

APPLICATION CHECKLIST AND CASE PROGRESS LOG

Case Identification No. Revocation of WP-132-89 Case Planner F. USA
 Related Case File Nos. POC-101-87 & PUL-11-87 / Revised 99, WP-132-89

Date Filed _____ Application Det. Complete _____ Hearing Date 9/2 Hearing Body PC

* * * * *

Applicant <u>City of Garden Grove</u>	Property Owner <u>Paul B. Bing / Pamada</u>
Address <u>11222 Acacia Hwy</u>	Address <u>10022 Garden Grove Blvd</u>
City <u>G.A. CA 92640</u>	City <u>G.A. CA 92644</u>
Phone <u>(714) 741-5216</u>	Phone <u>(714) 534-1818</u>

* * * * *

Site Address <u>10022 Garden Grove</u>	Assessor Parcel No(s) <u>298-066-05, 070-58</u>
Site Location <u>S/S Garden Grove, w/o</u>	General Plan <u>Recreation Commercial</u>
Flood Zone <u>Prop. Uninc.</u>	Current Zone <u>POD</u>
Map & Panel No. _____	Proposed Zone <u>N/A</u>

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	_____		

Renovation of
 Identification No. PUD-111-96 exp-132-89 Hearing Date PC 8/22
9/2/98

DEVELOPMENT SERVICES DEPARTMENT
 PUBLIC HEARING NOTICE WORKSHEET

X extra cards

Subject Site: (See Attached Map-Red Circles)

098-066-05 _____
070-58 _____

1. Total Subject Site _____

300 Foot Radius (See Attached Map-Yellow Circles)

- () * 98-066-01 thru () 063-24 () _____
- () 09 () 25 () _____
- () 062-11 () 061-25 () _____
- () 12 () 3 () _____
- () 18 () 4 () _____
- () 14 () 070-35 () _____
- () 45 () 38 () _____
- () 21 () 68 () _____
- () 22 () 56 () _____
- () 23 () 32 () _____
- () 16 () 89-071-13 () _____
- () 20 () 14 () _____
- () 32 () 30 () _____
- () 33 () 363-04 () _____
- () 38 () _____ () _____
- () 37 () _____ () _____

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

No tenant notification per GK 8/3/98

THIS SPACE IS FOR THE COUNTY CLERK'S FILING STAMP

PROOF OF PUBLICATION

(2015.5 C.C.P.)

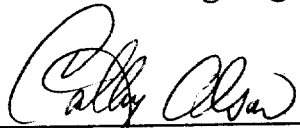
STATE OF CALIFORNIA,)
COUNTY OF ORANGE)

I am a citizen of the United States and a resident of the aforesaid county; I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of the ORANGE COUNTY NEWS, a newspaper of general circulation printed and published twice weekly in the city of GARDEN GROVE, County of Orange, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Orange, State of California, under the date of 3/20/64 case # A31502 that the notice, of which the annexed is a printed copy, has been published by distribution in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

10/9

all in the year 1998.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.



signature

Date: 10-9-1998, Executed at GARDEN GROVE, California.

Proof of Publication of:

LEGAL NOTICE
PLANNING COMMISSION
 NOTICE IS HEREBY GIVEN THAT THE CITY OF GARDEN GROVE HAS A PUBLIC HEARING ON THE CITY COUNCIL CHAMBERS OF THE COMMUNITY MEETING CENTER, 1250 STANFORD AVENUE, GARDEN GROVE, CALIFORNIA, ON THE DATE INDICATED BELOW TO RECEIVE AND CONSIDER ALL EVIDENCE AND REPORTS RELATIVE TO THE APPLICATIONS DESCRIBED BELOW:
FRIDAY, OCTOBER 27, 1998 7:00 P.M.
APPEAL OF RESOLUTION OF CONDITIONAL USE PERMIT NO. CUP-132-89
 THE PLANNING COMMISSION AT THEIR MEETING SEPTEMBER 2, 1998, RESOLVED CUP-132-89 FOR REPEAL AND PREVIOUSLY APPROVED TO OPERATE UNDER ANNUAL TYPE "C" ON-SALE GENERAL SALES PLACES LICENSE. THE SITE IS LOCATED IN THE PLANNED UNIT DEVELOPMENT ZONE ON THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF BONDWORTH STREET AT 1250 GARDEN GROVE BOULEVARD.
 (ON SEPTEMBER 21, 1998, AN APPEAL OF THE PLANNING COMMISSION'S DECISION (RESOLUTION NO. 898) WAS FILED BY A COUNCIL MEMBER.)
 ALL INTERESTED PARTIES are invited to attend and express opinions or submit evidence in support of or in opposition to the above. If you do not wish to attend, you may wish to send only those written comments to the Planning Commission, 1250 Stanford Avenue, Garden Grove, California 92647, or to the City Clerk, 741-5512.
 Copies of the application may be obtained at the Planning Services Division, City Hall, 1250 Francis Parkway, or by telephone at (714) 741-5512.
 ANNE E. SMITH
 CITY CLERK
 DATE: September 22, 1998
 Orange County News 1004-06
 Publish Oct. 9, 1998

RESOLUTION NO. 8135-98 (F: 51.CUP-132-89)

Councilman Chung moved, seconded by Councilman Maddox, that full reading of Resolution No. 8135-98 be waived, and said Resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE REVOKING THE PLANNING COMMISSION'S SUSPENSION OF CONDITIONAL USE PERMIT NO. CUP-132-89 AND REQUIRING THE APPLICANT TO LEGALIZE THE UNPERMITTED CHANGES TO THE FLOOR PLAN AND BUSINESS OPERATION WITHIN 120 DAYS FOR RAMADA INN LOCATED AT THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF BROOKHURST STREET, AT 10022 GARDEN GROVE BOULEVARD, PARCEL NOS. 098-066-05 AND 098-070-58, be and hereby is adopted. Upon the following vote:

AYES: COUNCILMEMBERS: (4) CHUNG, LEYES, MADDOX,
BROADWATER
NOES: COUNCILMEMBERS: (1) DINSEN
ABSENT: COUNCILMEMBERS: (0) NONE

said Resolution No. 8135-98 was declared adopted.

RESOLUTION NO. 8135-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE REVOKING THE PLANNING COMMISSION'S SUSPENSION OF CONDITIONAL USE PERMIT NO. CUP-132-89 AND REQUIRING THE APPLICANT TO LEGALIZE THE UNPERMITTED CHANGES TO THE FLOOR PLAN AND BUSINESS OPERATION WITHIN 120 DAYS FOR RAMADA INN LOCATED AT THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF BROOKHURST STREET, AT 10022 GARDEN GROVE BOULEVARD, PARCEL NOS. 098-066-05 AND 098-070-58

WHEREAS, in May 1987, the Planning Commission approved Planned Unit Development No. PUD-101-87, to construct a four-story, 141-room hotel and restaurant at 10022 Garden Grove Boulevard. A 116-room hotel and restaurant were, subsequently, constructed and occupied in October 1989;

WHEREAS, in February 1990, the Zoning Administrator approved Conditional Use Permit No. CUP -132-89, to allow the entire hotel facility including restaurant and banquet facilities to operate under a State ABC License Type "47" (On-Sale General, Public Eating Place);

WHEREAS, a change of ownership occurred for the existing hotel facility in April 1997 and Mr. Paul B. Ding became the new property and business owner;

WHEREAS, on April 1, 1998, the Fire Department conducted an annual inspection and noted that several changes had been made to the existing facility;

WHEREAS, on April 29, 1998, per Fire Department request, staff conducted a site inspection of the hotel facility and noted that there were several changes made to the existing hotel lobby area, the hotel restaurant, and the banquet room located on the second floor. These changes were made without permits from the City;

WHEREAS, the originally approved Conditional Use Permit (CUP-132-89) and Planned Unit Development (PUD-101-87/Revised 92) for the establishment do not allow the most recent modifications to the existing hotel facility. The most significant change has been the construction of a wall across a part of the first floor restaurant and the creation of a separate lounge area featuring a large bar, a dance floor, a stage, and karaoke equipment;

WHEREAS, the changes require filing of applications for a Planned Unit Development (PUD) and a Conditional Use Permit (CUP). The new PUD and CUP, as required by Title 9 of the Municipal Code, would provide an updated floor plan (which would be especially useful to the Fire Department and Police Department), and would include additional conditions which are appropriate for a lounge;

WHEREAS, on May 18, 1998, an Office Hearing was conducted with Mr. Ding regarding the unpermitted changes to the floor plan and business operation. Mr. Ding was advised that

the existing establishment is now operating in violation of the Planned Unit Development and the conditions of approval of Conditional Use Permit No. CUP-132-89;

WHEREAS, on May 22, 1998, a letter sent to Mr. Ding summarizing the office hearing and requesting submittal of applications by July 23, 1998. (The submittal time was subsequently extended to August 18, 1998, pursuant to a request by Mr. Ding for additional time.);

WHEREAS on May 30, 1998, a letter was submitted by Mr. Ding discussing the background of the changes and asking that he not be required to apply for a CUP and PUD;

WHEREAS, on June 28, 1998, a letter was submitted to Planning Commission by Mr. Ding, requesting a "waiver" of the CUP/PUD requirement, and indicating that he will apply once the hotel obtains 65% occupancy;

WHEREAS, Mr. Ding failed to submit the necessary applications by August 18, 1998;

WHEREAS, on September 2, 1998, the Planning Commission held a revocation hearing. The Planning Commission after consideration, unanimously suspended CUP-132-89, until such time as the property is brought into conformance with the current CUP or a new CUP and PUD are approved;

WHEREAS, on September 21, 1998, the City Clerk received an appeal by a Councilmember to allow the City Council to reconsider the CUP suspension;

WHEREAS, pursuant to a legal notice, a public hearing was held by the City Council on October 27, 1998, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council, gave due and careful consideration to the matter during its meeting on October 27, 1998; and

WHEREAS, the City Council, at the public hearing, revoked the Planning Commission's suspension of CUP-132-89; determined that the recent modifications to the existing hotel facility are inconsistent with CUP-132-89 and PUD-101-87/Revised 92; required the applicant to file new Conditional Use Permit and Planned Unit Development applications within 120 days (March 1, 1999); and waived the filing fees for the PUD and CUP.

51-CUP-132-89

THE GARDEN GROVE CITY COUNCIL WILL HOLD A PUBLIC HEARING IN THE COUNCIL CHAMBER, 11300 STANFORD AVENUE, GARDEN GROVE, ON TUESDAY, OCTOBER 27, 1998, AT 7 P.M. TO CONSIDER THE APPEAL OF THE REVOCATION OF CONDITIONAL USE PERMIT NO. CUP-132-89.

THE PLANNING COMMISSION AT THEIR MEETING SEPTEMBER 2, 1998, REVOKED CUP-132-89 FOR RAMADA INN PREVIOUSLY APPROVED TO OPERATE UNDER AN ABC TYPE "47" (ON-SALE GENERAL, EATING PLACE) LICENSE. THE SITE IS LOCATED IN THE PLANNED UNIT DEVELOPMENT ZONE ON THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF BROOKHURST STREET AT 10022 GARDEN GROVE BOULEVARD.

(ON SEPTEMBER 21, 1998, AN APPEAL OF THE PLANNING COMMISSION'S DECISION (RESOLUTION NO. 4928) WAS FILED BY A COUNCILMEMBER.)

FOR INFORMATION, PLEASE CALL (714) 741-5312 OR INQUIRE AT THE PLANNING DIVISION IN CITY HALL, 11222 ACACIA PKY.

Council Minutes
October 27, 1998

Al Snook addressed the Council and thanked them for their decision on the Appeal of Conditional Use Permit No. CUP-132-89, noting the importance of being business friendly. He noted that the hotel is a nice facility. He also spoke about the Disneyland expansion, noting that they are now suing us rather than being good neighbors. Lastly, he encouraged everyone to vote on November 3rd. (F: 53.3) (XR: 51.CUP-132-89)

PUBLIC HEARING - APPEAL ON CONDITIONAL USE PERMIT NO. CUP-132-89
(F: 51.CUP-132-89)

Appeal of Conditional Use Permit No. CUP-132-89, filed by a Councilmember, requesting consideration of the Planning Commission decision to suspend Conditional Use Permit No. CUP-132-89, which allows the Ramada Inn to operate under an ABC Type "47" (On-Sale General, Public Eating Place) license. The site is located in the Planned Unit Development Zone on the south side of Garden Grove Boulevard, west of Brookhurst Street, at 10022 Garden Grove Boulevard.

The Planning Commission, pursuant to Resolution No. 4928, suspended CUP-132-89 on September 2, 1998.

Appeal from the action of the Planning Commission was filed; and pursuant to Legal Notice published on October 9, 1998, public hearing was ordered by the City Council to be held this date.

Staff report dated October 27, 1998 was introduced, and staff provided historical background information on this matter. It was noted that a change of ownership occurred for the existing hotel facility in April 1998, and Mr. Paul B. Ding became the new property and business owner.

On April 1, 1998, the Fire Department conducted an annual inspection and noted that several changes had been made to the existing facility. Later in April staff conducted a site inspection of the hotel facility, with Mr. Ding, and noted that several changes had been made to the existing hotel lobby area, the hotel restaurant, and the banquet room located on the second floor. The most significant change was the construction of a wall across a part of the first floor restaurant, and the creation of a separate nightclub/lounge featuring a large bar, dance floor, stage, and karaoke equipment. It was noted that these changes had been made without permits from the City. A cafe/coffeehouse area was also added to the first floor.

On May 18, 1998, an Office Hearing was conducted with Mr. Ding regarding the unpermitted changes to the floor plan and business operation. Staff further explained that the existing establishment was now operating in violation of the Planned Unit Development and the conditions of approval of CUP-132-89. Mr. Ding was informed that these violations must be rectified in order for the establishment to continue to operate.

On May 22, 1998, a letter was sent to Mr. Ding summarizing the office hearing and requesting submittal of applications by July 23, 1998. The time was subsequently extended to August 18, 1998, pursuant to a request by Mr. Ding for additional time.

On May 30, 1998, a letter was submitted by Mr. Ding discussing the background of the changes and asking that he not be required to apply for a new CUP and PUD.

On June 28, 1998, a letter was submitted to the Planning Commission by Mr. Ding, requesting a "waiver" of the CUP/PUD requirement, and indicating that he will apply once the hotel reaches 65-percent occupancy. On numerous occasions prior to and after submittal of this letter, Mr. Ding was advised by staff that the Planning Commission could not administratively waive the code requirements; they only could assist him within the framework of a public hearing.

Mr. Ding failed to submit the necessary applications by August 19, 1998. Consequently, on September 2, 1998, the Planning Commission held a revocation hearing, which Mr. Ding did not attend. After consideration, the Planning Commission unanimously voted to suspend the current CUP until such time as the property is brought into conformance with the current CUP or a new CUP is approved.

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

Mr. Paul Ding, property and business owner of the hotel, addressed the Council. He stated they are not operating as a nightclub. He believes they are in compliance with most of the conditions of approval. He noted that he did not receive the 17 conditions to the CUP until two days before the Planning Commission meeting, and he was unable to argue his case before the Commission. He stated that he then tried to reach staff to talk about the issue, but he was unable to make contact. He believes they have been in compliance except for the modifications that were made to the property by the previous owner, and the conditions indicate all requests for minor modifications shall be submitted to the Zoning Administrator for approval. He questioned whether the changes are minor or not.

Mr. Ding presented some photographs of the interior. He stated the stage is small and is only a decoration. He indicated they have removed the coffee shop in the lobby. Relative to the banquet room on the second floor, he indicated there are four doors, of which only the two in the middle are blocked. Additionally, he is willing to remove the partitions. Relative to the bar, Mr. Ding indicated that the previous owner moved the bar to its present location.

Mr. Ding stated the previous owner erected the karaoke stage; however, when he took out his business license, his certificate stated restaurant and hotel with entertainment limited to karaoke with no dancing, so he assumed the karaoke was permitted.

Mr. Ding further indicated that he rescued this property and has lost more than \$372,000 on it. He is trying hard to improve the business, and he asked the Council to look at the whole issue.

Councilman Dinsen asked Mr. Ding if he got a copy of the Conditional Use Permit when he bought the property. Mr. Ding indicated that he didn't think to get a copy, as he thought it was an ongoing business.

Councilman Chung asked Mr. Ding if he is interested in complying with the Conditional Use Permit. Mr. Ding responded in the affirmative, but asked that the City be reasonable as he believes there are only minor issues involved, and he asked for a ruling on whether they are major or minor.

There being no further response from the audience, the public hearing was declared closed.

Mayor Broadwater commented that he feels there are semantics problems involved here, and the issues are not minor ones. He indicated he visited the site, and there is a full bar there. However, he noted the importance of maintaining the property so it doesn't become a problem area.

The City Manager indicated that staff has tried to work with Mr. Ding, and the fact that Mr. Ding feels the issues in question here are minor is problematic, because especially relocating the bar is a major issue.

In response to a question from Mayor Broadwater, Police Investigator Johnson indicated that the relocation of the bar does not have an effect on the ABC license.

Councilman Leyes again pointed out the issue of semantics, whether it is a separate bar or a lounge for the restaurant. He indicated he filed the appeal because Mr. Ding missed the Planning Commission discussion. He commented that even if the previous owner is responsible for the code violation involved in moving the bar, the matter still needs to be addressed. He suggested that perhaps this matter should go back to the Planning Commission for more thorough discussion of these issues.

Councilman Dinsen commented that at first he felt there was no alternative but to deny the appeal because Mr. Ding was given ample notice to make the changes; however, because of the minor/major issue, he can go along with giving Mr. Ding reasonable time to comply with the wording of the Conditional Use Permit and then return to the Planning Commission.

