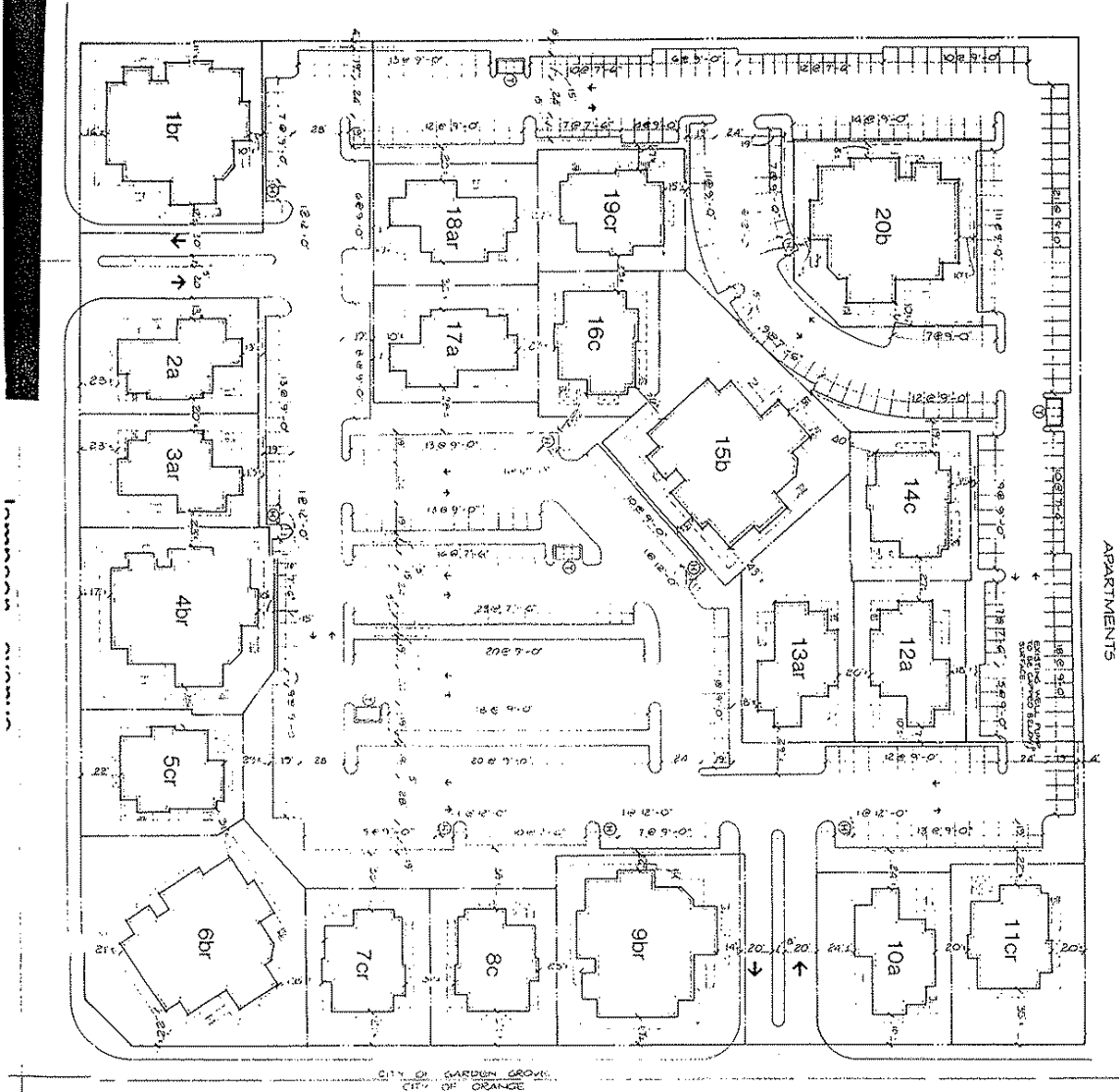


ELEMENTARY SCHOOL



- Legend**
- ⊙ WANDICAPPED STALL
 - ⊙ TRASH ENCLOSURE
 - ⊙ RAMP
 - ⊙ TRAFFIC DIRECTION

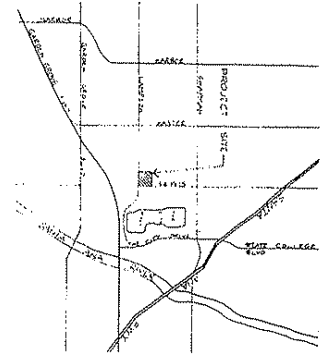
lewis street

statistics

AREA OF SITE	AREA OF SITE	AREA OF SITE
STANDARD	172,100	340
CONTRACT	172,100	115
CONTRACTED	172,100	370
TOTAL		825

STAFF: 2000
 DRIVEWAY: 2000
 TRASH: 2000
 WALKWAY: 2000

vicinity map



the plan
 den grove

geller development comp

van dell and associates, inc
 surveyors civil engineers land planners
 2212 dupont drive irvine, ca. 92714

RESOLUTION NO. 3140

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-102-80, REZONING AND GENERAL DEVELOPMENT PLAN LOCATED ON THE NORTHWEST CORNER OF LEWIS STREET AND LAMPSON AVENUE, PARCEL NO. 231-201-04

WHEREAS, in the matter of Planned Unit Development No. PUD-102-80, the Planning Commission of the City of Garden Grove does report as follows:

1. The subject case was initiated by Gfeller Development Company, as applicant.
2. The applicant requests approval of a zone change from the R-1 (One Family Residential) zone and a general development plan for construction of twenty (20), two-story office buildings. Also requested is limited commercial use of approximately 3,000 square feet to be located within any interior building on the first floor.
3. The City of Garden Grove has granted a Negative Declaration eliminating the requirement for an Environmental Impact Report because the proposed project will not have a significant effect on the environment.
4. The subject property is currently designated Office-Professional in the Land Use Element of the General Plan, and is primarily vacant.
5. Existing land use and zoning in the vicinity of the subject property have been reviewed.
6. Report submitted by the City's staff has been reviewed.
7. Pursuant to legal notice, public hearing was held on May 22, 1980, and June 12, 1980, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during their meeting of June 12, 1980; and

WHEREAS, facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Sections 9219.8 and 9220.4, are as follows:

1. The proposed plan is consistent with Municipal Code Section 9213F.7 for review of Planned Unit Developments in that considerations of compatibility, internal environment, traffic conditions, Municipal Code compliance, open area, maintenance of private areas, due process of law, and the applicant's desire to proceed with the project without undue delay have been adequately addressed in spirit and intent; and

