

APPLICATION CHECKLIST AND CASE PROGRESS LOG

Case Identification No. SP-212-98 Case Planner _____

Related Case File Nos. GPA-1-98CA), CUP-389-98

Date Filed _____ Application Det. Complete _____ Hearing Date 3/18 Hearing Body PC

* * * * *

Applicant John Jan shai
Harbor West LLC
Address 425 W. Promontory Point
City Newport Beach CA 92660
Phone (714) 822-5134

Property Owner G.G. Agency for Comm. Dev't
Address 1222 Acacia Pkwy
City Garden Grove CA 92840
Phone () 741-5120

* * * * *

Site Address Orang Co. Transit Auth. ROW Assessor Parcel No(s) 101-681-18
Site Location N. Westminster Harbor General Plan MU
Flood Zone A99 Current Zone TC
Map & Panel No. _____ Proposed Zone TC

Processing Information

	<u>DATE</u>		<u>DATE</u>
Application Submitted	_____	Site Inspection	_____
Application Correction Notice	_____	Resumes Dist.	_____
Application Acceptance Letter	_____	Legals Faxed to Paper	_____
Fees Sent to Cashier	_____	Mailed Legals Sent Out	_____
P.C.C. Technical Review	_____	Final Staff Report	_____
P.C.C. Environmental Review	_____	Staff Report Delivered	_____
Prepare Mailing List	_____		
Final Legal Notice	_____		

4 extra cards

Identification No. SP-212-98

Hearing Date 3/18

DEVELOPMENT SERVICES DEPARTMENT
PUBLIC HEARING NOTICE WORKSHEET

Subject Site: (See Attached Map-Red Circles)

10-681-18 _____

1. Total Subject Site _____

300 Foot Radius (See Attached Map-Yellow Circles)

- () * 10-681-18 () _____ () _____
- () 21 () _____ () _____
- () 10-681-04 () _____ () _____
- () 07 () _____ () _____
- () 17 () _____ () _____
- () 10-683-03 () _____ () _____
- () 04 () _____ () _____
- () 100-130-51 () _____ () _____
- () 58 () _____ () _____
- () 71 () _____ () _____
- () 72 () _____ () _____
- () 100-130-73 () _____ () _____
- () 74 () _____ () _____
- () 76 () _____ () _____

Total to be notified (1+2) _____
Total parcels on map _____
Total parcels on printout _____

Date Planning Supervisor Date

2. Total 300' Radius _____

* () indicates total number of parcels in range

Attachments (in order) Parcel Map - Computer Printout - Returned Mailings

ORDINANCE NO. 2427 was presented for second reading and adoption and the title read in full, being AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A DEVELOPMENT AGREEMENT BETWEEN HARBOR WEST LLC (DEVELOPER), ORANGE COUNTY TRANSPORTATION AUTHORITY (PROPERTY OWNER), AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE EAST SIDE OF HARBOR BOULEVARD, NORTH OF WESTMINSTER AVENUE ON THE ORANGE COUNTY TRANSIT AUTHORITY RIGHT-OF-WAY PARCEL NO. 100-681-18 (F: 106.63)

Councilman Chung moved, seconded by Councilman Maddox, that Ordinance No. 2427 be and hereby is passed. Upon the following vote:

AYES:	COUNCILMEMBERS: (5)	CHUNG, DINSEN, LEYES, MADDOX, BROADWATER
NOES:	COUNCILMEMBERS: (0)	NONE
ABSENT:	COUNCILMEMBERS: (0)	NONE

said Ordinance No. 2427 was declared passed.

Council Meeting
April 28, 1998

PUBLIC HEARING - GENERAL PLAN AMENDMENT NO. GPA-1-98(A) AND
DEVELOPMENT AGREEMENT IN CONNECTION WITH SITE PLAN NO. SP-212-98
(F: 20.GPA-1-98(A)) (XR: 106.63)

General Plan Amendment No. GPA-1-98(A) and Development Agreement for Site Plan No. SP-210-98, initiated by Harbor West LLC, (John Janshai) proposing to amend the General Plan Land Use designation from Open Space to Mixed Use to construct a car wash building. The site is a portion of the OCTA Right-of-Way, approximately 56,960 square feet, zoned TC (Transportation Corridor), and located on the east side of Harbor Boulevard, north of Westminster Avenue.

The Planning Commission, pursuant to Resolution No. 4870, recommended approval of General Plan Amendment No. GPA-1-98(A) and the Development Agreement for SP-212-98 on March 18, 1998.

Pursuant to Legal Notice published April 9, 1998, public hearing on the case was ordered by the City Council to be held this date.

Staff report dated April 28, 1998, was introduced.

Mayor Broadwater declared the public hearing opened and asked if anyone wished to address the Council on the matter.

There being no response from the audience or comments from Councilmembers, the public hearing was declared closed.

RESOLUTION NO. 8069-98

Councilman Dinsen moved, seconded by Councilman Maddox, that full reading of Resolution No. 8069-98 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING GENERAL PLAN AMENDMENT NO. GPA-1-98(A) FOR LAND LOCATED ON THE EAST SIDE OF HARBOR BOULEVARD, NORTH OF WESTMINSTER AVENUE ON THE ORANGE COUNTY TRANSIT AUTHORITY RIGHT-OF-WAY, PARCEL NO. 100-681-18 be and hereby is adopted. Upon the following vote:

AYES:	COUNCILMEMBERS: (5)	CHUNG, DINSEN, LEYES, MADDOX, BROADWATER
NOES:	COUNCILMEMBERS: (0)	NONE
ABSENT:	COUNCILMEMBERS: (0)	NONE

said Resolution No. 8069-98 was declared adopted.

ORDINANCE NO. 2427 was introduced for first reading and the title read in full, being an Ordinance approving the development agreement for AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A DEVELOPMENT AGREEMENT BETWEEN HARBOR WEST LLC (DEVELOPER), ORANGE COUNTY TRANSPORTATION AUTHORITY (PROPERTY OWNER), AND THE CITY OF GARDEN GROVE FOR PROPERTY LOCATED ON THE EAST SIDE OF HARBOR BOULEVARD, NORTH OF WESTMINSTER AVENUE ON THE ORANGE COUNTY TRANSIT AUTHORITY RIGHT-OF-WAY PARCEL NO. 100-681-18

Councilman Leyes moved, seconded by Councilman Maddox, that full reading of Ordinance No. 2427 be waived, and said Ordinance be and hereby is passed to second reading. Upon the following vote:

AYES:	COUNCILMEMBERS: (5)	CHUNG, DINSEN, LEYES, MADDOX, BROADWATER
NOES:	COUNCILMEMBERS: (0)	NONE
ABSENT:	COUNCILMEMBERS: (0)	NONE

said Ordinance No. 2427 was declared passed to second reading.



CITY OF GARDEN GROVE, CALIFORNIA

11222 ACACIA PARKWAY, P.O. BOX 3070, GARDEN GROVE, CALIFORNIA 92642

May 8, 1998

Harbor West LLC
Attention: Mr. John Janshai
425 West Promontory Point
Newport Beach, CA 92660

Dear Sir:

Enclosed for your information is a copy of Resolution No. 8069-98 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING GENERAL PLAN AMENDMENT NO. GPA-1-98(A) FOR LAND LOCATED ON THE EAST SIDE OF HARBOR BOULEVARD, NORTH OF WESTMINSTER AVENUE ON THE ORANGE COUNTY TRANSIT AUTHORITY RIGHT OF WAY, PARCEL NO. 100-681-18, adopted by the Garden Grove City Council on April 28, 1998.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Ruth E. Smith', is written over the typed name.

Ruth E. Smith
City Clerk

Enclosure

RESOLUTION NO. 8069-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING GENERAL PLAN AMENDMENT NO. GPA-1-98(A) FOR LAND LOCATED ON THE EAST SIDE OF HARBOR BOULEVARD, NORTH OF WESTMINSTER AVENUE ON THE ORANGE COUNTY TRANSIT AUTHORITY RIGHT OF WAY, PARCEL NO. 100-681-18

WHEREAS, the case, initiated by Harbor West LLC, is a request to amend the General Plan Land Use Designation from Open Space to Mixed Use for an approximately 56,959 square foot parcel generally located north of Westminster Avenue, on the east side of Harbor Boulevard on the Orange County Transportation Authority right-of-way; and

WHEREAS, the project will not have a significant adverse effect on the environment; therefore, the Planning Commission adopted a Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act (CEQA) at a public hearing on March 18, 1998. Further, the Planning Commission determined a de minimis impact in relation to fish and game; and

WHEREAS, pursuant to Resolution No. 4870, the Planning Commission, at a public hearing on March 18, 1998, recommended approval of General Plan Amendment No. GPA-1-98(A); and

WHEREAS, pursuant to a legal notice, a public hearing was held by the City Council on April 28, 1998, and all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council gave due and careful consideration to the matter on April 28, 1998.

NOW THEREFORE, BE IT FURTHER RESOLVED:

1. General Plan Amendment No. GPA-1-98(A) is hereby approved pursuant to the facts and reasons stated in Planning Commission Resolution No. 4870, 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 set forth in full.
2. The land use designation of the property shown on the attached map is hereby changed from Open Space to Mixed Use.
3. The City Clerk is directed to forward a copy of this resolution to the applicant.

Adopted this 28th day of April, 1998

/s/ BRUCE A. BROADWATER
MAYOR

ATTEST:

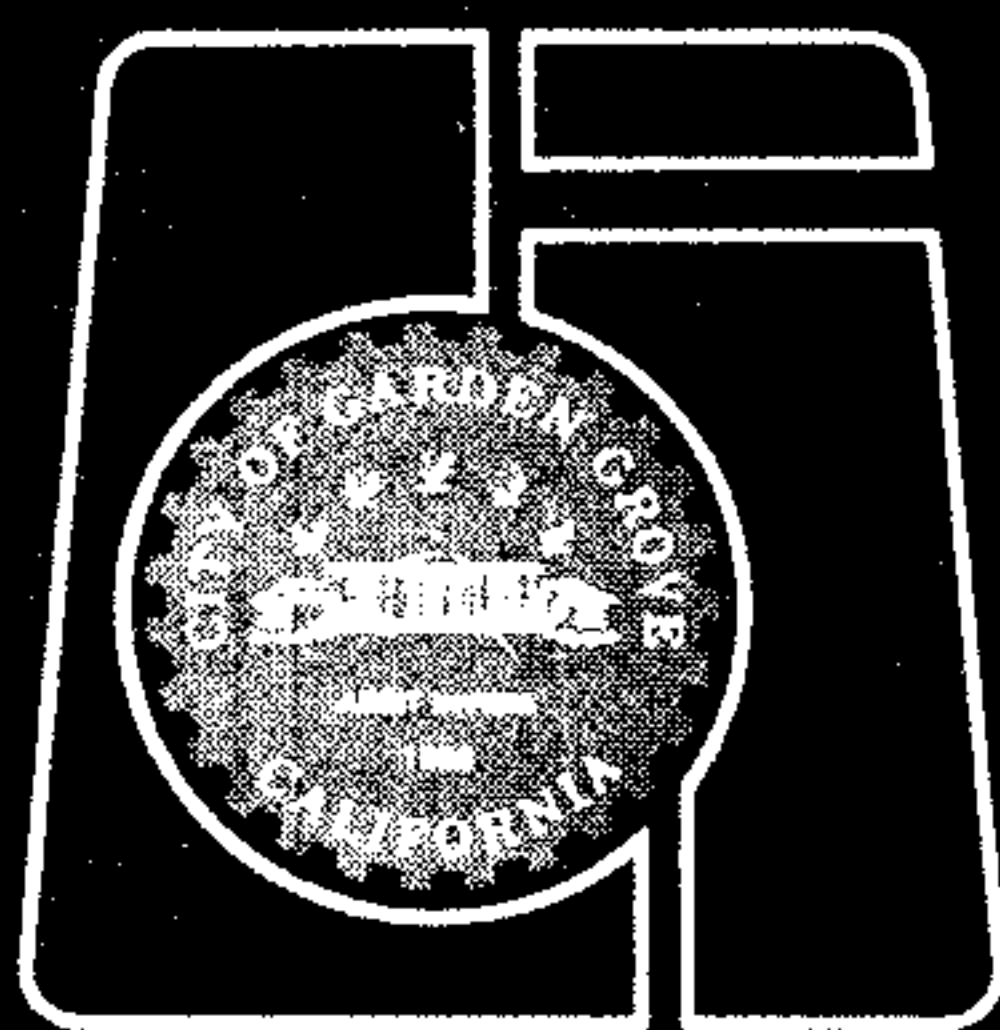
/s/ PRISCILLA STIERSTORFER
DEPUTY CITY CLERK

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

I, PRISCILLA STIERSTORFER, Deputy City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the Council of the City of Garden Grove, California, at a regular meeting held on the 28th day of April, 1998, by the following vote:

AYES: COUNCILMEMBERS: (5) CHUNG, DINSEN, LEYES, MADDOX, BROADWATER
NOES: COUNCILMEMBERS: (0) NONE
ABSENT: COUNCILMEMBERS: (0) NONE

/s/ PRISCILLA STIERSTORFER
DEPUTY CITY CLERK



GARDEN GROVE

CITY OF GARDEN GROVE, CALIFORNIA

11222 ACACIA PARKWAY, P.O. BOX 3070, GARDEN GROVE, CALIFORNIA 92642

May 20, 1998

County Recorder's Office
County of Orange
630 N. Broadway
Santa Ana, CA 92701

Gentlemen:

Enclosed for Recordation is a Development Agreement between the City of Garden Grove, and Harbor West LLC which provides for the construction of a one-story, 3,737 square carwash building.

Upon completion of recordation, please return this document to the undersigned.

Sincerely,

Priscilla Stierstorfer
Deputy City Clerk

Enclosure

ORDINANCE NO. 2427

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
ADOPTING A DEVELOPMENT AGREEMENT BETWEEN HARBOR WEST LLC
(DEVELOPER) AND THE CITY OF GARDEN GROVE FOR PROPERTY
LOCATED ON THE EAST SIDE OF HARBOR BOULEVARD, NORTH OF
WESTMINSTER AVENUE ON THE ORANGE COUNTY TRANSIT AUTHORITY
RIGHT OF WAY, PARCEL NO. 100-681-18

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

Section 1. A Development Agreement is hereby adopted for Site Plan No. SP-212-98 and Conditional Use Permit No. CUP-389-98 for property located on the east side of Harbor Boulevard, north of Westminster Avenue on the OCTA right-of-way. A copy of the Development Agreement is on file in the City Clerk's Office.

Section 2. This ordinance shall take effect thirty (30) days after adoption and shall within fifteen (15) days of adoption be published with the names of the Council members voting for or against the same in a newspaper adjudicated and circulated in the City of Garden Grove.

The forgoing Ordinance was passed by the City Council of the City of Garden Grove on the 12th day of May, 1998.

ATTEST:

/s/ BRUCE A. BROADWATER
MAYOR

/s/PRISCILLA STIERSTORFER
DEPUTY CITY CLERK

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

I, PRISCILLA STIERSTORFER Deputy City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced and presented on April 28, 1998 with vote as follows:

AYES: COUNCILMEMBERS: (5) CHUNG, DINSEN, LEYES, MADDOX, BROADWATER
NOES: COUNCILMEMBERS: (0) NONE
ABSENT: COUNCILMEMBERS: (0) NONE

Ordinance No. 2427
Page 2

and was passed on May 12, 1998 by the following vote:

AYES: COUNCILMEMBERS: (5) CHUNG, DINSEN, LEYES, MADDOX, BROADWATER
NOES: COUNCILMEMBERS: (0) NONE
ABSENT COUNCILMEMBERS: (0) NONE

/s/ PRISCILLA STIERSTORFER
DEPUTY CITY CLERK

Council Meeting
April 28, 1998

PUBLIC HEARING - GENERAL PLAN AMENDMENT NO. GPA-1-98(A) AND
DEVELOPMENT AGREEMENT IN CONNECTION WITH SITE PLAN NO. SP-212-98
(F: 20.GPA-1-98(A)) (XR: 106.63)

212 General Plan Amendment No. GPA-1-98(A) and Development Agreement for
Site Plan No. SP-210-98, initiated by Harbor West LLC, (John Janshai)
proposing to amend the General Plan Land Use designation from Open
Space to Mixed Use to construct a car wash building. The site is a portion of
the OCTA Right-of-Way, approximately 56,960 square feet, zoned TC
(Transportation Corridor), and located on the east side of Harbor Boulevard,
north of Westminster Avenue.

The Planning Commission, pursuant to Resolution No. 4870, recommended
approval of General Plan Amendment No. GPA-1-98(A) and the Development
Agreement for SP-212-98 on March 18, 1998.

Pursuant to Legal Notice published April 9, 1998, public hearing on the case
was ordered by the City Council to be held this date.

Staff report dated April 28, 1998, was introduced.

Mayor Broadwater declared the public hearing opened and asked if anyone
wished to address the Council on the matter.

There being no response from the audience or comments from
Councilmembers, the public hearing was declared closed.

RESOLUTION NO. 8069-98

Councilman Dinsen moved, seconded by Councilman Maddox, that full
reading of Resolution No. 8069-98 be waived, and said Resolution entitled A
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
APPROVING GENERAL PLAN AMENDMENT NO. GPA-1-98(A) FOR LAND
LOCATED ON THE EAST SIDE OF HARBOR BOULEVARD, NORTH OF
WESTMINSTER AVENUE ON THE ORANGE COUNTY TRANSIT
AUTHORITY RIGHT-OF-WAY, PARCEL NO. 100-681-18 be and hereby is
adopted. Upon the following vote:

AYES:	COUNCILMEMBERS: (5)	CHUNG, DINSEN, LEYES, MADDOX, BROADWATER
NOES:	COUNCILMEMBERS: (0)	NONE
ABSENT:	COUNCILMEMBERS: (0)	NONE

said Resolution No. 8069-98 was declared adopted.



GARDEN GROVE

CITY OF GARDEN GROVE, CALIFORNIA

11222 ACACIA PARKWAY, P.O. BOX 3070, GARDEN GROVE, CALIFORNIA 92642

(714) 741-5040

June 15, 1998

Harbor West LLC
425 W. Promontory Drive
Newport Beach, CA 92660

Enclosed for your files is a recorded copy of the Development Agreement between the City of Garden Grove and Harbor West LLC to construct a one-story car wash building on the east side of Harbor Boulevard, north of Westminster Avenue.

Sincerely,

Ruth E. Smith
City Clerk

By: Priscilla Stierstorfer
Deputy City Clerk

Enclosure

c: Planning Division

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City Clerk's Office
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92640

Recorded in the County of Orange, California
Gary L. Granville, Clerk/Recorder



No Fee

19980341824 09:28am 06/02/98

005 16011016 16 50
A12 8 6.00 21.00 0.00 0.00 0.00 0.00

)
)
)

(Space above for Recorder.)

This document is exempt for payment
of a recording fee pursuant to
Government Code Section 6103.

Dated: May 12, 1998

17
SP
210
NF

DEVELOPMENT AGREEMENT

HARBOR WEST LLC

THIS AGREEMENT is made this 12th day of May, 1998, by the CITY OF GARDEN GROVE, a Municipal Corporation ("CITY") and HARBOR WEST LLC. (DEVELOPER).

RECITALS

The following recitals are a substantive part of this Agreement:

1. CITY and DEVELOPER desire to enter into this DEVELOPMENT AGREEMENT for the construction of a one-story, 3,737 square carwash building.
2. DEVELOPER is qualified by virtue of experience, training, education and expertise to accomplish the requirements listed herein to the satisfaction of the City.
3. The PROJECT is a development requiring certain discretionary approvals by the CITY before it may be constructed.
4. The CITY's Planning Commission approved Site Plan No. SP-212-98, and Conditional Use Permit No. CUP-389-98 on March 18, 1998, conditioned upon

DEVELOPER entering into a Development Agreement to pay CITY's development impact fee.

5. Government Code Section 65864 et seq. provided the authority for CITY to enter into binding development agreements with a developer having a legal and equitable interest in real property.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. DURATION. This Agreement shall expire four (4) years from its effective date, or upon certificate of occupancy, whichever occurs first.
2. Permitted Uses. The following uses are permitted at the PROJECT: A carwash building, as permitted under Site Plan No. SP-212-98, and CUP-389-98.
3. Density/Intensity. The density or intensity of this project is as follows: A one-story, 3,737 square foot building along with a paved parking area, landscaping and street improvements approved under Site Plan No. SP-212-98, and CUP-389-98.
4. Maximum Height and Building Size. The maximum height and building size are as follows: The maximum building height shall be one-story (22 feet) as indicated on the approved site plan. The total building area shall not exceed 3,737 square feet in area.
5. Reservation or Dedication. The reservation of easements or dedication of property to the City is as follows: As described in Planning Commission Resolution No. 4868.
6. Improvements. The improvements described in the Planning Commission Resolution No. 4868 shall be constructed prior to the occupancy of the new building or the issuance of any certificate of occupancy for the new building.
7. Scope of Project. The Project shall consist of those uses stated in paragraph two, with a density/intensity stated in paragraph three, with a building height and size stated in paragraph four.
8. Resolution/Material Terms. All conditions of approval as per Planning Commission Resolution No. 4868, attached hereto and incorporated herein as Exhibit "1," are material terms of this Agreement. Breach of any condition of approval shall be deemed to be a breach of this Development Agreement.

9. Reimbursement. DEVELOPER shall pay CITY as follows:
 - 9.1 Amount. One percent of building valuation.
 - 9.2 Not to Exceed. Payment under this Agreement shall not exceed \$2,212.00.
10. Records of Expenses. DEVELOPER shall keep records in which complete and correct entries will be made of construction costs. These records will be made available at reasonable times to CITY.
11. City Agreement. CITY agrees that the sum of one (1) percent of the construction costs will reimburse CITY for the cost of certain CITY services required by the proposed development that are not otherwise being reimbursed to CITY (this is not a separate fee from that stated in paragraph 9).
12. Payment Due Date. The reimbursement amount shall be due and payable prior to the issuance of building permits for the PROJECT or one year from the date of approval of this agreement by the City Council, whichever shall occur first.
13. Termination Provisions. This Agreement may be terminated upon the happening of any of the following events:
 - A. Failure of Developer to perform any of the provisions of this Agreement, or
 - B. Mutual agreement of the parties.
14. Periodic Review. CITY shall review DEVELOPER'S performance every twelve (12) months at the anniversary of the adoption of this Agreement. DEVELOPER shall demonstrate good faith compliance with the terms of this Agreement. If as a result of the review CITY finds and determines, based upon substantial evidence, that DEVELOPER has not complied in good faith with terms or conditions of this Agreement, CITY may terminate the Agreement. This review shall be conducted by the Director of Community Development.
15. City Discretion. CITY retains its right and discretion, under all applicable Codes, to approve or disapprove any item related to this PROJECT which it has not specifically agreed to via this Agreement. DEVELOPER acknowledges that it shall comply with all CITY requirements for applications and permits of any nature and that this Agreement does not relieve DEVELOPER of the necessity of filing appropriate applications and permits.
16. Improvement Schedule. The following improvements shall be constructed by the stated dates:

All repairs and improvements to the public right-of-way required in Planning Commission Resolution No. 4868 shall be completed prior to the issuance of any certificates of occupancy or release of any public utilities.


17. Developer Breach. Failure of DEVELOPER to construct improvements as specified, or to pay amounts specified in a timely fashion, shall result in the withholding of building permits, any other permit or certificate of occupancy until the breach is remedied to satisfaction of CITY.
18. Non-Liability of Officials and Employees of the City. No official or employee of CITY shall be personally liable to DEVELOPER in the event of any default or breach by CITY, or for any amount which will become due to DEVELOPER, or any obligation under the terms of this Agreement.
19. Notices. All notices shall be personally delivered or mailed to the below listed addresses, or to such other address as may be designated by written notice. These addresses shall be used for delivery or service of process.
 - A. Address of DEVELOPER is as follows:
Harbor West LLC
425 West Promontory Drive
Newport Beach, CA 92660
 - B. Address of CITY is as follows:
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92840
20. DEVELOPER'S Proposal. The Project shall include DEVELOPER's proposal, (as approved and identified pursuant to Planning Commission Resolution No. 4868), as modified by Planning Commission and City Council, which shall be incorporated herein by this reference. In the event of any inconsistency between terms of the proposal and this Agreement, this Agreement shall govern.
21. Licenses, Permits, Fees, and Assessments. At its sole expense, DEVELOPER shall obtain all licenses, permits, and approvals as may be required by this Agreement, or by the nature of the PROJECT.
22. Time of Essence. Time is of the essence in the performance of this Agreement.
23. Successor's Interest. The provisions of this Agreement shall be binding upon and inure to successors in interest of the parties and shall be specifically binding upon any future lessees or other owners of an interest in PROJECT.

Date:


CITY OF GARDEN GROVE

BY 
Mayor

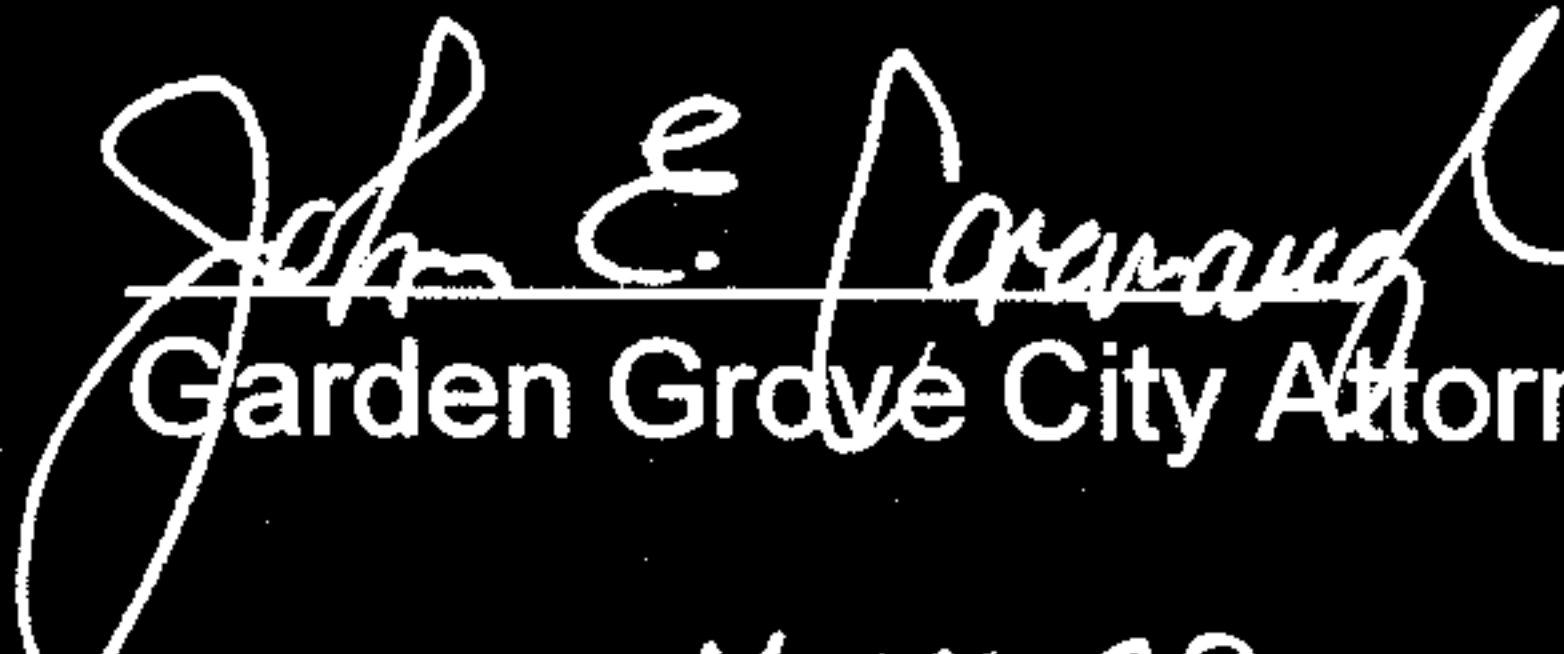
ATTEST:


CITY CLERK
DATE: 5-19-98

**"DEVELOPER"
Harbor West LLC**

By: JANSHAI

Its: VICE PRESIDENT
Date: 4.14.98
(Signature must be notarized.)