Councilman Maddox indicated that he has visited the facility, and the first floor is no different than that of any other hotel. He further commented that if the modifications were made before Mr. Ding purchased the property, he would like to see it remain as is and have Mr. Ding return with a modification to the PUD.

Mayor Broadwater indicated that he does not want to shut down the business. He would like to give Mr. Ding time to resolve the problems, straighten out the paperwork, and reopen the doors on the second floor.

The City Attorney suggested that a finding be made as to whether the changes are minor or major and Mr. Ding be given a period of time to make the changes or apply for an amendment.

Mayor Broadwater indicated he agrees with Councilman Dinsen's comment that anything over \$100 should be considered major.

Councilman Dinsen commented that it was Mr. Ding's responsibility to know the conditions when he bought the property.

Mayor Broadwater commented that he is willing to waive the PUD and CUP fees but not the permit fees.

Councilman Leyes commented that he agrees with Mr. Ding that the physical modifications that Mr. Ding is responsible for are minor. He further commented that a new PUD/CUP permit should be on file for this property.

Councilman Leyes moved, seconded by Councilman Maddox, that the Planning Commission suspension of the Conditional Use Permit be and hereby is revoked.

Councilman Dinsen expressed concern that this motion is sending a message to the Planning Commission that they made the wrong decision.

Mayor Broadwater stated that the Planning Commission did their job and they did it right and the Council is just taking the matter a step further.

The foregoing motion carried by the following vote:

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

Councilman Leyes commented that the larger part of the problem is through no fault of Mr. Ding. He purchased the property, and the existing conditions were in violation of the PUD and CUP. He has, however, done some further operational things and minor physical modifications that seem to have pulled it

even further out of compliance, so it is necessary that he apply for the amendment to the PUD.

Councilman Leyes moved, seconded by Councilman Chung, that the subject property is found to be out of compliance with the PUD and CUP and requires an amendment of same; that the owner be required to make application to amend the PUD and CUP within 120 days; and that the application fees be waived. Said motion carried by the following vote:

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

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: George Tindall From: Matthew Fertal
Dept.: City Manager Dept.: Community Development
Subject: **CONSIDERATION OF AN APPEAL OF CUP-132-89 FOR RAMADA INN LOCATED AT 10022 GARDEN GROVE BOULEVARD** Date: October 27, 1998

OBJECTIVE

The purpose of this report is to consider an appeal of the Planning Commission's suspension of Conditional Use Permit No. CUP-132-89. Conditional Use Permit No. CUP-132-89 currently allows the existing hotel facility to operate under a State ABC License Type "47" (On-Sale General, Public Eating Place).

BACKGROUND

In May 1987, the Planning Commission approved Planned Unit Development No. PUD-101-87 to construct a four-story, 141-room hotel and restaurant. With several modifications to the originally approved PUD in 1988 and 1989, the 116-room hotel and restaurant were constructed and occupied in October 1989.

In February 1990, the Zoning Administrator approved Conditional Use Permit No. CUP -132-89 to allow the entire hotel facility including restaurant and banquet facilities to operate under a State ABC License Type "47" (On-Sale General, Public Eating Place).

In December 1991, the Planning Commission approved a request (PUD-101-87/Revised 92) for retail commercial ancillary uses as part of the hotel facility. These uses include: retail sales of arts and crafts, travel agency, book/magazine newsstand, gift and souvenir sales, jewelry and camera sales, barber/beauty salon, and auto rental agency (no storage of vehicles).

A change of ownership occurred for the existing hotel facility in April 1998 and Mr. Paul B. Ding became the new property and business owner.

On April 1, 1998, the Fire Department conducted an annual inspection and noted that several changes had been made to the existing facility.

On April 29, 1998, per Fire Department request, staff conducted a site inspection of the hotel facility and noted that there were several changes made to the existing hotel lobby area, the hotel restaurant, and the banquet room located on the second floor. These changes were made without permits from the City. Staff conducted the site inspection with Mr. Ding.

On May 18, 1998, an Office Hearing was conducted with Mr. Ding regarding the unpermitted changes to the floor plan and business operation. Staff further explained that the existing establishment is now operating in violation of the Planned Unit Development and the conditions of approval of Conditional Use Permit No. CUP-132-89. Mr. Ding was informed that these violations must be rectified in order for Mr. Ding to continue to operate the establishment.

On May 22, 1998, a letter was sent to Mr. Ding summarizing the office hearing and requesting submittal of applications by July 23, 1998. (The submittal time was subsequently extended to August 18, 1998, pursuant to a request by Mr. Ding for additional time.)

On May 30, 1998, a letter was submitted by Mr. Ding discussing the background of the changes and asking that he not be required to apply for a new CUP and PUD.

On June 28, 1998, a letter submitted to Planning Commission by Mr. Ding, requesting a "waiver" of the CUP/PUD requirement, and indicating that he will apply once the hotel reaches 65% occupancy. On numerous occasions, prior to and after submittal of this letter, Mr. Ding was advised by staff, that the Planning Commission could not administratively waive the code requirements, and they only could assist him within the framework of a public hearing.

Mr. Ding failed to submit the necessary applications by August 18, 1998. Consequently, on September 2, 1998, the Planning Commission held a revocation hearing. Mr. Ding was not in attendance. After consideration, the Planning Commission unanimously voted to suspend the current CUP until such time as the property is brought into conformance with the current CUP or a new CUP is approved. Commissioner Rosen and Vice Chairman Freze were absent.

DISCUSSION

On September 21, 1998, the City Clerk received an appeal by a Councilmember. The appeal of the Planning Commission's decision allows the City Council to reconsider the CUP suspension.

The originally approved Conditional Use Permit (CUP-132-89) and Planned Unit Development (PUD-101-87/Revised 92) for the establishment do not allow the most recent modifications to the existing hotel facility.

The most significant change has been the construction of a wall across a part of the first floor restaurant, and the creation of a separate nightclub/lounge featuring a large bar, a dance floor, a stage, and karaoke equipment. A cafe/coffeehouse area was also added to the first floor.

The changes require filing of applications for a new Planned Unit Development (PUD) and a Conditional Use Permit (CUP). The new PUD and CUP, as required by Title 9 of the Municipal Code, would reflect an updated floor plan (which would be especially useful to the Fire Department and Police Department), and would include additional conditions which are appropriate for a nightclub.

The establishment is now operating in violation of PUD-101-87/Revised 92 and the conditions of approval of CUP-132-89. The Municipal Code allows Conditional Use Permits and other land use actions to be revoked if any one of the following findings can be made:

- If the use is being operated contrary to the conditions of approval or any regulation;
- If the use is operating in such a way as to be detrimental to the public safety or constitute a public nuisance;

The Planning Commission unanimously voted to suspend the current CUP until such time as the property is brought into conformance with the current CUP or until a new CUP application is approved.

FINANCIAL IMPACT

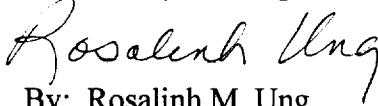
None.

RECOMMENDATION

It is recommended that the City Council:

- Uphold the Planning Commission's suspension of CUP-132-89 until such time as the property is brought into conformance with the current CUP or until a new CUP application is approved.

MATTHEW FERTAL, Director
Community Development

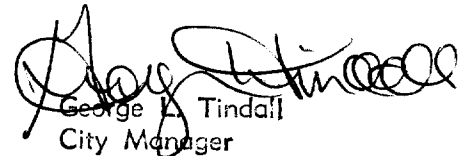


By: Rosalinh M. Ung
Associate Planner



Attachments: Planning Commission Staff Report Dated September 2, 1998
 Planning Commission Resolution No. 4928
 Planning Commission Minute Excerpts of September 2, 1998
 Draft City Council Resolution

APPROVED FOR AGENDA LISTING


George A. Tindall
City Manager

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.4.	SITE LOCATION: 10022 Garden Grove Blvd., S/S Garden Grove Blvd., W/O Brookhurst St.
HEARING DATE: September 2, 1998	GENERAL PLAN: Recreation Commercial
CASE NO.: Conditional Use Permit No. CUP-132-89 (Revocation)	ZONE: PUD (Planned Unit Development)
APPLICANT: City of Garden Grove	
OWNER: Paul B. Ding/ Ramada Inn	CEQA DETERMINATION: Exempt

REQUEST:

Pursuant to Garden Grove Municipal Code Section 9.24.030(D)(10) (Revocation), the City is proposing revocation of Conditional Use Permit No. CUP-132-89 for sale of alcoholic beverages within an existing hotel facility (Ramada Inn).

BACKGROUND:

In May 1987, the Planning Commission approved Planned Unit Development No. PUD-101-87, to construct a four-story, 141-room hotel and restaurant. With several modifications to the original approved PUD in 1988 and 1989, the 116-room hotel and restaurant were constructed and occupied in October 1989.

In February 1990, the Zoning Administrator approved Conditional Use Permit No. CUP -132-89, to allow the entire hotel facility including restaurant and banquet facilities to operate under a State ABC License Type "47" (On-Sale General, Public Eating Place).

In December 1991, the Planning Commission approved a request for retail commercial ancillary uses as part of the hotel facility. These uses include: retail sales of arts and crafts, travel agency, book/magazine newsstand, gift and souvenir sales, jewelry and camera sales, barber/beauty salon, and auto rental agency (no storage of vehicles).

On November 14, 1996, the Planning Commission approved Site Plan No. SP-173-96 and Conditional Use Permit No. CUP-305-96 to allow the construction of a 1,628 square foot banquet room, a 1,308 square foot coffee shop, the conversion of the existing 2,000 square foot banquet room into a cafe and one hotel room into a storage area on the third floor, and to allow a total of 744 square feet of retail space on the first floor.

CASE NUMBER CUP-132-89(REVOCATION)

On January 28, 1997, the City Council approved PUD-111-96 to allow additional ancillary uses for the existing hotel facility including banquet rooms, cafes, coffee shops, and entertainment and on-site sales of alcoholic beverages subject to the approval of a Conditional Use Permit. PUD-111-96 also incorporated standards for the exterior signage. The land use entitlements for the proposed expansions (SP-173-96, CUP-305-96, and PUD-111-96) were never implemented and consequently expired one year after the date of approval.

On April 1, 1998, a change of ownership occurred for the existing hotel facility. The new property and business owner is Mr. Paul B. Ding.

On April 1, 1998, the Fire Department conducted an annual inspection and noted that several changes had been made to the existing facility.

On April 29, 1998, per Fire Department request, staff conducted a site inspection of the hotel facility and noted that there were several changes made to the existing hotel lobby area, the hotel restaurant, and the banquet room located on the second floor. These changes were made without permits from the City. Staff conducted the site inspection with Mr. Ding.

On May 18, 1998, an Office Hearing was conducted with Mr. Ding regarding the unpermitted changes to the floor plan and business operation. During the Office Hearing the following issues were discussed:

- A raised stage area had been added to the existing restaurant.
- The southerly portion of the existing restaurant on the first floor had been converted into a lounge area with a stage, dance floor, karaoke equipment, microphone and amplified sound system, and a full bar.
- A portion of the main lobby area had been converted to a cafe shop with a coffee bar.
- The exiting doors in the meeting/banquet room on the second floor were removed.

Staff informed Mr. Ding that the Planned Unit Development and Conditional Use Permit for the establishment do not allow the above modifications to the existing hotel facility.

Staff further explained that the existing establishment is now operating in violation of the Planned Unit Development and the conditions of approval of Conditional Use Permit No. CUP-132-89. These violations must be rectified in order for Mr. Ding to continue to operate the establishment. Additionally, Mr. Ding was given three months (to August 18, 1998) in which to file new CUP and Planned Unit Development (PUD) applications, should he wish to legalize the unpermitted changes.

Staff received a letter dated May 30, 1998, and another letter addressed to the Planning Commission dated June 28, 1998, requesting a waiver from Title 9

CASE NUMBER CUP-132-89(REVOCATION)

requirements pertaining to the filing of new CUP and PUD applications and to allow him to maintain/utilize the unpermitted changes. It was explained to Mr. Ding that Title 9 requirements could not just be waived and that approval of new PUD and CUP applications would be necessary to legalize the changes to the facility.

DISCUSSION:

The originally approved Conditional Use Permit (CUP-132-89) and Planned Unit Development (PUD-101-87 and PUD-101-87/Revised 92) for the establishment do not allow the above mentioned modifications to the existing hotel facility. The establishment is now operating in violation of the PUD and the conditions of approval of the CUP.

The Municipal Code allows Conditional Use Permits and other land use actions to be revoked if any one of the following findings can be made:

- **If the use is being operated contrary to the conditions of approval or any regulation;**
- **If the use is operating in such a way as to be detrimental to the public safety or constitute a public nuisance;**
- **If the approval was obtained by fraud;**
- **If the approved use has ceased or is suspended.**

RECOMMENDATION:

The Planning Commission has the following options to consider:

1. **Revoke CUP-132-89.** Under this option, the existing hotel facility would no longer be permitted to serve alcoholic beverages on the premises. The business operator/owner would need to file a new Planned Unit Development and Conditional Use Permit, to reflect the recent changes to the floor plan of the facility and to allow the facility to operate under a State ABC license.
2. **Suspend CUP-132-89.** Under this option, the hotel's entitlement to serve alcoholic beverages would be suspended until such time as the applicant brings the facility back into compliance with the approval granted under CUP-132-89.
3. **Grant limited additional time to file new applications.** Under this option, the hotel could continue to operate and serve alcoholic beverages, but the business owner/operator would be required to file Conditional Use Permit and Planned Unit Development (PUD) applications within a specified period of time. Should the applications not be filed, then revocation or suspension would again be considered.

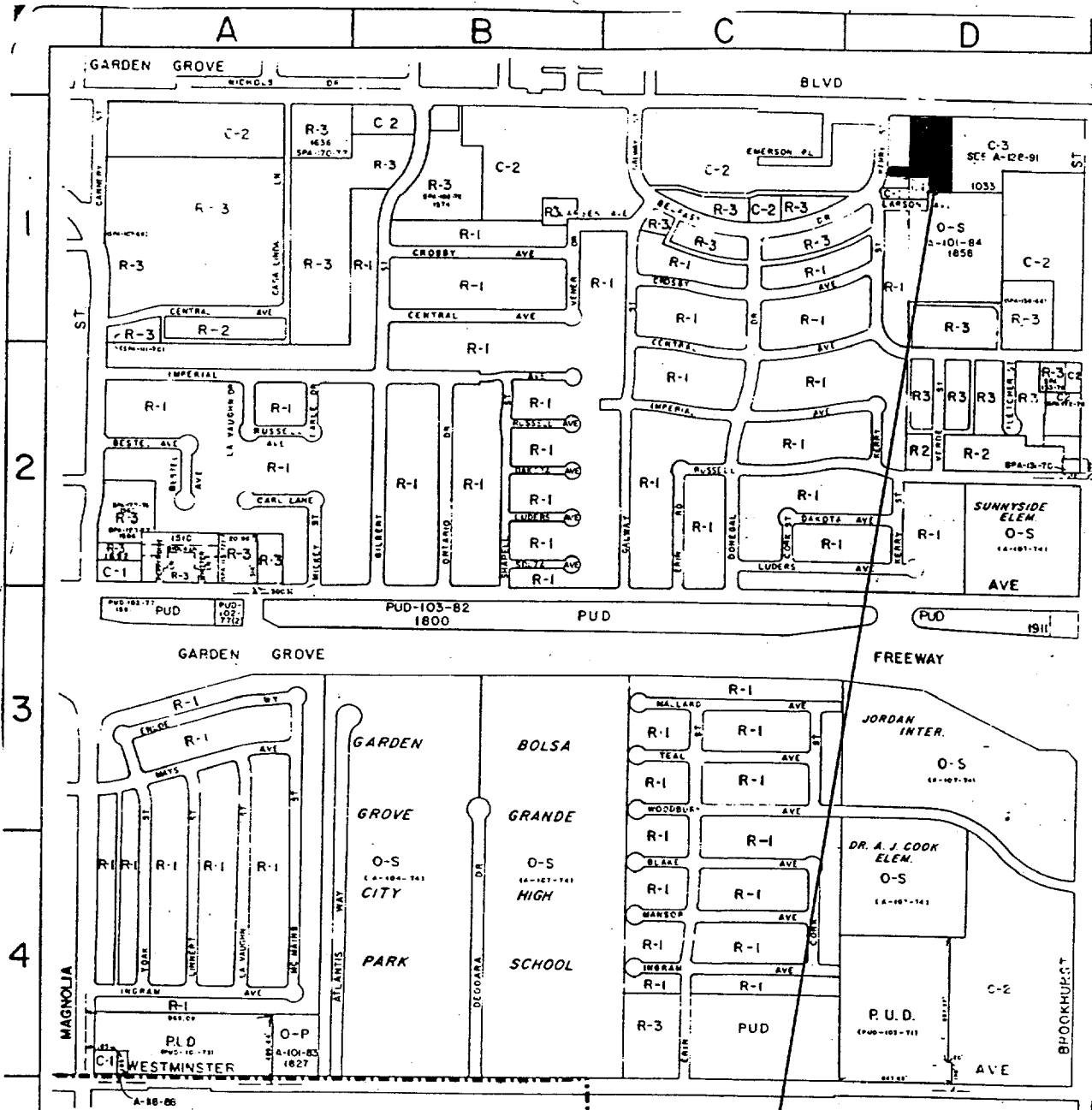
CASE NUMBER CUP-132-89(REVOCATION)

MILLIE J. SUMMERLIN 
Planning Services Manager

By: Rosalinh M. Ung
Associate Planner

p\planning\linh\rc132aa.doc

VICINITY MAP



CITY OF GARDEN GROVE
CALIFORNIA
ZONING MAP PART D-8

SUBJECT SITE
Revocation CP-132-89

RESOLUTION NO. 4928

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE SUSPENDING CONDITIONAL USE PERMIT NO. CUP-132-89 FOR RAMADA INN, LOCATED ON THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF BROOKHURST STREET, AT 10022 GARDEN GROVE BOULEVARD, PARCEL NOS. 098-066-05 AND 098-070-58.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on September 2, 1998, does hereby suspend Conditional Use Permit No. CUP-132-89.