WHEREAS, the Planning Commission does conclude:

1. Subject Planned Unit Development does possess characteristics that would indicate justification of the request for adoption in accordance with Municipal Code Sections 9213F.7 and 9220.

2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the public health, safety, and general welfare, the following conditions of approval shall apply to the subject case:

- A. Due to unavoidable traffic impact at the intersection of Lewis Street and Lampson Avenue, the developer shall be required to participate in the joint city signalization program. This shall be accomplished by depositing \$22,500 in a passbook account to be held by the City Controller for the City of Garden Grove. The interest of said account is to be compounded and added to this account to offset the effect of inflation. The developer shall post this account with the Controller prior to issuance of any building permits for the project.

This money shall be used only for participation in the signal installation at the Lewis and Lampson intersection and shall be held until such time as is needed.

This fee shall represent the developer's full obligation of participation in the signalization program and no other fee or deposits will be required.

- B. The provisions of Municipal Code Section 9217.7(d) shall be waived to allow a standard stall size of 9 feet by 19 feet and a compact space size of 7½ feet by 15 feet. As a mitigation measure to the smaller allowable parking spaces all parking lot striping shall be "hairpin" striped.
- C. The preliminary landscape plan submitted by the developer is approved. A detailed landscape and irrigation construction plan shall be submitted with the building construction documents, and will be approved prior to issuance of building permits.
- D. A continuous six foot (6') high masonry block wall shall be installed prior to use and occupancy permit issuance for Phase I.
- E. Approval of this PUD 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.
- F. All lighting structures shall be placed so as to confine direct rays to the subject property.
- G. No roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Director of Community Development prior to issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets and surrounding properties.