APPROVED AS TO FORM:


Garden Grove City Attorney
Date: 4-14-98
s212deva.doc

If DEVELOPER is a corporation, a Corporate Resolution and/or Corporate Seal is required. If a partnership, Statement of Partnership must be submitted to CITY.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

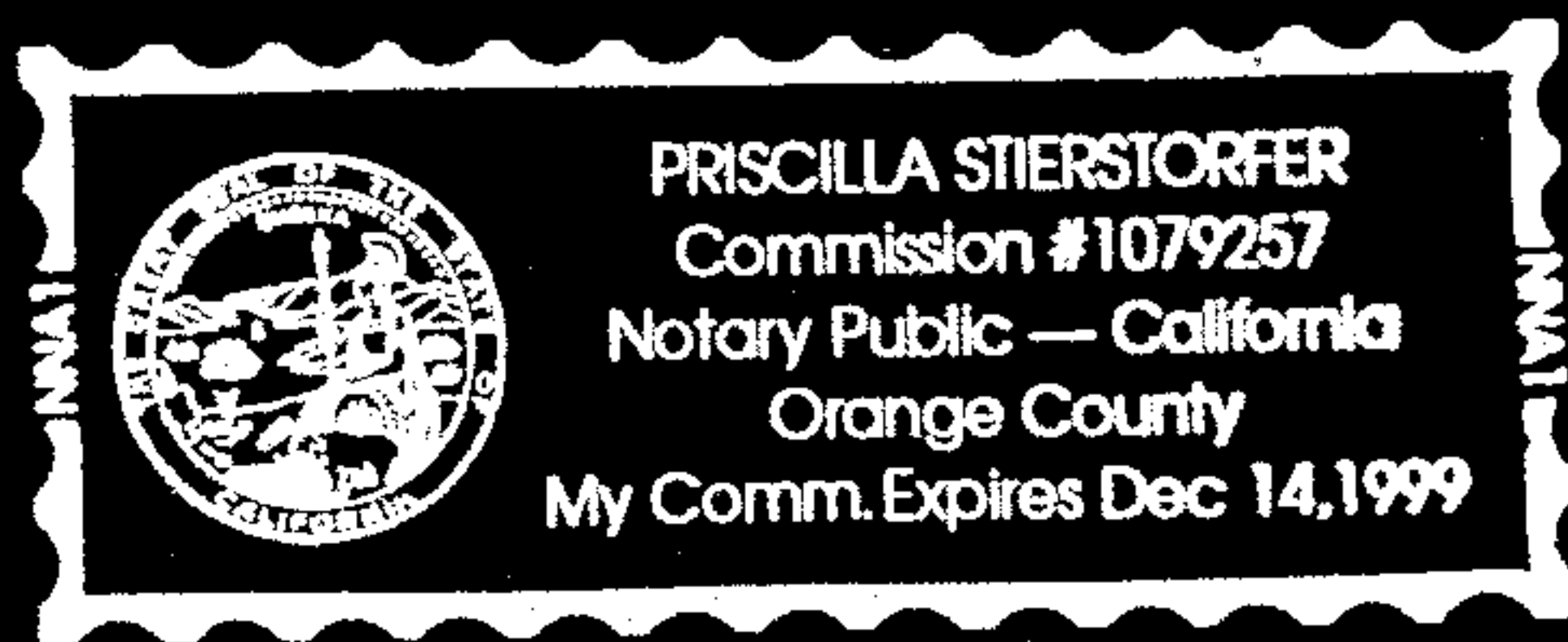
State of California

County of Orange

On April 14, 1998 before me, Priscilla Stierstorfer, Notary Public

personally appeared Hossein Janshat

personally known to me – OR – proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Priscilla Stierstorfer
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

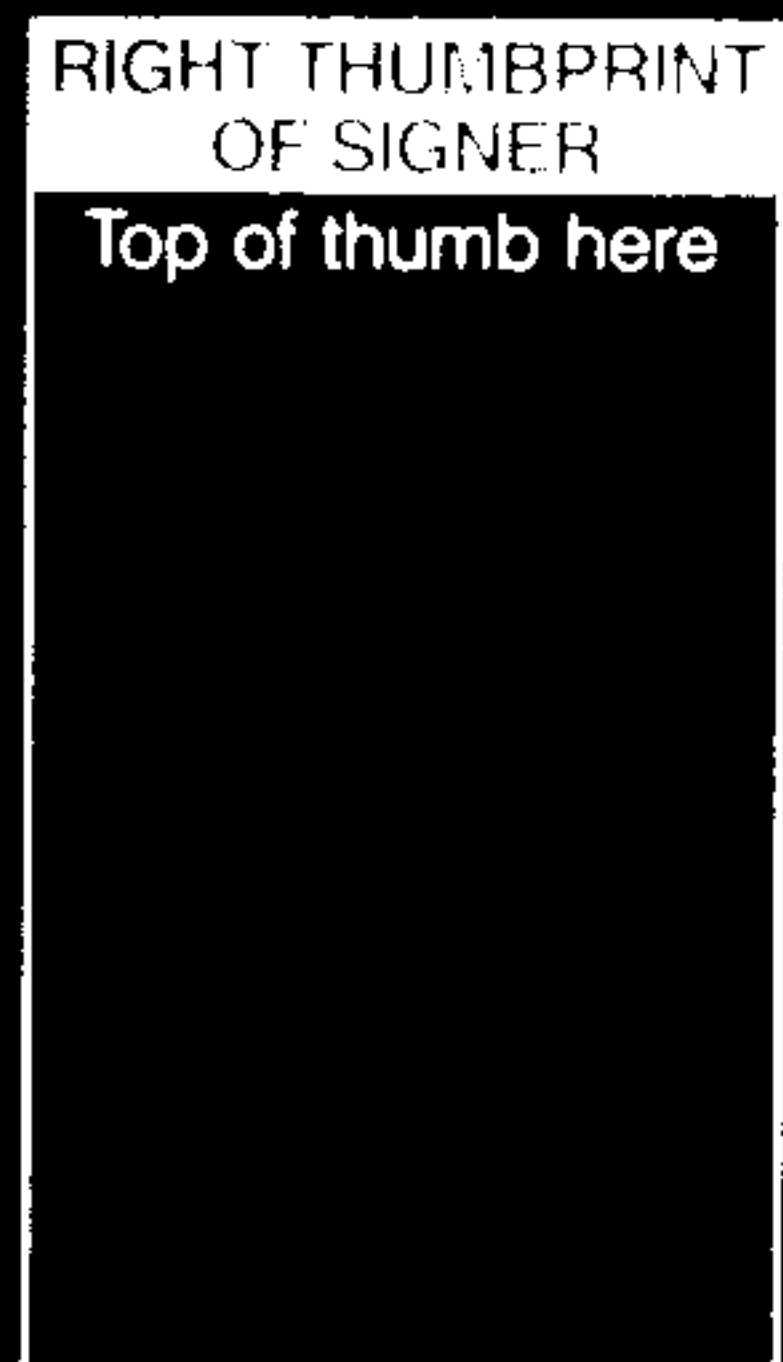
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

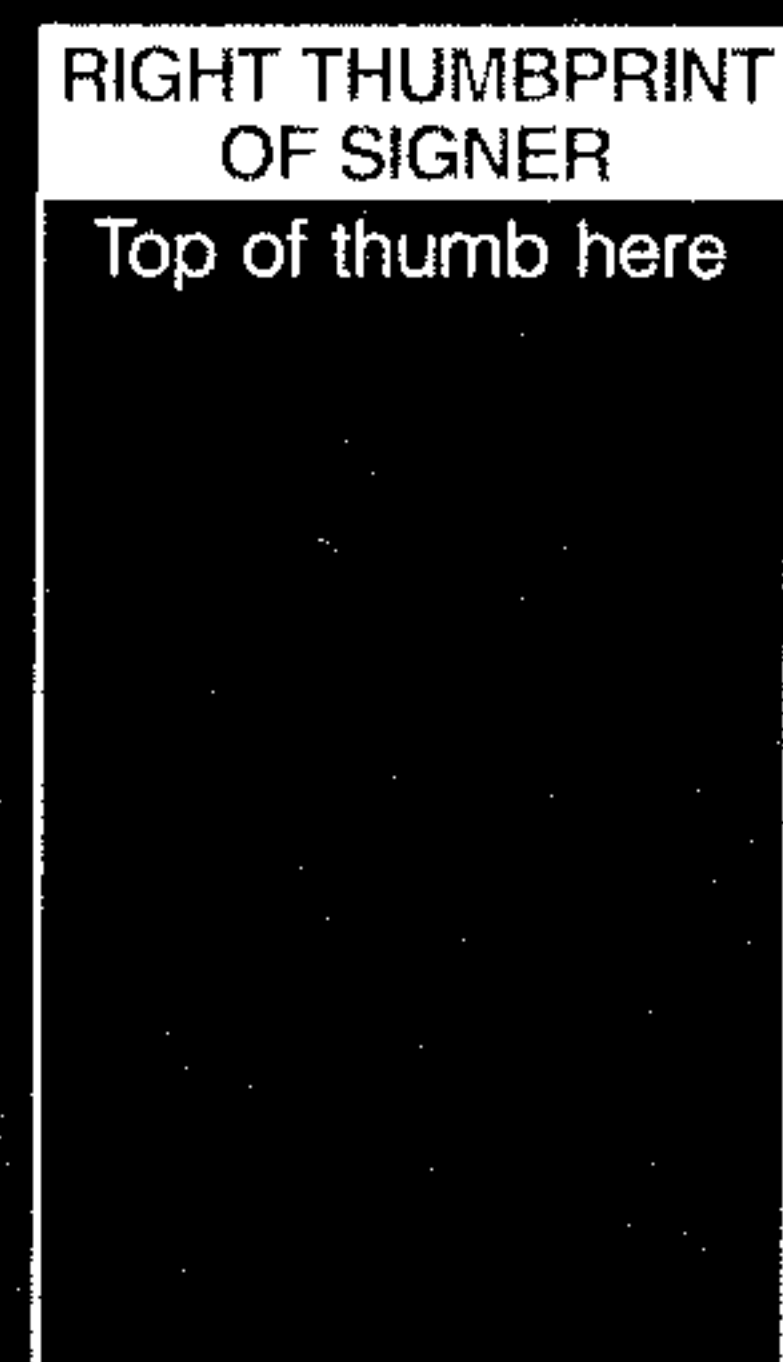
- Individual
- Corporate Officer
Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer
Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

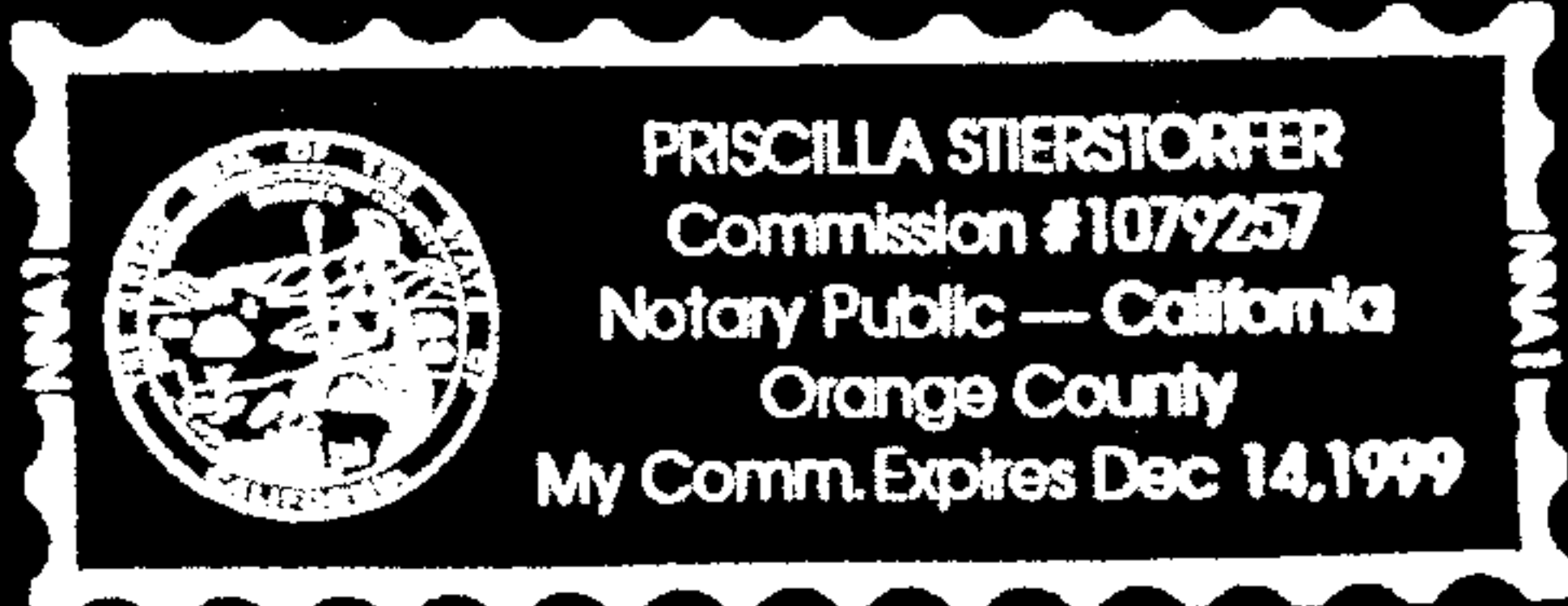
State of California

County of Orange

On May 19, 1998 before me, Priscilla Stierstorfer,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Bruce Broadwater,
Name(s) of Signer(s)

personally known to me – OR – proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Priscilla Stierstorfer
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer
Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer
Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing: _____

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To:	George Tindall	From:	Matthew Fertal	
Dept:	City Manager	Dept:	Community Development	
Subject:	CONSIDERATION OF GENERAL PLAN AMENDMENT NO. GPA-1-98(A) AND A DEVELOPMENT AGREEMENT FOR PROPERTY LOCATED ON THE EAST SIDE OF HARBOR BOULEVARD, NORTH OF WESTMINSTER AVENUE ON THE OCTA RIGHT-OF-WAY		Date:	April 28, 1998

OBJECTIVE:

To transmit a recommendation from the Planning Commission for approval of General Plan Amendment No. GPA-1-98(A), to change the land use designation to Mixed Use, and a Development Agreement for SP-212-98 and Conditional Use Permit No. CUP-389-98, which would allow the construction of a new car wash building.

BACKGROUND:

On March 18, 1998, the Planning Commission approved Site Plan No. SP-212-98 and Conditional Use Permit No. CUP-389-98 for a proposed car wash, and recommended approval of the General Plan Amendment and a Development Agreement by a 6-0 vote, with Commissioner Butterfield abstaining. No one spoke in opposition to the project.

DISCUSSION:

The project includes the construction and operation of a new 3,737 square-foot automatic car wash building on a portion of the Orange County Transit Authority (OCTA) right-of-way located on the north side of Westminster Avenue, on the east side of Harbor Boulevard.

General Plan Amendment:

The property has a land use designation of Open Space and is zoned TC (Transportation Corridor). The TC zoning designation is not consistent with the General Plan's Open Space land use designation. The proposed use is permitted, however, in the TC zone subject to the approval of a Conditional Use Permit. For this reason, the applicant is proposing to change the General Plan land use designation of the property from Open Space to Mixed Use which will be consistent with the TC zoning designation.

This request is consistent with the City's adopted General Plan designation on the adjoining properties. The change in the General Plan designation from Open Space to Mixed Use provides

a logical connection between the existing Mixed Use Land Use designation of the properties to the north and south of the subject site.

Development Agreement:

Development Agreements are authorized by Government Code Section No. 65865. The applicant is required to pay an impact payment to reimburse the costs of City services related to the project. The development impact payment will not exceed \$2,212.00 for the car wash building. In return, the applicant will have four (4) years to construct the project.

OCTA Right-of-Way:

Regarding the construction of the building on the right-of-way, OCTA does not permit permanent structures to be constructed on the right-of-way unless a binding agreement between the developer and Orange County Transit Authority has been made. The developer has entered into a binding agreement with the Orange County Transit Authority to use the right-of-way for the construction of a car wash building. The lease agreement has a duration of twenty years, and thereafter is renewed on a month-to-month basis. The agreement states that the developer shall remove all structures and improvements within a specified time frame.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

- That the City Council adopt the attached resolution approving General Plan Amendment No. GPA-1-98(A).
- That the City Council introduce the attached ordinance approving the Development Agreement.

MATTHEW FERTAL, Director
Community Development Department

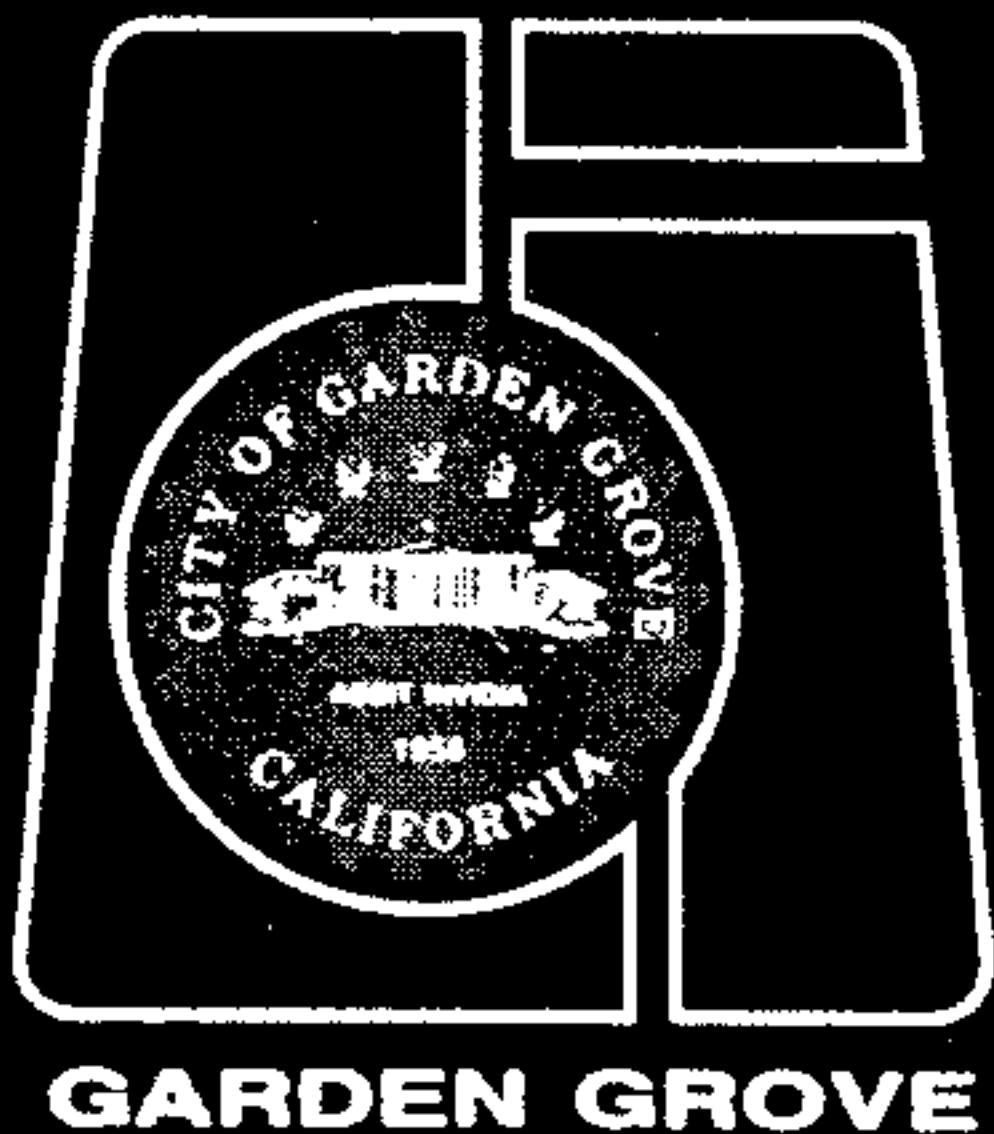

By  Salvador M. Salazar, AICP
Associate Planner



APPROVED FOR AGENDA LISTING


George A. Tindall
City Manager

Attachments: Planning Commission Staff Report dated March 18, 1998
 Planning Commission Resolution No. 4870
 Planning Commission Minute Excerpts of March 18, 1998
 Development Agreement
 Draft Ordinance for the Development Agreement
 City Council Draft Resolution for GPA-1-98(A)



CITY OF GARDEN GROVE, CALIFORNIA

11222 ACACIA PARKWAY, P.O. BOX 3070, GARDEN GROVE, CALIFORNIA 92642

(714) 741-5040

April 16, 1998

Harbor West LLC
Attention: John Janshai
425 W. Promontory Point
Newport Beach, CA 92660

Dear Mr. Janshai:

The City Council of the City of Garden Grove will conduct public hearings in the Council Chamber of the Garden Grove Community Meeting Center, 11300 Stanford Avenue, which will commence at 7:00 p.m., on Tuesday, April 28, 1998

At that time they will hold a public hearing on the General Plan Amendment No. GPA-1-98(A) and the Development Agreement in connection with SP-212-98. The Public Hearing will be held for the purpose of hearing any and all persons either favoring or opposing said Development Agreement.

Sincerely,

Priscilla Stierstorfer
Deputy City Clerk

CITY OF GARDEN GROVE

AFFIDAVIT OF MAILING NOTICE

I, Kitty Fox certify that Notice of
Public Hearing on GPA-1-98(A) & SP-212-98
to be held on April 28, 1998 were mailed to the
list of property owners on file in the Planning Department
offices on 4-15-98.

Kitty Fox
City Clerk's Office

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF GARDEN GROVE WILL HOLD A PUBLIC HEARING IN THE COUNCIL CHAMBER OF THE COMMUNITY MEETING CENTER, 11300 STANFORD AVENUE, GARDEN GROVE, CALIFORNIA, ON THE DATE * INDICATED BELOW TO RECEIVE AND CONSIDER ALL EVIDENCE AND REPORTS RELATIVE TO THE APPLICATION(S) DESCRIBED BELOW:

*** TUESDAY, 7 P. M., APRIL 28, 1998**

GENERAL PLAN AMENDMENT NO. GPA-1-98(A) AND DEVELOPMENT AGREEMENT

TO CONSTRUCT A 3,737 S.F. CAR WASH BUILDING; TO ALLOW THE OPERATION OF THE CAR WASH; AND TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM OPEN SPACE TO MIXED USE. THE SITE IS A PORTION OF THE OCTA RIGHT-OF-WAY, APPROX. 56,960 S.F., ZONED TC (TRANSPORTATION CORRIDOR), AND LOCATED ON THE EAST SIDE OF HARBOR BLVD., NORTH OF WESTMINSTER AVE.

(PURSUANT TO RESOLUTION NO. 4870, THE PLANNING COMMISSION ON MARCH 18, 1998, RECOMMENDED APPROVAL OF GPA-1-98(A) AND THE DEVELOPMENT AGREEMENT IN CONJUNCTION WITH SP-212-98 AND CUP-389-98.)

DEVELOPMENT AGREEMENT

TO CONSTRUCT A 5,231 S.F. CONVENIENCE STORE; A 1,627 S.F. LUBE & TUNE BUILDING; TO CONSOLIDATE THREE PARCELS INTO ONE; A VARIANCE TO ALLOW THE BAY DOORS TO FACE WESTMINSTER AVE. AND TO DEVIATE FROM THE MIN. 10 FT. REAR YARD LANDSCAPED SETBACK; AND A CONDITIONAL USE PERMIT TO OPERATE THE SERVICE STATION. THE SITE IS APPROX. 48,508 S.F. LOCATED IN THE C-3 (HEAVY COMMERCIAL) ZONE ON THE NORTHEAST CORNER OF WESTMINSTER AVE. & HARBOR BL. AT 12001 WESTMINSTER AVE. (PURSUANT TO RESOLUTION NO. 4868, THE PLANNING COMMISSION ON MARCH 18, 1998, RECOMMENDED APPROVAL OF THE DEVELOPMENT AGREEMENT IN CONJUNCTION WITH SP-210-98, CUP-386-98, V-225-98, AND PM-97-235.)

Copies of the Negative Declaration, including the initial study and the documents used in the preparation of the initial study, and all documents referenced in the Negative Declaration are available for public review at the Garden Grove City Hall, 11222 Acacia Parkway.

ALL INTERESTED PARTIES are invited to attend said Hearing and express opinions or submit evidence for or against the proposal as outlined above. If you challenge the application in Court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

Further information on the above may be obtained at the Planning Services Division, City Hall,
11222 Acacia Parkway, or by telephone at (714) 741-5312.

/s/ RUTH E. SMITH
CITY CLERK

DATE: April 2, 1998
PUBLISH: April 9, 1998

MODE = MEMORY TRANSMISSION

START=APR-01 15:18

END=APR-01 15:21

FILE NO. = 254

NO.	COM	ABBR/NTWK	STATION NAME/ TELEPHONE NO.	PAGES	PRG.NO.	PROGRAM NAME
001	OK		96927052	003/003		

CITY OF GARDEN GROVE

11222 Acacia Parkway
P. O. Box 3070
Garden Grove, CA 92842

PLEASE DELIVER THE FOLLOWING MATERIAL AS SOON AS POSSIBLE

TO: JIM TORTOLANO - GARDEN GROVE JOURNAL

FAX NUMBER SENT TO: (714) 892-7052

FROM: Priscilla

PHONE: 741-5036

FAX NUMBER SENT FROM: (714) 741-5255

SUBJECT: Public Hearing April 28, 1998 - Development Agreement
w/SP-210-98; GPA-1-98(A) and Development Agreement

NUMBER OF PAGES: 3 (including cover page)

COMMENTS:

Advertise on April 9, 1998

04/2/98

PLEASE NOTIFY AUTHOR IMMEDIATELY IF NOT RECEIVED PROPERLY

pn-text SP-212-98

USER TERRI TERRI 02/18/98 12:09 20 09/18/98 02/26/98 TERRI 02/18/98 12:09 20 09/18/98 02

1 THE GARDEN GROVE CITY COUNCIL WILL HOLD A PUBLIC HEARING
2 IN THE COUNCIL CHAMBER, 11300 STANFORD AVENUE, GARDEN
3 GROVE, ON TUESDAY, APRIL 28, 1998, AT 7 P.M. TO CONSI-
4 DER GENERAL PLAN AMENDMENT NO. GPA-1-98(A) AND A DEVEL-
5 OPMENT AGREEMENT TO CONSTRUCT A 3,737 S.F. CAR WASH
6 BUILDING; TO ALLOW THE OPERATION OF THE CAR WASH; AND TO
7 CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM OPEN
8 SPACE TO MIXED USE. THE SITE IS A PORTION OF THE OCTA
9 RIGHT-OF-WAY, APPROX. 56,960 S.F., ZONED TC (TRANSPOR-
10 TION CORRIDOR), AND LOCATED ON THE EAST SIDE OF HARBOR
11 BLVD., NORTH OF WESTMINSTER AVE.
12 (PURSUANT TO RESOLUTION NO. 4870, THE PLANNING COM-
13 MISSION ON MARCH 18, 1998, RECOMMENDED APPROVAL OF
14 GPA-1-98(A) AND THE DEVELOPMENT AGREEMENT IN CONJUNC-
15 TION WITH SP-212-98 AND CUP-389-98.)
16 FOR INFORMATION CALL (714) 741-5312 OR INQUIRE AT THE
17 PLANNING DIVISION IN CITY HALL, 11222 ACACIA PARKWAY.
18
19
20

[405] 1 items listed out of 1 items.

pn-text sp-212-98

USER TERRI TERRI 02/18/98 12:09 20 09/18/98 02/26/98 TERRI 02/18/98 12:09 20 09/18/98 02

1 THE GARDEN GROVE PLANNING COMMISSION WILL HOLD A PUBLIC
2 HEARING IN THE COUNCIL CHAMBER, 11300 STANFORD AVENUE,
3 GARDEN GROVE, ON WEDNESDAY, MARCH 18, 1998 AT 7 P.M.
4 TO CONSIDER SITE PLAN NO. SP-212-98 AND A DEVELOPMENT
5 AGREEMENT TO CONSTRUCT A 3,737 SQ. FT. CAR WASH
6 BUILDING; CUP-389-98 TO ALLOW THE OPERATION OF THE CAR
7 WASH; AND GPA-1-98(A) TO CHANGE THE GENERAL PLAN LAND
8 USE DESIGNATION FROM OPEN SPACE TO MIXED USE. THE SITE
9 IS A PORTION OF THE OCTA RIGHT-OF-WAY, APPROXIMATELY
10 56,960 SQ. FT. IN SIZE, ZONED TC (TRANSPORTATION
11 CORRIDOR), AND LOCATED ON THE EAST SIDE OF HARBOR BLVD.,
12 NORTH OF WESTMINSTER AVE. THE CITY OF GARDEN GROVE
13 RECOMMENDS A NEGATIVE DECLARATION BE ADOPTED PURSUANT TO
14 CEQA. FOR INFORMATION, PLEASE CALL (714) 741-5312 OR
15 INQUIRE AT THE PLANNING DIVISION IN CITY HALL, 11222
16 ACACIA PKWY.

[405] 1 items listed out of 1 items.

		938 660 01 WILLIAM & FRANCES MOORE 13872 HARBOR BLVD #7A GARDEN GROVE CA 92843
938 660 02 NGOC & NHIE PHAM 16690 MOUNT BAXTER CIR FOUNTAIN VALLEY CA 92708	938 660 03 SHIGERU & EMIKO OKADA PO BOX 97 GARDEN GROVE CA 92842	938 660 04 JOHN RECORD 24350 MARTHA ST WOODLAND HILLS CA 91367
938 660 05 ORANGE COUNTY POSTAL CRE PO BOX 25300 SANTA ANA CA 92799	938 660 06 ORANGE COUNTY POSTAL CRE PO BOX 25300 SANTA ANA CA 92799	938 660 07 ORANGE COUNTY POSTAL CRE PO BOX 25300 SANTA ANA CA 92799
938 660 08 RICHARD JUSTICE 15904 MAIDSTONE ST FOUNTAIN VALLEY CA 92708	938 660 09 HARBOR BUILDING PARTNERS 13876 HARBOR BLVD #3B GARDEN GROVE CA 92843	938 660 10 NGOC PHAM & TRUC NGUYEN 5036 E SYCAMORE AVE ORANGE CA 92869
EDWARD & MARY NICHOLSON 4051 DAVENPORT DR HUNTINGTON BEACH CA 92649	938 660 12 ORANGE COUNTY WOMAN'S BO 13896 HARBOR BLVD #5A GARDEN GROVE CA 92843	938 660 13 GERALD SAVAGE 1744 N WOODWIND LN ANAHEIM CA 92807
938 660 14 RICHARD VALENTINE EVANS 13896 HARBOR BLVD #5C GARDEN GROVE CA 92843	938 660 15 ABEL CHASE 11695 LAKIA DR CYPRESS CA 90630	938 660 16 ABEL & SANDRA CHASE 11695 LAKIA DR CYPRESS CA 90630
938 660 17 EDWARD & MARY NICHOLSON 13880 HARBOR BLVD GARDEN GROVE CA 92843	938 660 18 PHILIP & MARY RANDAZZO 13880 HARBOR BLVD #6-D GARDEN GROVE CA 92843	938 660 19 ORANGE COUNTY WORD PROCE 13880 HARBOR BLVD #6E GARDEN GROVE CA 92843
938 660 20 SGBL INVESTMENTS 13880 HARBOR BLVD #6F GARDEN GROVE CA 92843	938 660 21 WILLIAM & FRANCES MOORE 11362 WESTMINSTER AVE #J GARDEN GROVE CA 92843	938 660 22 WILLIAM & FRANCES MOORE 13884 HARBOR BLVD #7A GARDEN GROVE CA 92843
938 660 23 WILLIAM & FRANCES MOORE 13884 HARBOR BLVD GARDEN GROVE CA 92843	938 660 24 KLAUS KISCHKE 11594 COLEY RIVER CIR FOUNTAIN VALLEY CA 92708	

100 130 51
WANDA GWOZDZIEWSKI
309 EVENING STAR LN
NEWPORT BEACH CA 92660

100 130 58
JESUS & OFELIA GARCIA
13862 SEABOARD CIR
GARDEN GROVE CA 92843

100 130 71
DAVID SOLOMON
13933 HARBOR BLVD
GARDEN GROVE CA 92843

100 130 72
FURST ENTERPRISES
8955 NATIONAL BLVD #100
LOS ANGELES CA 90034

100 130 73
FURST ENTERPRISES
8955 NATIONAL BLVD #100
LOS ANGELES CA 90034

100 130 74
MCDONALD'S CORP
17 ROCKINGHAM DR
NEWPORT BEACH CA 92660

100 130 76
ORANGE COUNTY TRANSIT DI
PO BOX 3005
GARDEN GROVE CA 92842

101 315 25
ELLERY BROWN
12052 QUATRO AVE
GARDEN GROVE CA 92843

101 315 26
ERNESTO & TERESA GALVEZ
12032 QUATRO AVE
GARDEN GROVE CA 92843

101 315 33
VIRGINIA BASH
393 N MAPLEWOOD ST
ORANGE CA 92866

101 681 04
JIN HO & KYUNG KIM
13961 NAUTILUS DR
GARDEN GROVE CA 92843

101 681 05
DREGS VENTURE
13941 NAUTILUS DR
GARDEN GROVE CA 92843

101 681 06
THREE G INVESTMENT CO
10432 BRIGHTWOOD DR
SANTA ANA CA 92705

101 681 07
GEORGE & IRENE CORDOVA
13901 NAUTILUS DR
GARDEN GROVE CA 92843

101 681 18
ORANGE COUNTY TRANSIT DI
PO BOX 3005
GARDEN GROVE CA 92842

101 681 19
GARDEN GROVE AGENCY
11391 ACACIA PKWY
GARDEN GROVE CA 92840

101 681 20
GARDEN GROVE AGENCY FOR
11391 ACACIA PKWY
GARDEN GROVE CA 92840

101 681 21
GARDEN GROVE AGENCY FOR
11391 ACACIA PKWY
GARDEN GROVE CA 92840

101 683 03
HAI DUY HANG
1565 BRADBURY RD
SAN MARINO CA 91108

101 683 04
JT PROPERTIES LLC
13932 NAUTILUS DR
GARDEN GROVE CA 92843

100 130 51
WANDA GWOZDZIEWSKI
309 EVENING STAR LN
NEWPORT BEACH CA 92660

100 130 71
DAVID SOLOMON
13933 HARBOR BLVD
GARDEN GROVE CA 92843

100 130 72
FURST ENTERPRISES
8955 NATIONAL BLVD #100
LOS ANGELES CA 90034

100 130 73
FURST ENTERPRISES
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LOS ANGELES CA 90034

100 130 74
MCDONALD'S CORP
17 ROCKINGHAM DR
NEWPORT BEACH CA 92660

100 130 76
ORANGE COUNTY TRANSIT DI
PO BOX 3005
GARDEN GROVE CA 92842

101 681 04
JIN HO & KYUNG KIM
13961 NAUTILUS DR
GARDEN GROVE CA 92843

101 681 05
DREGS VENTURE
13941 NAUTILUS DR
GARDEN GROVE CA 92843

101 681 06
THREE G INVESTMENT CO
10432 BRIGHTWOOD DR
SANTA ANA CA 92705

101 681 07
GEORGE & IRENE CORDOVA
13901 NAUTILUS DR
GARDEN GROVE CA 92843

101 681 18
ORANGE COUNTY TRANSIT DI
PO BOX 3005
GARDEN GROVE CA 92842

101 681 19
GARDEN GROVE AGENCY
11391 ACACIA PKWY
GARDEN GROVE CA 92840

101 681 20
GARDEN GROVE AGENCY FOR
11391 ACACIA PKWY
GARDEN GROVE CA 92840

101 681 21
GARDEN GROVE AGENCY FOR
11391 ACACIA PKWY
GARDEN GROVE CA 92840

101 683 03
HAI DUY HANG
1565 BRADBURY RD
SAN MARINO CA 91108

parcel..	notice#.....	owner.....	owner.address.....	o.csz.....	cnt.
10013051	SP-212-98	GWOZDZIEWSKI, WANDA	309 Evening Star Ln	NEWPORT BEACH, CA 92660	1
10013071	SP-212-98	SOLOMON, DAVID	13933 Harbor Blvd	GARDEN GROVE, CA 92843	1
10013072	SP-212-98	FURST ENTERPRISES	8955 National Blvd #100	LOS ANGELES, CA 90034	1
10013073	SP-212-98	FURST ENTERPRISES	8955 National Blvd #100	LOS ANGELES, CA 90034	1
10013074	SP-212-98	MCDONALDS CORP	17 Rockingham Dr	NEWPORT BEACH, CA 92660	1
10013076	SP-212-98	ORANGE COUNTY TRANSIT DIST	PO Box 3005	GARDEN GROVE, CA 92842	1
10168104	SP-212-98	KIM, JIN HO & KYUNG	13961 Nautilus Dr	GARDEN GROVE, CA 92843	1
10168105	SP-212-98	DREGS VENTURE	13941 Nautilus Dr	GARDEN GROVE, CA 92843	1
10168106	SP-212-98	THREE G INVESTMENT CO	10432 Brightwood Dr	SANTA ANA, CA 92705	1
10168107	SP-212-98	CORDOVA, GEORGE R	13901 Nautilus Dr	GARDEN GROVE, CA 92843	1
10168118	SP-212-98	ORANGE COUNTY TRANSIT DIST	PO Box 3005	GARDEN GROVE, CA 92842	1
10168119	SP-212-98	GARDEN GROVE AGENCY	11391 Acacia Pkwy	GARDEN GROVE, CA 92840	1
10168120	SP-212-98	GARDEN GROVE AGENCY FOR COMMUN	11391 Acacia Pkwy	GARDEN GROVE, CA 92840	1
10168121	SP-212-98	GARDEN GROVE AGENCY FOR COMMUN	11391 Acacia Pkwy	GARDEN GROVE, CA 92840	1
10168303	SP-212-98	HANG, HAI DUY	1565 Bradbury Rd	SAN MARINO, CA 91108	1
10168304	SP-212-98	STRANSKY, BRIAN & SANDRA	13932 Nautilus Dr	GARDEN GROVE, CA 92843	1

16

248

[405] 248 items listed out of 248 items.