BE IT FURTHER RESOLVED in the matter of the suspension of Conditional Use Permit No. CUP-132-89, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The City of Garden Grove initiated a revocation of Conditional Use Permit No. CUP-132-89 for an existing hotel facility (Ramada Inn) that was approved to operate under a State Alcoholic Beverage Control Type "47" (On-Sale General, Eating Place) License.
2. The Planning Commission considered the following options:
 - Revoke CUP-132-89. Under this option, the existing hotel facility would no longer be permitted to serve alcoholic beverages on the premises. The business operator/owner would need to file a new Planned Unit Development and Conditional Use Permit, to reflect the recent changes to the floor plan of the facility and to allow the facility to operate under a State ABC license.
 - Suspend CUP-132-89. Under this option, the hotel's entitlement to serve alcoholic beverages would be suspended until such time as the applicant brings the facility back into compliance with the approval granted under CUP-132-89.
 - Grant limited additional time to file new applications. Under this option, the hotel could continue to operate and serve alcoholic beverages, but the business owner/operator would be required to file Conditional Use Permit and Planned Unit Development (PUD) applications within a specified period of time. Should the applications not be filed, then revocation or suspension would again be considered.
3. The City of Garden Grove has determined that this action is exempt pursuant to Article 19, Section 15321, Enforcement Actions by Regulatory Agencies, of the California Environmental Quality Act.

4. The property has a General Plan Land Use designation of Recreation Commercial and is zoned PUD (Planned Unit Development). The site is improved with a hotel development.
5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property have been reviewed.
6. Report submitted by City Staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on September 2, 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 September 2, 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, and 9.08.080 are as follows:

FACTS:

In May 1987, the Planning Commission approved Planned Unit Development No. PUD-101-87, to construct a four-story, 141-room hotel and restaurant. The 116-room hotel and restaurant were constructed and occupied in October 1989.

In February 1990, the Zoning Administrator approved Conditional Use Permit No. CUP -132-89, to allow the entire hotel facility including restaurant and banquet facilities to operate under a State ABC License Type "47" (On-Sale General, Public Eating Place).

In December 1991, the Planning Commission approved a request for retail commercial ancillary uses as part of the hotel facility. These uses include: retail sales of arts and crafts, travel agency, book/magazine newsstand, gift and souvenir sales, jewelry and camera sales, barber/beauty salon, and auto rental agency (no storage of vehicles).

On November 14, 1996, the Planning Commission approved Site Plan No. SP-173-96 and Conditional Use Permit No. CUP-305-96 to allow the construction of a 1,628 square foot banquet room, a 1,308 square foot coffee shop, the conversion of the existing 2,000 square foot banquet room into a cafe and one hotel room into a storage area on the third floor, and to allow a total of 744 square feet of retail space on the first floor.

On January 28, 1997, the City Council approved PUD-111-96 to allow additional ancillary uses for the existing hotel facility including banquet rooms, cafes, coffee shops, and entertainment and on-site sales of alcoholic beverages subject to the approval of a Conditional Use Permit. PUD-111-96 also incorporated standards for the exterior signage. The land use entitlements for the proposed expansions (SP-173-96, CUP-305-96, and PUD-111-96) never implemented and consequently expired one year after the date of approval).

On April 1, 1998, a change of ownership occurred for the existing hotel facility. The new property and business owner is Mr. Paul B. Ding.

On April 1, 1998, the Fire Department conducted an annual inspection and noted that several changes had been made to the existing facility.

On April 29, 1998, per Fire Department request, staff conducted a site inspection of the hotel facility and noted that there were several changes made to the existing hotel lobby area, the hotel's restaurant, and the banquet room located on the second floor. These changes were made without proper permits from the City. Staff conducted the site inspection with Mr. Ding.

On May 18, 1998, an Office Hearing was conducted to inform Mr. Ding of the unpermitted changes to the hotel's floor plan and business operation. During the Office Hearing the following issues were discussed:

- A raised stage area has been added to the existing restaurant.
- The southerly portion of the existing restaurant on the first floor has been converted into a lounge area with a stage, dance floor, karaoke equipment, microphone and amplified sound system, and a full bar.
- A portion of the main lobby area has been converted to a cafe shop with a coffee bar.
- The exiting doors in the meeting/banquet room on the second floor were removed.

The originally approved Planned Unit Development (PUD-101-87 & PUD-101-87/Revised 92) and Conditional Use Permit (CUP-132-89) for the establishment do not allow the above modifications to the existing hotel facility.

The existing establishment is now operating in violation of the Planned Unit Development and the conditions of approval of the Conditional Use Permit.

Title 9 requires a new Conditional Use Permit for an ABC licensed establishment that has a change in floor plan, operating characteristic, and/or conditions of approval from what was originally approved by the City.

These violations must be rectified in order for the property/business owner to continue to operate the establishment. A deadline date of August 18, 1998, was giving to the property/business owner for filing of the new CUP and Planned Unit Development (PUD) applications. Those applications were not filed.

FINDINGS AND REASONS:

1. Based on the non-permitted changes noted above, the establishment is now operating in violation of CUP-132-89 and Planned Unit Development Nos. PUD-101-87 & PUD-101-87/Revised 92. Pursuant to Municipal Code Section 9.24.030.10.b, the hearing body may modified or revoke a land use action that is being exercised contrary to the terms or conditions of its approval.
2. Pursuant to Municipal Code Section 9.08.080.C.5, the Planning Commission may suspend a Conditional Use Permit which is being operated contrary to its conditions of approval. Changes have been made to the establishment which were not authorized under the existing Conditional Use Permit and a new Conditional Use Permit has not been filed to legalize those changes.

INCORPORATION OF FACTS AND REASONS 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. Conditional Use Permit No. CUP-132-89 shall be suspended until such time as the business owner/operator brings the hotel facility back into compliance with the approval granted under this CUP.

ADOPTED this 2nd day of September 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 September 2, 1998, by the following votes:

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

/s/ JULIE PROPP
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 September 23, 1998.

MINUTE EXCERPTS

GARDEN GROVE PLANNING COMMISSION

PUBLIC

HEARING: CONDITIONAL USE PERMIT NO. CUP-132-89
APPLICANT: CITY OF GARDEN GROVE
LOCATION: SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF BROOKHURST STREET
AT 10022 GARDEN GROVE BOULEVARD
DATE: SEPTEMBER 2, 1998

REQUEST: To consider a revocation of the Conditional Use Permit that currently allow the Ramada Inn to operate under an ABC Type "47" (On-Sale General, Eating Place) License. The site is located in the PUD (Planned Unit Development) zone.

The staff report was reviewed recommending revocation of the CUP.

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

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

Chairman Wilkins stated that because the applicant did not appear before the Commission, that the CUP should be suspended. Commissioner Hutchinson concurred; Commissioner Butterfield felt that the applicant had approximately 90 days to respond and agreed with the suspension, Commissioner Schild agreed.

Chairman Wilkins moved, seconded by Commissioner Hutchinson to suspend Conditional Use Permit No. CUP-132-89, and direct that a Resolution be prepared to reflect that, and authorized the Chairman to execute such resolution. The motion carried with the following vote:

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

A P P E A L

REC'D
CITY CLERK
CITY OF GARDEN GROVE
SEP 21 8 11 AM '98

Request for City Council or Planning Commission
Public Hearing

TO: CITY CLERK
CITY OF GARDEN GROVE

cup-132-89

Pursuant to Section 9.24.110 of the Municipal Code (see reverse,) I hereby appeal the decision of the CIRCLE ONE (Planning Commission/Zoning Administrator) in Case No. *Revocation of*, and petition the CIRCLE ONE (City Council/Planning Commission) for a public hearing to consider CIRCLE ONE (approving/denying/modifying the subject application for the following reasons:

to consider the Planning Commission action. At the September 2, 1998 Planning Commission meeting, the Planning Commission suspended Conditional Use permit No. cup-132-89 until such time the business owner/operator brings the hotel facility back into compliance with the approval under cup-132-89.

(Use additional sheets if necessary)

Date: _____

Appeal Fee: _____

(see reverse)

Appellant: *Mark Lejes* *Mark Lejes*

Address: _____

City: _____

Zip: _____

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DENYING THE APPEAL AND UPHOLDING THE PLANNING COMMISSION'S SUSPENSION OF CONDITIONAL USE PERMIT NO. CUP-132-89 FOR RAMADA INN LOCATED AT THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF BROOKHURST STREET, AT 10022 GARDEN GROVE BOULEVARD, PARCEL NOS. 098-066-05 AND 098-070-58

WHEREAS, in May 1987, the Planning Commission approved Planned Unit Development No. PUD-101-87, to construct a four-story, 141-room hotel and restaurant. A 116-room hotel and restaurant were, subsequently, constructed and occupied in October 1989;

WHEREAS, in February 1990, the Zoning Administrator approved Conditional Use Permit No. CUP -132-89, to allow the entire hotel facility including restaurant and banquet facilities to operate under a State ABC License Type "47" (On-Sale General, Public Eating Place);

WHEREAS, in December 1991, the Planning Commission approved a request for retail commercial ancillary uses as part of the hotel facility. These uses include: retail sales of arts and crafts, travel agency, book/magazine newsstand, gift and souvenir sales, jewelry and camera sales, barber/beauty salon, and auto rental agency (no storage of vehicles);

WHEREAS, a change of ownership occurred for the existing hotel facility in April 1998 and Mr. Paul B. Ding became the new property and business owner;

WHEREAS, on April 1, 1998, the Fire Department conducted an annual inspection and noted that several changes had been made to the existing facility;

WHEREAS, on April 29, 1998, per Fire Department request, staff conducted a site inspection of the hotel facility and noted that there were several changes made to the existing hotel lobby area, the hotel restaurant, and the banquet room located on the second floor. These changes were made without permits from the City;

WHEREAS, on May 18, 1998, an Office Hearing was conducted with Mr. Ding regarding the unpermitted changes to the floor plan and business operation. The existing establishment is now operating in violation of the Planned Unit Development and the conditions of approval of Conditional Use Permit No. CUP-132-89. These violations must be rectified in order for Mr. Ding to continue to operate the establishment;

WHEREAS, the originally approved Conditional Use Permit (CUP-132-89) and Planned Unit Development (PUD-101-87/Revised 92) for the establishment do not allow the most recent modifications to the existing hotel facility. The most significant change has been the construction of a wall across a part of the first floor restaurant and the recreation of a separate nightclub/lounge featuring a large bar, a dance floor, a stage, and karaoke equipment. A cafe/coffeehouse area was also added to the first floor;

WHEREAS, the changes require filing of applications for a Planned Unit Development (PUD) and a Conditional Use Permit (CUP). The new PUD and CUP, as required by Title 9 of

the Municipal Code, would provide an updated floor plan (which would be especially useful to the Fire Department and Police Department), and would include additional conditions which are appropriate for a nightclub;

WHEREAS, on May 22, 1998, a letter sent to Mr. Ding summarizing the office hearing and requesting submittal of applications by July 23, 1998. (The submittal time was subsequently extended to August 18, 1998, pursuant to a request by Mr. Ding for additional time.);

WHEREAS on May 30, 1998, a letter was submitted by Mr. Ding discussing the background of the changes and asking that he not be required to apply for a CUP and PUD;

WHEREAS, on June 28, 1998, a letter was submitted to Planning Commission by Mr. Ding, requesting a "waiver" of the CUP/PUD requirement, and indicating that he will apply once the hotel obtains 65% occupancy;

WHEREAS, Mr. Ding failed to submit the necessary applications by August 18, 1998;

WHEREAS, on September 2, 1998, the Planning Commission held a revocation hearing. The Planning Commission after consideration, unanimously suspended CUP-132-89, until such time as the property is brought into conformance with the current CUP or a new CUP is approved;

WHEREAS, on September 21, 1998, the City Clerk received an appeal by a Councilmember. The appeal of the Planning Commission's decision is to allow the City Council to reconsider the CUP suspension;

WHEREAS, pursuant to a legal notice, a public hearing was held by the City Council on October 27, 1998, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council, gave due and careful consideration to the matter during its meeting on October 27, 1998; and

NOW, THEREFORE, BE IT RESOLVED:

1. The appeal of the Planning Commission's suspension of Conditional Use Permit No. CUP-132-89 is hereby denied, and the Planning Commission's action is upheld pursuant to the facts and reasons stated in Planning Commission Resolution No. 4928, a copy of which is on file in the office of the City Clerk and incorporated herein by reference with the same force and effect as if set forth in full.

PROOF OF PUBLICATION

(2015.5 C.C.P.)

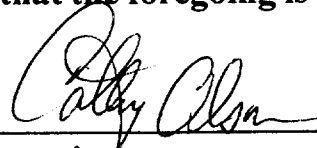
STATE OF CALIFORNIA,)
COUNTY OF ORANGE)

I am a citizen of the United States and a resident of the aforesaid county; I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of the ORANGE COUNTY NEWS, a newspaper of general circulation printed and published twice weekly in the city of GARDEN GROVE, County of Orange, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Orange, State of California, under the date of 3/20/64 case # A31502 that the notice, of which the annexed is a printed copy, has been published by distribution in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

10/9

all in the year 1998.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.


signature

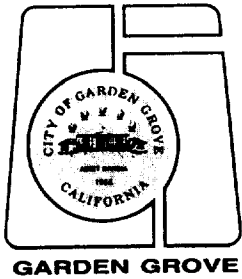
Date: 10-9-1998, Executed at GARDEN GROVE, California.

Proof of Publication of:

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN OF THE CITY COUNCIL CHAMBER OF THE COMMUNITY MEETING CENTER, 11222 ASPOLIA PARKWAY, GARDEN GROVE, CALIFORNIA, ON THE DATE INDICATED BELOW TO RECEIVE AND CONSIDER ALL EVIDENCE AND REPORTS RELATIVE TO THE APPLICATIONS DESCRIBED BELOW:
TUESDAY, OCTOBER 27, 1998 7 P.M.
APPEAL OF REVOCATION OF CONDITIONAL USE PERMIT NO. CUP-133-98
THE PLANNING COMMISSION AT THEIR MEETING SEPTEMBER 2, 1998, REVOKED CUP-133-98 FOR NUMBER 571 PREVIOUSLY APPROVED TO OPERATE UNDER AN ABC TYPE "C" ON-SALE GENERAL BEARING PLACE LICENSE. THE SITE IS LOCATED IN THE PLANNED UNIT DEVELOPMENT ZONING ON THE SOUTHWEST SIDE OF GARDEN GROVE BOULEVARD, WEST OF BROOKHURST STREET AT 10222 GARDEN GROVE BOULEVARD.
(ON SEPTEMBER 21, 1998, AN APPEAL OF THE PLANNING COMMISSION'S DECISION (RESOLUTION NO. 489) WAS FILED BY A COUNCIL MEMBER.)
ALL INTERESTED PARTIES are invited to attend the public hearing and express opinions or submit evidence for consideration as stated above. If you wish to file an appeal, it must be filed with the hearing only those cases for which an appeal is desired. A public hearing described in this notice will be held at the time and place indicated to the City Clerk's Office, 11222 Aspolia Parkway, Garden Grove, California.
Additional information may be obtained at the Planning Services Division, City Hall, 11222 Aspolia Parkway, or by telephone at (714) 741-8272.
MURTHA E. SMITH
CITY CLERK
DATE: September 22, 1998
Orange County News 1504-98
Publin Oct. 9, 1998

In Connection with CUP-132-89
October 27, 1998





CITY OF GARDEN GROVE, CALIFORNIA

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

(714) 741-5040

October 15, 1998

Ramada Inn
Attention: Paul B. Ding
10022 Garden Grove Boulevard
Garden Grove, CA 92844

Dear Mr. Ding:

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, October 27, 1998.

At that time they will hold a public hearing to consider an Appeal of Revocation of Conditional Use Permit No. CUP-132-98.

The Public Hearing will be held for the purpose of hearing any and all persons either favoring or opposing said Conditional Use Permit.

Sincerely,


Priscilla Stierstorfer
Deputy City Clerk

THE GARDEN GROVE CITY COUNCIL WILL HOLD A PUBLIC HEARING IN THE COUNCIL CHAMBER, 11300 STANFORD AVENUE, GARDEN GROVE, ON TUESDAY, OCTOBER 27, 1998, AT 7 P.M. TO CONSIDER THE APPEAL OF THE REVOCATION OF CONDITIONAL USE PERMIT NO. CUP-132-89.

THE PLANNING COMMISSION AT THEIR MEETING SEPTEMBER 2, 1998, REVOKED CUP-132-89 FOR RAMADA INN PREVIOUSLY APPROVED TO OPERATE UNDER AN ABC TYPE "47" (ON-SALE GENERAL, EATING PLACE) LICENSE. THE SITE IS LOCATED IN THE PLANNED UNIT DEVELOPMENT ZONE ON THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF BROOKHURST STREET AT 10022 GARDEN GROVE BOULEVARD.

(ON SEPTEMBER 21, 1998, AN APPEAL OF THE PLANNING COMMISSION'S DECISION (RESOLUTION NO. 4928) WAS FILED BY A COUNCILMEMBER.)

