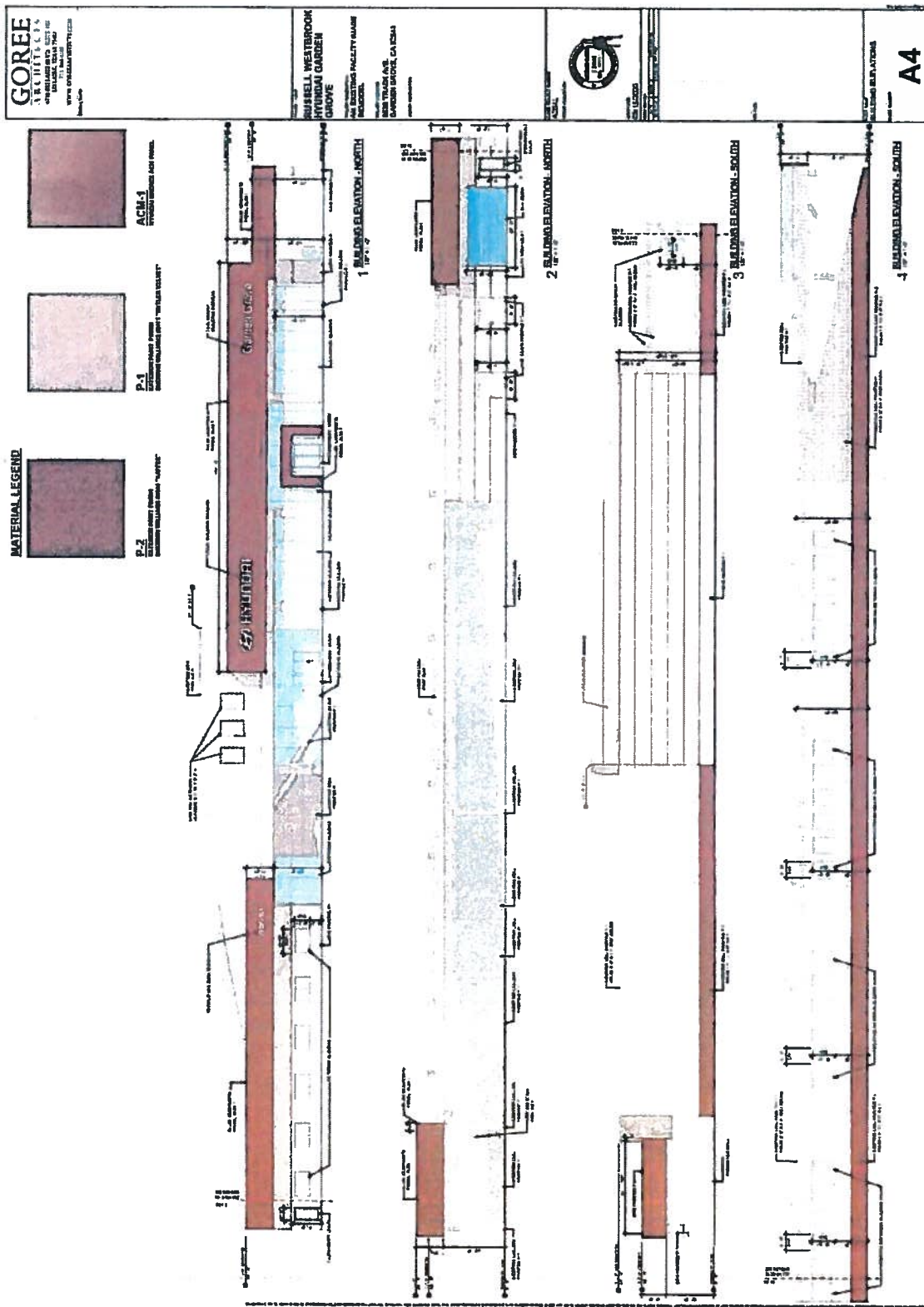
**RUSSELL WESTBROOK ARCHITECTS**  
HYUNDAI GARDEN GROVE  
1000 WESTBROOK FACILITY WAY  
SAN FRANCISCO, CA 94102  
4000 TRUCK AVENUE  
DUNSMITH GROVE, CA 94504

**A3**

PROJECT/FLOOR PLAN SUBSUMMARY	TYPE	AREA
PROPOSED FIRST FLOOR	EXISTING	10,420 SF
	REMODEL	1,200 SF
	EXPANSION	647 SF
<b>TOTAL 7,720 SF</b>		
PROPOSED SECOND FLOOR	EXISTING	2,250 SF
	REMODEL	0 SF
	EXPANSION	0 SF
<b>TOTAL 2,250 SF</b>		
PROPOSED PARKING DECK	EXISTING	27,000 SF
	REMODEL	0 SF
	EXPANSION	0 SF
<b>TOTAL 27,000 SF</b>		