CITY OF GARDEN GROVE, CALIFORNIA

11222 ACACIA PARKWAY, P.O. BOX 3070, GARDEN GROVE, CALIFORNIA 92642

THE GARDEN GROVE CITY COUNCIL WILL HOLD A PUBLIC HEARING IN THE COUNCIL CHAMBER, 11300 STANFORD AVENUE, GARDEN GROVE, ON TUESDAY, APRIL 28, 1998, AT 7 P.M. TO CONSIDER A DEVELOPMENT AGREEMENT TO CONSTRUCT A 5,231 S.F. CONVENIENCE STORE; A 1,627 S.F. LUBE & TUNE BUILDING; TO CONSOLIDATE THREE PARCELS INTO ONE; A VARIANCE TO ALLOW THE BAY DOORS TO FACE WESTMINSTER AVE. AND TO DEVIATE FROM THE MIN. 10 FT. REAR YARD LANDSCAPED SETBACK; AND A CONDITIONAL USE PERMIT TO OPERATE THE SERVICE STATION. THE SITE IS APPROX. 48,508 S.F. LOCATED IN THE C-3 (HEAVY COMMERCIAL) ZONE ON THE NORTHEAST CORNER OF WESTMINSTER AVE. & HARBOR BL. AT 12001 WESTMINSTER AVE. (PURSUANT TO RESOLUTION NO. 4868, THE PLANNING COMMISSION ON MARCH 18, 1998, RECOMMENDED APPROVAL OF THE DEVELOPMENT AGREEMENT IN CONJUNCTION WITH SP-210-98, CUP-386-98, V-225-98, AND PM-97-235.) FOR INFORMATION, CALL (714) 741-5312 OR INQUIRE AT THE PLANNING DIVISION IN CITY HALL, 11222 ACACIA PARKWAY.

THE GARDEN GROVE CITY COUNCIL WILL HOLD A PUBLIC HEARING IN THE COUNCIL CHAMBER, 11300 STANFORD AVENUE, GARDEN GROVE, ON TUESDAY, APRIL 28, 1998, AT 7 P.M. TO CONSIDER GENERAL PLAN AMENDMENT NO. GPA-1-98(A) AND A DEVELOPMENT AGREEMENT TO CONSTRUCT A 3,737 S.F. CAR WASH BUILDING; TO ALLOW THE OPERATION OF THE CAR WASH; AND TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM OPEN SPACE TO MIXED USE. THE SITE IS A PORTION OF THE OCTA RIGHT-OF-WAY, APPROX. 56,960 S.F., ZONED TC (TRANSPORTATION CORRIDOR), AND LOCATED ON THE EAST SIDE OF HARBOR BLVD., NORTH OF WESTMINSTER AVE. (PURSUANT TO RESOLUTION NO. 4870, THE PLANNING COMMISSION ON MARCH 18, 1998, RECOMMENDED APPROVAL OF GPA-1-98(A) AND THE DEVELOPMENT AGREEMENT IN CONJUNCTION WITH SP-212-98 AND CUP-389-98.) FOR INFORMATION CALL (714) 741-5312 OR INQUIRE AT THE PLANNING DIVISION IN CITY HALL, 11222 ACACIA PARKWAY.

PLAN CORRECTION SHEET
CITY OF GARDEN GROVE

Case Number SP-210-98/SP-212-98/CUP-386-98/CUP-389-98/ETC. Use Zone C3/TC
 Job Address 12001-12021 WESTMINSTER
 Job Location NEC HARBOR & WESTMINSTER
 Assessor's Parcel Number(s) N/A
 Owner HARBOR WEST L.L.C.
 (Name) (Address) (Phone)
 Applicant SAME
 (Name) (Address) (Phone)

PLANNING REVIEW COMMENTS

Sheet No.	Comments	Shown	Required	Correction Cleared
1 C-1	NO ENTRY PAVING SHOWN FOR WESTMINSTER DRIVE APPROACH (CLOSEST TO HARBOR)			
2 C-1	ELIMINATE APPROACH ALONG WESTMINSTER (FURTHEST FROM HARBOR)			
3 C-1	NOTE #10 - ADD THE FOLLOWING PATTERN & COLOR OF PAVING SHALL BE APPROVED BY THE PLANNING DIVISION PRIOR TO INSTALLATION.			
4 ST-1	SEE # 2 ABOVE			
	OTHER ITEMS:			
5	PARCEL MAP NO. PM-97-235 - PROOF OF RECORDATION NEEDED PRIOR TO PERMIT ISSUANCE - ALSO ATTACHED RESOS TO BE RECORDED.			
6	ATTACH COPIES OF RESOLUTIONS TO PLANS (RESOS SHOWN ON SHEET GN-3 ARE INCOMPLETE)			
7	CHECK WITH KARL HILL ON STATUS OF LANDSCAPE PLANS (714) 741-5312			
8.	COPIES OF CONDITIONS ATTACHED			

Date Received 9/2/98 Date Returned 9/2/98
 Checked By MEC LEE (714) 741-5312 To Whom BUILDING
 Date 9/2/98

*Permit issuance is dependant upon clearance of all planning conditions and corrections. No permits may be issued until all plans have been signed off by the Planning Section.

FILED

NOTICE OF DETERMINATION

APR 02 1998

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

GARY L. GRANVILLE, Clerk-Recorder
By *[Signature]* DEPUTY

From: City of Garden Grove
P. O. Box 3070
11222 Acacia Parkway
Garden Grove, CA 92842

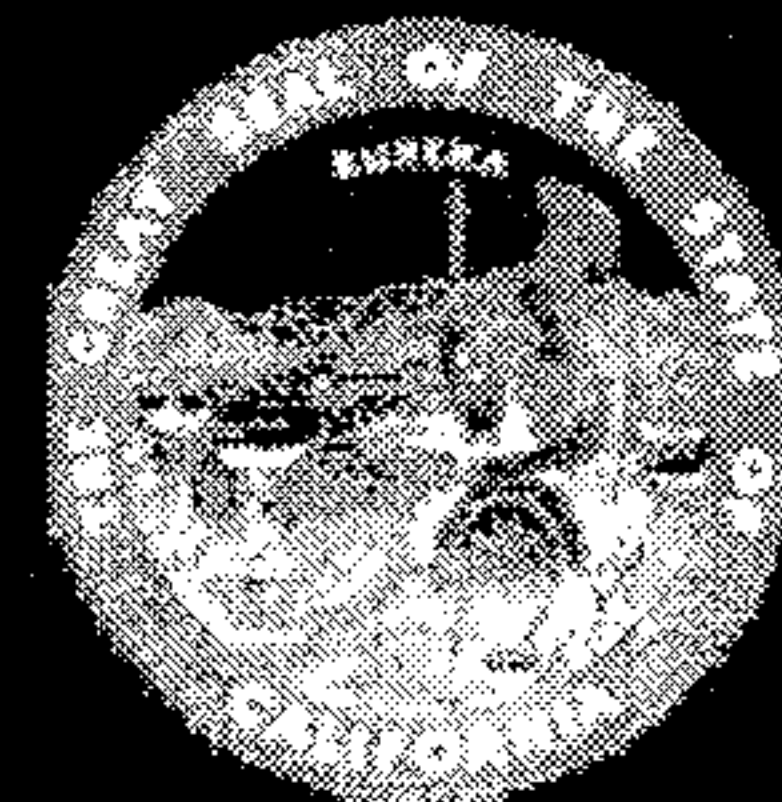
74075

POSTED

APR 02 1998

X
County Clerk
County of Orange
P. O. Box 22013
Santa Ana, CA 92702

GARY L. GRANVILLE, Clerk-Recorder
By *[Signature]* DEPUTY



Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

GPA -1-98(A), Development Agreement, Site Plan No. SP-212-98, Conditional Use Permit No. CUP-389-98

Project Title

Salvador Salazar City of Garden Grove (714) 741-5312

State Clearinghouse Number (If submitted to Clearinghouse)	Lead Agency Contact Person	Area Code/telephone/ Extension
--	---	---------------------------------------

N/O Westminster Avenue, on the E/S Harbor Boulevard, at the OCTA right-of-way, Garden Grove, Orange County
Project Location (include county)

Project Description:

This is to advise that the City of Garden Grove has approved the above described project on March 18, 1998, and has made the following determinations regarding the above described project:

1. The project will XX will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
XX A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were XX were not made a condition of the approval of the project.
4. A statement of Overriding Considerations was XX was not adopted for this project.
5. Findings XX were were not made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration and record of project approval are available to the General Public at:

City of Garden Grove, Community Development, 11222 Acacia Parkway, Garden Grove, CA 92842

[Signature]
Signature (Public Agency)

3-18-98	Planning Services Manager
Date	Title

Date received for filing at OPR:
09/17/96

Filed in the County of Orange, California
Gary L. Granville, Clerk/Recorder



38.00

19988500319 2:47pm 04/02/98

856 5122877 05 07
Z01 1 38.00

CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title/Location (include county)

GPA-1-98(A), Development Agreement, Site Plan No. SP-212-98, Conditional Use Permit NO. CUP-389-98
North of Westminster Avenue, on the east side of Harbor Boulevard, at the Orange County Transit Authority,
right-of-way.

Project Description:

A request to construct a 3,737 square foot car wash building; a CUP to allow the operation of the car wash;
and GPA to change the Land Use Designation from Open Space to Mixed Use. The site is a portion of the
OCTA right-of-way, approximately 56,960 square feet, and zoned TC (Transportation Corridor).

Findings of Exemption

The proposed project will not have a significant adverse effect on the environment, therefore, the City of
Garden Grove has prepared a Negative Declaration of Environmental Impact pursuant to the California
Environmental Quality Act (CEQA). The Planning Commission finds a De Minimis impact in relation to fish
and game.

Certification:

I hereby certify that the public agency has made the above finding and that the project will not individually or
cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game
Code.



Title: Planning Services Manager

Lead Agency: City of Garden Grove

Date: March 18, 1998

09/16/96

POSTED

APR 02 1998

GARY L. GRANVILLE, Clerk-Recorder
By _____ DEPUTY

NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT
(To Be Completed by Lead Agency)

Project Title:

GPA-1-98(A), Development Agreement, Site Plan No. SP-212-98, Conditional Use Permit no. CUP-389-98

Project Location:

N/O Westminster Ave, on the E/S Harbor Blvd., at the OCTA right-of-way, Garden Grove, Orange County

Project Description:

A request to construct a 3,737 sq. ft. car wash building; a CUP to allow the operation of the car wash; and GPA to change the General Plan Land Use Designation from Open Space to Mixed Use. The site is a portion of the OCTA right-of-way, approximately 56,960 sq. ft. in size, and zone TC (Transportation Corridor).

Name and Address of Developer or Project Sponsor:

John Janshai
425 Promontory Dr. W
Newport Beach CA 92660
(714) 721-9901

Findings:

The Planning Coordinating Committee of the City of Garden Grove has reviewed the Initial Study of Environmental Effects (attached) for the above-described project and hereby finds:

- A. The project is in conformance with the environmental goals and policies adopted by the community.
- B. The project will not have a significant effect on the environment.

Mitigation Measures (if any, to avoid potentially significant effects):

If mitigation measures are provided, such items are included and implemented through the proposed project and included in the Initial Study.

Reason for Finding of No Significant Effect: The project is consistent with the City's General Plan, zoning designation and the City's development standards and any environmental concerns noted in the Environmental Checklist form have been appropriately addressed for this project.

Contact Person and Phone Number: Salvador Salazar (714) 741-5312



Chairman, Planning Coordinating Committee

February 24, 1998

Date

Attachment: Initial Study of Environmental Effects
09/16/96



STATE OF CALIFORNIA-THE RESOURCES AGENCY
 DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFG 753.5a (6-91)

74075

001 5122377 05 OF 04/02/98 39.00
 211 ETR Administrative Fee

Lead Agency: City Garden Home Date: 4/2/98
 County/State Agency of Filing: Cl. Clerk/Recorder Document No.: 98-319
 Project Title: GLA-1-98(A) Development Agreement Site SP 212-98 Condor # CUP 389-98
 Project Applicant Name: Hossein Janshahi *Contract Salvador* *Permit* *Salvador* Phone Number: 741.5312
 Project Applicant Address: 425 Promontory Dr. Huntington Beach, Ca

Project Applicant (check appropriate box): Local Public Agency School District Other Special District
 State Agency Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report	\$850.00	\$	
<input checked="" type="checkbox"/> Negative Declaration	\$1,250.00	\$	<u>0</u>
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$	
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs	\$850.00	\$	<u>380</u>
<input checked="" type="checkbox"/> County Administrative Fee	\$25.00	\$	
<input type="checkbox"/> Project that is exempt from fees		\$	
TOTAL RECEIVED		\$	<u>380</u>

Signature and title of person receiving payment: [Signature]

FIRST COPY-PROJECT APPLICANT SECOND COPY-DFG/FAS THIRD COPY-LEAD AGENCY FOURTH COPY-COUNTY/STATE AGENCY OF FILING

F

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: George Tindall
Dept: City Manager
Subject: **CONSIDERATION OF GENERAL PLAN AMENDMENT NO. GPA-1-98(A) AND A DEVELOPMENT AGREEMENT FOR PROPERTY LOCATED ON THE EAST SIDE OF HARBOR BOULEVARD, NORTH OF WESTMINSTER AVENUE ON THE OCTA RIGHT-OF-WAY**

From: Matthew Fertal
Dept: Community Development
Date: April 28, 1998

OBJECTIVE:

To transmit a recommendation from the Planning Commission for approval of General Plan Amendment No. GPA-1-98(A), to change the land use designation to Mixed Use, and a Development Agreement for SP-212-98 and Conditional Use Permit No. CUP-389-98, which would allow the construction of a new car wash building.

BACKGROUND:

On March 18, 1998, the Planning Commission approved Site Plan No. SP-212-98 and Conditional Use Permit No. CUP-389-98 for a proposed car wash, and recommended approval of the General Plan Amendment and a Development Agreement by a 6-0 vote, with Commissioner Butterfield abstaining. No one spoke in opposition to the project.

DISCUSSION:

The project includes the construction and operation of a new 3,737 square-foot automatic car wash building on a portion of the Orange County Transit Authority (OCTA) right-of-way located on the north side of Westminster Avenue, on the east side of Harbor Boulevard.

General Plan Amendment:

The property has a land use designation of Open Space and is zoned TC (Transportation Corridor). The TC zoning designation is not consistent with the General Plan's Open Space land use designation. The proposed use is permitted, however, in the TC zone subject to the approval of a Conditional Use Permit. For this reason, the applicant is proposing to change the General Plan land use designation of the property from Open Space to Mixed Use which will be consistent with the TC zoning designation.

This request is consistent with the City's adopted General Plan designation on the adjoining properties. The change in the General Plan designation from Open Space to Mixed Use provides

a logical connection between the existing Mixed Use Land Use designation of the properties to the north and south of the subject site.

Development Agreement:

Development Agreements are authorized by Government Code Section No. 65865. The applicant is required to pay an impact payment to reimburse the costs of City services related to the project. The development impact payment will not exceed \$2,212.00 for the car wash building. In return, the applicant will have four (4) years to construct the project.

OCTA Right-of-Way:

Regarding the construction of the building on the right-of-way, OCTA does not permit permanent structures to be constructed on the right-of-way unless a binding agreement between the developer and Orange County Transit Authority has been made. The developer has entered into a binding agreement with the Orange County Transit Authority to use the right-of-way for the construction of a car wash building. The lease agreement has a duration of twenty years, and thereafter is renewed on a month-to-month basis. The agreement states that the developer shall remove all structures and improvements within a specified time frame.

FINANCIAL IMPACT:

None.

RECOMMENDATION:

- That the City Council adopt the attached resolution approving General Plan Amendment No. GPA-1-98(A).
- That the City Council introduce the attached ordinance approving the Development Agreement.

MATTHEW FERTAL, Director
Community Development Department



By  Salvador M. Salazar, AICP
Associate Planner

Attachments: Planning Commission Staff Report dated March 18, 1998
 Planning Commission Resolution No. 4870
 Planning Commission Minute Excerpts of March 18, 1998
 Development Agreement
 Draft Ordinance for the Development Agreement
 City Council Draft Resolution for GPA-1-98(A)

MINUTE EXCERPTS

GARDEN GROVE PLANNING COMMISSION

PUBLIC HEARING: NEGATIVE DECLARATION
GENERAL PLAN AMENDMENT GPA-1-98(A)
DEVELOPMENT AGREEMENT
SITE PLAN NO. SP-212-98
CONDITIONAL USE PERMIT NO. CUP-389-98

APPLICANT: HARBOR WEST LLC. (JOHN JANS HAI)

LOCATION: NORTH OF WESTMINSTER, EAST SIDE OF HARBOR BLVD. AT THE
ORANGE COUNTY TRANSIT AUTHORITY RIGHT-OF-WAY.

DATE: MARCH 18, 1998

A request to construct a 3,737 sq. ft. car wash building; a Conditional Use Permit to allow the operation of the car wash; and GPA-1-98(A) to change the General Plan Land Use Designation from Open Space to Mixed Use. The site is a portion of the OCTA Right-of-Way, approximately 56,960 sq. ft. in size, and zoned TC (Transportation Corridor).

Staff report was reviewed.

Commissioner Freze inquired into the agreement with OCTA and if there were other properties being leased and if the lengths of the leases were the same.

Staff responded that there was other OCTA property in Garden Grove for lease and not all property is leased for the same amount of time and that it depended on the property and its location.

Mr. Arthur Baha, a representative for the applicant, approached the Commission and stated agreement with the conditions, and informed the Commission that the lease between Harbor West and OCTA is for twenty years. He stated that the applicant is financially sound enough to construct a building that could potentially be destroyed within a twenty year term.

Lee Butterfield, who received permission to abstain for this item from the Commission, approached the Commission and stated she has attended meetings with OCTA and they are considering light rail for the future.

Staff noted that OCTA has indicated that they probably won't build a grade-level transit line through the subject site.

Chairman Wilkins opened the public hearing to receive testimony in favor of or in opposition to the request.

There being no further comments, the public portion of the hearing was closed.

Commissioner Freze commented that he is impressed with the design of the building and expressed his approval of the project.

Commissioner Freze moved, seconded by Commissioner Rosen, to approve Negative Declaration, SP-212-98 and CUP-389-98; to recommend City Council approval of GPA-1-98(A) and the Development Agreement, pursuant to the facts and reasons contained in Resolution No. 4870; and to authorize the Chairman to execute the Resolution. The motion carried with the following vote:

AYES:	COMMISSIONERS:	WILKINS, FREZE, HESKETT, HUTCHINSON, ROSEN, SCHILD,
ABSTAIN:	COMMISSIONERS:	BUTTERFIELD
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

RESOLUTION NO. 4868

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE ADOPTING A NEGATIVE DECLARATION AND APPROVING SITE PLAN NO. SP-212-98 AND CONDITIONAL USE PERMIT NO. CUP-389-98, FOR LAND LOCATED ON THE EAST SIDE OF HARBOR BOULEVARD, NORTH OF WESTMINSTER AVENUE ON THE ORANGE COUNTY TRANSIT AUTHORITY RIGHT OF WAY, PARCEL NO. 100-681-18

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on March 18, 1998, does hereby adopt a Negative Declaration, find a de minimis impact on fish and wildlife resources, and approve Site Plan No. SP-212-98 and Conditional Use Permit No. CUP-389-98.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-212-98 and Conditional Use Permit No. CUP-389-98, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Harbor West LLC.
2. The applicant is requesting approval of a Site Plan to construct a new 3,737 square foot carwash building and Conditional Use Permit approval to allow the operation of the carwash.
3. The proposed project will not have a significant adverse effect on the environment; therefore, the City of Garden Grove has prepared a Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act. Further, the Planning Commission finds a de minimis impact in relation to fish and game.
4. The property has a General Plan Land Use designation of Open Space and is zoned TC (Transportation Corridor). The site is currently unimproved.
5. Existing Land Use, Zoning, and General Plan designation of property in the vicinity of the subject site have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on March 18, 1998, 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 March 18, 1998, 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 property is currently zoned TC (Transportation Corridor). Carwash uses are a conditionally permitted use in this zoning designation.

The site is approximately 56,959 square feet in size.

The developer is proposing to construct a new 3,737 square foot building and CUP approval for the operation of the carwash use.

FINDINGS AND REASONS:

SITE PLAN:

- 1. The submitted site plan complies with the spirit and intent of the provisions, conditions, and requirements of Title 9 of the Garden Grove Municipal Code and other applicable ordinances are complied with.**

The project complies with the spirit and intent of the provisions, conditions and requirements of the Garden Grove Municipal Code and other applicable ordinances. With the recommended conditions of approval, the project meets the minimum requirements for a project of this size.

- 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.**

Through the recommended conditions of approval, the project will not adversely affect essential on-site facilities such as traffic circulation and points of vehicular and pedestrian access. The site provides proper ingress and egress and adequate on-site parking for the proposed use.

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

The proposed development has been reviewed by the various City departments to insure that adequate public facilities are provided.

- 4. The proposed development will not adversely impact the Public Works Department's ability to perform its required function.**

The site plan has been reviewed by the Public Works Department. Issues raised by the proposed development have been addressed in the project design and the conditions of approval.

- 5. The proposed development is compatible with the physical, functional, and visual quality of the neighboring uses and desirable neighborhood characteristics.**

With the proposed site improvements, the project will be compatible with the physical, and functional quality of the neighboring uses and desirable neighborhood characteristics. The architectural design creates a positive visual impact in this commercial area. With the recommended conditions of approval, the project will improve and enhance the site and surrounding properties.

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

Through the recommended conditions of approval and the proposed site design, the development will attain an attractive environment for the occupants of the property.

CONDITIONAL USE PERMIT:

- 1. The proposed use will be consistent with the City's adopted General Plan and Redevelopment Plan.**

The proposed use is not consistent with the existing General Plan land use designation of Open Space. The proposed use is permitted, however, in the TC (Transportation Corridor) zone subject to the approval of a Conditional Use Permit. The applicant, as part of this application, is proposing to change the General Plan land use designation of the property from Open Space to Mixed Use which will be consistent with the TC zoning designation. With the approval of the General Plan Amendment the proposed use would be consistent with the General Plan and with the Redevelopment Plan.

2. **The proposed use will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area.**

Through the recommended conditions of approval, the use will not adversely affect the health, peace, comfort, or welfare of persons in the surrounding area. The proposed development will be compatible with the surrounding uses.

3. **The proposed use will not unreasonably interfere with the use, enjoyment, or valuation of property of other persons located in the vicinity of the site.**

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

4. **The proposed use will not jeopardize, endanger or otherwise constitute a menace to public health, safety or general welfare.**

The recommended operating conditions of approval for the use are designed to insure that the use will be compatible with the surrounding area, and to insure that the use does not jeopardize, endanger or otherwise constitute a menace to public health, safety or general welfare .

5. **The site is adequately served by streets of sufficient width and improved as necessary to carry the kind and quantity of traffic, such as to be generated.**

The site and surrounding streets are adequately designed to carry the amount of traffic generated by the use adequate parking and vehicular access are provided for the development in accordance with Code Requirements. Furthermore, through the site design and recommended conditions of approval, the project will ensure that provisions have been made for adequate on-site facilities such as pedestrian circulation, vehicular circulation and points of access, along with public safety measures and property maintenance

INCORPORATION OF FINDINGS SET FORTH IN STAFF REPORT

In addition to the foregoing, the 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 Site Plan, General Plan Amendment, and Conditional Use Permit possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.24.030, (Site Plan, Conditional Use Permit, General Plan Amendment).
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 shall apply to Site Plan No. SP-212- 98, and Conditional Use Permit No. CUP-389-98:

CONDITIONS OF APPROVAL:

- A. All below-listed conditions of approval are required to be recorded. Recordation of said conditions is the responsibility of the developer/property owner, and proof of such recordation is required prior to issuance of building permits. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership.
- B. Approval of this Site Plan and Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
- C. Minor modifications may be approved by the Community Development Director. If other than minor changes are made in the proposed development, a new Site Plan application shall be filed and approved by the Planning Commission.
- D. The developer shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community Development Department for review and approval prior to Building Division plan check.
- E. 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 City's Planning Division. Parking area lighting shall be provided during the hours of darkness the establishment is open at a minimum of two footcandles of light on the parking surface and a minimum of one footcandle of light during all other hours of darkness.
- F. Utilities and mechanical equipment:
 1. All new above-ground utility equipment (e.g., electrical, gas, telephone, cable TV) shall not be located in the front setback area and shall be screened to the satisfaction of the Community Development Department.

2. 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 Development Department 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.
 3. All ground- or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.
- G. All provisions of the Public Works Engineering Division shall be complied with. This includes, but is not limited to, the following:
1. All existing and new utilities shall be installed underground in the public right-of-way and on-site.
 2. Grading, water, sewer and approved utility plans shall be required. The plans shall be prepared by a registered civil engineer.
 3. Separate plans prepared by a registered Civil Engineer shall be required for construction of improvements within the public right-of-way.
 4. Provide Hydrology with scaled map and calculations and Hydraulic calculations to size parkway culvert(s) or storm drain (s) per OCEMA Standards. Parkway culverts to be constructed per OCEMA Standard Plan 1309 (Type B)
 5. Driveway approach shall be constructed in conformance with Garden Grove STD plan B-120. Reconstruction of on-site planter curbs adjacent to driveway is required. Separate permit is required for work performed within the public right-of-way.
 6. Blanket easement shall be required for all public water system on private property.
 7. Owner to dedicate all rights for underground water without the right to subsurface entrance.
 8. Access rights to adjacent arterial roadways shall be restricted to approved driveway locations.

9. Any new or required block walls and/or retaining walls and trash enclosures shall be shown on the grading plans. Block walls shall be developed to City standards or designed by a professional engineer registered in the State of California.
 10. If development requires existing street trees to be removed, they shall be replaced with 15-gallon trees at another location in the public right-of-way. The new location and tree specie to be specified by City Engineer.
 11. The applicant shall comply with all 1972 Clean Water Act and NPDES requirements. The submittal of plans shall incorporate Best Management Practices for NPDES permit.
- H. All provisions of the Public Works Traffic Engineering Section shall be complied with. This includes, but is not limited to, the following:
1. All entrances to the property shall be posted with a sign indicating that unauthorized vehicles will be removed at the owner's expense. The signs shall be of the size, type, and location specified in the California Vehicle Code and Garden Grove Municipal Code.
 2. All compact parking stalls shall be individually marked. All handicap parking stalls shall be marked and signed in accordance with C.V.C. 22511.8(a). All parking stalls shall be hairpin striped.
 3. Development is subject to traffic mitigation fees.
- I. All provisions of the Garden Grove Fire Department shall be met. Including all necessary inspections and permits.
- J. All provisions of the Garden Grove Public Works' Water Services Division shall be met. This includes, but is not limited to, the following:
1. New water service installation(s) to be at developer's expense. Installation shall be by City upon payment of applicable fees, unless otherwise noted. Fire services and other larger water services (3" and larger) to be installed by contractor per City standards.
 2. Water meters and Fire Services to be located within the City right-of-way easement. Fire services and large water services (3" and larger) to be installed by contractor with class "A" or "C-34" license, per City water standards and inspected by a public works inspector.