FOR INFORMATION, PLEASE CALL (714) 741-5312 OR INQUIRE AT THE PLANNING DIVISION IN CITY HALL, 11222 ACACIA PKY.

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, OCTOBER 27, 1998, 7 P.M.**

APPEAL OF REVOCATION OF CONDITIONAL USE PERMIT NO. CUP-132-89

THE PLANNING COMMISSION AT THEIR MEETING SEPTEMBER 2, 1998, REVOKED CUP-132-89 FOR RAMADA INN PREVIOUSLY APPROVED TO OPERATE UNDER AN ABC TYPE "47" (ON-SALE GENERAL, EATING PLACE) LICENSE. THE SITE IS LOCATED IN THE PLANNED UNIT DEVELOPMENT ZONE ON THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF BROOKHURST STREET AT 10022 GARDEN GROVE BOULEVARD.
(ON SEPTEMBER 21, 1998, AN APPEAL OF THE PLANNING COMMISSION'S DECISION (RESOLUTION NO. 4928) WAS FILED BY A COUNCILMEMBER.)

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: SEPTEMBER 22, 1998
PUBLISH: OCTOBER 9, 1998

MODE = MEMORY TRANSMISSION

START=SEP-24 08:54

END=SEP-24 08:55

FILE NO. = 176

NO.	COM	ABBR/NTWK	STATION NAME/ TELEPHONE NO.	PAGES	PRG.NO.	PROGRAM NAME
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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: Bill Hackbarth - Orange County News

FAX NUMBER SENT TO: (714) 530-7142

FROM: Priscilla **PHONE:** 741-5036

FAX NUMBER SENT FROM: (714) 741-5205

SUBJECT: City Council Public Hearing
Appeal of Revocation of CUP-132-89

NUMBER OF PAGES: 2 (Including cover page)

COMMENTS:

Regular legal ad. Publish on October 9, 1998

Please send copy to proof prior to publication.

09/22/98

PLEASE NOTIFY AUTHOR IMMEDIATELY IF NOT RECEIVED PROPERLY

A P P E A L

Request for City Council or Planning Commission
Public Hearing

TO: CITY CLERK
CITY OF GARDEN GROVE

CUP-132-89

Pursuant to Section 9.24.110 of the Municipal Code (see reverse,) I hereby appeal the decision of the CIRCLE ONE (Planning Commission/Zoning Administrator) in Case No. *Revocation of*, and petition the CIRCLE ONE (City Council/Planning Commission) for a public hearing to consider CIRCLE ONE (approving/denying/modifying the subject application for the following reasons:

to consider the Planning Commission action. At the September 2, 1998 Planning Commission meeting, the Planning Commission suspended Conditional Use Permit No. CUP-132-89 until such time the business owner/operator brings the hotel facility back into compliance with the approval under CUP-132-89.

(Use additional sheets if necessary)

Date: _____

Appeal Fee: _____

(see reverse)

Appellant: *Mark Leys* *ML Leys*

Address: _____

City: _____

Zip: _____

ARTICLE IV APPEALS

SECTION 9.24.110 PURPOSE

The purpose of an appeal of a Hearing Body decision is to allow an applicant or an interested party of a land use action who feels aggrieved by the decision to seek review of the case by another imported hearing body.

SECTION 9.24.120 TIME FOR APPEAL

A decision of a Hearing Body on a land use action may be appealed by the applicant or an individual within twenty-one (21) days of the date on which the decision was rendered.

SECTION 9.24.130 FILING OF AN APPEAL

All appeals shall be submitted to the City Clerk on a City application form along with all applicable fees and shall specifically state the basis for the appeal.

SECTION 9.24.140 NOTICE OF AN APPEAL

Notice of an appeal hearing shall conform to the manner in which the original notice was given, as described in Article III (Public Hearing).

SECTION 9.24.150 APPEAL HEARING/DECISION

- A. The hearing and decision procedures of an appeal shall be in accordance with Article III.
- B. Any modification of a land use action that was appealed by City Council shall be returned to the City Council for review.

Appeal Fee*

General Plan Amendment	\$350
Amendment	\$350
Site Plan Amendment	\$350
Site Plan	\$350
Variance	\$350
Conditional Use Permit	\$480
Unclassified Use Permit	\$350
Planned Unit Development	\$350

* Tenants/Owners/Residents within legal notification area (300 feet) the appeal fee is \$50.00

parcel.. notice#..... owner..... owner.address..... o.csz..... cnt.

08907113	REVCUP-132-89	FRIEDLANDER, HERBERT	8 Sunset Cv	NEWPORT BEACH, CA 92657	1
08907114	REVCUP-132-89	HAYMAN, DARCY	10071 Garden Grove Blvd	GARDEN GROVE, CA 92844	1
08907130	REVCUP-132-89	CHOI, JAE MOON	26536 Esteban	MISSION VIEJO, CA 92692	1
08936304	REVCUP-132-89	PETROSINE, THELMA L	10111 Hidden Village Rd	GARDEN GROVE, CA 92840	1
09806103	REVCUP-132-89	CARCAMO, MANUEL & ROSARIO	13122 Kerry St	GARDEN GROVE, CA 92844	1
09806104	REVCUP-132-89	NGUYEN, PHUONG MAI THI	13132 Kerry St	GARDEN GROVE, CA 92844	1
09806125	REVCUP-132-89	GALAMBOS, THEODOR	13112- Kerry St	GARDEN GROVE, CA 92844	1
09806211	REVCUP-132-89	WOO, WILLIAM G	PO Box 1386	ARCADIA, CA 91077	1
09806212	REVCUP-132-89	PARK, YONG HO	2024 Sommerset Ln	FULLERTON, CA 92833	1
09806214	REVCUP-132-89	KIM, CHUL HO & MOK J	18831 Pinto Ln	SANTA ANA, CA 92705	1
09806216	REVCUP-132-89	LEE, TAI H & HEE J	9100 Blair River Cir	FOUNTAIN VALLEY, CA 92708	1
09806218	REVCUP-132-89	THE KOREAN AMERICAN FEDERATION	9886 Garden Grove Blvd	GARDEN GROVE, CA 92844	1
09806220	REVCUP-132-89	KIM, CHUL & MOK	13041 Kerry St	GARDEN GROVE, CA 92844	1
09806221	REVCUP-132-89	PARK, JAI DOO	9941 Belfast Dr	GARDEN GROVE, CA 92844	1
09806222	REVCUP-132-89	TSAI, LONGWAY & FUMEI LU	13091 Kerry St	GARDEN GROVE, CA 92844	1
09806232	REVCUP-132-89	SASSAMAN, SANG SOOK	13085 Kerry St	GARDEN GROVE, CA 92844	1
09806233	REVCUP-132-89	KIM, CHUL & MOK	9944 Garden Grove Blvd	GARDEN GROVE, CA 92844	1
09806237	REVCUP-132-89	KIM, CHUL HO	18831 Pinto Ln	SANTA ANA, CA 92705	1
09806238	REVCUP-132-89	KIM, CHUL & MOK	13031 Kerry St	GARDEN GROVE, CA 92844	1
09806245	REVCUP-132-89	GARDEN SQUARE PARKING ASSOCIAT	9832 Garden Grove Blvd	GARDEN GROVE, CA 92844	1
09806324	REVCUP-132-89	BERMUDEZ, RICHARD	18222 E Evergreen Cir	VILLA PARK, CA 92861	1
09806325	REVCUP-132-89	PECOR, JAMES G	8832 Anthony Ave	GARDEN GROVE, CA 92841	1
09806601	REVCUP-132-89	CHU, KI SUNG	2777 Foxborough Pl	FULLERTON, CA 92833	1
09806602	REVCUP-132-89	MCMASTERS JR., JAMES FRANKLIN	187 N Quail Ln	ORANGE, CA 92869	1
09806603	REVCUP-132-89	SEAMAN, MARIE E	12662 Dottie Cir	GARDEN GROVE, CA 92841	1
09806604	REVCUP-132-89	SEAMAN, MARIE E	12662 Dottie Cir	GARDEN GROVE, CA 92841	1
09806605	REVCUP-132-89	D & W LLC			1
09806606	REVCUP-132-89	KO, YOUNG	*No Site Address*	, 92644	1
09806607	REVCUP-132-89	KO, YOUNG	*No Site Address*	, 92644	1
09806608	REVCUP-132-89	SHNYDER, LOLA JEANNE	13092 Kerry St	GARDEN GROVE, CA 92844	1
09806609	REVCUP-132-89	CITY OF GARDEN GROVE	11391 Acacia Pkwy	GARDEN GROVE, CA 92840	1
09807032	REVCUP-132-89	RICHARDS, ELIZABETH JANE	9801 Larson Ave	GARDEN GROVE, CA 92844	1
09807035	REVCUP-132-89	EMLLEN W HOAG FOUNDATION	800 Chrysler Dr	, 48326	1
09807038	REVCUP-132-89	EMLLEN W HOAG FOUNDATION	800 Chrysler Dr	, 48326	1
09807056	REVCUP-132-89	RICHARDS, ELIZABETH JANE	9801 Larson Ave	GARDEN GROVE, CA 92844	1
09807068	REVCUP-132-89	EMLLEN W HOAG FOUNDATION	9860 Larson Ave	GARDEN GROVE, CA 92844	1

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**Parking Study
for the
Garden Grove Ramada
in The
City of Garden Grove**

Prepared for:

**Mr. Yong J. Kwon
ARCON
695 S. Vermont Avenue
Los Angeles, CA 90005
(213) 365-1145**



Prepared by:

**Katz, Okitsu & Associates
17852 17th Street, #107
Tustin, CA 92680
(714) 573-0317**

July, 1996

INTRODUCTION

The Garden Grove Ramada is an existing hotel located at 10022 Garden Grove Boulevard between Brookhurst Street and Brookhurst Way/Kerry Street in the City of Garden Grove. The hotel includes 116 rooms. The hotel owner is proposing to obtain a use permit and a variance from the required number of parking spaces to construct a new banquet room in a mezzanine area of the hotel. The proposal will involve reutilization of existing banquet and restaurant space in the hotel.

The existing site has 116 hotel rooms plus one hotel management room. The existing restaurant has 4,200 square feet (sf). The existing meeting/banquet room area is 2,000 sf.

The proposed project will reduce the number of hotel rooms to 115. The total restaurant area will be expanded by an additional 1,308 sf to 5,508 sf total. The existing meeting/banquet room area will be expanded to 2,793 sf. A 1,627 sf area will be added to the third floor. This area will be intended for banquets. The banquet rooms include 140 sf karaoke entertainment area.

Figure 1 depicts a vicinity map for the project area. Figure 2 shows the existing hotel site plan.

The Garden Grove Ramada currently provides 164 parking stalls. The proposed project will add additional dining and meeting space to the Hotel, but it will not change the parking supply on the premises. The purpose of this parking study is to determine if the existing parking supply on the site will be adequate for the needs of all existing and proposed uses.

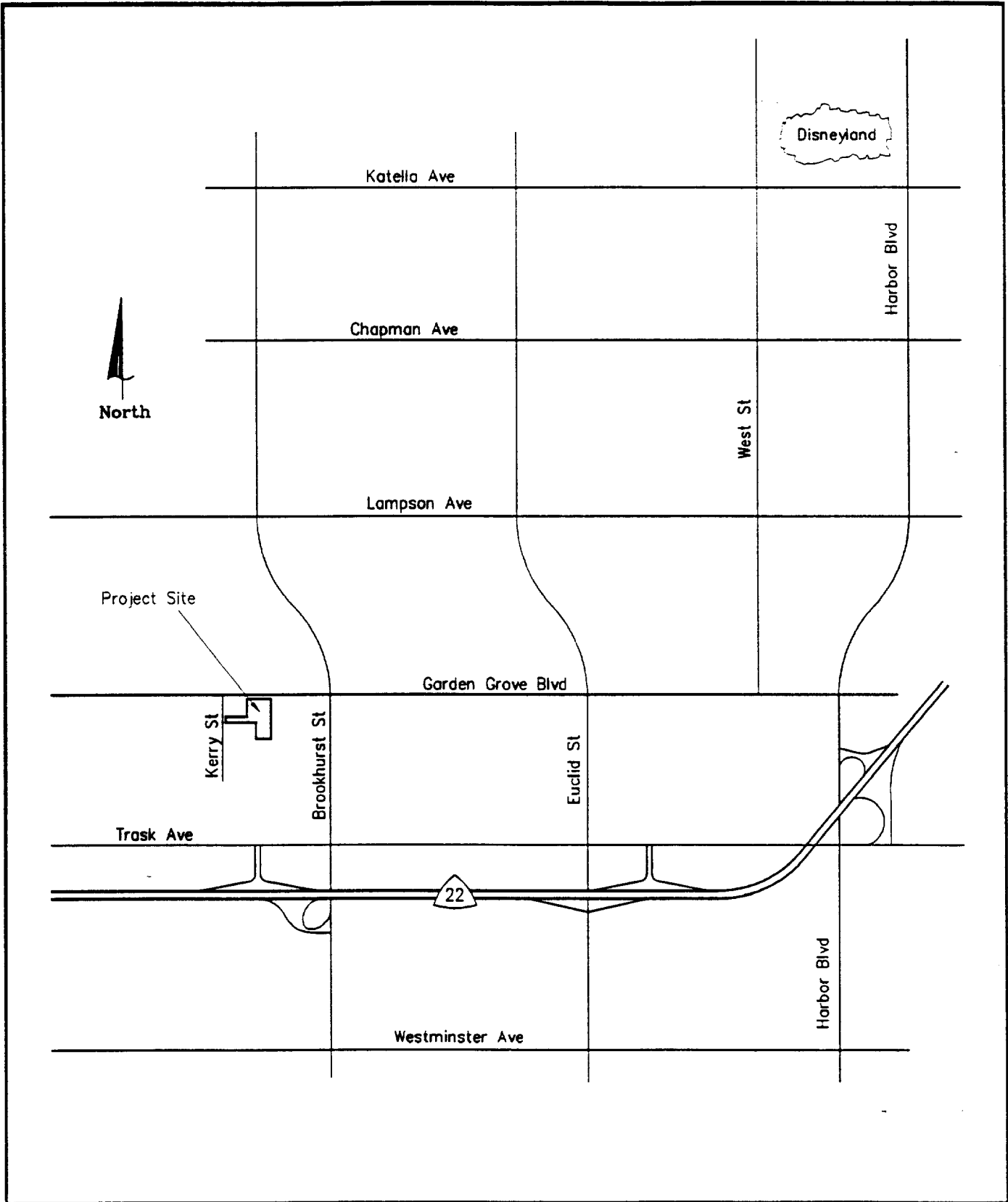
City Parking Requirements

Parking supply and demand are normally measured or calculated on the basis of developed building area, expressed in square feet per parking space or in parking spaces per 1000 square feet (sf). Parking requirements for hotel and lodging uses are normally expressed in parking spaces per room/unit. The City of Garden Grove Municipal Code states the parking requirement for hotel use is one (1) parking space per unit and two (2) parking spaces per hotel management unit. Additionally, for a coffee shop/restaurant area it is one (1) space per 100 sf, for the meeting/banquet area it is one (1) space per 100 sf, and for entertainment area it is one (1) space per 35 sf.

The breakdown of the proposed site and the parking required is as follows:

<u>Building Use</u>	<u>Area/Rate</u>	<u>Parking Spaces</u>
Guestrooms	115 units at 1/unit	115
Hotel Manager	1 unit at 2/units	2
Coffee Shop	5,508 sf at 1/100 sf	55
Banquet Room	4,280 sf at 1/100 sf	43
Entertainment	140 sf at 1/35 sf	<u>4</u>
Total		219

The Garden Grove Ramada provides 164 existing parking stalls. There will be 115 rooms on the site. Additional parking would be required for restaurant and banquet areas, so the project will require a variance from the Planning Staff requirements for existing uses and for proposed additional uses.