H. Signs shall be consistent with the preliminary sign criteria, attached to this report. This sign program established the criteria, sign standards and locations for:

- (1) Monument signs
- (2) Entry monument signs
- (3) Kiosk
- (4) Directories

Prior to manufacturing or installing tenant signs, a tenant sign program shall be submitted to the Department of Community Development for approval.

I. Any permitted use involving fleet or business vehicles shall be limited to one such fleet or business vehicle per 500 square feet of floor area occupied.

J. Location of all utility lines (water, sewer, electric, telephone, etc.) shall be underground and shown on an approved site utilities plan prior to the acceptance of building plans for checking. Electric and telephone utility easements shall be negotiated with Southern California Edison and Pacific or General Telephone Companies.

K. In order to insure compatibility with adjoining residential developments, the types of uses permitted shall include, but not be limited to, the following:

(1) Commercial Retail - not to exceed 3,000 square feet (see attached plan for possible locations)

- (a) Book and stationery
- (b) Office supplies and equipment
- (c) News stand
- (d) Restaurant (outside seating permitted)

(2) Commercial Office

- (a) Architects
- (b) Attorney
- (c) Engineer
- (d) Land Surveyor
- (e) Land Planner
- (f) Accountant
- (g) Building Consultants
- (h) Drafting
- (i) Economic Consultants
- (j) Personnel Agency
- (k) Answering Service
- (l) Collection Agency
- (m) Insurance Agency
- (n) Land and Property Management

- (o) Contractors Business Office
- (p) Advertising Agency
- (q) Photographer
- (r) Interior Decorator or Artist Studio
- (s) Management, Technical or Professional Consultant
- (t) Stock Broker
- (u) Social Worker
- (v) Travel Agency
- (w) Title Insurance Company
- (x) Escrow
- (y) Typing and Addressing Office

L. No use shall be permitted which does not comply with the following standards of office performance and which cannot be fully conducted within a completely enclosed building:

- (1) Any noise or vibration, other than that related to temporary construction work, which is discernible without instruments at any lot line of the site.
- (2) The emission of radio activity in dangerous amounts.
- (3) Any electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.
- (4) The emission of visible gray smoke of a shade or quality darker than No. 1 on the Ringelmann Chart, as specified in information Circular 7718 of the United States Bureau of Mines, for more than three minutes in any one hour.
- (5) Any direct or reflected glare or heat which is perceptible at any point outside of the building site.
- (6) The emission of odorous gases or matter in quantities such as to be perceptible at any lot line of the site.
- (7) The discharge into any sewer or stream or into the ground, except in accordance with standards approved by the State Department of Health, of any materials of such nature as to contaminate any water supply, interfere with bacterial processes and sewage treatment, or in any way cause the emission of dangerous or offensive elements.

M. The following uses are expressly prohibited:

- (1) Adult Businesses.
- (2) Automotive vehicle and related vehicular equipment storage, salvaging, dismantling, etc.

- (3) Bottling plants and breweries.
- (4) Concrete products manufacturing.
- (5) Draying, freighting or trucking yards, or terminals.
- (6) Fruit and vegetable canning, preserving and freezing.
- (7) Fruit packing houses.
- (8) Lumberyards.
- (9) Storage space for transit and transportation equipment.
- (10) Tire rebuilding, recapping and retreading.
- (11) Truck steam cleaning equipment.

N. During Phase II of construction, deliveries of equipment and material to the site shall be made from Lewis Street side of the project, but not closer than 100 feet from the north property line of subject project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Garden Grove does hereby recommend:

- 1. Approval of the requested rezone to PUD.
- 2. Approval of the General Development Plan No. PUD-102-80, subject to the conditions stated above.

ADOPTED this 12th day of June, 1980.