3. A backflow device shall be required on all water laterals. Installation to be per City standards and shall be inspected by cross connection specialist after installation. Device to be tested immediately after installation and once a year by a certified backflow device tester. The results shall be submitted to the cross connection specialist.
- K. All provisions of the Garden Grove Sanitation District shall be met, this includes , but is not limited to, the following:
1. Construction of sanitary sewer facilities shall be in accordance with Garden Grove Sanitary District.
 2. Prior to the issuance of building permit, the developer shall be responsible for obtaining a discharge permit from the Orange County Sanitation District.
- L. All provisions of the Building Services Division shall be met. Additionally, the building plans, site plans and all construction shall comply with the current editions of the U.M.C., U.B.C., U.P.C., N.E.C., as amended by the City of Garden Grove and State of California handicap access, energy conservation and sound transmission control requirements for commercial occupancy.
- M. The developer/property owner shall submit a complete detailed landscape plan governing the landscaped areas in the development which reflects the approved landscape plans, with any necessary modifications, as submitted under the Site Plan application. Said plan shall include type, size, location, and quantity of all plant material. It shall include irrigation plans and staking and planting specifications. The landscape plan shall comply with the City's Landscaping Ordinance (Municipal Code Section 9.16.140) and is also subject to the following:
1. A complete, permanent, automatic remote control irrigation system shall be provided for all landscaped areas on the lot. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.
 2. The plan shall provide a mixture of a minimum of ten percent (10%) of the trees at 48-inch box, ten percent (10%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box and sixty percent (60%) of the trees at 15-gallon, the remaining five percent (5%) may be of any size.

3. The developer/property owner is and shall be responsible for installation and maintenance of all landscaping on the property. Said responsibility shall extend to the sidewalk curb or pavement of adjoining streets.
 4. No trees shall be planted closer than five feet (5') from any public right-of-way. Trees planted within ten feet (10') of any public right-of-way shall be planted in a root barrier shield. All landscaping along street frontage adjacent to driveways shall be of the low height variety to ensure safe site clearance.
- N. No exterior piping, plumbing, or mechanical duct work shall be permitted on any exterior facade and/or visible from any public right-of-way or adjoining property
- O. Prior to issuance of any permits for the subject site, the perimeter of the work area shall be secured with a six-foot (6') high chain link fence. Access gates(s) are permitted. The fence shall be removed upon construction of permanent perimeter fencing and/or completion of the project.
- P. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.010 referred to as County Noise Ordinance as adopted:
1. Monday through Saturday - 7 a.m. to 8 p.m.
 2. Sunday and Federal Holidays may work same hours but subject to noise restrictions as stipulated in Section 8.47.010 of the Municipal Code.
- Q. The subject Site Plan and Conditional Use Permit shall expire one year after date of Resolution, unless the Development Agreement has been recorded and fees paid.
- R. The property owner shall enter into a maintenance agreement with the City of Garden Grove to ensure proper maintenance and upkeep of the property.
- S. Graffiti shall be removed from the premises and all parking lots under the control of the property owner within 120 hours of application.
- T. The developer/property owner shall construct and maintain on the property one (1) refuse storage enclosure per current City standard to accommodate multiple trash bins for use by the carwash and adjacent gas station uses. Trash enclosure doors shall be kept closed and secured except during trash disposal or pickup. Location,

size, and design of the refuse enclosure shall be approved by the Community Development Department, and the Garden Grove Sanitary District.

- U. The property owner shall be responsible for maintaining free from graffiti, debris and litter, those areas of the site which are adjacent to the premises over which he/she has control. The property owner shall be responsible for keeping the private sidewalk continuously maintained in a clean and orderly condition.
- V. The property owner shall submit a signed letter acknowledging receipt of the decision approving this development and his/her agreement with all conditions of the approval.
- W. All exterior signage 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.
- X. The developer shall be responsible for the installation of pavers at the entrance of the driveway approach. The grading plan shall show colored enhanced concrete treatment or brick pavers at the driveway entrance. The developer/property owner shall be responsible for the cost of the entry paving. The type and style of the entry paving shall be subject to approval by the Community Development Department.
- Y. The developer shall redesign the submitted site plan to eliminate the driveway approach along Westminster Avenue.
- Z. The developer shall be responsible for installing a 15-foot wide landscaped area and an irrigation system along Westminster Avenue. Additionally, with the exception of trees the new landscaping, in order to provide visibility for patrolling the site, shall be of the low height variety.
- AA. The developer shall be responsible for constructing a 6-foot high wall along the north portion of the site. Additionally, since the developer will be required to remove the carwash building at the end of the 20-year lease with OCTA, the developer shall be responsible for constructing a 6-foot high wall on the south side of the property 60 days prior to the removal of the building.
- BB. The developer shall be responsible for ensuring that the driveway approach along Harbor Boulevard is blocked and secured with a fence when the carwash use is not in operation. Location and materials of fence shall be approved by the Community Development Department.

CC. Prior to the issuance of any permits the developer shall be responsible for providing documentation indicating that the soil within the right-of-way is not contaminated.

DD. All detailing of vehicles shall be conducted within a wholly enclosed building.

EE. Any sound emanating from the operation of the carwash shall be in conformance with those standards adopted by the City for control of noise and noise sources.

FF. Hand drying shall only be conducted in areas not used for required parking or vehicular circulation.

GG. Operation shall not be allowed before 7:00 a.m., or after 10:00 p.m.

HH. The developer shall be responsible for removing one of the two proposed driveway approaches along Harbor Boulevard. The remaining driveway approach shall be wide enough to allow safe ingress and egress to and from the property. The location and design of the driveway approach shall be reviewed and approved by the City's Engineering Division.

ADOPTED this 18th day of March 1998.

/s/ ERNEST WILKINS
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 March 18, 1998, by the following votes:

AYES:	COMMISSIONERS:	WILKINS, FREZE, HESKETT, HUTCHINSON ROSEN, SCHILD
ABSTAIN:	COMMISSIONERS:	BUTTERFIELD
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

/s/ TERESA POMEROY
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 April 8, 1998.

RESOLUTION NO. 4870

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE ADOPTING A NEGATIVE DECLARATION, AND RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. GPA-1-98(A) AND A DEVELOPMENT AGREEMENT FOR LAND LOCATED NORTH OF WESTMINSTER AVENUE, ON THE EAST SIDE OF HARBOR BOULEVARD ON THE ORANGE COUNTY TRANSIT AUTHORITY RIGHT-OF-WAY, PARCEL NO. 100-681-18

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on March 18, 1998, does hereby adopt a Negative Declaration, find a de minimis impact on fish and wildlife resources, and recommend approval of General Plan Amendment No. GPA-1-98 (A) and the Development Agreement.

BE IT FURTHER RESOLVED in the matter of General Plan Amendment No. GPA-1-98 (A) and the Development Agreement, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Harbor West LLC.
2. The applicant is requesting approval of a General Plan Amendment to change the land use designation from Open Space to Mixed Use. A Development Agreement is also proposed.
3. The proposed project will not have a significant adverse effect on the environment; therefore, the City of Garden Grove has prepared a Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act. Further, the Planning Commission finds a de minimis impact in relation to fish and game.
4. The property has a General Plan Land Use designation of Open Space and is zoned TC (Transportation Corridor). The site is currently unimproved.
5. Existing Land Use, Zoning, and General Plan designation of property in the vicinity of the subject site have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on March 18, 1998, 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 March 18, 1998, 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 property is currently zoned TC (Transportation Corridor), and has a land use designation of Open Space.

The developer proposed to change the land use designation from Open Space to Mixed Use.

The site is approximately 56;959 square feet in size.

Development Agreements are authorized by Government Code Section 65864 et seq.

FINDINGS AND REASONS:

GENERAL PLAN AMENDMENT:

- 1. The amendment is internally consistent with the goals and objectives of the General Plan.**

The amendment is internally consistent with the goals, objectives and elements of the City's General Plan. By changing the Land Use Designation from Open Space to Mixed Use the site will be compatible with the Mixed Use Land Use designation of the properties to the north and south of the subject site, and will be keeping with the goals and policies of the Land Use Element which encourage adjacent land uses to be compatible with one another.

- 2. The amendment is deemed to promote the public interest, health, safety, and welfare.**

By requiring the project to comply with all applicable Title 9 development standards for commercial buildings, including building setbacks, parking, and landscaping, the Amendment is consistent with the goals and policies of the Land Use and Economic Development Elements of the General Plan. The proposed project complies with all applicable development standards for commercially-zoned properties. Additionally, one of the goals of the Economic Development Element is to retain and to attract new retail development to meet the needs of the community, draw consumers, and enhance sales tax revenues for the City.

- 3. **The subject parcel is physically suitable for the requested land use action, compatible with surrounding land uses and consistent with the General Plan.**

The size and shape of the OCTA right-of-way parcel is physically suitable for the requested Mixed Use Land Use designation, and is compatible with the surrounding land uses, and consistent with the General Plan. The parcel can accommodate the proposed development in compliance with all applicable development standards. The change in the General Plan designation from Open Space to Mixed Use provides a logical connection between the existing Mixed Use Land Use designation of the properties to the north and south of the subject site.

INCORPORATION OF FINDINGS SET FORTH IN STAFF REPORT

In addition to the foregoing, the 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 General Plan Amendment possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.24.030, (General Plan Amendment).

ADOPTED this 18th day of March 1998.

/s/ ERNEST WILKINS
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 March 18, 1998, by the following votes:

AYES:	COMMISSIONERS:	WILKINS, FREZE, HESKETT, HUTCHINSON ROSEN, SCHILD
ABSTAIN:	COMMISSIONERS:	BUTTERFIELD
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

/s/ TERESA POMEROY
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 April 8, 1998.

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.6.	SITE LOCATION: OCTA right-of-way, n/o Westminster Avenue, e/s Harbor Boulevard
HEARING DATE: March 18, 1998	GENERAL PLAN: Mixed Use
CASE NO.: Site Plan No. SP-212-98, Conditional Use Permit No. CUP-389-98, General Plan Amendment No. GPA-1-98 (A), and a Development Agreement	ZONE: TC (Transportation Corridor)
APPLICANT: Harbor West LLC	
OWNER: Garden Grove Agency for Community Development	CEQA DETERMINATION: Negative Declaration

REQUEST:

The applicant is requesting approval of a Site Plan to construct a new 3,737 square foot carwash building, and Conditional Use Permit approval to allow the operation of the carwash. Additionally, the applicant is requesting approval of a General Plan Amendment to change the land use designation from Open Space to Mixed Use. A Development Agreement is also proposed.

<u>PROJECT CRITERIA</u>	<u>ACTUAL</u>	<u>MEETS CODE</u>	<u>DOES NOT MEET CODE</u>
<u>Subject Parcel:</u>	56,959 S.F.		
<u>Building Size</u> <u>Carwash:</u>	3,737 S.F.		
<u>Parking:</u>	29	X	
<u>Building Height:</u>	30 feet	X	

DISCUSSION:

SITE PLAN:

The site is approximately 56,959 square feet in size and is located at the Orange County Transit Authority right-of-way, north of Westminster Avenue, on the east side of Harbor Boulevard. The site is currently vacant.

CASE NUMBER SP-212-98, CUP-389-98, GPA-1-98 (A) and DEVELOPMENT AGREEMENT

The OCTA right-of-way has a zoning designation of T-C (Transportation Corridor). The TC zoning designation allows for the development of nontransportation uses on the corridor, subject to development standards that will preserve the future use of the corridor for transportation purposes. The development standards for the corridor portion are the same as the ones required for the adjoining property. The property to the south of the subject site has a C-3 (Heavy Commercial) zoning designation. Carwash uses are a conditionally permitted use in the C-3 zoning designation.

Regarding the construction of the building on the right-of-way, the OCTA right-of-way does not permit permanent structures to be constructed on the right-of-way unless a binding agreement between the developer and Orange County Transit Authority has been made. The agreement provides that the OCTA reserves the air or subsurface rights of the corridor for a future transit use. The developer has entered into a binding agreement with the Orange County Transit Authority to use the right-of-way for the construction of a carwash building. The lease agreement has a duration of twenty years, and thereafter is renewed on a month-to-month basis. The agreement states that the developer shall remove all structures and improvements within a specified time frame.

Floor Plan:

The main entrance to the carwash will be located on the south side of the building. The carwash tunnel located is located on the north side of building, and is approximately 2,000 square feet in size. The lobby area is located on the south side of the building and is approximately 800 square feet in size. The storage area, equipment room and restrooms are located on the east side of the building.

Parking and Circulation

Access to the site will be provided via two driveways along Harbor Boulevard. However, the City's Traffic Engineer has reviewed the proposed driveway locations and has determined that in order to reduce the number of vehicular conflict points only one driveway approach shall be provided. Additionally, the submitted site plan shows a driveway approach on the south side of the property along Westminster Avenue. Staff is recommending that this driveway approach be eliminated until a new building is proposed for this portion of the site. These recommendations have been incorporated into the Planning Commission resolution as conditions of approval. With regards to parking, the carwash is required to provide a minimum of 29 parking spaces in order to comply with City regulations. The site provides the required 29 parking spaces for the operation of the carwash use.

Staff has determined that the site is adequate in size and shape to accommodate the proposed carwash use, and the required parking.

CASE NUMBER SP-212-98, CUP-389-98, GPA-1-98 (A) and DEVELOPMENT AGREEMENTBuilding Design:

The architectural design of the building proposes to incorporate the use of mission tile and light color stucco. The developer proposes to design the building in a similar fashion as the proposed service station to the south of the site. The design and color of the building are in good taste and will improve and further enhance the surrounding commercial areas. Therefore, staff is in support of the proposed colors and building elevations.

Signs:

The applicant has not proposed any signs for the project. The applicant has been informed about the type of signs permitted for carwash uses. The applicant has indicated that they will design the signs in compliance with City regulations.

CONDITIONAL USE PERMIT:

The applicant is requesting approval of the CUP in order to operate the carwash use at this location. The Community Development Department has reviewed the proposal and is recommending approval subject to all standard conditions of approval.

GENERAL PLAN AMENDMENT

The applicant is requesting to amend the General Plan designation from Open Space to Mixed Use. This request is consistent with the City's adopted General Plan designation on the adjoining commercial properties. The properties to the north and south have a General Plan designation of Mixed Use and are zoned PUD (Planned Unit Development) and C-3 (Heavy Commercial), respectively. The subject parcel is physically suitable for the construction and design of the proposed carwash building. The proposed use will be compatible with the surrounding properties.

Furthermore, the proposed General Plan Amendment of Mixed Use would be consistent with the existing TC zoning designation.

Development Agreement:

A Development Agreement is also included, under which the applicant will be required to pay a development impact payment not to exceed \$2,212.00 for the carwash building. In return, the applicant will have four (4) years to construct the project. The Development Agreement will be forwarded to the City Council for approval.

CASE NUMBER SP-212-98, CUP-389-98, GPA-1-98 (A) and DEVELOPMENT AGREEMENT

RECOMMENDATION:

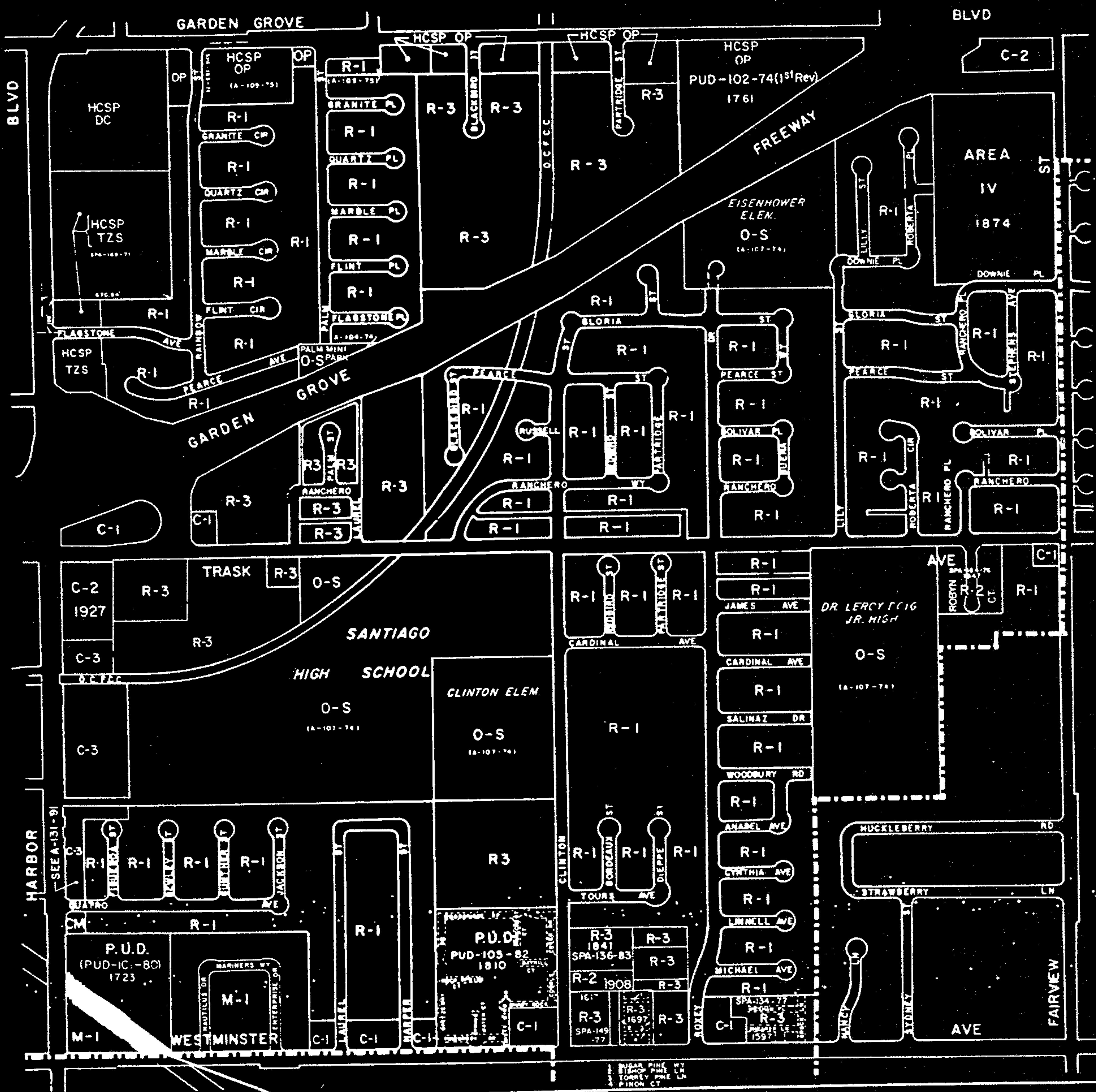
Staff recommends that the Planning Commission:

1. Approve Site Plan No. SP-212-98, and Conditional Use Permit No. CUP-389-98, subject to the recommended conditions of approval; and
2. Recommend approval of the General Plan Amendment and Development Agreement to the City Council.

MILLIE J. SUMMERLIN 
Planning Services Manager

By: 
Salvador M. Salazar, AICP
Associate Planner

VICINITY MAP



CITY OF GARDEN GROVE
CALIFORNIA
ZONING MAP PART D-11

*SUBJECT SITE
CASE NO. SP-212-98, CUP-389-98, AND
GPA-1-98(A)*

ENVIRONMENTAL CHECKLIST FORM

1. **PROJECT TITLE:**
Approval of Site Plan No. SP-212-98 in order to allow the construction of a new carwash building.
2. **LEAD AGENCY:**
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92840
3. **CONTACT PERSON:**
Salvador M. Salazar, AICP Associate Planner, City of Garden Grove
4. **PROJECT LOCATION:**
East side of Harbor Boulevard, north of Westminster Avenue at the OCTA right-of-way.
5. **PROJECT SPONSOR:**
Harbor West LLC
PO Box 4999
Anaheim, CA 92803
6. **GENERAL PLAN DESIGNATION:**
Open Space
7. **ZONING:**
TC (Transportation Corridor)
8. **DESCRIPTION OF PROJECT:**
The site plan proposes to construct a 3,757 square foot carwash building along with some on-site improvements.
9. **OTHER AGENCIES WHOSE APPROVAL (AND PERMITS) IS REQUIRED:**
10. **REQUESTED ENTITLEMENTS**
Implementation of the project requires the following discretionary actions:
 - Negative Declaration
 - Site Plan
 - Conditional Use Permit
 - Development Agreement
 - General Plan Amendment

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

<input type="checkbox"/> Land Use	<input type="checkbox"/> Transportation/Circulation	<input type="checkbox"/> Public Services
<input type="checkbox"/> Housing	<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Utilities and Services
<input type="checkbox"/> Geophysical	<input type="checkbox"/> Energy Resources	<input type="checkbox"/> Aesthetics
<input type="checkbox"/> Water	<input type="checkbox"/> Hazards	<input type="checkbox"/> Cultural Resources
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Recreation

Mandatory Findings of Significance

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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DETERMINATION:

On the basis of this initial evaluation:

I find that although the proposed project **COULD** have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section XVII.c at the end of this study have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.



Signature

February 24, 1998
Date

Salvador M. Salazar, AICP
Printed Name

For: City of Garden Grove

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cited in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained when it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. "Potentially Significant Impact" is appropriate if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of significance. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Potentially Significant Unless Mitigated" applies when the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVII at the end of the checklist.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

I. LAND USE AND PLANNING

- a. Conflict with General Plan designation or zoning.
Response: The applicant is proposing to amend the general plan designation of the property, in order to make it consistent with the current TC (Transportation Corridor) zoning designation. Therefore, the project will be consistent with the proposed Mixed Use General Plan designation and the current TC (Transportation Corridor) zone which permits this type of development, subject to the approval of a Conditional Use Permit.
- b. Conflict with applicable environmental plans or

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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- c. Affect agricultural resources or operations (e.g. impacts to soils or farmlands, or impacts from incompatible uses).
- d. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community).

Response (b - d): The applicant is requesting approval of a Site Plan, CUP, and GPA in order to allow the construction of a carwash building. The subject site has a land use designation of Open Space and is zoned TC (Transportation Commercial), in order to implement the current zoning designation an amendment to the land use designation is required. Therefore, no impacts to agricultural resources or disruption to established communities are anticipated.

II. POPULATION AND HOUSING.

- a. Cumulatively exceed official regional or local population projections.
- b. Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure).
- c. Displace existing housing, especially affordable housing

Response (a - c): The project is the construction of a carwash building. No impacts to the City population or to the housing stock will be created.

III. GEOPHYSICAL

- a. Seismicity: Fault rupture.

Response: The nearest major active fault along which a rupture or a major seismic event could occur is the Newport-Inglewood Fault, which is located just west of Dana Point Harbor up through Newport Beach into south Los Angeles County. The seismic parameters of the site are similar to those of other areas in Orange County during the maximum credible event along the Newport-Inglewood Fault Zone which is estimated to be of 7.5 magnitude. No fault rupture is expected in the immediate vicinity of the Project.

Some exposure to seismic-related hazards is expected. This impact is not considered significant because the exposure is no different than the exposure of virtually all new and existing development in Orange County and the proposed project does not alter the existing exposure.

- b. Seismicity: ground shaking or liquefaction.

Response: The site, like all of Southern California, is subject to ground-shaking and other secondary impacts from seismic activity, such as liquefaction. Liquefaction could potentially occur during a maximum intensity event along the Newport-Inglewood fault due to the possibly saturated nature of the sandy soils in the area.

Some exposure to seismic-related hazards is expected. However, this impact is not considered significant because the exposure is no different than the exposure of virtually all new and existing development in Orange County and because the proposed project does not alter the existing exposure. All construction is required to adhere to the Uniform Building Code as it pertains to seismic safety.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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c. Seismicity: Sieche or tsunami.
Response: Sieches and tsunamis are not anticipated to occur in the vicinity of this Project due to its distance from the coast and absence of large water bodies in the area.

d. Landslides or mudslides.
Response: The area in which the Project is to be located is relatively flat and would not normally be subject to landslides or mudslides. The construction of the proposed Project may involve comparatively small excavations which will be required to be made in accordance with all applicable codes and standards to minimize the threat of a landslide or mudslide.

e. Erosion, changes in topography or unstable soil conditions from excavation, grading or fill.
Response: Changes in topography will result during the site preparation and grading. However, this impact is not considered significant as a project of this size would not create any substantial impacts to the soil or topography of the area, other than to provide adequate drainage. All construction involving excavation and/or grading is required to adhere to the requirements of the Engineering Services Division. All improvements are required to adhere to applicable codes including the Uniform Building Code, and State and Federal Occupational Safety requirements.

f. Subsidence of the land.
Response: Vertical displacement or subsidence of the land surface can be caused by several factors, including the withdrawal of oil, gas, or water from underlying formations, decomposition of buried organic material, and construction of heavy manmade structures above underlying poorly consolidated materials. None of these or any other conditions typically contributing to subsidence are expected in the area in which the Project is to be located and the Project will not result in subsidence of land in the area. Thus, no impacts are anticipated. All improvements are required to adhere to applicable codes including the Uniform Building Code, and State and Federal Occupational Safety requirements.

g. Expansive soils.
Response: The Project is not anticipated to have any impact in this area. All improvements are required to adhere to applicable codes including the Uniform Building Code, and California Occupational Safety requirements.

h. Unique geologic or physical features.
Response: There are no known unique geologic or physical features in the project area. Thus, the Project will not have any impacts in this area.

IV. WATER

a. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff.
Response: There is no change in absorption rates, drainage patterns and in the rate or amount of surface runoff as over-covering of the land will occur. The developer, in order to insure that proper drainage is provided grading and drainage plans are required to be incorporated into the construction plans and approved by the Engineering Services Division prior to the issuance of any permits and the commencement of construction. The local storm drain system has adequate capacity to handle the potential increased runoff generated from this project.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Exposure of people or property to water related hazards such as flooding. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Response: The project area is located in an area within 100 year flood zone. However, through the recommended conditions of approval, no exposure of people or property to water related hazards such as flooding.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c. Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d. Changes in the amount of surface water in any water body. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e. Changes in currents, or the course or direction of water movements. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Response: (c - e) There are no surface waters within the area in which the Project is to be located. The Santa Ana River is located east of the Project boundaries. All runoff from the area is, and will continue to be, collected in local and regional storm drain facilities. These waters will be transported with other urban runoff into City and County drainage facilities. Therefore, the Project will not directly affect surface waters.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g. Altered direction or rate of flow of groundwater. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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- | | | | | |
|------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h. Impacts to groundwater quality. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i. Substantial reduction in the amount of groundwater otherwise available for public water supplies. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Response: (f - i) The Project will not involve operations that could affect aquifers' recharge capability or alter the direction of flow of groundwater. The area is urbanized with commercial uses. Construction is proposed at this time, but would not require substantial excavations or other extensive below-grade work or the use of large quantities of water.

V. AIR QUALITY

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Violate any air quality standard or contribute to an existing or projected air quality violation. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Response: Only minor alterations in the permitted uses and operations are anticipated. Therefore, there will be no violations of any air quality standard. No additional impacts are seen to existing air quality standards nor additional sources created that would contribute to an existing or projected air quality violation. The Project will not create emission which will exceed state or federal air quality thresholds or thresholds established by local or regional plans, as the Project is within the intensity contemplated under the General Plan EIR.

Construction activities may contribute to air quality violations. However, these impacts are not considered significant due to their short-term nature.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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b. Expose sensitive receptors to pollutants.
Response: The proposed project will not significantly increase the exposure of sensitive receptors to pollutants. The limited scope and intensity of the proposed Project is not expected to exceed the projections regarding pollutants contained in the General Plan EIR.

c. Alter air movement, moisture, or temperature, or cause any change in climate.
Response: The proposed project and the necessary on-site modifications would not have the capability to alter air movement, moisture or temperature, or cause a change in the climate.

d. Create objectionable odors.
Response: No significant objectionable odors will be created by the proposed development. As is consistent with City policy, the carwash will be required to have multiple trash pick-ups by licensed refuse collection contractor each week.

VI. TRANSPORTATION

a. Increased vehicle trips or traffic congestion.
 b. Hazards to safety from design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment).

Response (a - b): During construction, increased vehicle trips or traffic congestion may occur, but would be temporary in nature, and would not create a significant impact. All projects involving construction in the public right-of-way are required to submit a traffic safety plan to minimize traffic congestion.

c. Inadequate emergency access to nearby uses.
Response: Emergency access to the proposed Project and surrounding areas will not be affected. Police and fire services in the area are adequate to accommodate the development provided the project complies with the conditions of approval.

d. Insufficient parking capacity on-site or off-site.
Response: The project, as designed, provides adequate parking in order to accommodate the carwash use in compliance with City regulations.

e. Hazards or barriers for pedestrians or bicyclists.
Response: All projects involving construction in the public right-of-way are required to submit a traffic safety plan to minimize hazards or barriers for pedestrians or bicyclists.

f. Conflicts with adopted policies supporting alternative transportation.
Response: The proposed Project would not impact existing or proposed policies pertaining to alternative transportation and is located adjacent to mass transit stops.

g. Rail, waterborne or air traffic impacts.
Response: There are no rail or waterborne traffic corridors in the immediate area. The Site is not located within a flight path for any airport. Therefore no impacts are expected to rail, waterborne or air traffic. In the event that a rail system is constructed on the OCTA right-of-way, the building and all improvements will have to be removed.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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VII. BIOLOGICAL RESOURCES

- a. Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds).

Response: In general, wildlife diversity in the area in which the Project is to be located is low due to the urbanized nature of the area and its surroundings. Endangered species are not expected to occur in the area due to the lack of suitable habitat. Additionally, the Site has existing improvements which would not be conducive to wildlife habitat. No impacts are expected.

- b. Locally designated species (e.g. heritage trees).

Response: There are no locally designated species on the Site or in the surrounding area.

- c. Locally designated natural communities (e.g. oak forest, coastal habitat, etc.).

Response: There are no locally designated natural communities on the Site or in the surrounding area.

- d. Wetland habitat (e.g. marsh, riparian and vernal pool).

Response: There are no wetland habitats in the area of the Site or in the surrounding area.

- e. Wildlife dispersal or migration corridors.

Response: The area in which the Project is to be located does not serve as a dispersal and/or migration corridor as it is within a highly urbanized area.

VIII. ENERGY AND MINERAL RESOURCES

- a. Conflict with adopted energy conservation plans.

Response: The construction of a carwash on this site is not in conflict with adopted energy conservation plans.

- b. Use non-renewable resources in a wasteful and inefficient manner.

Response: All development on the Site is required to adhere to all State and City energy-conservation regulations including energy efficient lighting, ventilation, and heating systems. Therefore, the Project will not create a use that uses non-renewable resources in a wasteful manner.