Katz, Okitsu & Associates
Traffic & Highway Engineers

Vicinity Map

FIGURE

1

GARDEN GROVE RAMADA INN

- REMODELLING

10722 GARDEN GROVE BLVD. GARDEN GROVE, CA.

PERY 7-1

o outline

o scope of work:

1. PROVIDE USE 13055 JAMES STOR 2ND FLR
2. PROVIDE USE 13055 JAMES STOR 2ND FLR
3. PROVIDE USE 13055 JAMES STOR 2ND FLR
4. PROVIDE USE 13055 JAMES STOR 2ND FLR

- o OCCUPANCY: 812 (HOTEL) / 113 (RESTAURANT)
- o BLDG STOR: 21000 sq ft (RESTAURANT)
- o BLDG TYPE: TYPE V-VIII, SPRINKLERED
- o AREA:

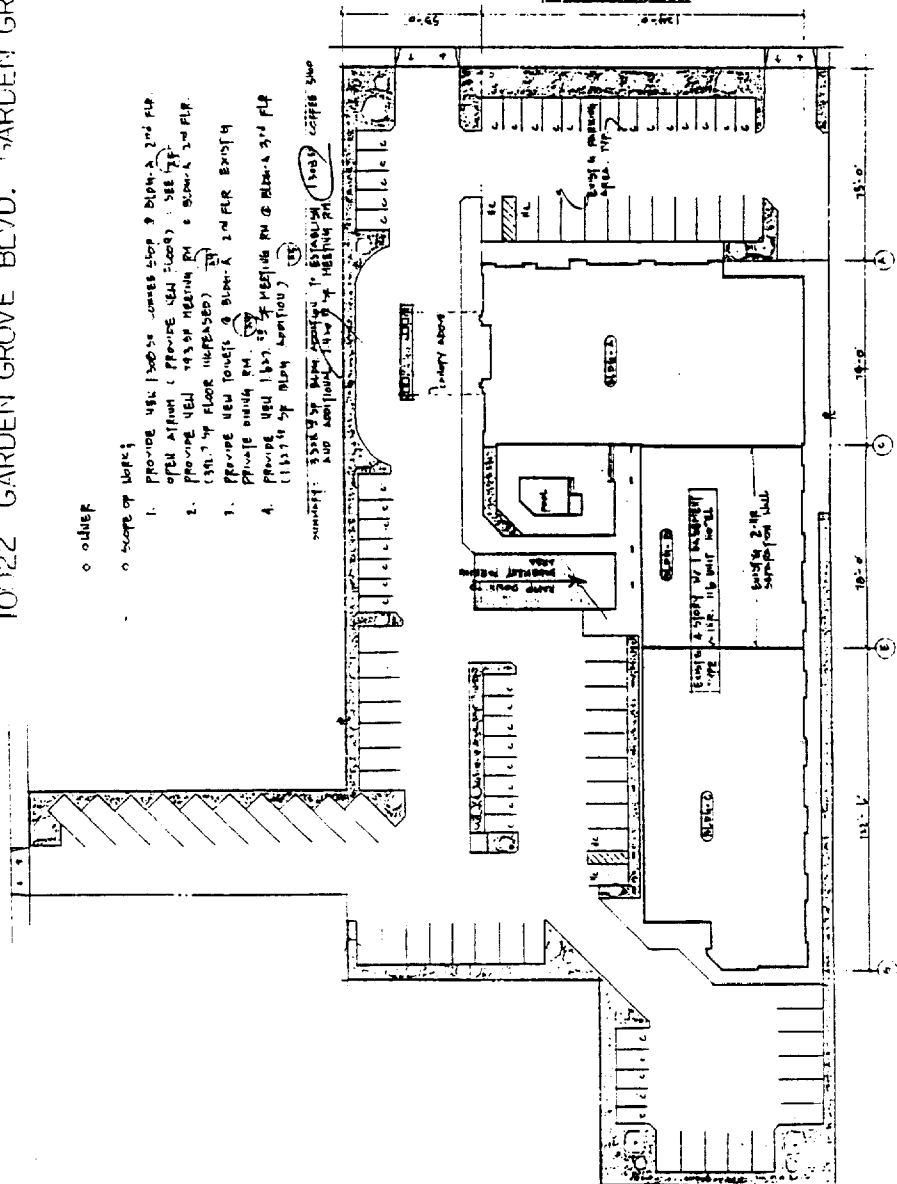
2ND FLOOR: 19800 (TOTAL) / 13300 (RESTAURANT)
 - A: 20000
 - B: 20000
 - C: 20000

1ST FLOOR: 11300 (TOTAL) / 11300 (RESTAURANT)
 - A: 11300
 - B: 11300
 - C: 11300

2ND FLOOR: 2000 (TOTAL) / 2000 (RESTAURANT)
 - A: 2000
 - B: 2000
 - C: 2000

3RD FLOOR: 11300 (TOTAL) / 11300 (RESTAURANT)
 - A: 11300
 - B: 11300
 - C: 11300

OPERATING REQUIREMENTS:
 SUBSTATIONS: 115
 MANAGER: 3
 RESTAURANT: 9500/100 / 95
 MEETING RM: 9100/100 / 95
 BREAKFAST: 100/25 / 4
 TOTAL REQUIRED: 210 CARPS
 PROVIDED: 150 CARPS



FIGURE

Site Plan

2

Katz, Okitsu & Associates
 Traffic & Highway Engineers

METHODOLOGY

The Garden Grove Ramada is an existing hotel. The parking demand for an existing facility can be measured using site surveys. Also, there are existing food service, banquet, and meeting rooms on the site. The proposed use represents a minor adjustment in total building area and composition of usage. The expected change in parking demand can be forecasted for the proposed use and compared with the availability of surplus parking on the site. If the site has parking surpluses that can readily meet the needs of the expansion, the proposal will not result in any parking problems.

Parking demand measurements at hotels must be adjusted to reflect guest room occupancy. It is normal to project parking needs based upon full occupancy of the Hotel property, to insure that parking problems will not occur at any time.

Dining and lodging facilities do not experience peak parking demands at the same time as each other. Peak parking for lodging occurs in the late evening. Peak parking for dining occurs during meal hours, while peak parking for banquets occurs during hours of scheduled use. In addition most patrons of restaurant areas and many patrons of banquet areas will also occupy rooms, particularly during evening hours when parking for rooms is highest. There are thus opportunities for sharing of parking facilities among these uses.

The parking requirement for Garden Grove Ramada will be determined by evaluating normal usage patterns for each component of the facility to determine if the parking supply will be adequate for any expected use or event.

EXISTING CONDITIONS

The existing Garden Grove Ramada is located at 10022 Garden Grove Boulevard. The existing site provides 164 parking stalls. The parking area is well-defined and on-street parking is not allowed on any street in the vicinity. Any vehicles in the parking lot can be attributed to the Garden Grove Ramada. No vehicles associated with the hotel park at any locations other than in the parking lot.

Disneyland is located approximately three miles northeast from the project site, and the hotel provides a courtesy shuttle service to the park for guests. The influence of Disneyland causes many hotel facilities in the study area to experience unique parking conditions. There is a very high incidence of hotel guests without private automobile transportation. These guests arrive primarily by bus, taxi, or airport hotel shuttle. In addition, guests with private transportation frequently leave their vehicles parked on the site throughout the day, utilizing courtesy hotel transportation to Disneyland park. These factors result in lower parking utilization at night compared to other facilities. They also result in a higher ratio of daytime to nighttime parking use.

Existing Parking Demand

Parking demands for the site were measured at periodic intervals on Tuesday, June 4, 1996, and on Saturday, June 8, 1996. The results of the surveys are shown on Table 1.

Table 1
PARKING DEMAND
Parked Vehicles

<u>Day /Time</u>	<u>Number of Vehicles</u>
June 4, 1996	
2 pm	27 stalls
3 pm	28 stalls
6:30 pm	29 stalls
12 midnight	23 stalls
June 8, 1996	
9 am	27 stalls
11 am	26 stalls
12 noon	29 stalls
1 pm	35 stalls
2 pm	32 stalls
3 pm	27 stalls
6:30 pm	43 stalls
12 midnight	28 stalls

The observed number of vehicles on the premises is very low. The overnight room occupancy at the facility was close to normal during these study periods, 65-75%. The owner indicated that this parking experience is normal for the facility. Katz, Okitsu & Associates does not believe that further studies at the Garden Grove site are advised in evaluating its parking requirements. We will base further analysis on parking requirements for a typical facility in this setting.

Parking Demand and Room Occupancy

The Garden Grove Ramada furnished room occupancy data to Katz, Okitsu & Associates for this study. The survey dates and room occupancy were as follows:

June 4	75 occupied rooms (65%)
June 7	86 occupied rooms (75%)
June 8	86 occupied rooms (75%)

Additional Study Information

Katz, Okitsu & Associates measured parking demands at a nearby Ramada, The Anaheim Ramada, over five days in November, 1995 for another parking study. The most relevant results of the surveys are shown on Table 2. A major banquet was underway during the 3 pm period.

Table 2

PARKING DEMAND
Per Occupied Room
Anaheim Ramada

<u>Time</u>	<u>Occupied Parking</u>	<u>Guest Room Occupancy</u>	<u>Parking Demand</u>
11 am	69 stalls	88 rooms	0.78 stalls per room
3 pm	75 stalls	129 rooms	0.58 stalls per room
Midnight	93 stalls	129 rooms	0.72 stalls per room

Overnight Parking Requirement

Staff of Katz, Okitsu & Associates have collected additional data at other hotels and determined that the midnight parking requirement is normally less than one vehicle per room in urban areas. This is due to the arrival of guests by bus, taxi, shuttle, or other non-personal auto mode. We have also concluded that this figure is potentially lower in the Disneyland vicinity, particularly during full occupancy, due to the nature of attractions and tourists in the area. In fact, the City of Anaheim has studied many hotels in the area and adopted a requirement for parking at hotels of 0.8 stalls per room.

Katz, Okitsu & Associates would expect that the parking demand for the Garden Grove Ramada that is related only to room occupancy will be equal to or less than 0.8 stalls per occupied room at all times.

The Garden Grove City Traffic Engineer requested additional information to justify the recommended rate of 0.8 stalls per room. He indicated that a Best Western Hotel nearby in Anaheim regularly has parking shortages. Katz, Okitsu & Associates staff inventoried the Stovall's Best Western at Katella and West Street and found that this motel provides 169 parking stalls for 230 rooms and a restaurant of approximately 4000 sf. The parking provided is thus 0.73 stalls per room, plus no additional stalls for the restaurant. Katz, Okitsu & Associates would predict a parking demand of 204 stalls for this Anaheim property, using the analysis procedure recommended in this study. (230 rooms at 0.8 plus 4000 sf restaurant at 50% of 1/100 sf.) This is 35 stalls more than the parking provided at the Anaheim site.

The Garden Grove Ramada could experience full occupancy on any night. There are 115 rooms on the site, suggesting a peak parking demand for rooms at 92 stalls, plus 2 stalls for the hotel manager unit. There are 164 stalls on the site, so at least 70 additional stalls would remain for dining and banquet usage at any time during full occupancy of the Hotel. Additional stalls will be available at most other times.

The Urban Land Institute (ULI) has compiled hourly parking variations for a large sample of hotels. They report a slight 5% variation for Saturdays, however the weekday data is summarized as follows:

<u>Time</u>	<u>Percent of Peak Parking</u>	<u>Time</u>	<u>Percent of Peak Parking</u>
6 am	100%	3 pm	35%
7 am	85%	4 pm	45%
8 am	65%	5 pm	60%
9 am	55%	6 pm	70%
10 am	45%	7 pm	75%
11 am	35%	8 pm	90%
Noon	30%	9 pm	95%
1 pm	30%	10 pm	100%
2 pm	35%	11 pm	100%
		Midnight	100%

This exact variation may not be applicable for Disneyland area hotels, since many personal vehicles are left in the parking lot while guests use public transportation or shuttles to go to Disneyland. However, room-related parking is certainly less than 100% of its peak from before 7 am to after 9 pm. Katz, Okitsu & Associates would suggest for further study that room-related parking is estimated at 85% of peak parking from 7 am to 7 pm. This would result in an additional surplus of 10 stalls at most hours.

Parking Demand for Coffee Shop, Banquet and Entertainment Areas

The parking requirement for all non-room related uses is as follows:

<u>Use</u>	<u>Floor Area</u>	<u>Parking Rate</u>	<u>Stalls Required</u>
Coffee Shop	5,508 sf	1/100 sf	55
Banquet Room	4,280 sf	1/100 sf	43
Entertainment	140 sf	1/35 sf	<u>4</u>
Total			102

There will be 70 stalls available for use of banquet and dining facilities late at night during full room occupancy. Additional stalls may be available at other times. The banquet and dining facilities will require up to 102 stalls, so the potential shortage of parking is thus 32 stalls maximum. This deficit would occur under the following scenario:

- The Hotel is fully occupied by guests, diners, and banquets.
- All users have vehicles on the site at the same time,
- None of the hotel guests are occupants in the banquet or dining areas.

This condition is highly unlikely to occur. In our estimate, at least 60% of the persons in a typical hotel restaurant are guests staying at the hotel. In addition, during hours of restaurant service, many guests who choose not to dine at the hotel will not have their cars parked in the parking lot. Katz, Okitsu & Associates would recommend conservatively that 50% of the parking demand associated with the restaurant can be attributed to hotel room guests. This means that 50% of the parking requirement for the restaurant can be discounted.

A similar relationship is expected for the entertainment area. Most persons at this facility are expected to be hotel guests. 50% of the parking requirement for this area can also be discounted. It is noted that the entertainment area requires only 4 stalls, since only the Karaoke stage area is designated as an entertainment area.

There is a much lower opportunity for shared parking usage between banquet parking and guest parking. This is particularly true during the morning and afternoon, when hotel room parking is lower and banquets frequently attract persons who are not staying at the facility. We would attribute banquet parking to be no more than 10% by hotel guests. 90% of all banquet related parking would not be related to hotel guests.

The following calculation shows the expected parking demand for the facility, assuming that 50% of restaurant related traffic and 90% of banquet related traffic are not included in the room parking demand.

<u>Use</u>	<u>Floor Area</u>	<u>Parking Rate</u>	<u>Discount</u>	<u>Stalls Required</u>
Coffee Shop	5,508 sf	1/100 sf	50%	28
Banquet Room	4,280 sf	1/100 sf	10%	39
Entertainment	140 sf	1/35 sf	50%	<u>2</u>
Total				69

There will be at least 70 stalls available for banquet and dining facilities at all times. The requirement for these facilities under normal usage and full room occupancy will be 69 stalls, so there should be a parking surplus of 1 stall or more at all times. The minimum surplus would occur when the facility is at full occupancy and when banquets are held at the same time as peak dining occurs in the coffee shop.

This 1-stall surplus scenario is more realistic than the scenario that assumes no overlap of parking between the various uses at any time, but it is still considered conservative. Most of the time, the hotel will not likely be at full occupancy. Even if the hotel is full, the parking requirement by overnight guests will likely be lower during banquet or dining hours than at other times. This is because a portion of hotel guests with automobiles will likely not be on the site during dining hours. Finally, the coffee shop will likely experience its peak during the early morning, while banquets normally do not begin until 8:30 am, when a significant portion of hotel guests have already left the site. These effects were shown in the parking variation data presented previously. These conditions are not analyzed further, however they are indicated to show that the actual parking is likely to be much greater than the 1 stall surplus indicated.

Finally, the parking demand is based upon data collected at another property in the Disneyland area. The Garden Grove Ramada is currently experiencing parking demands that are much lower than other properties in the area. If this trend continues, the parking surplus at the site will be even greater than the amount indicated in this analysis.

Tour Busses

Katz, Okitsu & Associates has regularly observed tour busses to be parked in parking areas at Hotels in the Disneyland area. The data presented for the Anaheim Ramada was based upon occupied parking stalls, not parked vehicles. In some cases the stalls were occupied by tour busses.

Tour busses can occupy two parking stalls, if striped head-to-head, and up to five stalls if parked perpendicular to a striped parking aisle.

The Garden Grove Ramada does not have a designated parking area for tour busses, however a separate parking area is not recommended, and the reduction in parking available due to tour buses is not considered to be a problem. While each tour bus can require up to five parking stalls, the guests arriving by tour bus will occupy many more rooms than the bus will occupy. Parking for tour busses is not considered to be an unconsidered issue in evaluating parking demand for the Garden Grove site.

CONCLUSION AND RECOMMENDATIONS

The Garden Grove Ramada provides 115 guest rooms and 164 parking stalls. The property is proposing to enlarge its dining and meeting/banquet facilities, and to construct a small entertainment area. No additional parking will be proposed for these new uses.

Katz, Okitsu & Associates recommends that the existing parking supply, 164 stalls, will be adequate to meet the needs of the facility. The parking area will have a parking stall surplus of at least 1 stall. This minimum surplus will occur during periods of simultaneous full occupancy of the rooms, dining areas, and meeting areas. These conditions are expected to occur on a very limited basis, and even at these times, assumptions made in the report to forecast parking may be conservative.

Katz, Okitsu & Associates recommends that the parking variance proposed for the Garden Grove Ramada can be evaluated by the City of Garden Grove without concern for the adequacy of the parking provided. There should be adequate additional parking available on the site at all times, even with simultaneous usage of all guest rooms, dining, and banquet facilities.

The City may wish to consider conditions of approval of the variance that limit the use of meeting or banquet rooms by controlling the use of theater-style seating arrangements for events that are not expected to attract hotel guests. This type of event could produce a parking shortage unless a banquet room of equal or greater size will be used by the same event before or after the session. The scenario of extensive use of banquet facilities for theater-style seating is the type of event that is most likely to result in parking shortages on the site.

Specifically, theater-style seating should not be allowed before 8 am or after 7 pm, unless an equal or larger banquet area is reserved for prior or later dining by occupants in the theater seating area.

Although a parking problem is not forecast, there may be additional measures that can be used to increase parking supply on the site. The site may not currently provide the quantity of compact parking spaces that are permitted by the Garden Grove Parking Code. An increase in the existing parking may be possible by restriping in selected areas to provide compact stalls. The City staff have indicated that restriping to provide additional parking spaces may be a condition of approval. This requirement would appear reasonable to insure that parking is available for unexpected contingencies.