FIRST FLOOR ROOM SUMMARY	AREA
RECEPTION	120 SF
RECEPTION DELIVERY	120 SF
SHOWROOM	114 SF
FAIR	131 SF
FILE	28 SF
USA	20 SF
SALES MANAGER	20 SF
WORKERS	12 SF
MENTS	174 SF
STAIR	108 SF
STAIR	60 SF
CONFERENCE LOUNGE	70 SF
OFFICE	70 SF
OFFICE PARTS	184 SF
PARTS STORAGE	177 SF
TECH WORKER	20 SF
JAN	55 SF
TECH ASSISTANT	208 SF
PARTS MANAGER	118 SF
BREAK ROOM	22 SF
RESTROOMS	17 SF
SERVICE AREA	2,240 SF
SERVICE WRITER	201 SF
SERVICE MANAGER	80 SF
WARRANTY CLERK	60 SF
SERVICE DESK	1,200 SF
<b>TOTAL 10,420 SF</b>	

SECOND FLOOR ROOM SUMMARY	AREA
RECEPTION	120 SF
RECEPTION DELIVERY	120 SF
SHOWROOM	114 SF
FAIR	131 SF
FILE	28 SF
USA	20 SF
SALES MANAGER	20 SF
WORKERS	12 SF
MENTS	174 SF
STAIR	108 SF
STAIR	60 SF
CONFERENCE LOUNGE	70 SF
OFFICE	70 SF
OFFICE PARTS	184 SF
PARTS STORAGE	177 SF
TECH WORKER	20 SF
JAN	55 SF
TECH ASSISTANT	208 SF
PARTS MANAGER	118 SF
BREAK ROOM	22 SF
RESTROOMS	17 SF
SERVICE AREA	2,240 SF
SERVICE WRITER	201 SF
SERVICE MANAGER	80 SF
WARRANTY CLERK	60 SF
SERVICE DESK	1,200 SF
<b>TOTAL 2,250 SF</b>	



RESOLUTION NO. 6010-20

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING SITE PLAN NO. SP-091-2020 FOR PROPERTY LOCATED AT 9898 TRASK AVENUE, ASSESSOR'S PARCEL NOS. 098-090-57 AND 098-090-58.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in a regular session assembled on November 5, 2020, hereby approves Site Plan No. SP-091-2020 for a car dealership located on the southwest corner of Trask Avenue and Brookhurst Street, at 9898 Trask Avenue, Assessor's Parcel Nos. 098-090-57 and 098-090-58.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-091-2020, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Pete Shaver.
2. The applicant is requesting Site Plan approval to enclose approximately 3,000 square feet of an existing covered service area into an indoor service area for the existing Hyundai car dealership. An additional 500 square feet of building area will be added to the existing service customer waiting area and showroom building, and a new 709 square foot vehicle pick-up canopy will also be added.
3. Pursuant to the California Environmental Quality Act ("CEQA"), the City of Garden Grove Planning Commission hereby determines that this project is categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines (14 Cal. Code Regs., Section 15301).
4. The property has a General Plan Land Use Designation of Heavy Commercial and is zoned Planned Unit Development No. PUD-110-96. The site is currently developed with an approximately 2.46-acre Hyundai car dealership.
5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
6. Report submitted by the City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on November 5, 2020, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting on November 5, 2020; and



BE IT FURTHER RESOLVED, FOUND AND DETERMINED that the facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9.04.030 are as follows:

**FACTS:**

The property is an approximately 2.46-acre car dealership on the southwest corner of Trask Avenue and Brookhurst Street, at 9898 Trask Avenue. The property has a General Plan Land Use Designation of Heavy Commercial and is zoned Planned Unit Development No. PUD-110-96. The property is located in the Garden Grove Auto Center area, with car dealerships to the east and west, residential and open space uses to the north, and State Highway 22 to the south. The property has been improved with a car dealership since 1985. The current site improvements were approved in 2002, with the current tenant, Hyundai, operating at the location since 2009.

The applicant is now proposing to enclose a previously covered car service area into an indoor service area, add approximately 500 square feet of building area, and add a new 709 square foot vehicle pick-up canopy. No changes to the parking area, or on-site circulation are proposed. In total, the site is required to provide 89 parking spaces, and the site provides 198 parking spaces. On the exterior, the design of the expanded areas will match the existing store.

The project has been designed to comply with the development standards of the PUD-110-96 zone, and the Garden Grove Municipal Code, including setbacks, parking, building height, and the minimum lot size requirements.