IX. HAZARDS

- a. A risk of accidental explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, and radiation).

- b. Possible interference with an emergency response plan or emergency evacuation plan.

- c. The creation of any health hazard or potential health hazard.

- d. Exposure of people to existing sources of potential health hazards.

Response: (a - d) There will be no health hazards or potential for health hazards caused by the proposed Project. The Project will not create any health hazards or increase the potential of

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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exposure to existing hazards. The Project will be not increase the risk of accidental explosion, release of hazardous substances, or create an interference with existing emergency response or evacuation plans.

- e. Increased fire hazard in area with flammable brush, grass, or trees.

Response: There are no anticipated physical changes that would increase fire hazards within the Site or the surrounding area.

X. NOISE

- a. Increases in existing noise levels.

Response: Construction activities associated with infrastructure improvements or the on-site development may temporarily increase noise levels at noise-sensitive receptors adjacent the Site. However, due to the temporary nature of these construction-related activities and requirements for contractor compliance with City noise ordinance as required by the City Municipal Code, noise impacts can be mitigated to a level of insignificance. The adherence to the City's noise ordinance will mitigate adverse noise impacts on the adjoining properties.

- b. Exposure of people to extreme noise levels.

Response: Construction will occur on the Site. Although construction noise could cause an annoyance for surrounding uses, due to the temporary nature of any construction activities and the fact that construction activities and future development would be required to adhere to the City noise ordinance, the impact of extreme noise levels from any potential construction activities is considered to be less than significant. Noise from the proposed restaurant will not be extreme as the activities are limited and regulated by the City's Municipal Code.

XI. PUBLIC SERVICES

- a. Fire protection.

- b. Police protection.

Response (a - b): The City's Fire and Police Department currently provide emergency response service to the area in which the Project is to be located. The Project is not likely to induce significant growth and will not result in substantial new demand for police and fire protection services.

- c. Schools.

Response: There are no anticipated physical changes that would affect schools or school districts in any area affected by this Project as the Project will not induce growth, generate new housing in the area or attract families with school age children to the area.

- d. Maintenance of public facilities, including roads.

Response: The existing public facilities appear to be in reasonable condition and adequate to meet the demands of the proposed development.

- e. Other governmental services.

Response: It is not likely that the project will increase demands on other governmental services other than those addressed in this analysis.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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XII. UTILITIES AND SERVICE SYSTEMS

- a. Power or natural gas.
Response: There are no impacts to power or natural gas caused by this Project. The existing infrastructure is adequate to meet the demands generated by this Project.
- b. Communication systems.
Response: There are no impacts to communications systems caused by this Project. The existing infrastructure is existing and adequate to meet the demands generated by this Project.
- c. Local or regional water treatment or distribution facilities.
Response: The Project is required to comply with all City and State mandated water conservation measures.
- d. Sewer or septic tanks.
Response: Sewer services in the area are provided by the Garden Grove Sanitary District. The existing sewer infrastructure is in place and is adequate to accommodate the proposed development.
- e. Storm water drainage.
Response: The area in which the Project is to be located is a highly urbanized area and storm water drainage facilities are in place and adequate for the Project.
- f. Solid waste disposal.

XIII. AESTHETICS

- a. Affect on a scenic vista or scenic highway.
Response: The area in which the Project is to be located is not adjacent to any scenic vistas or highways. The physical improvements for this Site will be compatible with the Community Design Guidelines as stated in the General Plan and with other improvements and developments in the area.
- b. Have a demonstrable negative aesthetic effect.
Response: The proposed Project is required to comply with the goals and objectives of the Community Design Element of the City's adopted General Plan, including provisions for attractive building design, landscaping, and signs.
- c. Create light or glare.
Response: The Project will be required to provide additional lighting in the area. The Project is required to adhere to all Municipal Code requirements pertaining to minimum lighting levels. Additionally, the lighting will not be permitted to spill onto adjoining properties.

XIV. CULTURAL RESOURCES

- a. Disturb paleontological resources.
Response: There are no known paleontological resources in the area. If unanticipated paleontological resources are discovered during construction, all attempts will be made to preserve in place or leave in an undisturbed state in compliance with CEQA Section 21083.2 and Appendix K of CEQA.

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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b. Disturb archaeological resources.
Response: There are no known archaeological resources in the area. If unanticipated archaeological artifacts are discovered during construction all attempts will be made to preserve in place or leave in an undisturbed state in compliance with CEQA Section 21083.2 and Appendix K of CEQA.

c. Affect historical resources.
Response: There are no known historical resources in the area. The General Plan EIR notes 13-historically significant or potentially significant sites within the City limits. None of these sites are located in the area in which the Project is to be located.

d. Have the potential to cause physical change which would affect unique ethnic cultural values.
Response: There are no structures or activities that have unique cultural or ethnic value. The Project, therefore will not have the potential to affect unique ethnic or cultural values.

e. Restrict existing religious or sacred uses within the potential impact area.
Response: The proposed project is not in proximity to any established religious or sacred facilities. The proposed uses for the development will not restrict religious or sacred uses. Therefore, there is no potential to restrict existing religious or sacred uses within the area of the Project.

XV. RECREATION

a. Increase the demand for neighborhood or regional parks or other recreational facilities.
b. Affect existing recreation facilities.
Response: (a - b) The Site has a land use designation of open space. However, the area is not used as a public park and it does not have any existing recreational facilities.

XVI. MANDATORY FINDINGS OF SIGNIFICANCE

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals?
c. Does the project have impacts that are not individually, but cumulatively considerable ("Cumulatively considerable" means the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of current projects, and the effects of probable future projects).
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Potentially Significant Impact	Potentially Significant Unless Mitigated	Less than Significant Impact	No Impact
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XVII. EARLIER ANALYSIS

Earlier analyses may have been used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D).

a. EARLIER ANALYSIS:

1. The City of Garden Grove General Plan Update.
2. The City of Garden Grove Final Environmental Impact Report for the General Plan Update, State Clearinghouse No. 93051015.
4. Title 9 of the Garden Grove Municipal Code.

b. IMPACTS ADEQUATELY ADDRESSED:

1. Land Use
2. Geophysical
3. Air Quality
4. Noise
5. Aesthetics

c. MITIGATION MEASURES:

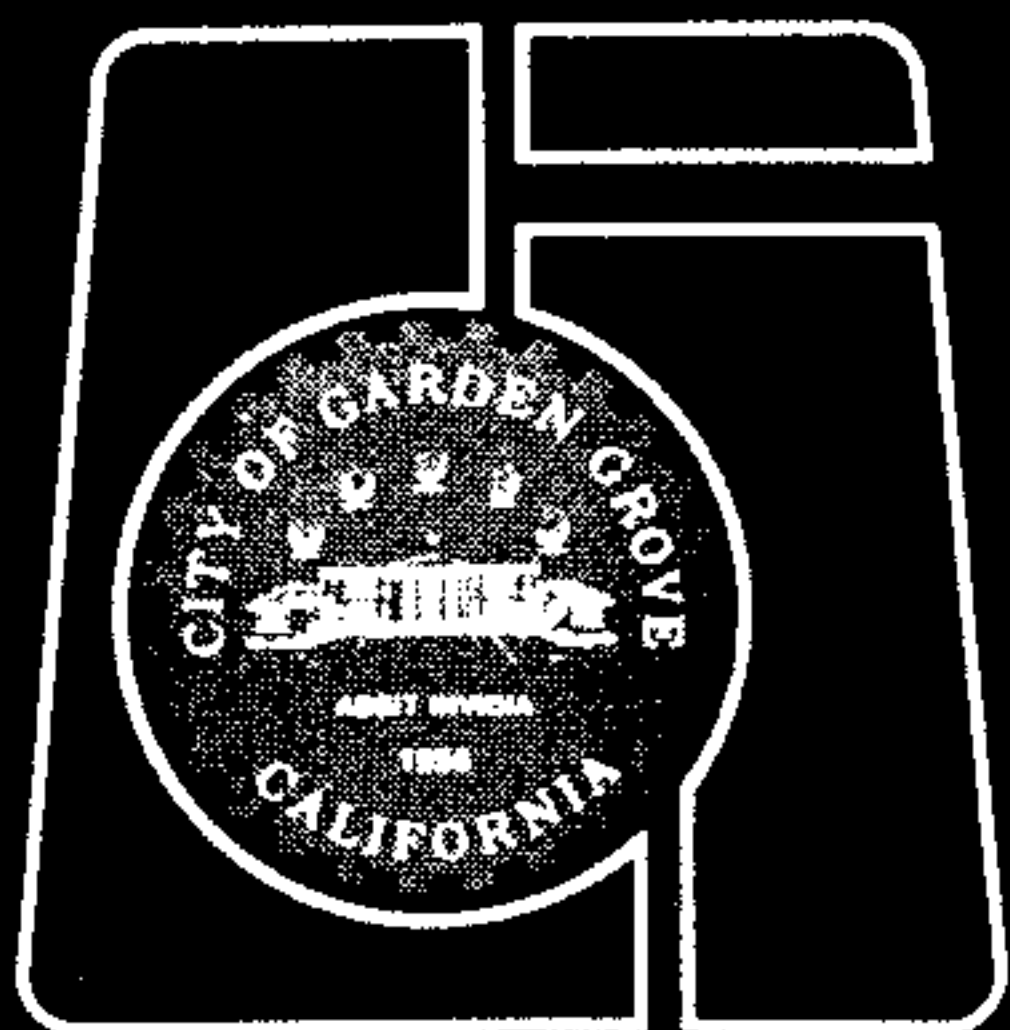
All conditions of approval for Site plan No. SP-212-98 shall be adhered to in order to mitigate any negative impacts to the property or surrounding area.

pn-text SP-212-98

USER TERRI TERRI 02/18/98 12:09 20 09/18/98 TERRI 02/18/98 12:09 20 09/18/98
1 THE GARDEN GROVE PLANNING COMMISSION WILL HOLD A PUBLIC
2 HEARING IN THE COUNCIL CHAMBER, 11300 STANFORD AVENUE,
3 GARDEN GROVE, ON WEDNESDAY, MARCH 18, 1998 AT 7 P.M.
4 TO CONSIDER SITE PLAN NO. SP-212-98 AND A DEVELOPMENT
5 AGREEMENT TO CONSTRUCT A 3,737 SQ. FT. CAR WASH
6 BUILDING; CUP-389-98 TO ALLOW THE OPERATION OF THE CAR
7 WASH; AND GPA-1-98(A) TO CHANGE THE GENERAL PLAN LAND
8 USE DESIGNATION FROM OPEN SPACE TO MIXED USE. THE SITE
9 IS A PORTION OF THE OCTA RIGHT-OF-WAY, APPROXIMATELY
10 56,960 SQ. FT. IN SIZE, ZONED TC (TRANSPORTATION
11 CORRIDOR), AND LOCATED ON THE EAST SIDE OF HARBOR BLVD.,
12 NORTH OF WESTMINSTER AVE. THE CITY OF GARDEN GROVE
13 RECOMMENDS A NEGATIVE DECLARATION BE ADOPTED PURSUANT TO
14 CEQA. FOR INFORMATION, PLEASE CALL (714) 741-5312 OR
15 INQUIRE AT THE PLANNING DIVISION IN CITY HALL, 11222
16 ACACIA PKWY.

[405] 1 items listed out of 1 items.

MS 2-19-98
GG 2/19/98



GARDEN GROVE

CITY OF GARDEN GROVE, CALIFORNIA

11222 ACACIA PARKWAY, P.O. BOX 3070, GARDEN GROVE, CALIFORNIA 92642

(714) 741-5312

March 23, 1998

Harbor West LLC.
425 W. Promontory Dr.
Newport Beach, CA 92660

REFERENCE: Negative Declaration, Site Plan No. SP-212-98, Conditional Use Permit No. CUP-389-98

Your request as referenced above has been provisionally approved. The final granting is contingent upon your complying with all of the conditions of approval listed in the enclosed Resolution.

Provided that you do comply with all conditions of approval and no appeals of the Planning Commission's decision are filed with the City Clerk, the earliest effective date will be April 9, 1998.

Should you have any questions or need assistance with obtaining any required permits, please call the staff of the Community Development Department at (714) 741-5312.

Sincerely,

for

M. J. Summerlin

Millie J. Summerlin
Planning Services Manager

Enclosure



GARDEN GROVE

CITY OF GARDEN GROVE, CALIFORNIA

11222 ACACIA PARKWAY, P.O. BOX 3070, GARDEN GROVE, CALIFORNIA 92642

(714) 741-5312

March 12, 1998

CERTIFIED MAIL

John Janshai
425 W. Promontory Dr.
Newport Beach, CA 92660

SUBJECT: For Public Hearing Before the Planning Commission
Case No.: Site Plan No. SP-210-98 and SP-212-98
Date & Time: March 18, 1998, 7:00 p.m.
Place: City Council Chamber, Garden Grove Community Meeting
Center, 11300 Stanford Avenue, Garden Grove

We are enclosing, for your information, a copy of the staff report in conjunction with the subject public hearing.

If you have any questions concerning this report, please call the Planning Services' Division of Community Development at (714) 741-5312.

Sincerely,

tp for

M. J. Summerlin

Millie J. Summerlin
Planning Services Manager

Enclosure

P 210 233 589

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to	
John Janshai	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

John Janshai
425 W. Promontory Drive
Newport Beach CA 92660

4a. Article Number

P 210 233 589

4b. Service Type

- Registered
- Express Mail
- Return Receipt for Merchandise
- Certified
- Insured
- COD

7. Date of Delivery

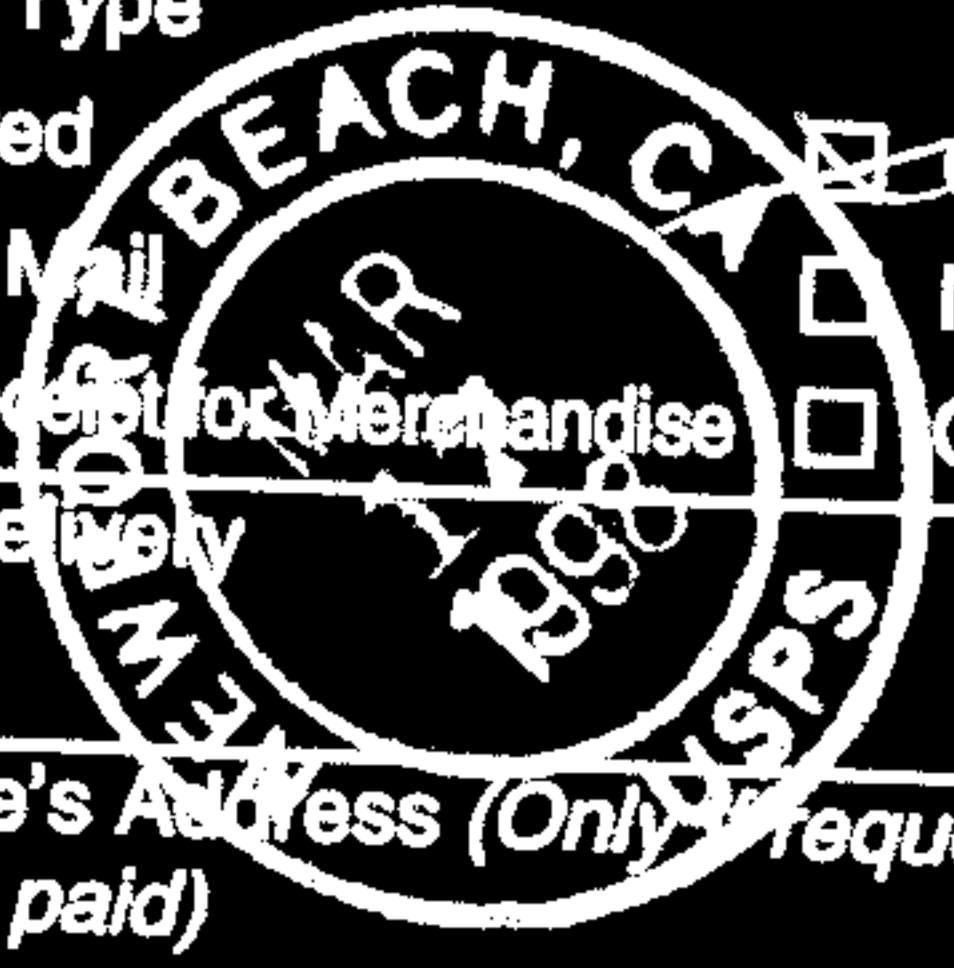
Addressee's Address (Only if requested and fee is paid)

5. Received By: (Print Name)

Janshai

6. Signature: (Addressee or Agent)

X



Thank you for using Return Receipt Service.

PS Form 3811, December 1994

97-B-0179 Domestic Return Receipt

P 297 018 296



Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

GARDEN GROVE, CALIFORNIA

1A PARKWAY, P.O. BOX 3070, GARDEN GROVE, CALIFORNIA 92642

Sent to <i>John Janshai</i>	
Street and No.	
P.O., State and ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, June 1997

John Janshai
425 W. Promontory Drive
Newport Beach, CA 92660

(714) 741-5312

SUBJECT: Case Number: Site Plan No. SP-210-98
Date and Time: March 18, 1998, 7:00 p.m.

The Planning Commission of the City of Garden Grove will consider the referenced application at its meeting on the date and time stated above.

The meeting will be held in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

If you are unable to attend this meeting, please have someone represent you. A written authorization to speak and to agree to any

ADDRESSES completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
 - Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

John Janshai
425 W. Promontory Drive
Newport Beach CA 92660

4a. Article Number

P 297 018 296

4b. Service Type

- Registered Certified
- Express Mail Insured
- Return Receipt for Merchandise COD

7. Date of Delivery

SP-210, 212-98

5. Received By: (Print Name)

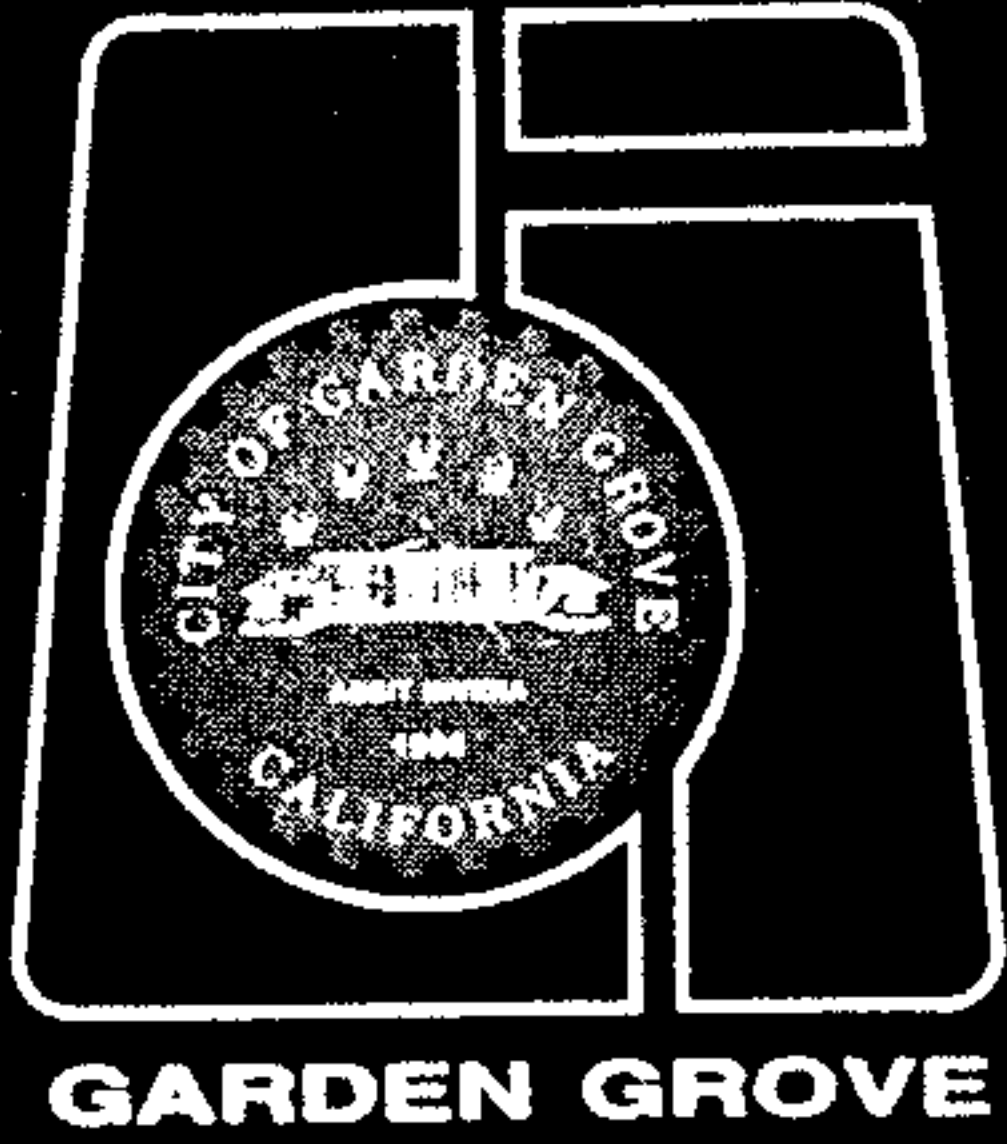
Janshai

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.



CITY OF GARDEN GROVE, CALIFORNIA

11222 ACACIA PARKWAY, P.O. BOX 3070, GARDEN GROVE, CALIFORNIA 92642

(714) 741-5312

February 26, 1998

CERTIFIED MAIL

John Janshai
425 W. Promontory Drive
Newport Beach, CA 92660

SUBJECT: Case Number: Site Plan No. SP-212-98
General Plan Amendment GPA-1-98(A)
Conditional Use Permit No. CUP-389-98
Date and Time: March 18, 1998, 7:00 p.m.

The Planning Commission of the City of Garden Grove will consider the referenced application at its meeting on the date and time stated above.

The meeting will be held in the Council Chamber of the Community Meeting Center, 11300 Stanford Avenue, Garden Grove.

If you are unable to attend this meeting, please have someone represent you. A representative must have your written authorization to speak and to agree to any conditions of approval on your behalf.

Sincerely,

TLP for

MJ Summerlin

Millie J. Summerlin
Planning Services Manager

SUSAN W. CASE, INC.**OWNERSHIP LISTING SERVICE**

917 Glenneyre Street, Suite 7, Laguna Beach, CA 92651

PHONE (714) 494-6105 • FAX (714) 494-7418

NE CORNER HARBOR AND
WESTMINSTER BLVD
GARDEN GROVE CA
300' LISTING
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100 130 51
WANDA GWOZDZIEWSKI
309 EVENING STAR LN
NEWPORT BEACH CA 92660

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JESUS & OFELIA GARCIA
13862 SEABOARD CIR
GARDEN GROVE CA 92843

100 130 71
DAVID SOLOMON
13933 HARBOR BLVD
GARDEN GROVE CA 92843

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FURST ENTERPRISES
8955 NATIONAL BLVD #100
LOS ANGELES CA 90034

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FURST ENTERPRISES
8955 NATIONAL BLVD #100
LOS ANGELES CA 90034

100 130 74
MCDONALD'S CORP
17 ROCKINGHAM DR
NEWPORT BEACH CA 92660

100 130 76
ORANGE COUNTY TRANSIT DI
PO BOX 3005
GARDEN GROVE CA 92842

101 315 25
ELLERY BROWN
12052 QUATRO AVE
GARDEN GROVE CA 92843

101 315 26
ERNESTO & TERESA GALVEZ
12032 QUATRO AVE
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AVONDALE AZ 85323

101 315 33
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GARDEN GROVE CA 92843

101 681 05
DREGS VENTURE
13941 NAUTILUS DR
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101 681 06
THREE G INVESTMENT CO
10432 BRIGHTWOOD DR
SANTA ANA CA 92705

101 681 07
GEORGE & IRENE CORDOVA
13901 NAUTILUS DR
GARDEN GROVE CA 92843

101 681 18
ORANGE COUNTY TRANSIT DI
PO BOX 3005
GARDEN GROVE CA 92842

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GARDEN GROVE AGENCY
11391 ACACIA PKWY
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11391 ACACIA PKWY
GARDEN GROVE CA 92840

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GARDEN GROVE AGENCY FOR
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GARDEN GROVE CA 92840

101 683 03
HAI DUY HANG
1565 BRADBURY RD
SAN MARINO CA 91108

101 683 04
JT PROPERTIES LLC
13932 NAUTILUS DR
GARDEN GROVE CA 92843

198 031 05
D & IRIS ALICE
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198 031 07
QUAKER STATE MINIT-LUBE
1385 W 2200 S
SALT LAKE CITY UT 84119

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ALICE & SCHROED PIEPER
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F & J PROPERTIES INC
405 OLIVE HILL WAY
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NATIONAL ASSN OF LETTER
3636 WESTMINSTER AVE #B
SANTA ANA CA 92703

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SMITH ORANGE COUNTY PART
8959 CHAPMAN AVE
GARDEN GROVE CA 92841

198 091 23
ADALBERTO OROPEZA
1522 N BEWLEY ST
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ANTONIO & MARIA CARDENAS
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ORANGE COUNTY TRANSIT DI
PO BOX 3005
GARDEN GROVE CA 92842

938 660 01
WILLIAM & FRANCES MOORE
13872 HARBOR BLVD #7A
GARDEN GROVE CA 92843

938 660 02
NGOC & NHUEN PHAM
16690 MOUNT BAXTER CIR
FOUNTAIN VALLEY CA 92708

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ANAHEIM CA 92807

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11695 LAKIA DR
CYPRESS CA 90630

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13884 HARBOR BLVD
GARDEN GROVE CA 92843

938 660 24
KLAUS KISCHKEL
11594 COLEY RIVER CIR
FOUNTAIN VALLEY CA 92708

parcel..	notice#.....	owner.....	owner.address.....	o.csz.....	cnt.
10013051	SP-212-98	GWOZDZIOWSKI, WANDA	309 Evening Star Ln	NEWPORT BEACH, CA 92660	1
10013071	SP-212-98	SOLOMON, DAVID	13933 Harbor Blvd	GARDEN GROVE, CA 92843	1
10013072	SP-212-98	FURST ENTERPRISES	8955 National Blvd #100	LOS ANGELES, CA 90034	1
10013073	SP-212-98	FURST ENTERPRISES	8955 National Blvd #100	LOS ANGELES, CA 90034	1
10013074	SP-212-98	MCDONALDS CORP	17 Rockingham Dr	NEWPORT BEACH, CA 92660	1
10013076	SP-212-98	ORANGE COUNTY TRANSIT DIST	PO Box 3005	GARDEN GROVE, CA 92842	1
10168104	SP-212-98	KIM, JIN HO & KYUNG	13961 Nautilus Dr	GARDEN GROVE, CA 92843	1
10168105	SP-212-98	DREGS VENTURE	13941 Nautilus Dr	GARDEN GROVE, CA 92843	1
10168106	SP-212-98	THREE G INVESTMENT CO	10432 Brightwood Dr	SANTA ANA, CA 92705	1
10168107	SP-212-98	CORDOVA, GEORGE R	13901 Nautilus Dr	GARDEN GROVE, CA 92843	1
10168118	SP-212-98	ORANGE COUNTY TRANSIT DIST	PO Box 3005	GARDEN GROVE, CA 92842	1
10168119	SP-212-98	GARDEN GROVE AGENCY	11391 Acacia Pkwy	GARDEN GROVE, CA 92840	1
10168120	SP-212-98	GARDEN GROVE AGENCY FOR COMMUN	11391 Acacia Pkwy	GARDEN GROVE, CA 92840	1
10168121	SP-212-98	GARDEN GROVE AGENCY FOR COMMUN	11391 Acacia Pkwy	GARDEN GROVE, CA 92840	1
10168303	SP-212-98	HANG, HAI DUY	1565 Bradbury Rd	SAN MARINO, CA 91108	1
10168304	SP-212-98	STRANSKY, BRIAN & SANDRA	13932 Nautilus Dr	GARDEN GROVE, CA 92843	1

16

248

[405] 248 items listed out of 248 items.