Appendix:

ULI Shared Parking Data

The Anaheim Ramada Inn Study

**EXHIBIT 28
REPRESENTATIVE HOURLY ACCUMULATION BY
PERCENTAGE OF PEAK HOUR**

Hour of Day	Office		Retail		Restaurant		Cinema	Residential (non-CBD)		Residential (CBD)	Hotel				Conference Room	Convention Area	
	Weekday	Saturday	Weekday	Saturday	Weekday	Saturday		Weekday	Saturday		Daily	Guest Room		Restaurant/Lounge			
												Weekday	Saturday	Weekday			Saturday
6:00 a.m.	3%	—	—	—	—	—	—	100%	100%	100%	100%	90%	20%	20%	—	—	
7:00 a.m.	20	20%	8%	3%	2%	2%	—	87	95	95	85	70	20	20	—	—	
8:00 a.m.	63	60	18	10	5	3	—	79	88	90	65	60	20	20	50%	50%	
9:00 a.m.	93	80	42	30	10	6	—	73	81	87	55	50	20	20	100	100	
10:00 a.m.	100	80	68	45	20	8	—	68	74	85	45	40	20	20	100	100	
11:00 a.m.	100	100	87	73	30	10	—	59	71	85	35	35	30	30	100	100	
12:00 Noon	90	100	97	85	50	30	30%	60	71	85	30	30	50	30	100	100	
1:00 p.m.	90	80	100	95	70	45	70	59	70	85	30	30	70	45	100	100	
2:00 p.m.	97	60	97	100	60	45	70	60	71	85	35	35	60	45	100	100	
3:00 p.m.	93	40	95	100	60	45	70	61	73	85	35	40	55	45	100	100	
4:00 p.m.	77	40	87	90	50	45	70	66	75	87	45	50	50	45	100	100	
5:00 p.m.	47	20	79	75	70	60	70	77	81	90	60	60	70	60	100	100	
6:00 p.m.	23	20	82	65	90	90	80	85	85	92	70	70	90	90	100	100	
7:00 p.m.	7	20	89	60	100	95	90	94	87	94	75	80	100	95	100	100	
8:00 p.m.	7	20	87	55	100	100	100	96	92	96	90	90	100	100	100	100	
9:00 p.m.	3	—	61	40	100	100	100	98	95	98	95	95	100	100	100	100	
10:00 p.m.	3	—	32	38	90	95	100	99	96	99	100	100	90	95	50	50	
11:00 p.m.	—	—	13	13	70	85	80	100	98	100	100	100	70	85	—	—	
12:00 Mid-night	—	—	—	—	50	70	70	100	100	100	100	100	50	70	—	—	

involving office, regional retail, and residential facilities (see exhibit 28). Nonroom-related hotel activities and entertainment uses varied significantly, however. If site-specific data are not available for these two land uses, survey results could be used.

Accumulation curves are then estimated for each land use, based on the selected hourly values described in terms of the percent of maximum design-day parking demand expected at every hour during the day. The parking demand factor (step 2) multiplied by quantity of land use (step 1) produces an estimate of peak parking demand. This value multiplied by each hourly percentage produces an estimate of parking demand for every land use component by hour of day.

STEP 4: ESTIMATE OF SHARED PARKING

The hourly parking demand for each land use is merged to estimate overall shared parking demand for a proposed project. This step is simply the hour-by-hour addition of parking demand for each use to estimate the aggregate accumulation. As noted previously, the method described above should be used for weekday and Saturday conditions to test for the controlling value.

SAMPLE USE OF THE METHODOLOGY

The following sample situation has been devised to demonstrate the use of the recommended methodology.

- Objective:* To estimate the peak parking requirements for a proposed mixed-use development.
- Plan:* The proposed development has the following components:
 - Office = 400,000 square feet GLA
 - Retail = 300,000 square feet GLA
 - Hotel = 500 rooms plus 5,000 square feet of restaurant and conference facilities with 200-seat capacity.
- Location:* The project will be located in the downtown of a medium-size urban community whose regional population is approximately 1.5 million.
- Mode split:*¹⁷ Based on surveys conducted at existing developments in the downtown, it is estimated that 75 percent of employees and patrons and 50 percent of hotel guests will use autos. The number of persons per auto is assumed to be typical (1.2 for employees, 1.8 for patrons, 1.4 for hotel guests).

¹⁷"Mode split" refers to the percentage of people at a site who use a particular mode of transportation, with the total of all modes equaling 100 percent.



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Fax: (714) 573-9534

December 5, 1995

Mr. Jerry Callahan
The Anaheim Ramada
1331 E. Katella Avenue
Anaheim, CA 92805

Subject: Parking Study for The Anaheim Ramada in the City of Anaheim

Dear Mr. Callahan:

Katz, Okitsu & Associates is pleased to submit the attached report addressing parking needs for The Anaheim Ramada, an existing hotel in the City of Anaheim. The report was prepared to meet the requirements of the City of Anaheim for evaluating the parking needs for the proposed permit request. If there are any comments which require my response, or revisions required, please notify me as soon as possible for prompt revision.

It has been a pleasure to provide this study to The Anaheim Ramada and to the City of Anaheim. Please contact me if you require any additional information or have any questions about the subject study.

Sincerely,

Rock E. Miller, P.E.
Principal

cities\anaheim\ramada\anramada.suu

Parking Study
for the
Anaheim Ramada
in The
City of Anaheim

Prepared for:

The Anaheim Ramada
1331 Katella Avenue
Anaheim, CA 92805
(714) 978-8088

Prepared by:

Katz, Okitsu & Associates
17852 17th Street, #107
Tustin, CA 92680
(714) 573-0317



December, 1995

INTRODUCTION

The Anaheim Ramada is proposing to obtain a use permit and a variance from the required number of parking spaces for a new banquet room. The Anaheim Ramada is located at 1331 Katella Avenue between Lewis Street and State College Boulevard in the southeast portion of the City of Anaheim. It is located approximately midway between Anaheim Stadium and Disneyland. The project will include the conversion of an existing area of the hotel to a 3,000 square foot banquet room facility. Figure 1 depicts a vicinity map of the project area. Figure 2 shows the existing hotel site plan.

The Anaheim Ramada currently provides 250 parking stalls. This parking is intended to meet the needs of the Hotel and its adjacent restaurant and sports bar. The proposed project will add additional dining and meeting space to the Hotel, but it will not change the parking supply on the premises. The purpose of this parking study is to determine if the existing parking supply on the site will be adequate for the needs of all existing and proposed uses.

Parking supply and demand are normally measured or calculated on the basis of developed building area, expressed in square feet per parking space or in parking spaces per 1000 square feet (sf). Parking requirements for hotel and lodging uses are normally expressed in parking spaces per room. The City of Anaheim Municipal Code (AMC) indicates a parking requirement for hotel use is as follows:

0.241 Hotel/Motel Facilities: The following minimum parking spaces shall be provided: Four-fifths (0.8) of a space per guest room without kitchenettes; one and three-fifths (1.6) spaces per guest room with kitchenettes, plus fourteen (14) spaces per 1,000 square feet of GFA of eating/drinking areas plus ten (10) spaces per 1,000 square feet of banquet/meeting room area, plus the following employee spaces: One quarter (0.25) space per each employee working in guest room areas; four and three-fifths (4.6) employee spaces per 1,000 square feet of eating/drinking areas, one (1) employee space per 1,000 square feet of GFA for retail areas; two and one-half (2.5) employee spaces per 1,000 square feet of GFA for banquet/meeting rooms. (11/89)

The Anaheim Ramada provides 250 existing parking stalls. There are 231 rooms on the site, requiring 185 stalls according to the AMC. Additional parking would be required for restaurant and banquet areas, so the project will require a variance from the AMC requirements for existing uses and for proposed additional uses.

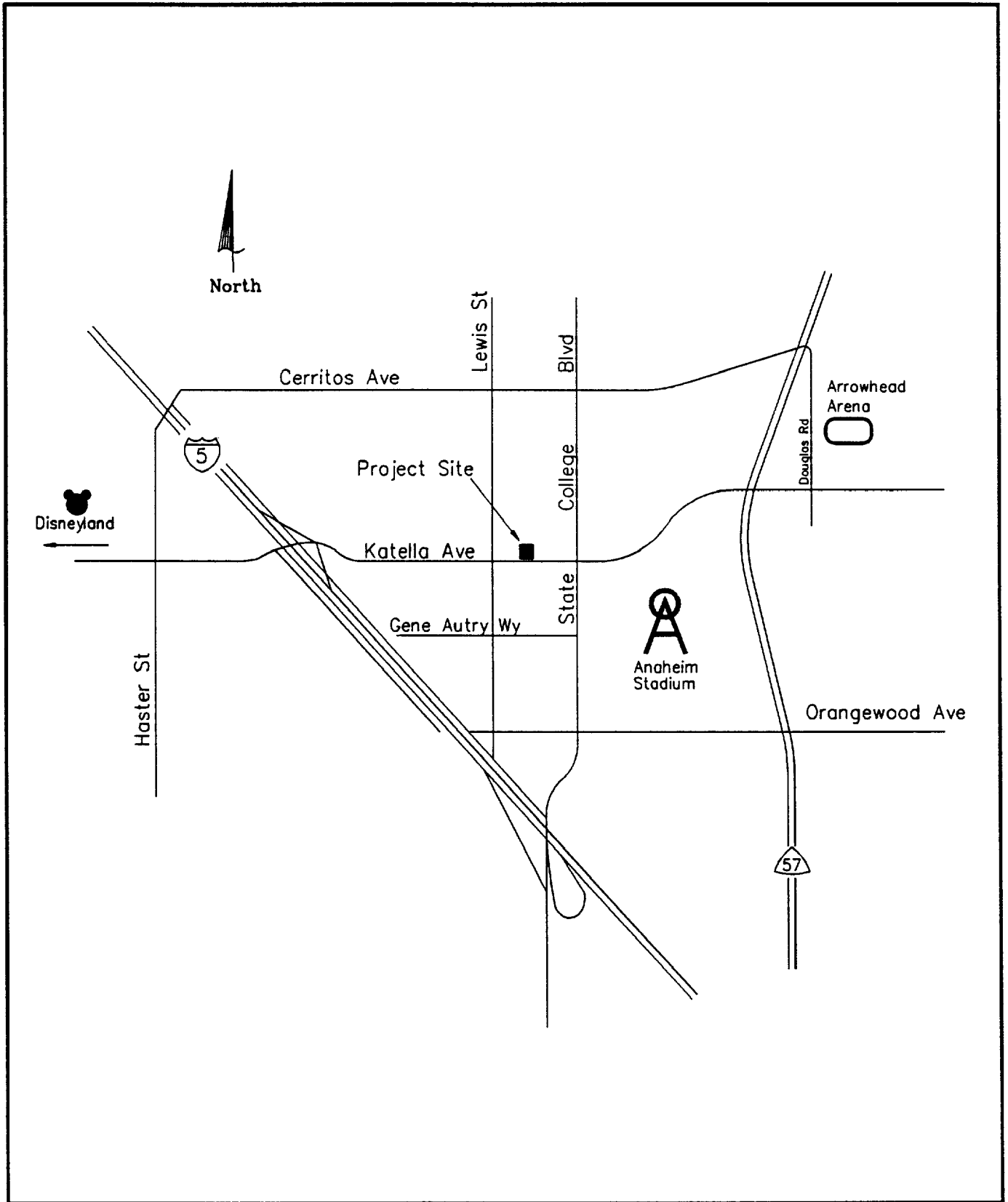
METHODOLOGY

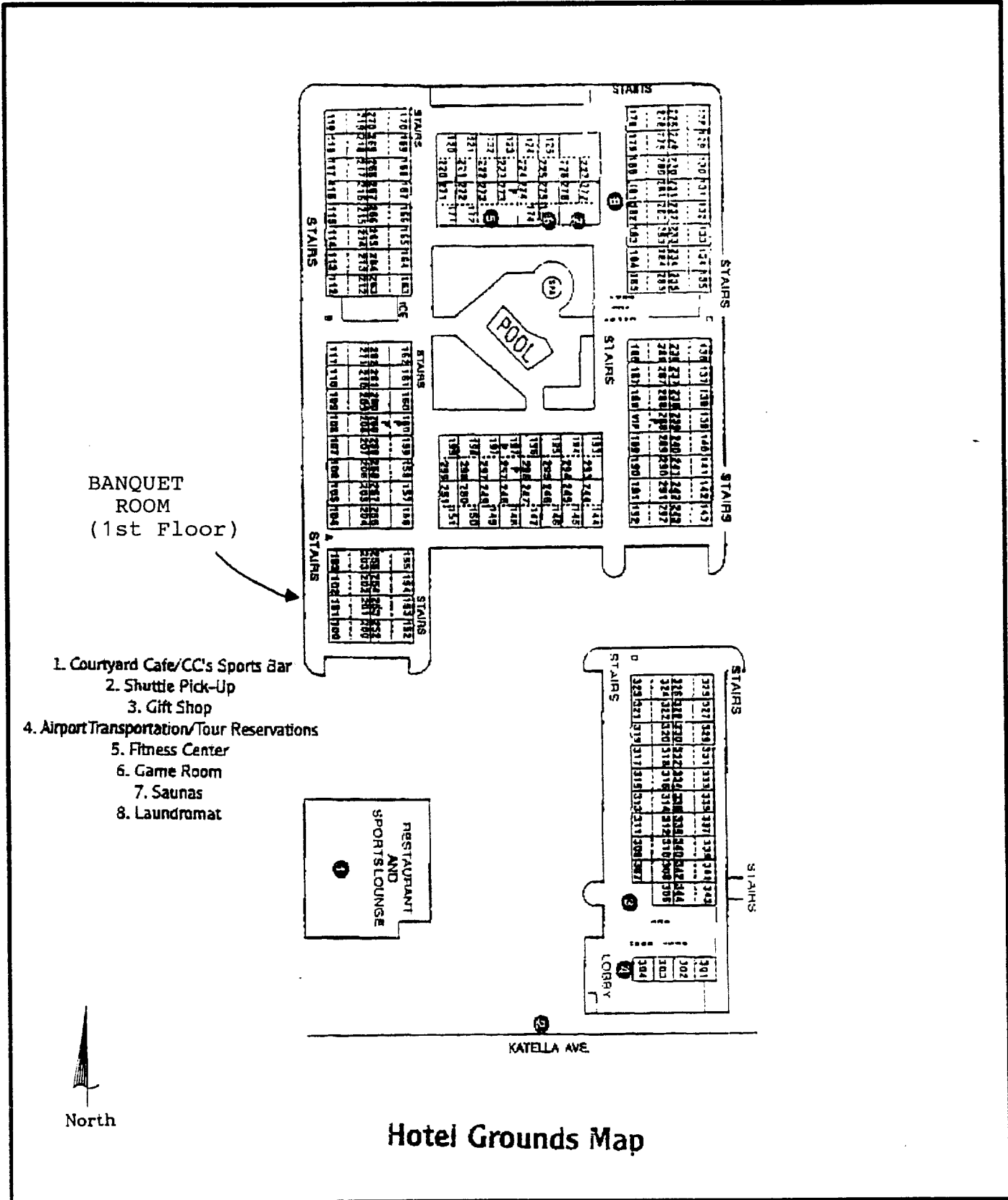
The Anaheim Ramada is an existing hotel. The existing parking demand for this facility can be measured using site surveys. Also, the existing banquet area has already been constructed and used on a few occasions. Its parking demand increase can also be measured by site surveys.

Parking demand measurements at hotels must be adjusted to reflect guest room occupancy. It is normal to project parking needs based upon full occupancy of the Hotel property, to insure that parking problems will not occur at any time.

Dining and lodging facilities do not experience peak parking demands at the same time as each other. Peak parking for lodging occurs in the late evening. Peak parking for dining occurs during meal hours, while peak parking for banquets occurs during hours of scheduled use. There are opportunities for sharing of parking facilities among these uses. A parking analysis for multiple use facilities on a Hotel site must consider the hours of probable usage of each facility.

The parking requirement for Anaheim Ramada will be determined by evaluating normal usage patterns for each component of the facility to determine if the parking supply will be adequate for any expected use or event.





- BANQUET ROOM (1st Floor)**
1. Courtyard Cafe/CC's Sports Bar
 2. Shuttle Pick-Up
 3. Gift Shop
 4. Airport Transportation/Tour Reservations
 5. Fitness Center
 6. Game Room
 7. Saunas
 8. Laundromat

Hotel Grounds Map

EXISTING CONDITIONS

The existing Anaheim Ramada Inn is located at 1331 Katella Avenue. The existing site provides 231 hotel rooms. Four (4) rooms are used exclusively by the hotel staff. The total parking provided is 250 parking stalls. The site is occupied by the hotel and a casual restaurant and sports bar. The parking area is well defined and on-street parking is not allowed on any street in the vicinity. Any vehicles in the parking lot can be attributed to the Anaheim Ramada. No vehicles associated with the Hotel and restaurant park at any locations other than in the parking lot.

The nearby presence of Disneyland causes many hotel facilities in the study area to experience unique parking conditions. There is a very high incidence of hotel guests without private automobile transportation. These guests arrive primarily by bus or hotel shuttle. In addition, guests with private transportation frequently leave their vehicles parked on the site throughout the day, utilizing courtesy hotel transportation to Disneyland park. These factors result in lower parking utilization at night compared to other facilities. They also result in a higher ratio of daytime to nighttime parking use.

Existing Parking Demand

Parking demands for the site were measured at periodic intervals on November 16, 18, and 21, 1995. The results of the surveys are shown on Table 1. On November 18, the banquet room was in use during the hours of the survey. On November 21, the number of occupied rooms was at the highest level during the survey. The lot was approximately 50% empty during these surveys.

Table 1

PARKING DEMAND Parked Vehicles and Stalls Used

Time	Parked Vehicles			Parking Spaces Used		
	Nov 16	Nov 18	Nov 21	Nov 16	Nov 18	Nov 21
9:00 am	---	---	37	---	---	42
11:00 am	---	129	57	---	129	69
12:30pm	---	---	81	---	---	98
2:00 pm	---	126	---	---	126	---
3:00 pm	---	---	54	---	---	75
6:30 pm	68	---	107	76	---	131
12:00am	---	---	69	---	---	93

During all surveys the number of occupied stalls exceeded the number of parked vehicles. This was due to the presence of tour buses and truck tractors. These vehicles do not fit into a single stall, so they occupied more than one stall during the surveys. The parking surveys noted both the number of vehicles and the number of occupied stalls. There were 35% more occupied stalls than vehicles during the 12 a.m. survey used to evaluate overnight parking requirements.

From these measurements, peak parking demand for the existing hotel was identified at 107 parked vehicles. These vehicles occupied 131 parking spaces, and the peak period occurred in the evening during dinner hours on November 21. This parking demand would reflect parking needs for occupied rooms, hotel staff, and patrons in the restaurant area.