**FINDINGS AND REASONS:**

**SITE PLAN**

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

The property has a General Plan Land Use Designation of Heavy Commercial and is zoned Planned Unit Development No. PUD-110-96. The Heavy Commercial (HC) designation is intended to provide for a variety of more intensive commercial uses, some of which may be incompatible with residential neighborhoods. These uses include automobile repair, sales, and services. The Planned Unit Development No. PUD-110-96 zone is intended to accommodate several new automobile dealerships in an attractive and architecturally compatible environment adjacent to the Garden Grove

Freeway in an effort to maximize the retail sale of new automobiles in the City of Garden Grove.

A new indoor service area will be converted from an existing open service area, approximately 500 square feet of building area will be added, and a new 709 square foot vehicle pick-up canopy will be constructed, subject to the approval of the Site Plan. The proposed project is compatible with the character of the existing car dealership, and the surrounding land uses. The use of the building will not be changed, as the proposed use will continue as an automobile retailer, with accompanying automobile service center.

The project is designed to comply with the General Plan Land Use Designation, the development standards of the PUD-110-96 zone, Municipal Code, and all other applicable ordinances. This includes, but is not limited to, compliance with: setbacks, parking, building height, and the minimum lot size requirements of the zone. The expansion's contemporary design fits with the character of the surrounding car dealerships.

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

There are no proposed changes to the parking lot, or on-site circulation. The new indoor service area is a conversion of the 3,000 square foot existing outdoor service center; it is not an expansion of the existing footprint of the building. The existing entrance to the service portion of the building is already covered with a roof structure. The applicant is proposing to enclose this space, structurally maintaining the existing roof canopy. With no expansion, the existing circulation and access for vehicles and pedestrians is sufficient to support the proposed alteration.

Approximately 500 square feet of new building area, and a 709 square foot vehicle pick-up canopy will be added. The addition to the dealership building will narrow the existing sidewalk space in front of the building while still maintaining required pedestrian circulation. The new vehicle pick-up canopy will occupy a currently empty space next to a utility closet, and the existing electronic billboard. In neither case do the additions impede or alter existing on-site parking or circulation. Furthermore, under the proposal, the site is required to provide 89 parking spaces, and 198 spaces are provided.

The proposed development has no major adverse impacts on the on-site facilities, including the parking, circulation, and access.



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

The streets in the area are adequate to accommodate the development. Existing utilities and drainage channels in the area are adequate to accommodate the development. The proposed development will continue to maintain landscaping and proper maintenance of the site, thereby not adversely impacting the area. The Public Works Department has reviewed the project, and has incorporated all the appropriate conditions of approval to minimize any adverse impacts.

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

The subject development is located in an existing dealership for new automobiles. The proposed project will be compatible with the rest of the dealership, as well as the surrounding neighborhood. Architecturally, the conversion has been designed with facades to be aesthetically complimentary with the rest of the dealership. A variety of colors, materials, and massing help create visual intrigue. Furthermore, the contemporary design is compatible with the adjacent automobile dealerships in the Garden Grove Auto Center.

The project has been designed in accordance with the Planned Unit Development No. PUD-110-96 development standards. Wherein the Planned Unit Development does not specify specific development standards, the project must comply with the requirements of the Municipal Code. Specifically, the project complies with, but is not limited to, the following development standards of the PUD-110-96 zone and Municipal Code: minimum lot size, setbacks, parking, landscaping, and maximum building height.

The City's Community and Economic Development Department has reviewed the proposed project, and all appropriate conditions of approval have been incorporated to ensure physical, functional, and visual compatibility with the project's surroundings.

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

There are no proposed changes to the parking lot, and on-site circulation, with minimal changes to the landscaping existing on-site. The newly

enclosed and added building areas do not encroach upon, or reduce the existing landscaping or open space. Thus, the project maintains the visual quality already present on-site. Additionally, the design of the building, and other improvements, will ensure the building and use are attractive for patrons and employees of the dealership.

INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan possesses characteristics that would justify the request in accordance with Municipal Code Section No. 9.32.030.3 (Site Plan).
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the attached Conditions of Approval (Exhibit "A") shall apply to Site Plan-No. SP-091-2020.

Adopted this 5th day of November 2020

ATTEST:

/s/ JEREMY LEHMAN  
CHAIR

/s/ JUDITH MOORE  
RECORDING SECRETARY

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS:  
CITY OF GARDEN GROVE )

I, JUDITH MOORE, Secretary of the City of Garden Grove Planning Commission, do hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Garden Grove, California, at a meeting held on November 5, 2020, by the following vote:

AYES:	COMMISSIONERS:	(4)	LE, LEHMAN, RAMIREZ, SOEFFNER
NOES:	COMMISSIONERS:	(0)	NONE
ABSENT:	COMMISSIONERS:	(2)	LINDSAY, PEREZ

/s/ JUDITH MOORE  
RECORDING SECRETARY

PLEASE NOTE: Any request for court review of this decision must be filed within 90 days of the date this decision was final (See Code of Civil Procedure Section 1094.6).