100 130 51
WANDA GWOZDZIEWSKI
309 EVENING STAR LN
NEWPORT BEACH CA 92660

100 130 58
JESUS & OFELIA GARCIA
13862 SEABOARD CIR
GARDEN GROVE CA 92843

100 130 71
DAVID SOLOMON
13933 HARBOR BLVD
GARDEN GROVE CA 92843

100 130 72
FURST ENTERPRISES
8955 NATIONAL BLVD #100
LOS ANGELES CA 90034

100 130 73
FURST ENTERPRISES
8955 NATIONAL BLVD #100
LOS ANGELES CA 90034

100 130 74
MCDONALD'S CORP
17 ROCKINGHAM DR
NEWPORT BEACH CA 92660

100 130 76
ORANGE COUNTY TRANSIT DI
PO BOX 3005
GARDEN GROVE CA 92842

101 315 25
ELLERY BROWN
12052 QUATRO AVE
GARDEN GROVE CA 92843

101 315 26
ERNESTO & TERESA GALVEZ
12032 QUATRO AVE
GARDEN GROVE CA 92843

101 315 27
BRADLEY ROBERTS
12433 W ENCANTO BLVD
AVONDALE AZ 85323

101 315 33
VIRGINIA BASH
393 N MAPLEWOOD ST
ORANGE CA 92866

101 681 04
JIN HO & KYUNG KIM
13961 NAUTILUS DR
GARDEN GROVE CA 92843

101 681 05
DREGS VENTURE
13941 NAUTILUS DR
GARDEN GROVE CA 92843

101 681 06
THREE G INVESTMENT CO
10432 BRIGHTWOOD DR
SANTA ANA CA 92705

101 681 07
GEORGE & IRENE CORDOVA
13901 NAUTILUS DR
GARDEN GROVE CA 92843

101 681 18
ORANGE COUNTY TRANSIT DI
PO BOX 3005
GARDEN GROVE CA 92842

101 681 19
GARDEN GROVE AGENCY
11391 ACACIA PKWY
GARDEN GROVE CA 92840

101 681 20
GARDEN GROVE AGENCY FOR
11391 ACACIA PKWY
GARDEN GROVE CA 92840

101 681 21
GARDEN GROVE AGENCY FOR
11391 ACACIA PKWY
GARDEN GROVE CA 92840

101 683 03
HAI DUY HANG
1565 BRADBURY RD
SAN MARINO CA 91108

101 683 04
JT PROPERTIES LLC
13932 NAUTILUS DR
GARDEN GROVE CA 92843

		938 660 01 WILLIAM & FRANCES MOORE 13872 HARBOR BLVD #7A GARDEN GROVE CA 92843
938 660 02 NGOC & NHIEN PHAM 16690 MOUNT BAXTER CIR FOUNTAIN VALLEY CA 92708	938 660 03 SHIGERU & EMIKO OKADA PO BOX 97 GARDEN GROVE CA 92842	938 660 04 JOHN RECORD 24350 MARTHA ST WOODLAND HILLS CA 91367
938 660 05 ORANGE COUNTY POSTAL CRE PO BOX 25300 SANTA ANA CA 92799	938 660 06 ORANGE COUNTY POSTAL CRE PO BOX 25300 SANTA ANA CA 92799	938 660 07 ORANGE COUNTY POSTAL CRE PO BOX 25300 SANTA ANA CA 92799
938 660 08 RICHARD JUSTICE 15904 MAIDSTONE ST FOUNTAIN VALLEY CA 92708	938 660 09 HARBOR BUILDING PARTNERS 13876 HARBOR BLVD #3B GARDEN GROVE CA 92843	938 660 10 NGOC PHAM & TRUC NGUYEN 5036 E SYCAMORE AVE ORANGE CA 92869
EDWARD & MARY NICHOLSON 4051 DAVENPORT DR HUNTINGTON BEACH CA 92649	938 660 12 ORANGE COUNTY WOMAN'S BO 13896 HARBOR BLVD #5A GARDEN GROVE CA 92843	938 660 13 GERALD SAVAGE 1744 N WOODWIND LN ANAHEIM CA 92807
938 660 14 RICHARD VALENTINE EVANS 13896 HARBOR BLVD #5C GARDEN GROVE CA 92843	938 660 15 ABEL CHASE 11695 LAKIA DR CYPRESS CA 90630	938 660 16 ABEL & SANDRA CHASE 11695 LAKIA DR CYPRESS CA 90630
938 660 17 EDWARD & MARY NICHOLSON 13880 HARBOR BLVD GARDEN GROVE CA 92843	938 660 18 PHILIP & MARY RANDAZZO 13880 HARBOR BLVD #6-D GARDEN GROVE CA 92843	938 660 19 ORANGE COUNTY WORD PROCE 13880 HARBOR BLVD #6E GARDEN GROVE CA 92843
938 660 20 SGBL INVESTMENTS 13880 HARBOR BLVD #6F GARDEN GROVE CA 92843	938 660 21 WILLIAM & FRANCES MOORE 11362 WESTMINSTER AVE #J GARDEN GROVE CA 92843	938 660 22 WILLIAM & FRANCES MOORE 13884 HARBOR BLVD #7A GARDEN GROVE CA 92843
938 660 23 WILLIAM & FRANCES MOORE 13884 HARBOR BLVD GARDEN GROVE CA 92843	938 660 24 KLAUS KISCHKEL 11594 COLEY RIVER CIR FOUNTAIN VALLEY CA 92708	

CARWASH

Cup 386/98 / SP-212-98
Case No. DM-97-235 (6PA-1-98CA) CUP-389-98

COMMUNITY DEVELOPMENT REVIEW
AND COMMENT SHEET

DISTRIBUTION:

- | | | |
|--|---|--|
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Fire Department | <input type="checkbox"/> Sanitary District |
| <input type="checkbox"/> Community Dev. Director | <input type="checkbox"/> Plan Check | <input type="checkbox"/> Traffic Engineer |
| <input type="checkbox"/> Code Enforcement | <input checked="" type="checkbox"/> Police Department | <input type="checkbox"/> Civil Engineer |
| <input type="checkbox"/> Planning Manager | <input type="checkbox"/> Planning Super | <input type="checkbox"/> Pub Serv/Water |
| | <input type="checkbox"/> Pub Serv/Streets | |

ATTN: Willie Johnson

From: Sal Return By: 2.3.98

Applicant: Harbor-West LLC Date Out: 1.22.98

Request: CUP, Site Plan, Parcel Map for the construction of car wash, service station and auto service facility ON a 2.4± acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18, 19, 20, 21

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

THE ENTRY/EXIT TO THE CARWASH ON HARBOR & WESTMINSTER SHALL BE GATED OR CHAINED AFTER DARK.
LOTS OF LIGHTING ENTIRE SIDE.
SECURITY GUARD IF NEEDED PER C.O.P.
NO VIDEO/ALCOHOL MACHINES
~~STREET LIGHTS~~

Please list specific conditions of approval on reverse side.

Conditions of Approval to be included in the Planning Commission Resolution:

Lined area for writing conditions of approval.

Prepared By: [Signature] Date: 1/27/98 Ext.: 5857

Div/Dept. Head: _____ Date: _____ Ext: _____

Signature: _____ Date: _____

Case No. PM-97-235

**COMMUNITY DEVELOPMENT REVIEW
AND COMMENT SHEET**

DISTRIBUTION:

- | | | |
|--|--|--|
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Fire Department | <input type="checkbox"/> Sanitary District |
| <input type="checkbox"/> Community Dev. Director | <input type="checkbox"/> Plan Check | <input type="checkbox"/> Traffic Engineer |
| <input type="checkbox"/> Code Enforcement | <input type="checkbox"/> Police Department | <input type="checkbox"/> Civil Engineer |
| <input type="checkbox"/> Planning Manager | <input type="checkbox"/> Planning Super | <input type="checkbox"/> Pub Serv/Water |
| | <input checked="" type="checkbox"/> Pub Serv/Streets | |

ATTN: Keith Jones

From: Sal Return By: 2.3.98

Applicant: Harbor-West LLC Date Out: 1.22.98

Request: CUP, Site Plan, Parcel Map for the construction of car wash, service station and auto service facility ON a 2.4± acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18, 19, 20, 21

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

ON HARBOR NORTHERN property line, on Sidwell
Remove 2 tree wells 1 tree and cap with concrete
July 2008

Please list specific conditions of approval on reverse side.

Case No. PM-97-235

**COMMUNITY DEVELOPMENT REVIEW
AND COMMENT SHEET**

DISTRIBUTION:

- | | | |
|--|--|---|
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Fire Department | <input checked="" type="checkbox"/> Sanitary District |
| <input type="checkbox"/> Community Dev. Director | <input type="checkbox"/> Plan Check | <input type="checkbox"/> Traffic Engineer |
| <input type="checkbox"/> Code Enforcement | <input type="checkbox"/> Police Department | <input type="checkbox"/> Civil Engineer |
| <input type="checkbox"/> Planning Manager | <input type="checkbox"/> Planning Super | <input type="checkbox"/> Pub Serv/Water |
| | <input type="checkbox"/> Pub Serv/Streets | |

ATTN: Jim Smith

From: Sal Return By: 2-3-98

Applicant: Harbor-West LLC Date Out: 1-22-98

Request: CUP, Site Plan, Parcel Map for the construction of car wash, service station and auto service facility ON a 2.4± acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18, 19, 20, 21

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

Please list specific conditions of approval on reverse side.

✕ Conditions of Approval to be included in the Planning Commission Resolution:

1. construction of sanitary sewer facilities shall be in accordance with GGSO standards.

2. A discharge permit shall be secured from CSDOC for car wash facilities prior to the issuance of a building permit.

Prepared By: _____ Date: _____ Ext.: _____

Div/Dept. Head:  Date: 1-26-98 Ext: 5184

Signature: _____ Date: _____

Case No. PM-97-235

**COMMUNITY DEVELOPMENT REVIEW
AND COMMENT SHEET**

DISTRIBUTION:

- | | | |
|--|---|--|
| <input type="checkbox"/> Economic Development | <input checked="" type="checkbox"/> Fire Department | <input type="checkbox"/> Sanitary District |
| <input type="checkbox"/> Community Dev. Director | <input type="checkbox"/> Plan Check | <input type="checkbox"/> Traffic Engineer |
| <input type="checkbox"/> Code Enforcement | <input type="checkbox"/> Police Department | <input type="checkbox"/> Civil Engineer |
| <input type="checkbox"/> Planning Manager | <input type="checkbox"/> Planning Super | <input type="checkbox"/> Pub Serv/Water |
| | <input type="checkbox"/> Pub Serv/Streets | |

ATTN: Ed Lucas

From: Sal Return By: 2-3-98

Applicant: Harbor-West LLC Date Out: 1-22-98

Request: CUP, Site Plan, Parcel Map for the
construction of car wash, service station
and auto service facility ON a 2.4[±]
acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18, 19, 20, 21

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

Please list specific conditions of approval on reverse side.

Conditions of Approval to be included in the Planning Commission Resolution:

GAS STATION

- ① GAS CANOPY TO BE AT LEAST 13'6" HIGH.
- ② GAS STATION OPERATION + UNDERGROUND TANKS SHALL COMPLY WITH THE UNIFORM FIRE CODE 1994 EDITION
- ③ FIRE DEPT PERMIT REQUIRED

LUBE + TUNE

- ① STORAGE OF WASTE OIL SHALL COMPLY WITH THE UNIFORM FIRE CODE, 1994 EDITION.
- ② FIRE DEPT PERMIT REQUIRED -

Prepared By: Ed Fu Date: 1-29-98 Ext: 5230

Div/Dept. Head: _____ Date: _____ Ext: _____

Signature: _____ Date: _____

**DEPARTMENT OF PUBLIC WORKS - ENGINEERING SERVICES DIVISION
DEVELOPMENT REVIEW AND
CONDITIONS OF APPROVAL
FOR**

CUP-386-98 HARBOR BLVD AND WESTMINSTER AVE

1. A Parcel Map is required. Map must be recorded prior to issuance of any permit. Field survey required.
2. TIES TO HORIZONTAL CONTROL:
3. Prior to recordation of a final tract/parcel map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor/engineer shall submit record information to the City on Auto Cad Dwg format.
4. DIGITAL MAP SUBMISSION:
5. Prior to recordation of a final tract/parcel map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital graphics file of said map in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor/engineer shall submit record information to the City on Auto Cad Dwg format
6. All existing and new utilities shall be placed underground in the public right-of-way and on site.
7. Grading, water and sewer, and approved utility plans are required. Plans to be prepared by a registered Civil Engineer.
8. Separate plans prepared by a Registered Civil Engineer required for construction of improvements within the public right-of-way.
9. Provide Hydrology with scaled map and calculations and Hydraulic calculations to size parkway culvert(s) or storm drain(s) per OCEMA Standards.. Parkway culverts to be constructed per OCEMA Standard Plan 1309 (type B).
10. All on-site improvements shall be removed prior to start of new construction.
11. Driveway approaches shall be constructed in conformance with Garden Grove STD Plan B-120. Reconstruction of on-site planter curbs adjacent to driveway is required.. Separate street permit is required for work performed within the public rights-way..
12. Blanket easement required for all public water system on private property.
13. Owner to dedicate all rights to underground water without the right to subsurface entry.

14. Access rights to adjacent arterials roadways shall be restricted to approved driveway locations. A dedication statement on the Final Map is required.
15. Any new or required block walls and/or retaining walls and trash enclosures shall be shown on the grading plans. Block walls shall be developed to City Standards or designed by a professional engineer registered in the state of California.
16. If development requires existing street trees to be removed, they shall be replaced with 15-gallon trees at another location in the public R/W. The new location and the tree specie to be specified by City Engineer.
17. The applicant shall comply with all 1972 Clean Water Act and NPDES requirements. The submittal of plans shall incorporated Best Management Practices for NPDES permit.

cup38698 2/9/98

Case No. PM-97-235

**COMMUNITY DEVELOPMENT REVIEW
AND COMMENT SHEET**

DISTRIBUTION:

- | | | |
|--|--|--|
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Fire Department | <input type="checkbox"/> Sanitary District |
| <input type="checkbox"/> Community Dev. Director | <input type="checkbox"/> Plan Check | <input type="checkbox"/> Traffic Engineer |
| <input type="checkbox"/> Code Enforcement | <input type="checkbox"/> Police Department | <input type="checkbox"/> Civil Engineer |
| <input type="checkbox"/> Planning Manager | <input type="checkbox"/> Planning Super | <input checked="" type="checkbox"/> Pub Serv/Water |
| | <input type="checkbox"/> Pub Serv/Streets | |

ATTN: Scott Lowe

From: Sol Return By: 2.3.98

Applicant: Harbor-West LLC Date Out: 1.22.98

Request: CUP, Site Plan, Parcel Map for the
construction of car wash, service station
and auto service facility ON a 2.4±
acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18, 19, 20, 21

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

Please list specific conditions of approval on reverse side.

Conditions of Approval to be included in the Planning Commission Resolution:

see attachments.

Prepared By: _____ Date: _____ Ext.: _____

Div/Dept. Head: *J. Fu* _____ Date: *1-27-98* Ext: *5184*

Signature: _____ Date: _____

UTILITY SERVICES CONDITIONS FOR APPROVAL
FOR COMMUNITY DEVELOPMENT REVIEWS

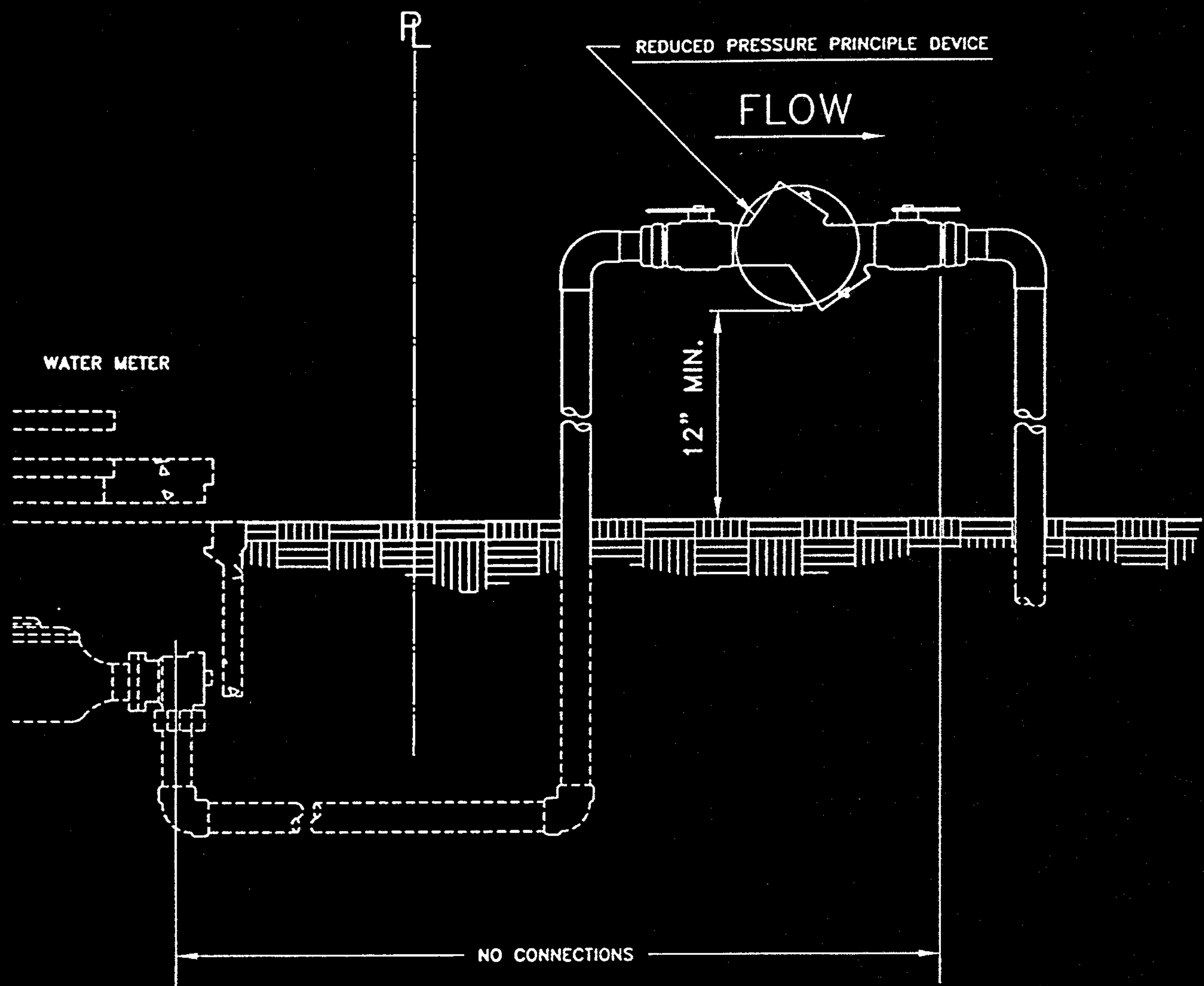
Project name: CAR WASH, SERVICE STATION, AUTO SERVICE

Case #: PM-97-235

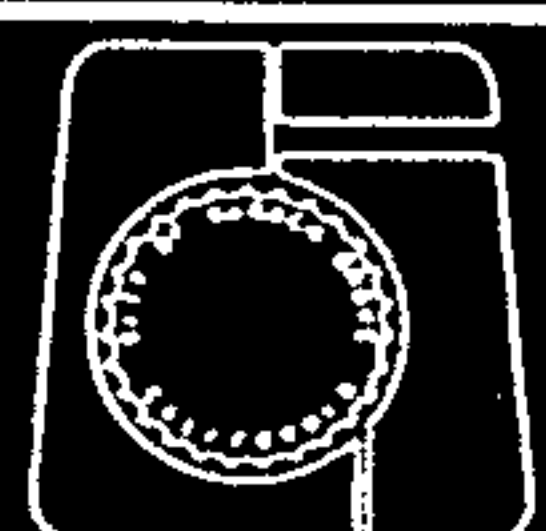
1. NEW WATER SERVICE INSTALLATIONS TO BE AT OWNER'S/DEVELOPER'S EXPENSE. INSTALLATION TO BE BY CITY FORCES UPON PAYMENT OF APPLICABLE FEES, UNLESS OTHERWISE NOTED. FIRE SERVICES AND LARGER WATER SERVICES (3" AND LARGER) TO BE INSTALLED BY CONTRACTOR PER CITY CITY STANDARDS.
 2. WATER METERS AND FIRE SERVICES TO BE LOCATED WITHIN THE CITY RIGHT-OF-WAY FIRE SERVICES AND LARGE WATER SERVICES (3" AND LARGER) TO BE INSTALLED BY CONTRACTOR WITH CLASS A OR C-34 LICENSE, PER CITY WATER STANDARDS AND INSPECTED BY A PUBLIC WORKS INSPECTOR..
 3. A BACKFLOW PREVENTION DEVICE SHALL BE REQUIRED ON WATER LATERAL. INSTALLATION TO BE PER CITY STANDARDS AND SHALL BE INSPECTED BY CROSS CONNECTION SPECIALIST AFTER INSTALLATION. DEVICE TO BE TESTED IMMEDIATELY AFTER INSTALLATION AND ONCE A YEAR BY A CERTIFIED BACKFLOW DEVICE TESTER AND THE RESULTS TO BE SUBMITTED TO THE CROSS CONNECTION SPECIALIST (SEE ATTACHED STANDARD)..
-

D:/SCOTT/WTRSIST.DOC

D:/SCOTT/PM97_235.DOC



1. THE BACKFLOW DEVICE MUST BE AS APPROVED BY THE CITY OF GARDEN GROVE UTILITY SERVICES DIVISION. FOR AN APPROVED LIST CONTACT UTILITY SERVICES AT (714) 741-5395
2. EACH BACKFLOW DEVICE SHALL BE TESTED IMMEDIATELY AFTER INSTALLATION AND ANNUALLY BY A CERTIFIED TESTER AS APPROVED BY THE ORANGE COUNTY HEALTH DEPARTMENT.
3. RELIEF SPOUT OF BACKFLOW DEVICE SHALL BE 12" MIN. ABOVE SURROUNDING GROUND. CLEARANCE AROUND TEST OUTLETS SHALL BE SUCH THAT ANY DEVICE CAN BE CONVENIENTLY TESTED.
4. THERE SHALL BE NO CONNECTIONS BETWEEN THE METER AND THE BACKFLOW DEVICE.
5. AN APPROVED BACKFLOW PREVENTION ASSEMBLY MUST UTILIZE RESILIENT SEATED SHUT-OFF VALVES AND TEST COCKS WITH FULL-FLOW CHARACTERISTICS.
6. FOR INSPECTIONS AND APPROVED LIST CONTACT UTILITY SERVICES AT (714) 741-5396.



City of
Garden Grove

TYPICAL 3" OR SMALLER REDUCED PRESSURE PRINCIPAL DEVICE (RPPD)

Approved

Date 6-12-97

J. L. ...

City Engineer

R.C.E. 42977 Exp. 3-31-99

REVISIONS	DATE	STD. PLAN NUMBER
		B-770

Case No. PM-97-235

**COMMUNITY DEVELOPMENT REVIEW
AND COMMENT SHEET**

DISTRIBUTION:

- | | | |
|--|--|--|
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Fire Department | <input type="checkbox"/> Sanitary District |
| <input type="checkbox"/> Community Dev. Director | <input type="checkbox"/> Plan Check | <input type="checkbox"/> Traffic Engineer |
| <input checked="" type="checkbox"/> Code Enforcement | <input type="checkbox"/> Police Department | <input type="checkbox"/> Civil Engineer |
| <input type="checkbox"/> Planning Manager | <input type="checkbox"/> Planning Super | <input type="checkbox"/> Pub Serv/Water |
| | <input type="checkbox"/> Pub Serv/Streets | |

ATTN: Dean

From: Sal Return By: 2-3-98

Applicant: Harbor-West LLC Date Out: 1-22-98

Request: CUP, Site Plan, Parcel Map for the
construction of car wash, service station
and auto service facility on a 2.4[±]
acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18, 19, 20, 21

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

Dean

Please list specific conditions of approval on reverse side.

Conditions of Approval to be included in the Planning Commission Resolution:

Lined area for writing conditions of approval.

Prepared By: _____ Date: _____ Ext: _____

Div/Dept. Head: _____ Date: _____ Ext: _____

Signature: _____ Date: _____

Case No. PM-97-235

**COMMUNITY DEVELOPMENT REVIEW
AND COMMENT SHEET**

DISTRIBUTION:

- | | | |
|--|--|--|
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Fire Department | <input type="checkbox"/> Sanitary District |
| <input type="checkbox"/> Community Dev. Director | <input type="checkbox"/> Plan Check | <input type="checkbox"/> Traffic Engineer |
| <input type="checkbox"/> Code Enforcement | <input type="checkbox"/> Police Department | <input type="checkbox"/> Civil Engineer |
| <input checked="" type="checkbox"/> Planning Manager | <input type="checkbox"/> Planning Super | <input type="checkbox"/> Pub Serv/Water |
| | <input type="checkbox"/> Pub Serv/Streets | |

ATTN: _____

From: Sol Return By: 2.3.98

Applicant: Harbor-West LLC Date Out: 1.22.98

Request: CUP, Site Plan, Parcel Map for the construction of car wash, service station and auto service facility ON a 2.4[±] acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18, 19, 20, 21

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

Need dimensioned site plan.
Landscaping setback on the ROW
along Westminster.

In site circulation has inherent problems
(but we've tried to get it changed &
weren't successful.)

Please list specific conditions of approval on reverse side.

over

Conditions of Approval to be included in the Planning Commission Resolution:

The conditions of approval for the car wash site & the gas/lube site should be separate.

Prepared By: _____ Date: _____ Ext: _____

Div/Dept. Head: *JMS* Date: 1-23-98 Ext: _____

Signature: _____ Date: _____

Case No. PM-97-235

**COMMUNITY DEVELOPMENT REVIEW
AND COMMENT SHEET**

DISTRIBUTION:

- | | | |
|--|--|--|
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Fire Department | <input type="checkbox"/> Sanitary District |
| <input type="checkbox"/> Community Dev. Director | <input type="checkbox"/> Plan Check | <input type="checkbox"/> Traffic Engineer |
| <input type="checkbox"/> Code Enforcement | <input type="checkbox"/> Police Department | <input type="checkbox"/> Civil Engineer |
| <input type="checkbox"/> Planning Manager | <input checked="" type="checkbox"/> Planning Super | <input type="checkbox"/> Pub Serv/Water |
| | <input type="checkbox"/> Pub Serv/Streets | |

ATTN: _____

From: Seal Return By: 2.3.98

Applicant: Harbor-West LLC Date Out: 1.22.98

Request: CUP, Site Plan, Parcel Map for the construction of car wash, service station and auto service facility ON a 2.4± acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18, 19, 20, 21

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

What a piece of work!

SK

Please list specific conditions of approval on reverse side.

Conditions of Approval to be included in the Planning Commission Resolution:

(This area contains horizontal lines for writing.)

Prepared By: _____ Date: _____ Ext: _____

Div/Dept. Head: _____ Date: _____ Ext: _____

Signature: _____ Date: _____

Case No. PM-97-235

**COMMUNITY DEVELOPMENT REVIEW
AND COMMENT SHEET**

DISTRIBUTION:

- | | | |
|--|---|--|
| <input type="checkbox"/> Economic Development | <input checked="" type="checkbox"/> Fire Department | <input type="checkbox"/> Sanitary District |
| <input type="checkbox"/> Community Dev. Director | <input type="checkbox"/> Plan Check | <input type="checkbox"/> Traffic Engineer |
| <input type="checkbox"/> Code Enforcement | <input type="checkbox"/> Police Department | <input type="checkbox"/> Civil Engineer |
| <input type="checkbox"/> Planning Manager | <input type="checkbox"/> Planning Super | <input type="checkbox"/> Pub Serv/Water |
| | <input type="checkbox"/> Pub Serv/Streets | |

ATTN: Ed Lucas

From: Sal Return By: 2-3-98

Applicant: Harbor-West LLC Date Out: 1-22-98

Request: CUP, Site Plan, Parcel Map for the construction of car wash, service station and auto service facility ON a 2.4± acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18, 19, 20, 2

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

Please list specific conditions of approval on reverse side.

Conditions of Approval to be included in the Planning Commission Resolution:

GAS STATION

- ① GAS CANOPY TO BE AT LEAST 13'6" HIGH.
- ② GAS STATION OPERATION + UNDERGROUND TANKS SHALL COMPLY WITH THE UNIFORM FIRE CODE 1994 EDITION
- ③ FIRE DEPT PERMIT REQUIRED

LUBE + TUNE

- ① STORAGE OF WASTE OIL SHALL COMPLY WITH THE UNIFORM FIRE CODE, 1994 EDITION.
- ② FIRE DEPT PERMIT REQUIRED -

Prepared By: Ed Fur Date: 1-29-98 Ext: 5630

Div/Dept. Head: _____ Date: _____ Ext: _____

Signature: _____ Date: _____

Case No. PM-97-235

COMMUNITY DEVELOPMENT REVIEW AND COMMENT SHEET

DISTRIBUTION:

- Economic Development
- Community Dev. Director
- Code Enforcement
- Planning Manager

- Fire Department
- Plan Check
- Police Department
- Planning Super
- Pub Serv/Streets

- Sanitary District
- Traffic Engineer
- Civil Engineer
- Pub Serv/Water

ATTN: Keith Jones

From: Sal

Return By: 2.3.98

Applicant: Harbor-West LLC

Date Out: 1.22.98

Request: CUP, Site Plan, Parcel Map for the construction of car wash, service station and auto service facility ON a 2.4± acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster

Parcel No: 101-681-18, 19, 20

Zone: E3 (Heavy Commercial)

General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

ON HARBOR NORTHERN property line, on Sidewalk remove 2 tree wells 1 tree and cap with concrete
Jim Yosutich

Please list specific conditions of approval on reverse side.

Conditions of Approval to be included in the Planning Commission Resolution:

Lined area for writing conditions of approval.

Prepared By: _____ Date: _____ Ext: _____

Div/Dept. Head: *K. H. Jones* *jk* Date: *1-28-98* Ext: *5379/5184*

Signature: _____ Date: _____

CUP 386-98
Case No. PM-97-235

COMMUNITY DEVELOPMENT REVIEW AND COMMENT SHEET

DISTRIBUTION:

- | | | |
|--|---|--|
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Fire Department | <input type="checkbox"/> Sanitary District |
| <input type="checkbox"/> Community Dev. Director | <input type="checkbox"/> Plan Check | <input type="checkbox"/> Traffic Engineer |
| <input type="checkbox"/> Code Enforcement | <input checked="" type="checkbox"/> Police Department | <input type="checkbox"/> Civil Engineer |
| <input type="checkbox"/> Planning Manager | <input type="checkbox"/> Planning Super | <input type="checkbox"/> Pub Serv/Water |
| | <input type="checkbox"/> Pub Serv/Streets | |

ATTN: Willie Johnson

From: Sol Return By: 2.3.98

Applicant: Harbor-West LLC Date Out: 1.22.98

Request: CUP, Site Plan, Parcel Map for the construction of car wash, service station and auto service facility ON a 2.4± acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18, 19, 20, 21

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

THE ENTRY/EXIT TO THE CARWASH ON HARBOR & WESTMINSTER SHALL BE GATED OR CHAINED OFFER PARK.
LOTS OF LIGHTING ENTIRE SITE.
SECURITY GUARD IF NEEDED PER C.O.P.
NO VIDEO/ALCOHOL MACHINES
~~IF APPROVED BY THE COUNCIL~~

Please list specific conditions of approval on reverse side.

Conditions of Approval to be included in the Planning Commission Resolution:

Lined area for writing conditions of approval.

Prepared By:  Date: 1/27/98 Ext.: 5857

Div/Dept. Head: _____ Date: _____ Ext: _____

Signature: _____ Date: _____

Case No. PM-97-235

**COMMUNITY DEVELOPMENT REVIEW
AND COMMENT SHEET**

DISTRIBUTION:

- | | | |
|--|--|--|
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Fire Department | <input type="checkbox"/> Sanitary District |
| <input type="checkbox"/> Community Dev. Director | <input type="checkbox"/> Plan Check | <input type="checkbox"/> Traffic Engineer |
| <input type="checkbox"/> Code Enforcement | <input type="checkbox"/> Police Department | <input type="checkbox"/> Civil Engineer |
| <input type="checkbox"/> Planning Manager | <input checked="" type="checkbox"/> Planning Super | <input type="checkbox"/> Pub Serv/Water |
| | <input type="checkbox"/> Pub Serv/Streets | |

ATTN: _____

From: Soel Return By: 2.3.98

Applicant: Harbor-West LLC Date Out: 1.22.98

Request: COP, Site Plan, Parcel Map for the construction of car wash, service station and auto service facility ON a 2.4± acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18,19,20

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

What a piece of work!

JK

Please list specific conditions of approval on reverse side.

Conditions of Approval to be included in the Planning Commission Resolution:

Prepared By: _____ Date: _____ Ext: _____

Div/Dept. Head: _____ Date: _____ Ext: _____

Signature: _____ Date: _____

Case No. PM-97-235

COMMUNITY DEVELOPMENT REVIEW AND COMMENT SHEET

DISTRIBUTION:

- | | | |
|--|--|--|
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Fire Department | <input type="checkbox"/> Sanitary District |
| <input type="checkbox"/> Community Dev. Director | <input type="checkbox"/> Plan Check | <input type="checkbox"/> Traffic Engineer |
| <input type="checkbox"/> Code Enforcement | <input type="checkbox"/> Police Department | <input type="checkbox"/> Civil Engineer |
| <input checked="" type="checkbox"/> Planning Manager | <input type="checkbox"/> Planning Super | <input type="checkbox"/> Pub Serv/Water |
| | <input type="checkbox"/> Pub Serv/Streets | |

ATTN: _____

From: Sal Return By: 2.3.98

Applicant: Harbor-West LLC Date Out: 1.22.98

Request: CUP, Site Plan, Parcel Map for the construction of car wash, service station and auto service facility ON a 2.4± acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18, 19, 20, 21

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

Need dimensioned site plan.
Landscaping setback on the ROW
along Westminster.
In site circulation has inherent problems
(but we've tried to get it changed &
weren't successful.)