The peak parking demand after 9 pm occurred near midnight. The measured demand was 69 vehicles, occupying 93 stalls. This demand includes several buses and truck tractors. This demand would be primarily related to occupied rooms. We have observed a downward trend in parking utilization after midnight for other lodging facilities, because the number of visitors who leave the site after midnight is normally greater than the number of hotel guests who arrive after midnight. For this reason, the measured demand at midnight is accepted as the peak demand per occupied room overnight.

Parking Demand and Room Occupancy

The Anaheim Ramada furnished room occupancy data to Katz, Okitsu & Associates for this study. The survey dates and room occupancy were as follows:

November 16	85 occupied rooms
November 17	70 occupied rooms
November 18	82 occupied rooms
November 20	88 occupied rooms
November 21	129 occupied rooms

The highest occupancy was noted on November 21 due to the approaching Thanksgiving holiday. This occupancy represents 55% utilization of all guest rooms. The overnight parking requirement per occupied room is based upon the midnight parking demand (93 stalls) and the total room occupancy (129 rooms). The parking demand per room is calculated at 0.72 stalls per occupied room. This amount is consistent with the requirement indicated in the Anaheim Municipal Code (0.8 stalls per guest room).

Parking for hotel room usage varies throughout the day, as indicated by the information on November 21. The parking per occupied room during mid-morning and mid-afternoons are shown in Table 2 below.

Table 2

PARKING DEMAND
Per Occupied Room

<u>Time</u>	<u>Occupied Parking</u>	<u>Guest Room Occupancy</u>	<u>Parking Demand</u>
11 am	69 stalls	88 rooms	0.78 stalls per room
3 pm	75 stalls	129 rooms	0.58 stalls per room

The parking demand rate appears to be lower in the afternoon, approximately 74% of the overnight rate. The parking demand is noted to be similar in the late morning to the overnight rate. The mid-morning rate is assumed to be equal to the overnight rate, because the occupancy was much higher on November 21 than on November 20. The data collected during the higher occupancy period would better reflect the ratio of staff to guest parking.

Katz, Okitsu & Associates would recommend the expected parking demand for the Anaheim Ramada unrelated to banquet or dining use at 0.72 stalls per occupied room at all times. Any additional parking on the site would be attributed to usage of banquet or dining rooms.

The Hotel could experience full occupancy on any night. There are 231 rooms on the site, suggesting a peak parking demand for rooms at 166 stalls. There are 250 stalls on the site, so 84 additional stalls would be available for dining and banquet usage during full occupancy of the Hotel.

Parking Demand for Restaurant Areas

The hotel banquet room was not in use on November 21. Parking demand during the lunch hour at 12:30 pm was 98 stalls. This would be attributed to a combination of room occupancy and usage of the restaurant area. There were 88 occupied rooms on the previous night and 129 rooms later this night. The parking demand present during this study related to room occupancy is approximately 63 stalls. This would suggest a parking demand for the restaurant at 35 stalls. This figure is considered representative for the restaurant during any typical lunch period.

Parking Demand for Banquet Area

The Hotel banquet room was utilized during the surveys of November 18. On this date, the peak parking demand was 129 stalls. There were 82 occupied rooms on the night of November 18, and these rooms would generate a parking demand of 59 stalls (at 0.78 stalls per occupied room).

This suggests that 70 stalls were being used on November 18 for the combination of restaurant and banquet room usage. Typical parking demand for the restaurant was previously identified at 35 stalls. The parking attributed to the banquet room is thus 35 stalls. This figure is considered representative of usage of the banquet facility during any typical banquet event.

FORECASTED PARKING DEMAND

The peak parking requirement for the Anaheim Ramada will occur when the facility is at 100 percent room occupancy during normal meal hours when the banquet room is in use. The expected parking demand based upon the collected parking data under this usage is as follows:

Parking for Rooms (231 Rooms @ 0.78 stalls per room)	180 stalls
Restaurant Parking	35 stalls
Banquet Stalls	<u>35 stalls</u>
TOTAL	250 stalls

The parking available is 250 stalls, so under full occupancy parking demand will be equal to parking supply.

This forecast is considered to be conservative. The hotel was not fully occupied during any sample period. Corrections were made to allow for room occupancy, but we would expect slightly lower parking demand per occupied room as occupancy increases. This is because the ratio of guest vehicles to staff vehicles will change. We have found parking per occupied room to be lowest when occupancy is highest in studies of other hotel facilities.

In addition, parking demands were analyzed based upon occupied stalls, not parked vehicles. This was due to the presence of tour buses. Occupied stalls were found to be consistently up to 35% higher than the number of parked vehicles, and this relationship was presumed at full occupancy. During periods of high occupancy, it is possible that tour buses would be parked off the site, or parked more efficiently in marked areas.

In our judgement and experience, the proposed use of hotel, dining, and banquet facilities will not result in parking shortages on the site during periods of 100% occupancy. From a practical

standpoint, the banquet facility would rarely be utilized during periods of 100% occupancy, and 100% occupancy, itself, does not occur on a regular basis. The peak parking utilization observed was approximately 55% of parking available. This is the expected utilization over 90% of the time.

CONCLUSION AND RECOMMENDATIONS

The Anaheim Ramada provides 231 guest rooms and 250 parking stalls. During the period of study, peak observed parking utilization and guest room occupancy were each approximately 55%.

The parking demand expected for the Anaheim Ramada at 100% occupancy of all rooms and full simultaneous utilization of the dining and banquet facilities will be approximately 250 stalls. This demand will be approximately equal to the amount of parking currently provided, 250 stalls.

Katz, Okitsu & Associates recommends that the existing parking supply, 250 stalls, will be adequate to meet the needs of the facility. The parking area will be fully utilized only during meal hours with concurrent banquets at 100% occupancy. However, the forecasted demand is likely to be high, because assumptions made to forecast parking at full occupancy may be conservative.

This forecast also assumes that oversized vehicles such as tour buses will occupy 33% of available stalls, similar to current trends. The 250 stalls would be occupied by only 185 vehicles, plus 65 stalls unavailable due to oversize vehicles. Parking supply can be greatly increased if tour buses are not parked on the site, or if they are parked in an efficient manner.

Katz, Okitsu & Associates recommends that the parking variance proposed for the Anaheim Ramada can be evaluated by the City of Anaheim without concern for the adequacy of the parking provided. There should be adequate additional parking available on the site at all times, even with simultaneous usage of all guest rooms, dining, and banquet facilities.

**Parking Study
for the
Garden Grove Ramada
in The
City of Garden Grove**

Prepared for:

**Mr. Yong J. Kwon
ARCON
695 S. Vermont Avenue
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Prepared by:

**Katz, Okitsu & Associates
17852 17th Street, #107
Tustin, CA 92680
(714) 573-0317**

June, 1996

INTRODUCTION

The Garden Grove Ramada is an existing hotel located at 10022 Garden Grove Boulevard between Brookhurst Street and Brookhurst Way/Kerry Street in the City of Garden Grove. The hotel includes 116 rooms. The hotel owner is proposing to obtain a use permit and a variance from the required number of parking spaces to construct a new banquet room in a mezzanine area of the hotel.

The existing site has 116 hotel rooms plus one hotel management room. The existing coffee shop has 4,200 square feet (sf). The existing meeting/banquet room area is 2,000 sf. *2,130 sf coffee shop on 2nd fl, 1,078 sf - Restaurant*

The proposed project will reduce the number of hotel rooms to 115. The total restaurant area will be expanded by an additional 1,308 sf coffee shop to 5,508 sf total. The existing meeting/banquet room area will be expanded to 2,793 sf. A 1,627 sf area will be added to the third floor. This area will be intended for banquets. The banquet rooms include 140 sf karaoke entertainment area.

Figure 1 depicts a vicinity map for the project area. Figure 2 shows the existing hotel site plan.

The Garden Grove Ramada currently provides 164 parking stalls. The proposed project will add additional dining and meeting space to the Hotel, but it will not change the parking supply on the premises. The purpose of this parking study is to determine if the existing parking supply on the site will be adequate for the needs of all existing and proposed uses.

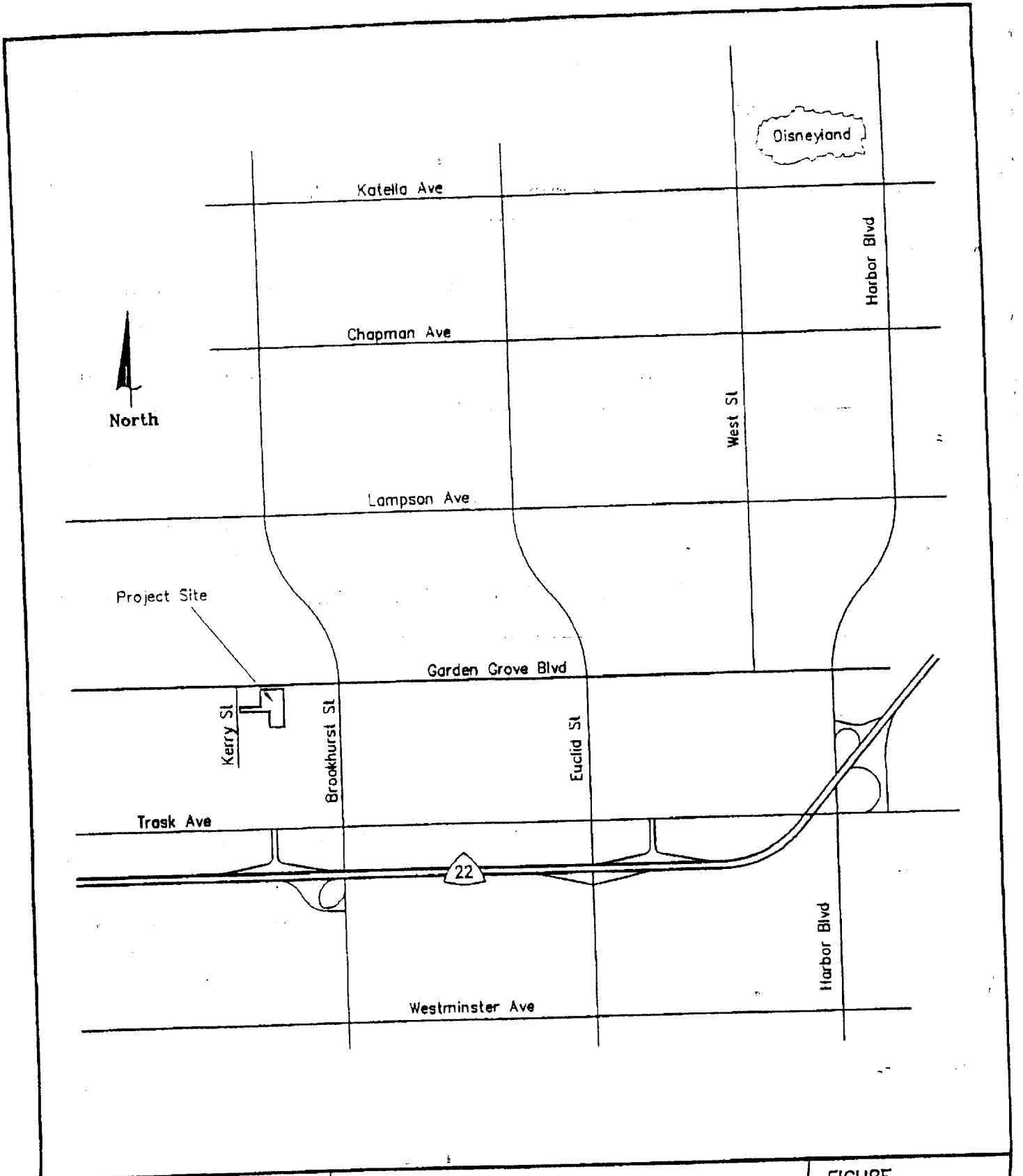
City Parking Requirements

Parking supply and demand are normally measured or calculated on the basis of developed building area, expressed in square feet per parking space or in parking spaces per 1000 square feet (sf). Parking requirements for hotel and lodging uses are normally expressed in parking spaces per room/unit. The City of Garden Grove Municipal Code states the parking requirement for hotel use is one (1) parking space per unit and two (2) parking spaces per hotel management unit. Additionally, for a coffee shop/restaurant area it is one (1) space per 100 sf, for the meeting/banquet area it is one (1) space per 100 sf, and for entertainment area it is one (1) space per 35 sf.

The breakdown of the proposed site and the parking required is as follows:

<u>Building Use</u>	<u>Area/Rate</u>	<u>Parking Spaces</u>
Guestrooms	115 units at 1/unit	115
Hotel Manager	1 unit at 2/units	2
Coffee Shop	5,508 sf at 1/100 sf	55
Banquet Room	4,280 sf at 1/100 sf	43
Entertainment	140 sf at 1/35 sf	4
Total		219 ✓

The Garden Grove Ramada provides 164 existing parking stalls. There will be 115 rooms on the site. Additional parking would be required for restaurant and banquet areas, so the project will require a variance from the Planning Staff requirements for existing uses and for proposed additional uses.



Katz, Okitsu & Associates
Traffic & Highway Engineers

Vicinity Map

FIGURE

1

GARDEN GROVE RAMADA INN

REMODELLING

10022 GARDEN GROVE BLVD. GARDEN GROVE, CA.

MERRY ST.

o outline

o scope of work

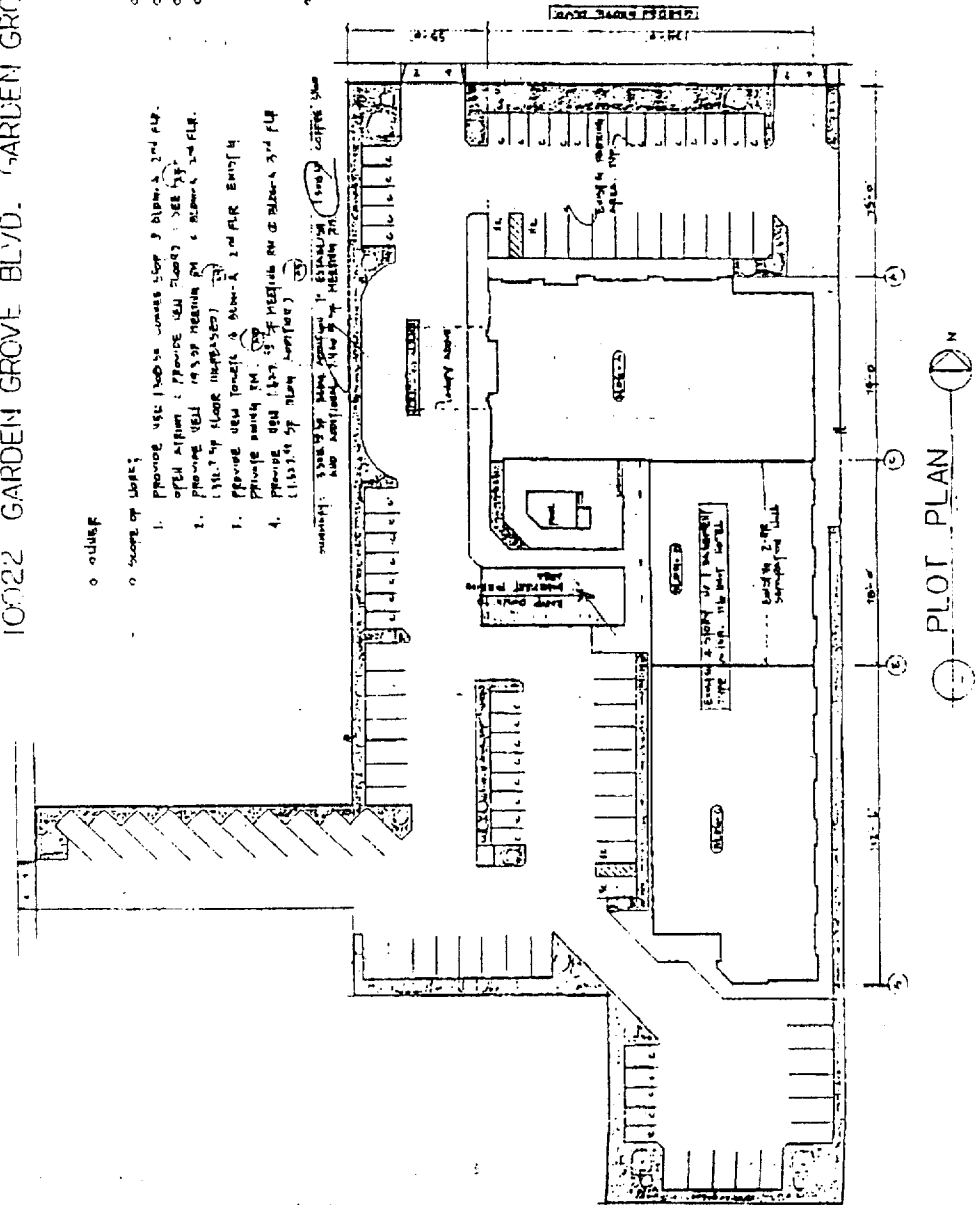
1. Provide use of existing rooms for 2nd floor.
2. Provide use of existing rooms for 1st floor.
3. Provide use of existing rooms for 1st floor.
4. Provide use of existing rooms for 1st floor.

- o existing structure / 1st / 2nd floor
- o new structure / 1st / 2nd floor
- o new structure / 1st / 2nd floor
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PLOT PLAN

Katz, Orlson & Associates
Traffic & Highway Engineers

Site Plan

FIGURE

2

METHODOLOGY

The Garden Grove Ramada is an existing hotel. The parking demand for an existing facility can be measured using site surveys. Also, there are existing food service, banquet, and meeting rooms on the site. The proposed use represents a minor adjustment in total building area and composition of usage. The expected change in parking demand can be forecasted for the proposed use and compared with the availability of surplus parking on the site. If the site has parking surpluses that can readily meet the needs of the expansion, the proposal will not result in any parking problems.