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is November 26, 2020.

**EXHIBIT "A"**

**Site Plan No. SP-091-2020**

9898 Trask Avenue

**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, Pete Shaver, the developer of the project, the owner(s) and tenants(s) of the property, and each of their respective successors and assigns. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes to the Conditions of Approval require approval by the Planning Commission.
3. 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 shall apply.
4. Minor modifications to the Site Plan and/or these Conditions of Approval may be approved by the Community and Economic Development Director, in his or her discretion. Proposed modifications to the project and/or these Conditions of Approval, determined by the Community and Economic Development Director not to be minor in nature, shall be subject to approval of new and/or amended land use entitlements by the applicable City hearing body.
5. All conditions of approval shall be implemented at the applicant's expense, except where specified in the individual condition.

**Engineering Division**

6. The applicant shall be subject to 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 building permit issuance.

7. All vehicular access drives to the site shall be provided in locations approved by the City Traffic Engineer.
8. Any new modification to the existing drive approach to the site on Trask Avenue shall be in accordance with Garden Grove Standard B-120 (Option #2).
9. No parallel curb parking shall be permitted anywhere on the site.
10. The applicant shall submit site improvement plan and horizontal control plan to Building and Safety Division. The site improvement plan shall provide direction on removal and replacement of all the proposed improvements. Minimum grades on the site improvement plan shall be 0.50% for concrete flow lines and 1.25% for asphalt.
11. 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.
12. The applicant shall identify a temporary parking site(s) for construction crew and construction trailers office staff prior to issuance of a building permit. No construction parking is allowed on local streets.
13. Prior to issuance of a building permit, the applicant shall submit and obtain approval of a worksite traffic control plan, satisfactory to the City Traffic Engineer.
14. Heavy construction truck traffic and hauling trips should occur outside peak travel periods. Peak travel periods are considered to be from 7 a.m. to 9 a.m., and 4 p.m. to 6 p.m.
15. Any required lane closures shall occur outside of peak travel periods.
16. Construction vehicles shall be parked off traveled roadways in designated parking.

**Water Services Division**

17. If applicable, 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.

18. If applicable, fire service 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 Services Division.

#### **Building and Safety Division**

19. The project shall comply with the 2019 CA Building Standards Code.
20. The project shall provide an automatic fire sprinkler system as required per CBC Chapter 9.
21. The project applicant shall prepare a soil report complying with CBC Chapter 18.
22. All rooms/spaces/elements shall be made accessible and on an accessible route(s) per CBC Chapter 11B.
23. The project shall comply with Chapter 5 of the 2019 CA Green Code.

#### **Orange County Fire Authority**

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

#### **Community and Economic Development Department**

25. 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.
26. 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.
27. 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.
28. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Chapter 8.47 as adopted, except that:
    - a. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).
    - b. Sunday and Federal Holidays may work same hours, but subject to noise restrictions as stipulated in Chapter 8.47 of the Municipal Code.
  29. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust) that includes dust minimization measures, the use of electricity from power poles rather than diesel or gasoline powered generators, and the use methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible. Also, the use of solar or low-emission water heaters, and use of low-sodium parking lot lights, and to ensure compliance with Title 24.
  30. No exterior piping, plumbing, roof top access ladders, or mechanical ductwork shall be permitted on any exterior facade and/or be visible from any public right-of-way or adjoining property.
  31. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant, and all agents thereof.
  32. 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.
  33. All exterior finishes of the new building addition shall match with the exterior finishes of the existing building, to ensure architectural compatibility.
  34. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the Planning Division. Lighting adjacent to residential properties shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout all private drive aisles and entrances to the development per City standards for street lighting.

35. The site improvements and subsequent operation of the site/business(es) shall adhere to the following:
  - a. Used or damaged equipment removed from vehicles during the repair process shall be stored indoors or shall be deposited in an approved covered outdoor collection receptacle for appropriate offsite disposal.
  - b. All automotive service work shall be conducted wholly within the enclosed service building.
  - c. All drive aisles on the site are considered to be fire lanes and shall remain clear and free of any materials, and/or vehicles.
36. The applicant/property owner shall submit signed letters acknowledging receipt of the decision approving Site Plan No. SP-091-2020, and his/her agreement with all conditions of approval.
37. The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers, employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Site Plan No. SP-091-2020. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City including, but not limited, to any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.
38. 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-091-2020 shall be valid for a period of one (1) year 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-091-2020 shall become null and void if the subject development and 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. In the event construction of the project is commenced but not diligently advanced until completion, the rights granted pursuant to Site Plan No. SP-091-2020 shall expire if the building permits for the project expire.