Please list specific conditions of approval on reverse side.

over

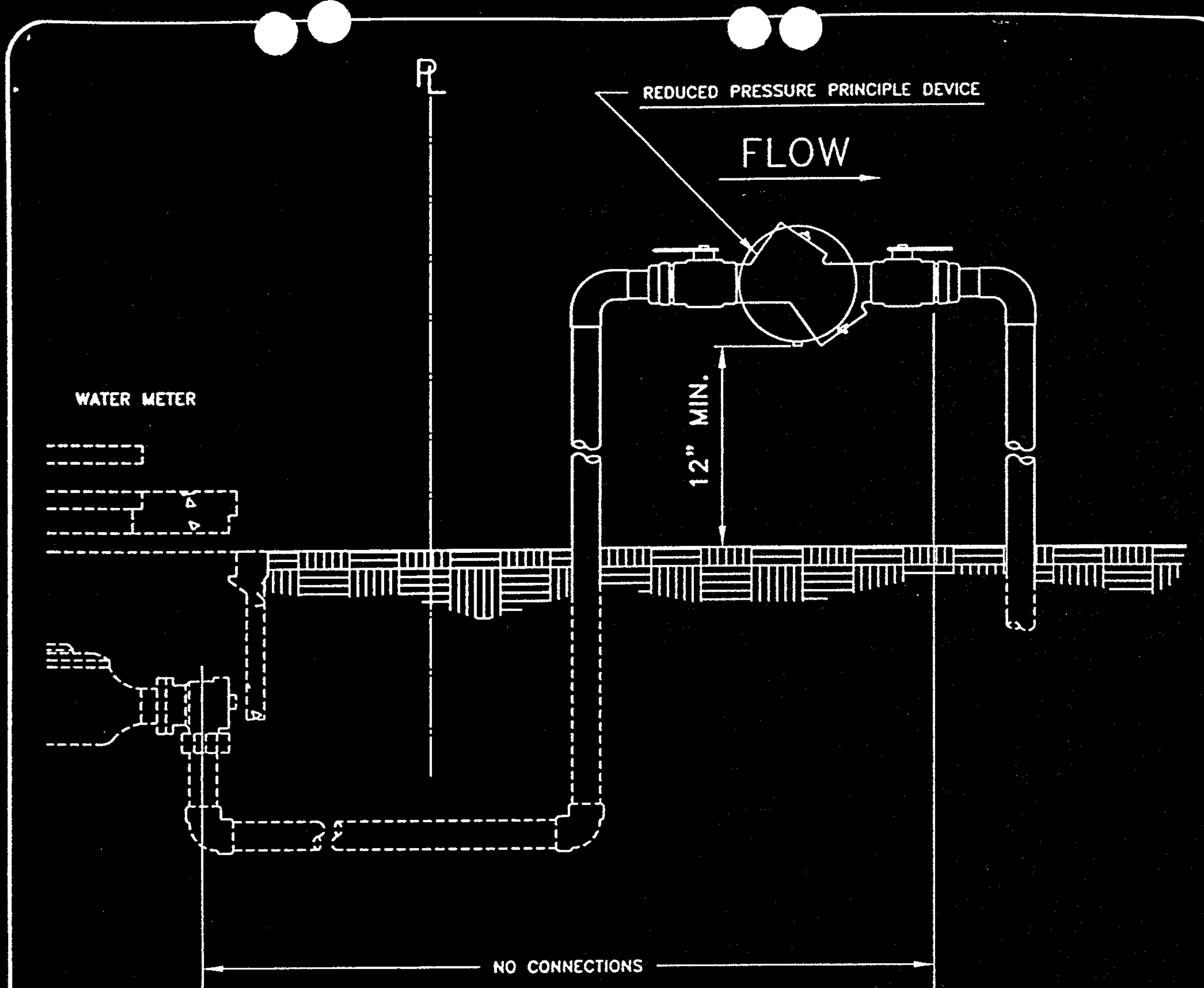
Conditions of Approval to be included in the Planning Commission Resolution:

The conditions of approval for the car wash site & the gas/lube site should be separate.

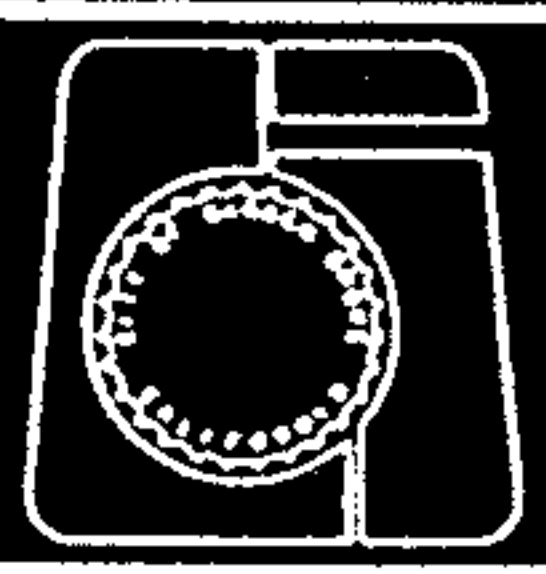
Prepared By: _____ Date: _____ Ext: _____

Div/Dept. Head: *[Signature]* Date: 1-23-98 Ext: _____

Signature: _____ Date: _____



1. THE BACKFLOW DEVICE MUST BE AS APPROVED BY THE CITY OF GARDEN GROVE UTILITY SERVICES DIVISION.
FOR AN APPROVED LIST CONTACT UTILITY SERVICES AT (714) 741-5395
2. EACH BACKFLOW DEVICE SHALL BE TESTED IMMEDIATELY AFTER INSTALLATION AND ANNUALLY BY A CERTIFIED TESTER AS APPROVED BY THE ORANGE COUNTY HEALTH DEPARTMENT.
3. RELIEF SPOUT OF BACKFLOW DEVICE SHALL BE 12" MIN. ABOVE SURROUNDING GROUND. CLEARANCE AROUND TEST OUTLETS SHALL BE SUCH THAT ANY DEVICE CAN BE CONVENIENTLY TESTED.
4. THERE SHALL BE NO CONNECTIONS BETWEEN THE METER AND THE BACKFLOW DEVICE.
5. AN APPROVED BACKFLOW PREVENTION ASSEMBLY MUST UTILIZE RESILIENT SEATED SHUT-OFF VALVES AND TEST COCKS WITH FULL-FLOW CHARACTERISTICS.
6. FOR INSPECTIONS AND APPROVED LIST CONTACT UTILITY SERVICES AT (714) 741-5396.



City of
Garden Grove

TYPICAL 3" OR SMALLER REDUCED PRESSURE PRINCIPAL DEVICE (RPPD)

Approved _____ Date 6-12-97
J. K. ...
 City Engineer R.C.E. 42977 Exp. 3-31-99

REVISIONS	DATE	STD. PLAN NUMBER
		B-770

**UTILITY SERVICES CONDITIONS FOR APPROVAL
FOR COMMUNITY DEVELOPMENT REVIEWS**

Project name: CAR WASH, SERVICE STATION, AUTO SERVICE

Case #: PM-97-235

1. NEW WATER SERVICE INSTALLATIONS TO BE AT OWNER'S/DEVELOPER'S EXPENSE. INSTALLATION TO BE BY CITY FORCES UPON PAYMENT OF APPLICABLE FEES, UNLESS OTHERWISE NOTED. FIRE SERVICES AND LARGER WATER SERVICES (3" AND LARGER) TO BE INSTALLED BY CONTRACTOR PER CITY CITY STANDARDS.
2. WATER METERS AND FIRE SERVICES TO BE LOCATED WITHIN THE CITY RIGHT-OF -WAY FIRE SERVICES AND LARGE WATER SERVICES (3" AND LARGER) TO BE INSTALLED BY CONTRACTOR WITH CLASS A OR C-34 LICENSE, PER CITY WATER STANDARDS AND INSPECTED BY A PUBLIC WORKS INSPECTOR..
3. A BACKFLOW PREVENTION DEVICE SHALL BE REQUIRED ON WATER LATERAL. INSTALLATION TO BE PER CITY STANDARDS AND SHALL BE INSPECTED BY CROSS CONNECTION SPECIALIST AFTER INSTALLATION. DEVICE TO BE TESTED IMMEDIATELY AFTER INSTALLATION AND ONCE A YEAR BY A CERTIFIED BACKFLOW DEVICE TESTER AND THE RESULTS TO BE SUBMITTED TO THE CROSS CONNECTION SPECIALIST (SEE ATTACHED STANDARD)..

D:/SCOTT/WTRSIST.DOC

D:/SCOTT/PM97_235.DOC

Case No. PM-97-235

**COMMUNITY DEVELOPMENT REVIEW
AND COMMENT SHEET**

DISTRIBUTION:

- Economic Development
- Community Dev. Director
- Code Enforcement
- Planning Manager

- Fire Department
- Plan Check
- Police Department
- Planning Super
- Pub Serv/Streets

- Sanitary District
- Traffic Engineer
- Civil Engineer
- Pub Serv/Water

ATTN: George

From: Sal

Return By: 2-3-98

Applicant: Harbor-West LLC

Date Out: 1-22-98

Request: CUP, Site Plan, Parcel Map for the construction of car wash, service station and auto service facility on a 2.4[±] acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster

Parcel No: 101-681-18, 19, 20

Zone: E3 (Heavy Commercial)

General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

Please list specific conditions of approval on reverse side.

✓ Conditions of Approval to be included in the Planning Commission Resolution:

Show dimensions of driving lane widths.
Show widths of driveway openings.
See additional comments on site plan
will need a Traffic Study.

Prepared By: T. Aquino Date: 2/9/98 Ext: 5193
Div/Dept. Head: [Signature] Date: 2-9-98 Ext: 5190
Signature: _____ Date: _____

Case No. PM-97-235

**COMMUNITY DEVELOPMENT REVIEW
AND COMMENT SHEET**

DISTRIBUTION:

- | | | |
|--|--|--|
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Fire Department | <input type="checkbox"/> Sanitary District |
| <input type="checkbox"/> Community Dev. Director | <input type="checkbox"/> Plan Check | <input type="checkbox"/> Traffic Engineer |
| <input checked="" type="checkbox"/> Code Enforcement | <input type="checkbox"/> Police Department | <input type="checkbox"/> Civil Engineer |
| <input type="checkbox"/> Planning Manager | <input type="checkbox"/> Planning Super | <input type="checkbox"/> Pub Serv/Water |
| | <input type="checkbox"/> Pub Serv/Streets | |

ATTN: Dean

From: Sal Return By: 2-3-98

Applicant: Harbor-West LLC Date Out: 1-22-98

Request: CUP, Site Plan, Parcel Map for the construction of car wash, service station and auto service facility on a 2.4± acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18, 19, 20, 21

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

Dean

Please list specific conditions of approval on reverse side.

Conditions of Approval to be included in the Planning Commission Resolution:

Prepared By: _____ Date: _____ Ext: _____

Dept. Head: _____ Date: _____ Ext: _____

Signature: _____ Date: _____

Case No. PM-97-235

**COMMUNITY DEVELOPMENT REVIEW
AND COMMENT SHEET**

DISTRIBUTION:

- | | | |
|--|--|---|
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Fire Department | <input checked="" type="checkbox"/> Sanitary District |
| <input type="checkbox"/> Community Dev. Director | <input type="checkbox"/> Plan Check | <input type="checkbox"/> Traffic Engineer |
| <input type="checkbox"/> Code Enforcement | <input type="checkbox"/> Police Department | <input type="checkbox"/> Civil Engineer |
| <input type="checkbox"/> Planning Manager | <input type="checkbox"/> Planning Super | <input type="checkbox"/> Pub Serv/Water |
| | <input type="checkbox"/> Pub Serv/Streets | |

ATTN: Jim Smith

From: Sal Return By: 2.3.98

Applicant: Harbor-West LLC Date Out: 1.22.98

Request: CUP, Site Plan, Parcel Map for the
construction of car wash, service station
and auto service facility ON a 2.4±
acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18, 19, 20, 21

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

Please list specific conditions of approval on reverse side.

★ Conditions of Approval to be included in the Planning Commission Resolution:

1. construction of sanitary sewer facilities shall be in accordance with GSD standards.

2. A discharge permit shall be secured from CSDDC for car wash facilities prior to the issuance of a building permit.

Prepared By: _____ Date: _____ Ext: _____

Div/Dept. Head: J. Fu Date: 1-26-98 Ext: 5184

Signature: _____ Date: _____

Case No. PM-97-235

**COMMUNITY DEVELOPMENT REVIEW
AND COMMENT SHEET**

DISTRIBUTION:

- Economic Development
- Community Dev. Director
- Code Enforcement
- Planning Manager

- Fire Department
- Plan Check
- Police Department
- Planning Super
- Pub Serv/Streets

- Sanitary District
- Traffic Engineer
- Civil Engineer
- Pub Serv/Water

ATTN: Scott Lowe

From: Sal Return By: 2-3-98

Applicant: Harbor-West LLC Date Out: 1-22-98

Request: COP, Site Plan, Parcel Map for the
construction of car wash, service station
and auto service facility ON a 2.4±
acre site

Location: NEC Westminster & Harbor

Address: 12021 Westminster Parcel No: 101-681-18, 19, 20, 2

Zone: E3 (Heavy Commercial) General Plan: MU/08

ANALYSIS

Please provide any information you would like to be included in the Staff Report.

Please list specific conditions of approval on reverse side.

Conditions of Approval to be included in the Planning Commission Resolution:

see attachments

Prepared By: _____ Date: _____ Ext.: _____

Div/Dept. Head: *J. M.* _____ Date: *1-27-98* Ext: *5184*

Signature: _____ Date: _____

SUSAN W. CASE, INC.
OWNERSHIP LISTING SERVICE

917 Glenneyre Street, Suite 7, Laguna Beach, CA 92651
PHONE (714) 494-6105 • FAX (714) 494-7418

CERTIFICATION OF PROPERTY OWNERS LIST

THE ATTACHED LIST REPRESENTS THE NAMES AND ADDRESSES OF ALL PROPERTY OWNERS LOCATED WITHIN 300 FEET OF THE EXTERIOR BOUNDARIES OF THE PROPERTY LOCATED AT NE CORNER HARBOUR BLVD + WESTMINSTER GARDEN GROVE, CA

THIS INFORMATION WAS OBTAINED FROM METROSCAN, A DATA SOURCE, UTILIZING THE COUNTY ASSESSMENT ROLLS AND OTHER DATA SOURCES.

THE INFORMATION PROVIDED IS GENERALLY DEEMED RELIABLE, BUT IS NOT GUARANTEED.



SUSAN W. CASE, INC.

Car Wash OCTA

PLANNING DIVISION
Community Development Department
City of Garden Grove
LAND USE PERMIT APPLICATION

Project Address: 13160 HARBOR BOULEVARD

Project Location: NEC HARBOR & WESTMINISTER

Application For:

- Code Amendment
- Conditional Use Permit
- General Plan Amendment
- Interpretation of Use
- Lot Line Adjustment
- Modification to Conditions
- Modification to Plans
- Planned Unit Development
- Site Plan
- Specific Plan
- Tentative Parcel Map
- Tentative Tract Map
- Time Extension
- Variance
- Zone Change
- Other: _____ \$ _____

Environmental Review:

- Environmental Impact Report
- Negative Declaration
- Notice of Exemption

Applicant/Owner Information:

Applicant:

Name: _____

Address: _____

City/State: _____

Phone: _____

Representative:

Name: _____

Address: _____

City/State: _____

Phone: _____

Property Owner:

Name: Harbor West LLC / MMS

Address: 2285 NEWPORT BLVD

City/State: Coastal MESA CA 92627

Phone: (714) 650-1009

Status of Applicant:

- Recorded Property Owner
- Purchasing/Escrow Subject to Case Approval
- Lessee
- Authorized Agent of One of The Above

AUTHORIZED SIGNATURES

Important Note: If the applicant is anyone other than the recorded owner of the property, a letter of authorization, signed by the owner, is to be notarized and submitted as a part of the application.

Owner's Signature: [Signature] Date: 2.26.98

Applicant's Signature: _____ Date: _____

Application Accepted By: _____ Date: _____

Office Use Only					
Land Use Action	_____	11-	_____	\$	_____
Land Use Action	_____	11-	_____	\$	_____
Land Use Action	_____	11-	_____	\$	_____
Land Use Action	_____	11-	_____	\$	_____

EXCERPT FROM TITLE 9 OF THE MUNICIPAL CODE
OF THE CITY OF GARDEN GROVE, CALIFORNIA

Section 9.24.100.C Effective Date of Order Granting or Denying Land Use Actions.

The order granting or denying a land use action shall become final twenty-one days after the order, unless within such twenty-one day period an appeal in writing is filed with the City Clerk by either an applicant or opponent. The filing of the appeal within such time limit shall stay the effective date of the order until such time as the City Council has acted upon the appeal as hereafter set forth in this Chapter.

9.24.010.D. Fees Required. All applicants described in Section 9.24.030 shall require fees paid in accordance with a Resolution adopted by the City Council. A copy of the resolution and information may be obtained from the Office of the City Clerk.

NOTE: Evidence not presented to the Planning Commission or Zoning Administrator in connection with this case will not be considered by the Council. All maps, petitions, plans, testimony, and other facts or opinions must have been heard by the Planning Commission or Zoning Administrator in order to be heard by the City Council.

Any new evidence which you desire to submit must be presented as part of a new application for which the normal filing fees will be charged. The new application will be heard by the Planning Commission or Zoning Administrator in the manner set forth in Title 9 of the Garden Grove Municipal Code.

9.24.010.E. LIMITATION OF REFILING OF APPLICATIONS. A final action denying an application for a land use action shall prohibit the further filing of the same type application on a property until not less than one year shall have elapsed from the date of denial of any application.

9.24.160 EXPIRATION OF GRANTED LAND USE ACTIONS. Unless a time extension is granted in accordance with Section 9.24.030, any discretionary action becomes null and void if not exercised within the time specified in the approval of the discretionary action or, if not date is specified, within one year from the date of approval of said discretionary action.

9.24.030.D.10 REVOCATION. Applicability. The City Council, Hearing Body, or City Manager may initiate revocation procedures for any land use action designated by this Title. The Hearing Body may revoke or modify a land use action if any one of the following findings are made:

- The approval was obtained by fraud;
- The approved use has ceased to exist or has been suspended for one year or a lesser time as established by land use ordinance;
- That the approved use is being, or recently has been, exercised contrary to the terms or conditions of such approval, or in violation of any statute, ordinance or regulation;
- That the approved use was so exercised as to be detrimental to the public safety or so as to constitute a public nuisance.

NOTE: If you are not the recorded owner of the property, this letter of authorization must be signed by the owner of the property, notarized, and submitted as a part of the application.

**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING SERVICES DIVISION**

LETTER OF AUTHORIZATION

TO BE NOTARIZED

To: City of Garden Grove

Application for CUP, General Plan Amendment, site plan

I, Harbor West LLC, owner of the below-described property,
do hereby appoint John Janshan my agent for the
purpose of consummating the above application, and agree to accept and fulfill
any and all requirements which may be imposed as conditions of approval.

LEGAL PROPERTY DESCRIPTION: _____

Janshan 2.26.98
(Signature of Owner)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

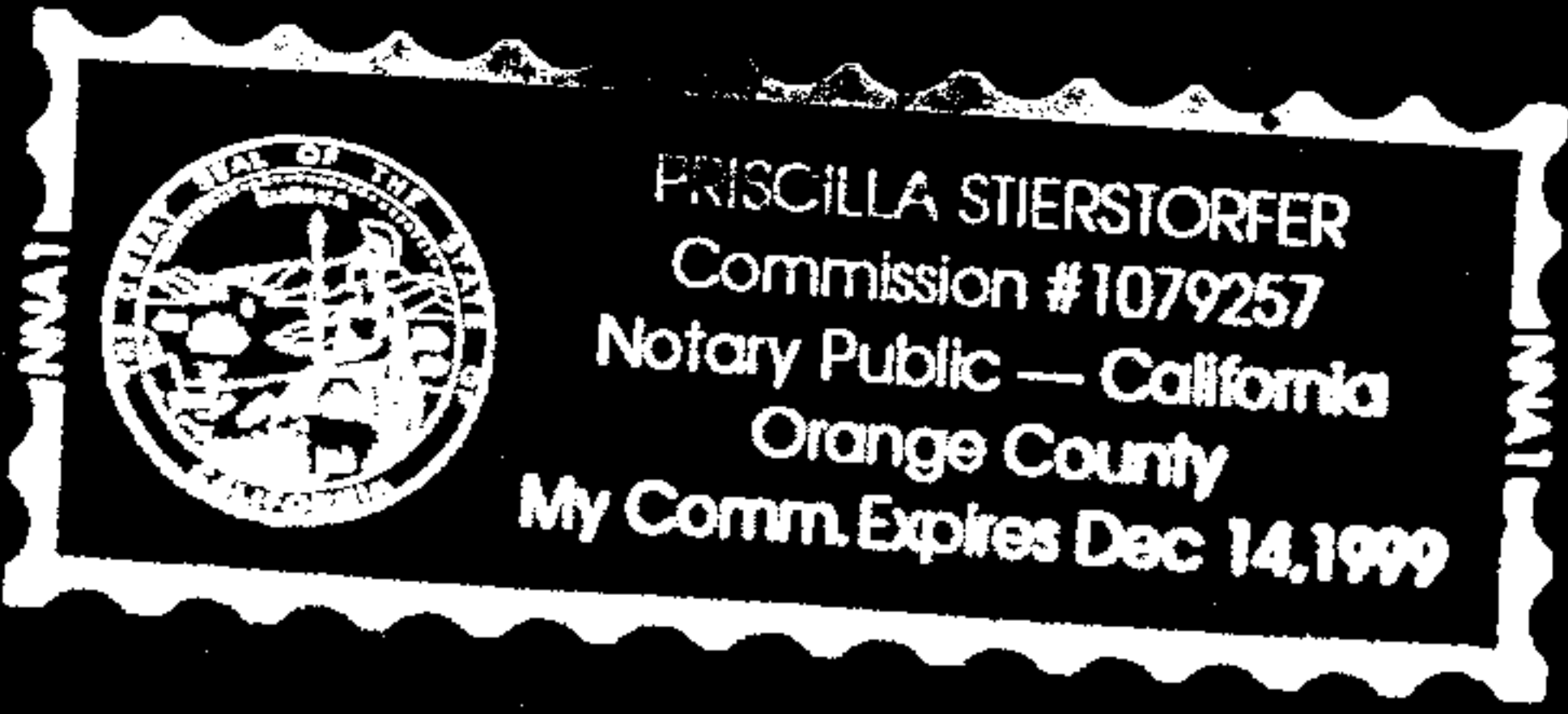
State of California

County of Orange

On February 26, 1998 before me, Priscilla Stierstorfer, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Hossein Janshai
Name(s) of Signer(s)

personally known to me – OR – proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Priscilla Stierstorfer
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Land Use Permit Application

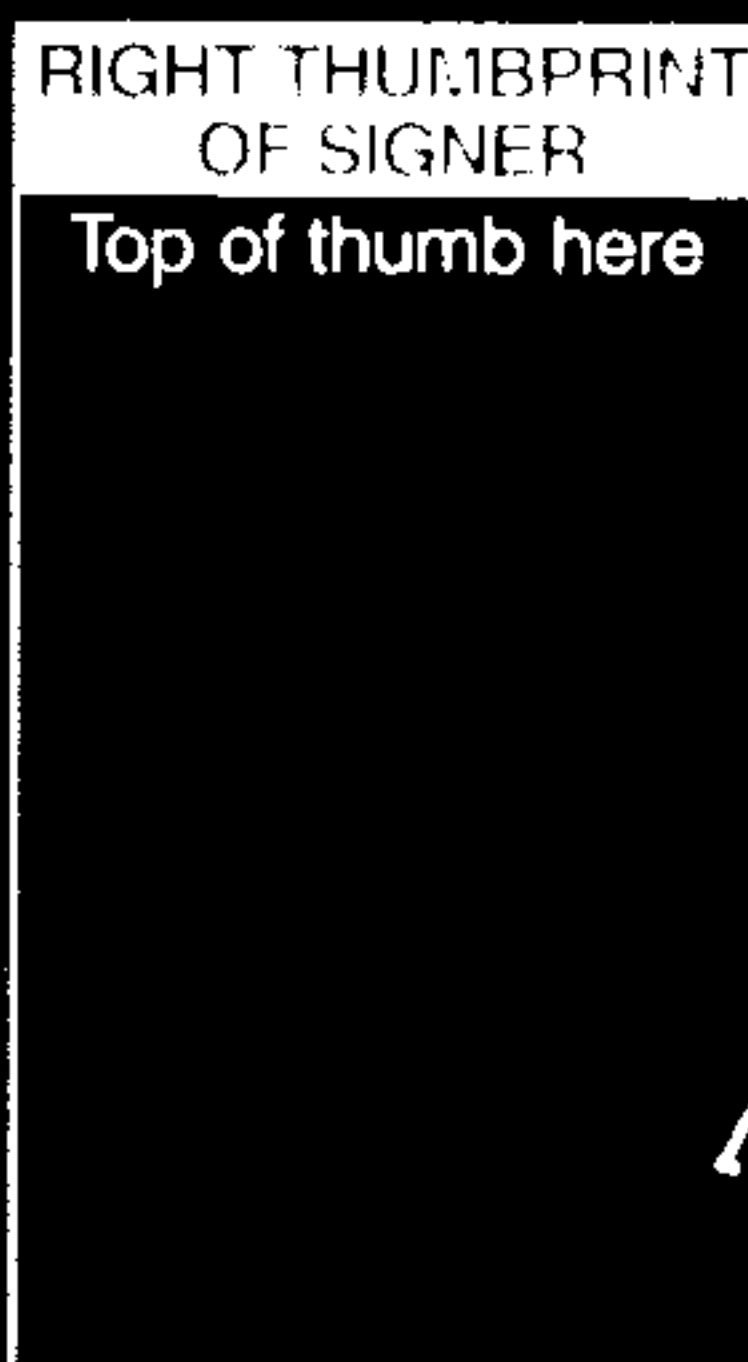
Document Date: February 26, 1998 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Hossein Janshai

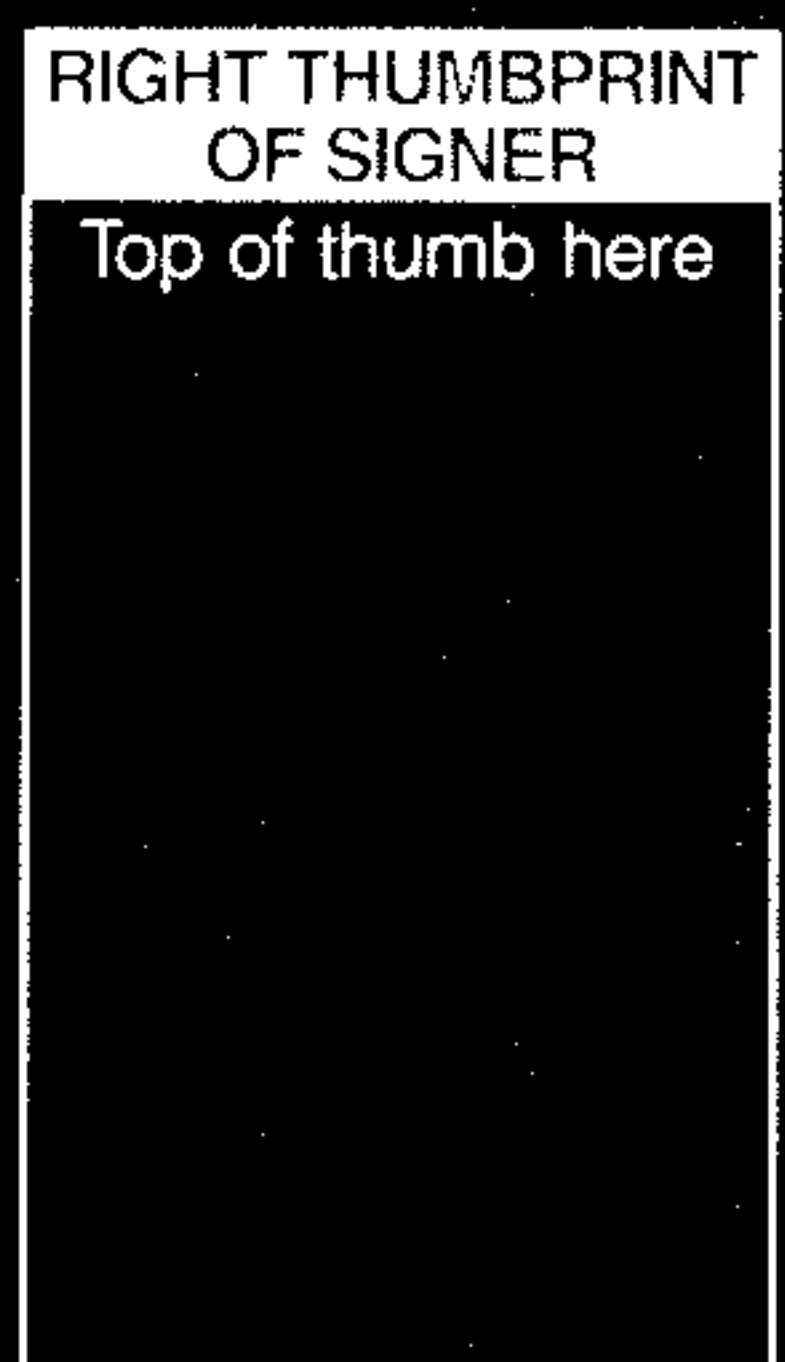
- Individual
- Corporate Officer
Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer
Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

LICENSE AGREEMENT

ORANGE COUNTY TRANSPORTATION AUTHORITY

LICENSE AGREEMENT

This LICENSE AGREEMENT ("Agreement") is made and entered into as of August 12, 1997 by and between the ORANGE COUNTY TRANSPORTATION AUTHORITY, a public agency existing under the authority of the laws of the State of California ("OCTA"), and HARBOR WEST, LLP ("Licensee"), upon and in consideration of the agreements, covenants, terms and conditions below:

PART I. - BASIC LICENSE PROVISIONS

1. Description of License Property:

100 foot wide strip of OCTA railroad right of way, located at Garden Grove, CA. As shown on Exhibit "A" attached, the property is bounded by Harbor Boulevard to the west and Westminster Avenue (Seventeenth Street) to the south.

Approximate area: 1.38 +/- acres.

2. Use of License Property: Parking, landscaping and structure(s) only, and no other uses.

3. Commencement Date: March 1, 1998.

4. Term: Twenty (20) years until February 28, 2018. Thereafter, on a month-to-month basis until terminated in accordance with Section 1.2 of the General License Provisions.

5. License Fees:

A. Base License Fee: \$2,500 per month, payable monthly in advance.

B. Additional License Fees:

I. One time processing fee, non-refundable: \$ 500

II. Deposit, refundable if a Conditional Use Permit is submitted to the City of Garden Grove and not approved: \$1,000

C. Base License Fee Adjustment Dates:

Annually based on CPI.