/s/ JOHN GUS MODAFFARI
Chairman

I HEREBY CERTIFY that the foregoing resolution recommending approval of Items 1 and 2 above was duly adopted at the regular meeting of the Planning Commission of the City of Garden Grove held May 22, 1980 and June 12, 1980, and carried by the following vote:

AYES: COMMISSIONERS: JESSIE, MARGOLIN, MODAFFARI, SLIMMER, TRUJILLO,
VALLETTA, WAGNER
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE

/s/ PATTIE CUMMING
Secretary

ORDINANCE NO. 2746

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING AMENDMENT NO. A-148-09, AN AMENDMENT TO PLANNED UNIT DEVELOPMENT NO. PUD-102-80 TO ALLOW A TRADE SCHOOL, SUBJECT TO THE APPROVAL OF A CONDITIONAL USE PERMIT

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES FIND AND DETERMINES AS FOLLOWS:

SECTION 1:

WHEREAS, the case, initiated by Nightingale International California, LLC, is requesting approval of an Amendment to Planned Unit Development No. PUD-102-80 to allow a trade school, subject to the approval of a Conditional Use Permit. The site is located on the northwest corner of Lampson Avenue and Lewis Street, at 12447 Lewis Street, Suite Nos. 201 and 203, and 12437 Lewis Street, Suite 102, Parcel Nos. 231-201-08 and 231-201-10; and

WHEREAS, the project will not have a significant adverse effect on the environment; therefore, the City of Garden Grove City Council does hereby adopt a Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act for land located on the northwest corner of Lampson Avenue and Lewis Street, at 12447 Lewis Street, Suite Nos. 201 and 203, and 12437 Lewis Street, Suite 102, Parcel Nos. 231-201-08 and 231-201-10. Further, the City Council finds a de minimis impact in relation to fish and game; and

WHEREAS, pursuant to Resolution No. 5676 the Planning Commission, at a duly advertised Public Hearing, recommended approval of Amendment No. A-148-08 on March 19, 2009; and

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on April 28, 2009, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1: Amendment No. A-148-09 is hereby approved pursuant to the facts and reasons stated in Planning Commission Resolution No. 5676, a copy of which is on file in the Office of the City Clerk and incorporated herein by reference with the same force and effect as if set forth in full.

SECTION 2: PUD-102-80 establishes uses that are allowed through existing Condition "K." Amendment No. A-148-09 will add an additional use through Condition "O" as follows:

- K. In order to insure compatibility with adjoining residential developments, the types of uses permitted shall include, but not be limited to, the following:
 - 1. Commercial Retail – not to exceed 3,000 square feet (see attached plan for possible locations)
 - (a-d): Book and stationary, Office supplies and equipment, News stand, Restaurant (outside seating permitted).
 - 2. Commercial Office
 - (a-y): Architects, Attorney, Engineer, Land Surveyor, Land Planner, Accountant, Building Consultants, Drafting, Economic Consultants, Personnel Agency, Answering Service, Collection Agency, Insurance Agency, Land and Property Management, Contractors Business Office, Advertising Agency, Photographer, Interior Decorator or Artist Studio, Management, Technical or Professional Consultant, Stock Broker, Social Worker, Travel Agency, Title Insurance Company, Escrow, Typing and Addressing Office.
- O. The following uses may be permitted in PUD-102-80, subject to Conditional Use Permit approval.
 - 1. Trade School

SECTION 3: This Ordinance shall take effect thirty (30) days after adoption and shall within fifteen (15) days of adoption be published with the names of Council Members voting for and against the same in a newspaper adjudicated and circulated in the City of Garden Grove.

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the 12th day of May 2009.

ATTEST:

/s/ WILLIAM J. DALTON
MAYOR

/s/ KATHLEEN BAILOR
CITY CLERK

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

I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced and presented on April 28, 2009, with a vote as follows:

AYES: COUNCIL MEMBERS: (5) BROADWATER, DO, JONES, NGUYEN, DALTON
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE

and was passed on May 12, 2009, by the following vote:

AYES: COUNCIL MEMBERS: (5) BROADWATER, DO, JONES, NGUYEN, DALTON
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE

/s/ KATHLEEN BAILOR
CITY CLERK