INITIAL


INITIAL

PART II - GENERAL LICENSE PROVISIONS1. License/Term.

1.1 License. OCTA hereby gives Licensee a non-exclusive license in, on, over, under, across and along the real property of OCTA in the location shown in the diagram attached hereto as Exhibit "A" and incorporated herein by reference, and described in Item 1 of the Basic License Provisions (the "License Property"), for construction, installation, operation, alteration, maintenance, reconstruction and/or removal of the Facility described in Item 9 of the Basic License Provisions, and any usual, necessary and related appurtenances thereto (the "Facility"), for the purposes described in Item 2 of the Basic License Provisions, together with rights for access and entry onto the License Property as necessary or convenient for the use of the Facility. In connection with this license, Licensee, its employees, agents, customers, visitors, invitees, licensees and contractors (collectively, "Licensee's Parties"), subject to the provisions hereof, may have reasonable rights of entry and access onto adjoining real property (or any interest therein) of OCTA if necessary for the use of the Facility or the License Property, with the time and manner of such entry and access to be subject to OCTA's prior written approval. The License Property, adjoining real property (or any interest therein) of OCTA and personal property of OCTA located thereon shall hereinafter collectively be referred to as OCTA Property ("OCTA Property").

1.2 Term of Agreement. The term ("Term") of this Agreement shall commence on the "Commencement Date" specified in Item 3 of the Basic License Provisions. Unless a specific term of this Agreement is filled in at Item 4 of the Basic License Provisions, this Agreement shall continue in full force and effect on a month-to-month basis as provided in Item 4 of the Basic License Provisions until terminated by either party on thirty (30) days' prior written notice. If Item 4 of the Basic License Provisions provides for a specific term, then this Agreement shall be a license for the term specified in said Item 4; provided, however, that OCTA shall have the absolute right to terminate this Agreement prior to the date specified in Item 4 in its sole discretion by delivering thirty (30) days' prior written notice to Licensee.

1.3 Condition of Premises. Licensee acknowledges that it has inspected and accepts the License Property in its present condition as suitable for the use for which this license is given. Execution of this Agreement by Licensee shall be conclusive to establish that the License Property is in good and satisfactory condition as of the Commencement Date.

adjustment not less than thirty (30) days prior to the applicable anniversary date. If no adjustment is made on the third anniversary of the Commencement Date, an adjustment may nevertheless be made on subsequent anniversary date and thereafter at intervals of not less than three (3) years apart. Any such adjustment may take into consideration the increase in fair market rental value since the last adjustment.

2.3 Late Charge. Licensee acknowledges that late payment by Licensee of any payment owed to OCTA under this Agreement will cause OCTA to incur costs not contemplated by this Agreement. Therefore, if any payment due from Licensee is not received by OCTA within five (5) days of the date when due, Licensee shall pay to OCTA an additional sum of ten percent (10%) of the overdue payment as a late charge, up to a maximum amount of \$500 for each late payment. The parties agree that this late charge represents a fair and reasonable estimate of the administrative costs that OCTA will incur by reason of a late payment by Licensee. Acceptance of any late payment charge shall not constitute a waiver of Licensee's default with respect to the overdue payment, and shall not prevent OCTA from exercising any of the other rights and remedies available to OCTA under this Agreement, at law or in equity, including, but not limited to, the interest charge imposed pursuant to Section 24.5.

3. Taxes. Licensee shall be liable for and agrees to pay promptly and prior to delinquency, any tax or assessment, including but not limited to any possessory interest tax, levied by any governmental authority: (a) against the Facility, the License Property and/or any personal property, fixtures or equipment of Licensee used in connection therewith, or (b) as a result of the Facility's operations.

4. Construction. Any work performed or caused to be performed by Licensee on the Facility or the License Property shall be performed (a) at Licensee's sole cost and expense; (b) in accordance with any and all applicable laws, rules and regulations (including the OCTA's rules and regulations), and (c) in a manner which (i) meets or exceeds the then applicable standards of the industry for such work, and (ii) is satisfactory to OCTA. Prior to commencement of any construction, reconstruction, installation, restoration, alteration, repair, replacement or removal (other than normal maintenance) (hereinafter, "Work") on the License Property, Licensee shall submit work plans to OCTA for review and approval. Any such Work must be carried out pursuant to work plans approved in writing by OCTA. In addition, Licensee shall provide OCTA and all holders of underground utility facilities located within the License Property with at least 10 calendar days' written notice prior to commencement of any Work on the License Property or the Facility, except in cases of emergency, in which event Licensee shall notify OCTA's representative personally or by phone prior to commencing any Work. Unless otherwise requested by OCTA, upon completion of any Work, Licensee shall restore the OCTA Property to its condition immediately preceding the commencement of such Work.

such notices as may be necessary to protect OCTA against liability for all such liens and claims. The provisions of this Section shall survive the termination of this Agreement.

8. Maintenance and Repair. Licensee, at Licensee's sole expense, shall maintain the License Property and the Facility in a condition satisfactory to OCTA during the Term of this Agreement and shall perform all maintenance and clean-up of the License Property and the Facility as necessary to keep the License Property and the Facility in good order and condition, to OCTA's satisfaction and in accordance with applicable city codes. Licensee shall be responsible for any citations issued by any agency having jurisdiction as a result of Licensee's failure to comply with local codes. If any portion of the OCTA Property, including improvements or fixtures, suffers damage by reason of the access to or use of the License Property, by Licensee, Licensee's Parties or by Licensee's partners, officers or directors, including but not limited to damage arising from any test or investigations conducted upon the License Property, Licensee shall, at its own cost and expense, immediately repair all such damage and restore the OCTA Property to as good a condition as before such cause of damage occurred. Repair of damage shall include, without limitation, regrading and resurfacing of any holes, ditches, indentations, mounds or other inclines created by an excavation by Licensee or Licensee's Parties.

9. Landscaping and Protective Fencing. If required by OCTA, Licensee, at its sole cost and expense, shall install barrier fencing and/or landscaping to shield the railroad track area from public access and/or the Facility from public view. OCTA shall have the right to review and approve fencing and/or landscaping plans prior to installation. All fencing and/or landscaping work shall be done in accordance with the provisions of Sections 4 and 5 above and will be subject to the maintenance and repair provisions of Section 8 above.

10. Use. The License Property and the Facility shall be used only for the purposes specified in Item 2 of the Basic License Provisions and for such lawful purposes as may be directly incidental thereto. No change shall be made by Licensee in the use of the License Property, the Facility or the commodity or product being conveyed through the Facility (if any) without OCTA's prior written approval.

11. Abandonment. Should Licensee at anytime abandon the use of the Facility or the License Property, or any part thereof, or fail at any time for a continuous period of ninety (90) days to use the same for the purposes contemplated herein, then this Agreement shall terminate to the extent of the portion so abandoned or discontinued, and in addition to any other rights or remedies, OCTA shall immediately be entitled to exclusive possession and ownership of the portion so abandoned or discontinued, without the encumbrance of this Agreement. OCTA, at its option, may remove any improvements remaining on the abandoned property, at Licensee's expense.

term of condition of this Agreement, in each case whether the Claims and Expenses and/or events giving rise thereto occur during the Term of this Agreement or thereafter.

The foregoing indemnity shall be effective regardless of any negligence (whether active, passive, derivative, joint, concurring or comparative) on the part of Indemnitees, unless caused solely by the negligence or willful misconduct of Indemnitees; shall survive termination of this Agreement; and is in addition to any other rights or remedies which Indemnitees may have under the law or under this Agreement. Upon request of OCTA, Licensee shall provide insurance coverage for possible claims or losses covered by the indemnification and defense provisions of this Agreement.

Claims against the Indemnitees by Licensee or its Personnel shall not limit the Licensee's indemnification obligations hereunder in any way, whether or not such claims against Indemnitees may result in any limitation on the amount or type of damages, compensation, or benefits payable by or for Licensee or its Personnel under workers' compensation acts, disability benefit acts or other employee benefit acts or insurance.

15. Assumption of Risk and Waiver. To the maximum extent allowed by law, Licensee assumes any and all risk of loss, damage or injury of any kind to any person or property, including, without limitation, the Facility, the License Property and any other property of, or under the control or custody of, Licensee, which is on or near the License Property. Licensee's assumption of risk shall include, without limitation, loss or damage caused by defects in any structure or improvement on the OCTA Property, accident, fire or other casualty on the OCTA Property, or electrical discharge, noise or vibration resulting from OCTA's transit operations on or near the OCTA Property. The term "OCTA" as used in this section shall include: (a) any transit or rail-related company validly operating upon or over OCTA's tracks or other property, and (b) any other persons or companies employed, retained or engaged by OCTA. Licensee, on behalf of itself and its Personnel (as defined in Section 14) as a material part of the consideration for this Agreement, hereby waives all claims and demands against OCTA for any such loss, damage or injury of Licensee and/or its Personnel. **In that connection, Licensee waives the benefit of California Civil Code Section 1542, which provides as follows:**

A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.

Licensee accepts the risk that the facts or the law may later turn out to be different than Licensee understands them to be at this time and acknowledges that this assumption of risk and waiver will not be affected by such different state of facts or law. The provisions of this Section shall survive the termination of this Agreement.

Licensee shall indemnify, defend (by counsel acceptable to OCTA) and hold harmless the Indemnitees (as defined in Section 14) from and against all loss, liability, claim, damage, cost or expense (including without limitation, any fines, penalties, judgments, litigation expenses, attorneys' fees, and consulting, engineering, and construction fees and expenses) incurred by Indemnitees as a result of (a) Licensee's breach of any prohibition or provision of this Section or (b) any release of Hazardous Materials upon or from the Facility or the License Property or contamination of the OCTA Property or adjacent property (i) which occurs due to the use and occupancy of the Facility or the OCTA Property by Licensee or Licensee's Parties, or (ii) which is made worse due to the act or failure to act of Licensee or Licensee's Parties.

The foregoing indemnity shall be effective regardless of any negligence (whether active, passive, derivative, joint, concurring or comparative) on the part of Indemnitees, unless caused solely by the negligence or willful misconduct of Indemnitees; shall survive termination of this Agreement; and is in addition to any other rights or remedies which Indemnitees may have under the law or under this Agreement.

In addition, in the event of any release on or contamination of the License Property, the OCTA Property and/or any adjacent property, whether or not owned by OCTA, Licensee, at its sole expense, shall promptly take all actions necessary to clean up all such affected property and to return the affected property to the condition existing prior to such release or contamination, to the satisfaction of OCTA and any governmental authorities having jurisdiction thereover.

Upon the termination of this Agreement at any time and for any reason, Licensee shall, prior to the effective date of such termination, clean up and remove all Hazardous Materials in, on, under and/or about the OCTA Property, in accordance with the requirements of all Environmental Laws and to the satisfaction of OCTA and any governmental authorities having jurisdiction thereover.

19. Underground Storage Tanks . NEITHER LICENSEE NOR LICENSEE'S PARTIES SHALL INSTALL OR USE ANY UNDERGROUND STORAGE TANKS ON THE LICENSE PROPERTY.

20. Subordinate Rights. This Agreement is subject and subordinate to the prior and continuing right and/or obligation of OCTA, its successors and assigns, to use the OCTA Property in the exercise of its powers and in the performance of its duties, or for any other purpose including but not limited to those as a public transportation body. Accordingly, there is reserved and retained unto OCTA, its successors, assigns and permittees, the right to construct, reconstruct, maintain and use existing and future rail tracks, facilities and appurtenances and existing and future transportation, communication, pipeline and other facilities and appurtenances in, upon, over, under, across and along the OCTA Property, and to otherwise use the OCTA Property, and in connection therewith the right of OCTA, its

24.3 Governing Law. This Agreement shall be governed by the laws of the State of California.

24.4 Severability. If any term, covenant, condition or provision of this Agreement, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the terms, covenants, conditions, or provisions of this Agreement, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated thereby.

24.5 Interest on Past-due Obligations. Except as expressly herein provided, any amount due to OCTA which is not paid when due shall bear interest, from the date due, at the maximum rate then allowable by law. Such interest will be due OCTA as it accrues. Payment of such interest shall not excuse or cure any default by Licensee under this Agreement. Interest shall not be payable on late charges incurred by Licensee.

24.6 Survival of Obligations. All obligations of Licensee hereunder not fully performed as of the expiration or earlier termination of the Term of this Agreement shall survive the expiration or earlier termination of this Agreement, including without limitation, all payment obligations with respect to License Fees and all obligations concerning the condition of the OCTA Property and the Facility.

24.7 Waiver of Covenants or Conditions. The waiver by one party of the performance of any covenant or condition under this Agreement shall not invalidate this Agreement nor shall it be considered a waiver by it of any other covenant or condition under this Agreement.

24.8 Amendment. This Agreement may be amended at any time by the written agreement of OCTA and Licensee. All amendments, changes, revisions, and discharges of this Agreement in whole or in part, and from time to time, shall be binding upon the parties, so long as the same shall be in writing and executed by the parties hereto.

24.9 Assignment. This Agreement and the license given hereunder are personal to the Licensee. Licensee shall not assign or transfer (whether voluntarily or involuntarily) this Agreement in whole or in part, or permit any other person or entity to use the rights or privileges given hereunder, without the prior written consent of OCTA, which may be withheld in OCTA's sole and absolute discretion, and any attempted act in violation of the foregoing shall be void and without effect and give OCTA the right to immediately terminate this Agreement.

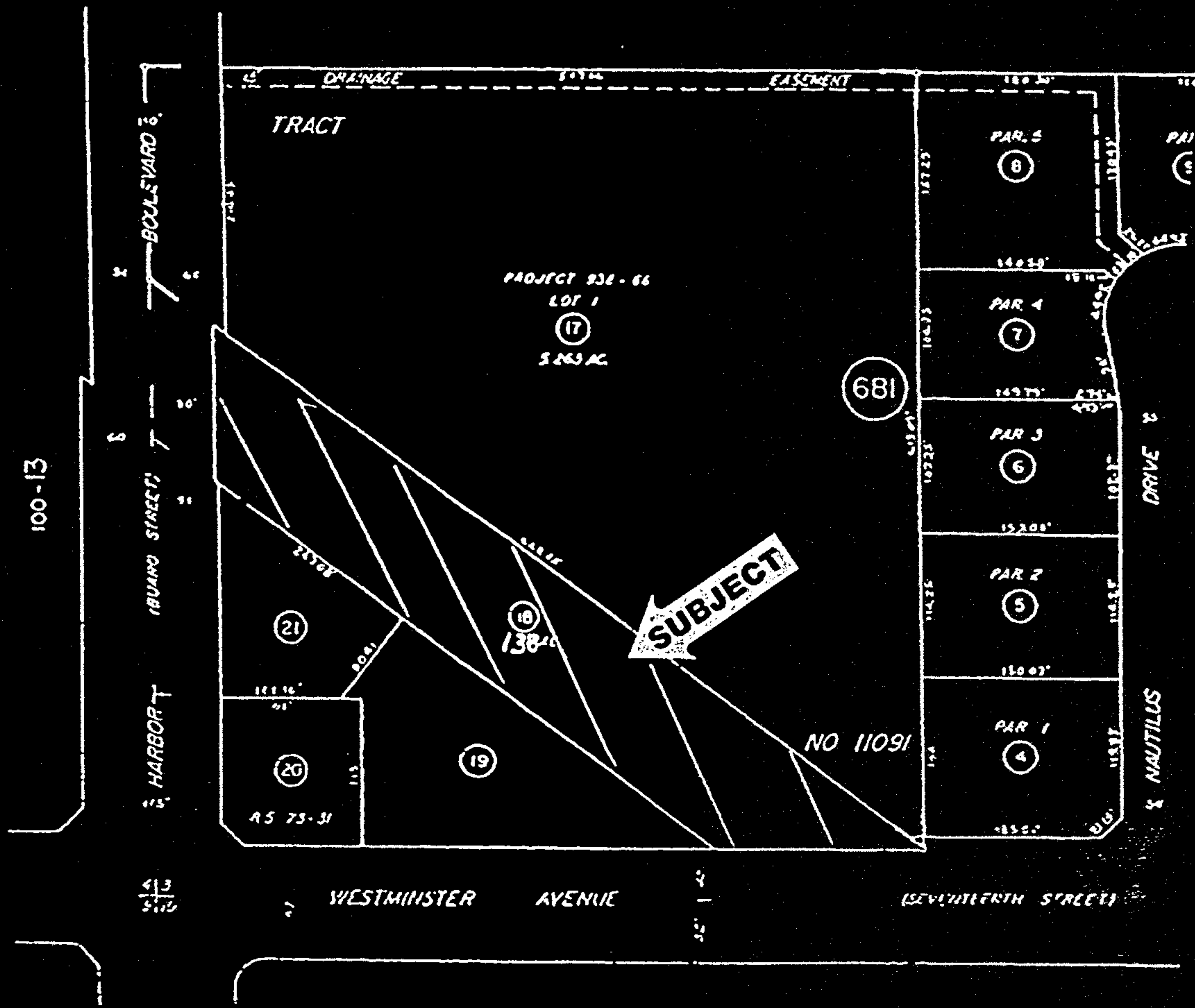
24.18 Captions. The Captions included in this Agreement are for convenience only and in no way define, limit, or otherwise describe the scope or intent of this Agreement or any provisions hereof, or in any way affect the interpretation of this Agreement.

24.19 Additional Provisions. Those additional provisions set forth in Exhibit "D", if any, are hereby incorporated by this reference as if fully set forth herein.

11/3/95(Rev1)

EXHIBIT "A"

LICENSE PROPERTY



This sketch is not a representation or warranty of the extent of, or boundaries of, OCTA property rights.


LINE/BRANCH P.E.	MAP REFERENCE APN 101-681-18	MILE POST	 OCTA	LESSEE/LICENSEE JOHN JONSHAI	
ENGINEERING STATION	COMMUNITY GARDEN GROVE	CITY GARDEN GROVE		FILE NO. PE01-129	
COUNTY ORANGE	NEAREST CROSS STREET HARBOR/WESTMINSTER	THOMAS GUIDE GRIDS 828-J1	ORANGE COUNTY TRANSPORTATION AUTHORITY P. O. BOX 14184, 550 SOUTH MAIN STREET ORANGE, CA 92613-1584 TEL. NO. (714) 560-6262		SCALE N-T-S
AREA 1.38 AC.	USE PARKING	LEGEND			DATE 812-97

EXHIBIT "B"

OCTA INSURANCE REQUIREMENTS FOR LESSEES, LICENSEES AND PERMITTEES

Lessee, Licensee or Permittee shall procure and maintain for the duration of the contract, insurance against claims for injuries to persons or damages to property which may arise from, or in connection with, the use of OCTA property hereunder by the Lessee, Licensee, or Permittee, his agents, representatives, employees or subcontractors.

INSURANCE REQUIRED (check applicable boxes)

- (X)A. Comprehensive General Liability, Including Products/Completed Operations, Premises, Independent Contractors, Personal Injury, and Contractual Liability.
- (X)B. Automobile Liability covering any auto (code 1).
- (X)C. Workers' Compensation with limits established and required by the State of California and Employer's Liability with limits of at least \$100,000.
- ()D. Contractor's Pollution Liability with coverage for:
 - a. bodily injury, sickness, disease, mental anguish or shock sustained by any person, including death;
 - b. property damage including physical injury to or destruction of tangible property including the resulting loss of the use thereof, clean-up costs, and the loss of use of tangible property that has not been physically injured or destroyed;
 - c. defense, including costs, charges and expenses incurred in the investigation, adjustment or defense of claims for such compensatory damages, and
 - d. losses caused by pollution conditions that arise from the operations of the contractor described under the scope of services of this contract.
- ()E. Course of Construction providing coverage for "all risks" of loss.
- ()F. Property insurance against all risks of loss to any tenant improvements or betterments.

LIMITS OF INSURANCE REQUIRED (check applicable boxes)

- ()A. General Liability: \$500,000 combined single limits per occurrence for bodily injury, personal injury and property damage or
- (X) General Liability: \$1,000,000 combined single limits per occurrence for bodily injury, personal injury and property damage.
- (X)B. Automobile Liability: \$250,000 per occurrence for bodily injury and \$250,000 per occurrence for property damage or combined single limits \$500,000 per occurrence.
- () Automobile Liability: \$500,000 per occurrence for bodily injury and \$500,000 per occurrence for property damage or combined single limits of \$1,000,000 per occurrence.

EXHIBIT "C"

No HAZARDOUS MATERIALS are approved for the License Property and Licensee shall not cause or permit, or allow any of Licensee's Parties to cause or permit, any Hazardous Materials to be brought on, stored, used, generated, treated or disposed of on or about the License Property or any other property owned by OCTA.

PLANNING DIVISION

Community Development Department

City of Garden Grove

LAND USE PERMIT APPLICATION

Project Address: _____

Project Location: NORTH EAST CORNER OF HARBOR Bld.

Application For:

- Code Amendment
- Conditional Use Permit *\$1000*
- General Plan Amendment
- Interpretation of Use
- Lot Line Adjustment
- Modification to Conditions
- Modification to Plans
- Planned Unit Development
- Site Plan *\$1000.*
- Specific Plan
- Tentative Parcel Map *\$100+10lot*
- Tentative Tract Map
- Time Extension
- Variance *\$650.00*
- Other: _____ \$ _____

Environmental Review:

- Environmental Impact Report
- Negative Declaration *\$250.*
- Notice of Exemption

Applicant/Owner Information:

Applicant:

Name: HARBOR - WEST, LLC.
 Address: 1560 SUPERIOR AVE #A-2
 City/State: COSTA MESA 92627
 Phone: (714) 822-5134

Representative:

Name: JOHN JANSHAI
 Address: 425 W. PROMONTORY DR
 City/State: NEWPORT BEACH CA 92660
 Phone: (714) 822-5134

Property Owner:

Name: _____
 Address: _____
 City/State: _____
 Phone: _____

Status of Applicant:

- Recorded Property Owner
- Purchasing/Escrow Subject to Case Approval
- Lessee
- Authorized Agent of One of The Above

AUTHORIZED SIGNATURES

Important Note: If the applicant is anyone other than the recorded owner of the property, a letter of authorization, signed by the owner, is to be notarized and submitted as a part of the application.

Owner's Signature: Jancha Date: 12.17.97

Applicant's Signature: Jancha Date: 12.17.97

Application Accepted By: _____ Date: _____

Office Use Only

Land Use Action _____	11- _____	\$ _____	Land Use Action _____	11- _____	\$ _____
Land Use Action _____	11- _____	\$ _____	Land Use Action _____	11- _____	\$ _____
Land Use Action _____	11- _____	\$ _____	Land Use Action _____	11- _____	\$ _____

PLANNING DIVISION

Community Development Department

City of Garden Grove
LAND USE PERMIT APPLICATION

Project Address: 12001 - 12021 WESTMINSTER AVE., GARDEN GROVE

Project Location: NORTHEAST CORNER OF HARBOR BLVD. AND WESTMINSTER AVE.

Application For:

- Code Amendment
- Conditional Use Permit
- General Plan Amendment
- Interpretation of Use
- Lot Line Adjustment
- Modification to Conditions
- Modification to Plans
- Planned Unit Development
- Site Plan
- Specific Plan
- Tentative Parcel Map *\$900+10 per lot*
- Tentative Tract Map
- Time Extension
- Variance
- Zone Change
- Other: _____ \$

Environmental Review:

- Environmental Impact Report
- Negative Declaration
- Notice of Exemption

Applicant/Owner Information:

Applicant:

Name: JOHN H. JANSHAI
 Address: 425 W. PROMONTORY DR.
 City/State: NEWPORT BEACH, CA 92660
 Phone: (714) 822-5134

Representative:

Name: JOHN H. JANSHAI
 Address: 425 W. PROMONTORY DR.
 City/State: NEWPORT BEACH, CA 92660
 Phone: (714) 822-5134

Property Owner:

Name: HARBOR - WEST L.L.C. *G.G Agency*
 Address: 1560 SUPERIOR AVE., SUITE A-1 *for*
 City/State: COSTA MESA, CA 92627
 Phone: (714) 822-5134

Community Development

*11222
Acacia
PKWY*

Status of Applicant:

- Recorded Property Owner
- Purchasing/Escrow Subject to Case Approval
- Lessee
- Authorized Agent of One of The Above

AUTHORIZED SIGNATURES

Important Note: If the applicant is anyone other than the recorded owner of the property, a letter of authorization, signed by the owner, is to be notarized and submitted as a part of the application.

Owner's Signature: *Janshai* Date: 1.5.98

Applicant's Signature: *Janshai* Date: 1.5.98

Application Accepted By: _____ Date: _____

Office Use Only					
Land Use Action	11-	\$	Land Use Action	11-	\$
Land Use Action	11-	\$	Land Use Action	11-	\$
Land Use Action	11-	\$	Land Use Action	11-	\$

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

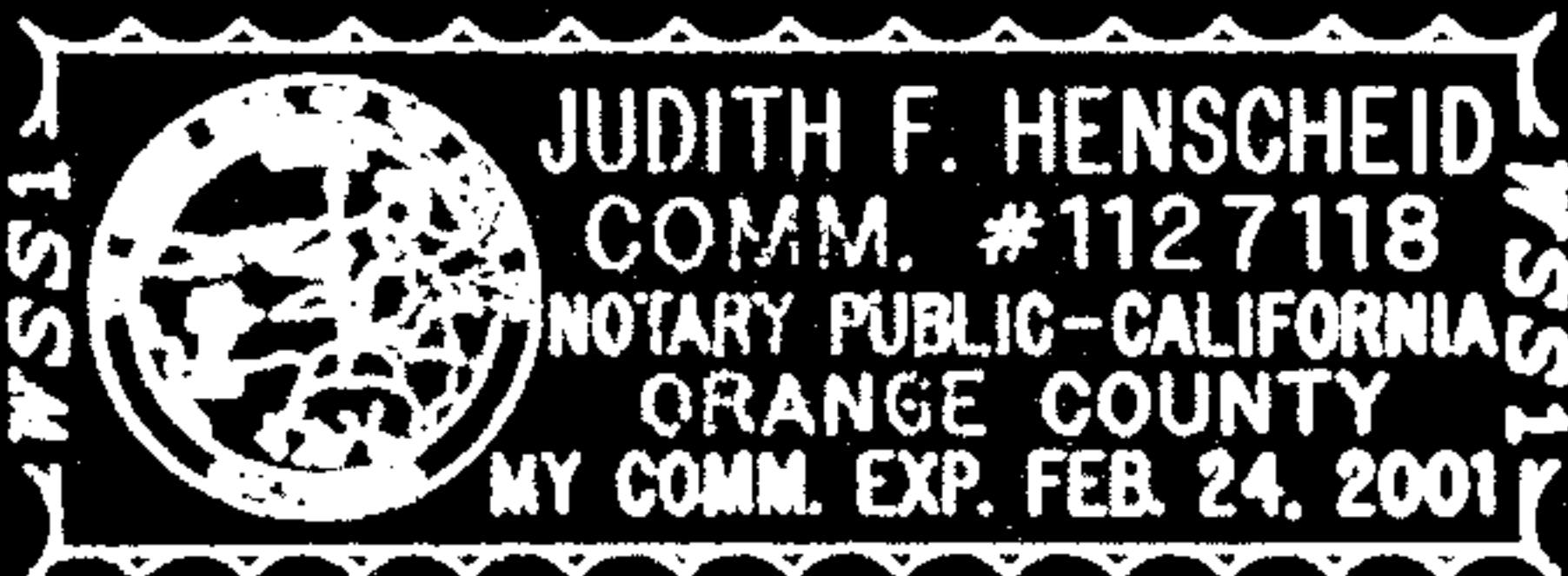
State of California

County of Orange

On January 5, 1998 before me, Judith F. Henscheid, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Sina Dallerger
Name(s) of Signer(s)

personally known to me – OR – proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Judith F. Henscheid
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

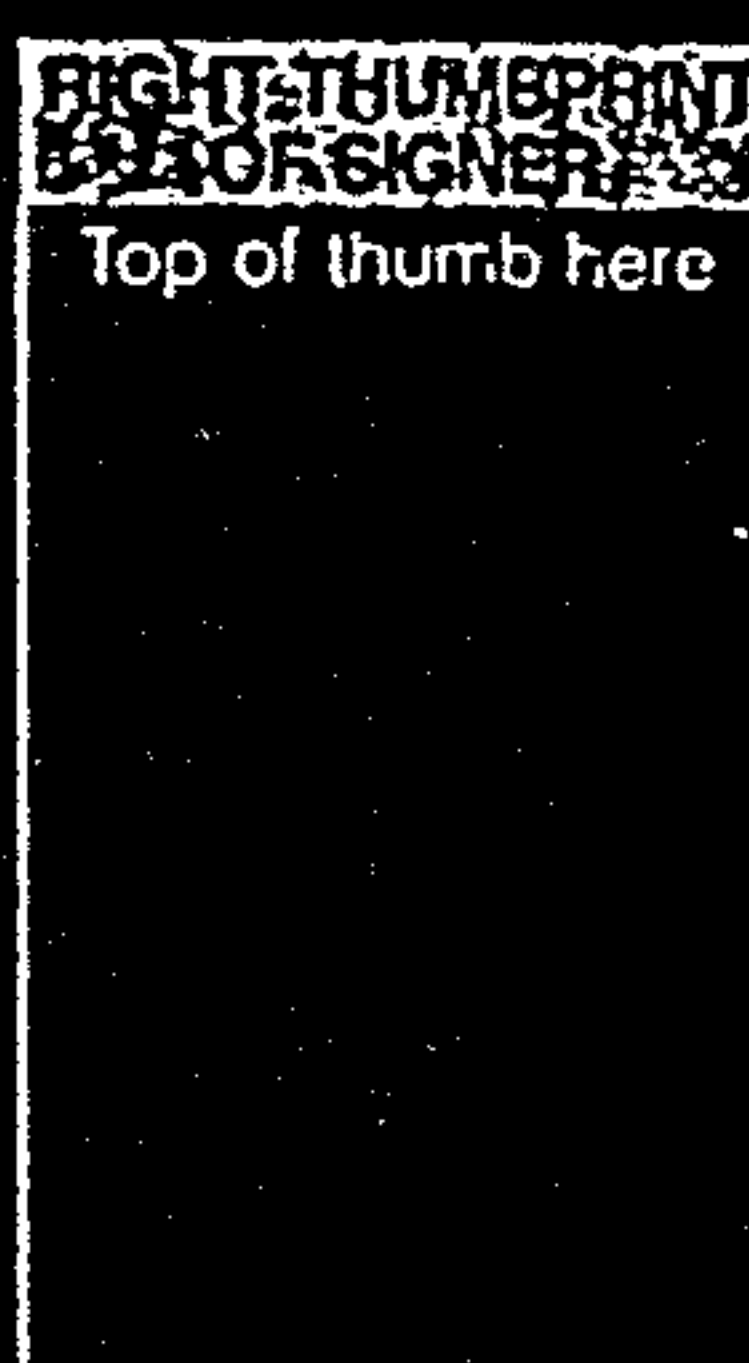
- Individual
- Corporate Officer
Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer
Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