Parking demand measurements at hotels must be adjusted to reflect guest room occupancy. It is normal to project parking needs based upon full occupancy of the Hotel property, to insure that parking problems will not occur at any time.

Dining and lodging facilities do not experience peak parking demands at the same time as each other. Peak parking for lodging occurs in the late evening. Peak parking for dining occurs during meal hours, while peak parking for banquets occurs during hours of scheduled use. In addition most patrons of restaurant areas and many patrons of banquet areas will also occupy rooms, particularly during evening hours when parking for rooms is highest. There are thus opportunities for sharing of parking facilities among these uses.

The parking requirement for Garden Grove Ramada will be determined by evaluating normal usage patterns for each component of the facility to determine if the parking supply will be adequate for any expected use or event.

EXISTING CONDITIONS

The existing Garden Grove Ramada is located at 10022 Garden Grove Boulevard. The existing site provides 164 parking stalls. The parking area is well-defined and on-street parking is not allowed on any street in the vicinity. Any vehicles in the parking lot can be attributed to the Garden Grove Ramada. No vehicles associated with the hotel park at any locations other than in the parking lot.

Disneyland is located approximately three miles northeast from the project site, and the hotel provides a courtesy shuttle service to the park for guests. The influence of Disneyland causes many hotel facilities in the study area to experience unique parking conditions. There is a very high incidence of hotel guests without private automobile transportation. These guests arrive primarily by bus, taxi, or airport hotel shuttle. In addition, guests with private transportation frequently leave their vehicles parked on the site throughout the day, utilizing courtesy hotel transportation to Disneyland park. These factors result in lower parking utilization at night compared to other facilities. They also result in a higher ratio of daytime to nighttime parking use.

Existing Parking Demand

Parking demands for the site were measured at periodic intervals on Tuesday, June 4, 1996, and on Saturday, June 8, 1996. The results of the surveys are shown on Table 1.

Table 1
PARKING DEMAND
Parked Vehicles

<u>Day /Time</u>	<u>Number of Vehicles</u>
June 4, 1996	
2 pm	27 stalls
3 pm	28 stalls
6:30 pm	29 stalls
12 midnight	23 stalls
June 8, 1996	
9 am	27 stalls
11 am	26 stalls
12 noon	29 stalls
1 pm	35 stalls
2 pm	32 stalls
3 pm	27 stalls
6:30 pm	43 stalls
12 midnight	28 stalls

The observed number of vehicles on the premises is very low. The overnight room occupancy at the facility was close to normal during these study periods, 65-75%. The owner indicated that this parking experience is normal for the facility. Katz, Okitsu & Associates does not believe that further studies at the Garden Grove site are advised in evaluating its parking requirements. We will base further analysis on parking requirements for a typical facility in this setting.

Parking Demand and Room Occupancy

The Garden Grove Ramada furnished room occupancy data to Katz, Okitsu & Associates for this study. The survey dates and room occupancy were as follows:

June 4	75 occupied rooms (65%)
June 7	86 occupied rooms (75%)
June 8	86 occupied rooms (75%)

Additional Study Information

Katz, Okitsu & Associates measured parking demands at a nearby Ramada, The Anaheim Ramada, over five days in November, 1995 for another parking study. The most relevant results of the surveys are shown on Table 2. A major banquet was underway during the 3 pm period.

Table 2

PARKING DEMAND
Per Occupied Room
Anaheim Ramada

<u>Time</u>	<u>Occupied Parking</u>	<u>Guest Room Occupancy</u>	<u>Parking Demand</u>
11 am	69 stalls	88 rooms	0.78 stalls per room
3 pm	75 stalls	129 rooms	0.58 stalls per room
Midnight	93 stalls	129 rooms	0.72 stalls per room

Overnight Parking Requirement

Staff of Katz, Okitsu & Associates have collected additional data at other hotels and determined that the midnight parking requirement is normally less than one vehicle per room in urban areas. This is due to the arrival of guests by bus, taxi, shuttle, or other non-personal auto mode. We have also concluded that this figure is potentially lower in the Disneyland vicinity, particularly during full occupancy, due to the nature of attractions and tourists in the area. In fact, the City of Anaheim has studied many hotels in the area and adopted a requirement for parking at hotels of 0.8 stalls per room.

Katz, Okitsu & Associates would expect that the parking demand for the Garden Grove Ramada that is related only to room occupancy will be equal to or less than 0.8 stalls per occupied room at all times.

The hotel could experience full occupancy on any night. There are 115 rooms on the site, suggesting a peak parking demand for rooms at 92 stalls, plus 2 stalls for the hotel manager unit. There are 164 stalls on the site, so at least 70 additional stalls would remain for dining and banquet usage at any time during full occupancy of the Hotel. Additional stalls will be available at most other times.

Parking Demand for Coffee Shop, Banquet and Entertainment Areas

The parking requirement for all non-room related uses is as follows:

<u>Use</u>	<u>Floor Area</u>	<u>Parking Rate</u>	<u>Stalls Required</u>
Coffee Shop	5,508 sf	1/100 sf	55
Banquet Room	4,280 sf	1/100 sf	43
Entertainment	140 sf	1/35 sf	4
Total			102

There will be 70 stalls available for use of banquet and dining facilities late at night during full room occupancy. Additional stalls may be available at other times. The banquet and dining facilities will require up to 102 stalls, so the potential shortage of parking is thus 32 stalls maximum. This deficit would occur under the following scenario:

- The Hotel is fully occupied by guests, diners, and banquets.
- All users have vehicles on the site at the same time,
- None of the hotel guests are occupants in the banquet or dining areas.

This condition is highly unlikely to occur. In our estimate, at least 60% of the persons in a typical hotel coffee shop are guests staying at the hotel. In addition, during hours of coffee shop service, many guests who choose not to dine at the hotel will not have their cars parked in the parking lot. Katz, Okitsu & Associates would recommend conservatively that 50% of the parking demand associated with the coffee shop can be attributed to hotel room guests. This means that 50% of the parking requirement for the coffee shop can be discounted.

A similar relationship is expected for the entertainment area. Most persons at this facility are expected to be hotel guests. 50% of the parking requirement for this area can also be discounted.

There is a much lower relationship between banquet parking and guest parking. This is particularly true during the morning and afternoon, when hotel room parking is lower and banquets frequently attract persons who are not staying at the facility. We would attribute banquet parking to be no more than 10% by hotel guests.

Use	Floor Area	Parking Rate	Discount	Stalls Required
Coffee Shop	5,508 sf	1/100 sf	50%	28
Banquet Room	4,280 sf	1/100 sf	10%	39
Entertainment	140 sf	1/35 sf	50%	2
Total				69

There will be at least 70 stalls available for banquet and dining facilities at all times. The requirement for these facilities under normal usage and full room occupancy will be 69 stalls, so there should be a parking surplus of 1 stall or more at all times. The minimum surplus would occur when the facility is at full occupancy and when banquets are held at the same time as peak dining occurs in the coffee shop.

This 1-stall surplus scenario is more realistic than the scenario that assumes no overlap of parking between the various uses at any time, but it is still considered conservative. Most of the time, the hotel will not likely be at full occupancy. Even if the hotel is full, the parking requirement by overnight guests will likely be lower during banquet or dining hours than at other times. This is because a portion of hotel guests with automobiles will likely not be on the site during dining hours. Finally, the coffee shop will likely experience its peak during the early morning, while banquets normally do not begin until 8:30 am, when a significant portion of hotel guests have already left the site. These conditions are not analyzed further, however they are indicated to show that the actual parking is likely to be much greater than the 1 stall indicated.

Finally, the parking demand is based upon data collected at another property in the Disneyland area. The Garden Grove Ramada is currently experiencing parking demands that are much lower than other properties in the area. If this trend continues, the parking surplus at the site will be even greater than the amount indicated in this analysis.

guests are usually at night
some times as
read parking demand

Advantage
All parking on entertain
Some hold here for
Banquets - guest cars
not in vicinity of hotel.
exp. wedding
Parties etc

over it
at all
hours!

why?

No justify
for this situation

CONCLUSION AND RECOMMENDATIONS

The Garden Grove Ramada provides 115 guest rooms and 164 parking stalls. The property is proposing to enlarge its dining and meeting/banquet facilities, and to construct a small entertainment area. No additional parking will be proposed for these new uses.

Katz, Okitsu & Associates recommends that the existing parking supply, 164 stalls, will be adequate to meet the needs of the facility. The parking area will have a parking stall surplus of at least 1 stall. This minimum surplus will occur during periods of simultaneous full occupancy of the rooms, dining areas, and meeting areas. These conditions are expected to occur on a very limited basis, and even at these times, assumptions made in the report to forecast parking may be conservative.

Katz, Okitsu & Associates recommends that the parking variance proposed for the Garden Grove Ramada can be evaluated by the City of Garden Grove without concern for the adequacy of the parking provided. There should be adequate additional parking available on the site at all times, even with simultaneous usage of all guest rooms, dining, and banquet facilities.

The City may wish to consider conditions of approval of the variance that limit the use of meeting or banquet rooms by controlling the use of theater-style seating arrangements for events that are not expected to attract hotel guests. This type of event could produce a parking shortage unless a banquet room of equal or greater size will be used by the same event before or after the session. The scenario of extensive use of banquet facilities for theater-style seating is the type of event that is most likely to result in parking shortages on the site.

A variance because of the explanation presented does not hold true.

RESOLUTION NO. 8135-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE
REVOKING THE PLANNING COMMISSION'S SUSPENSION OF
CONDITIONAL USE PERMIT NO. CUP-132-89 AND REQUIRING THE
APPLICANT TO LEGALIZE THE UNPERMITTED CHANGES TO THE FLOOR
PLAN AND BUSINESS OPERATION WITHIN 120 DAYS FOR RAMADA INN
LOCATED AT THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST
OF BROOKHURST STREET, AT 10022 GARDEN GROVE BOULEVARD,
PARCEL NOS. 098-066-05 AND 098-070-58

WHEREAS, in May 1987, the Planning Commission approved Planned Unit Development No. PUD-101-87, to construct a four-story, 141-room hotel and restaurant at 10022 Garden Grove Boulevard. A 116-room hotel and restaurant were, subsequently, constructed and occupied in October 1989;

WHEREAS, in February 1990, the Zoning Administrator approved Conditional Use Permit No. CUP -132-89, to allow the entire hotel facility including restaurant and banquet facilities to operate under a State ABC License Type "47" (On-Sale General, Public Eating Place);

WHEREAS, a change of ownership occurred for the existing hotel facility in April 1997 and Mr. Paul B. Ding became the new property and business owner;

WHEREAS, on April 1, 1998, the Fire Department conducted an annual inspection and noted that several changes had been made to the existing facility;

WHEREAS, on April 29, 1998, per Fire Department request, staff conducted a site inspection of the hotel facility and noted that there were several changes made to the existing hotel lobby area, the hotel restaurant, and the banquet room located on the second floor. These changes were made without permits from the City;

WHEREAS, the originally approved Conditional Use Permit (CUP-132-89) and Planned Unit Development (PUD-101-87/Revised 92) for the establishment do not allow the most recent modifications to the existing hotel facility. The most significant change has been the construction of a wall across a part of the first floor restaurant and the creation of a separate lounge area featuring a large bar, a dance floor, a stage, and karaoke equipment;

WHEREAS, the changes require filing of applications for a Planned Unit Development (PUD) and a Conditional Use Permit (CUP). The new PUD and CUP, as required by Title 9 of the Municipal Code, would provide an updated floor plan (which would be especially useful to the Fire Department and Police Department), and would include additional conditions which are appropriate for a lounge;

WHEREAS, on May 18, 1998, an Office Hearing was conducted with Mr. Ding regarding the unpermitted changes to the floor plan and business operation. Mr. Ding was advised that

the existing establishment is now operating in violation of the Planned Unit Development and the conditions of approval of Conditional Use Permit No. CUP-132-89;

WHEREAS, on May 22, 1998, a letter sent to Mr. Ding summarizing the office hearing and requesting submittal of applications by July 23, 1998. (The submittal time was subsequently extended to August 18, 1998, pursuant to a request by Mr. Ding for additional time.);

WHEREAS on May 30, 1998, a letter was submitted by Mr. Ding discussing the background of the changes and asking that he not be required to apply for a CUP and PUD;

WHEREAS, on June 28, 1998, a letter was submitted to Planning Commission by Mr. Ding, requesting a "waiver" of the CUP/PUD requirement, and indicating that he will apply once the hotel obtains 65% occupancy;

WHEREAS, Mr. Ding failed to submit the necessary applications by August 18, 1998;

WHEREAS, on September 2, 1998, the Planning Commission held a revocation hearing. The Planning Commission after consideration, unanimously suspended CUP-132-89, until such time as the property is brought into conformance with the current CUP or a new CUP and PUD are approved;

WHEREAS, on September 21, 1998, the City Clerk received an appeal by a Councilmember to allow the City Council to reconsider the CUP suspension;

WHEREAS, pursuant to a legal notice, a public hearing was held by the City Council on October 27, 1998, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council, gave due and careful consideration to the matter during its meeting on October 27, 1998; and

WHEREAS, the City Council, at the public hearing, revoked the Planning Commission's suspension of CUP-132-89; determined that the recent modifications to the existing hotel facility are inconsistent with CUP-132-89 and PUD-101-87/Revised 92; required the applicant to file new Conditional Use Permit and Planned Unit Development applications within 120 days (March 1, 1999); and waived the filing fees for the PUD and CUP.

NOW, THEREFORE, BE IT RESOLVED:

1. The Planning Commission's suspension of Conditional Use Permit No. CUP-132-89 is hereby revoked, and the applicant is required to file new Conditional Use Permit and Planned Unit Development applications within 120 days (by March 1, 1999) to legalize the unpermitted modifications to the existing floor plan and business operation of the hotel facility.

Adopted this 10th day of November, 1998.

/s/ BRUCE A. BROADWATER
MAYOR

ATTEST:

/s/ RUTH E. SMITH
CITY CLERK

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

I, RUTH E. SMITH, 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 10th day of November, 1998, by the following vote:

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

/s/ RUTH E. SMITH
CITY CLERK

City of Garden Grove

INTER-DEPARTMENT MEMORANDUM

To: Matthew Fertal
From: Millie Summerlin
Dept: Community Development
Dept: Community Development
Subject: **RAMADA INN, 10022 GARDEN GROVE BOULEVARD**
Date: September 8, 1998

INTRODUCTION

A number of changes have been made to the floor plan of the Ramada Inn, without benefit of permits. The most significant change has been the construction of a wall across a part of the first floor restaurant and the creation of a separate nightclub/lounge featuring a large bar, a dance floor, a stage, and Karaoke equipment. A cafe/coffeehouse area was also added to the first floor. (See attached plan which shows 1996 approved condition and denotes the areas of the nightclub and coffeehouse additions.) The changes require filing of applications for a Planned Unit Development (PUD) and a Conditional Use Permit (CUP). The new PUD and CUP would provide an updated floor plan (which would be especially useful to the Fire Department and Police Department), and would include additional conditions which are appropriate for a nightclub. Staff (including the Police Department) have reassured the owner/operator of the Ramada, Mr. Paul Ding, that we are not opposed to the modifications, but that it is necessary to formalize the changes through a public hearing and through a revised Planned Unit Development (PUD) and a new Conditional Use Permit (CUP).

BACKGROUND

Chronology

1. April 1, 1998: Fire Department inspection. Changes to facility noted.
2. April 29, 1998: Inspection of Ramada Inn conducted by Rosalinh Ung, Bill Johnson, and Ed Lukas. Several changes to the floor plan were noted. The most significant change involved conversion of a portion of the first floor restaurant to a nightclub.
3. May 18, 1998: Office hearing held with Mr. Paul Ding, owner/operator of the Ramada. Mr. Ding was advised that the modifications were not consistent with Ramada's current CUP and PUD and that he needed to apply for a new CUP and PUD within 60 days.
4. May 22, 1998: Letter sent to Mr. Ding summarizing the office hearing and requesting submittal of applications by July 23, 1998. (The submittal time was subsequently extended to August 18, 1998, pursuant to a request by Mr. Ding for additional time.)
5. May 30, 1998: Letter submitted by Mr. Ding discussing the background of the changes and asking that he not be required to apply for a CUP and PUD "for now."

6. June 28, 1998: Letter submitted to Planning Commission by Mr. Ding, requesting a "waiver" of the CUP/PUD requirement, and indicating he will apply once he obtains 65% occupancy. (Mr. Ding was advised by staff, both prior to and after submittal of this letter, that the Planning Commission could not administratively waive the code requirements and that the only way they could assist him would be within the framework of a public hearing.)
7. Mr. Ding did not submit the necessary applications by August 18; therefore, a revocation hearing was scheduled to be considered by the Planning Commission on September 2, 1998. Mr. Ding was advised on several occasions that failure to file the new applications would result in the scheduling of a revocation hearing. He was also assured that revocation is not the only option for the Commission at a revocation hearing, and that a revocation hearing would give him an opportunity to present his issues to the Commission.
8. September 2, 1998, Planning Commission meeting: Mr. Ding was not present for the public hearing on his item. The Planning Commission voted to suspend the current CUP until such time as the property is brought into conformance with the old CUP or a new CUP is approved. Mr. Ding arrived at the very end of the meeting. After the Commission adjourned the meeting, Mr. Ding asked if the Commission could reopen his item. (Several of the Commissioners had left the dais at this time but were still in the room.) As they were considering whether to reopen the hearing, Mr. Ding began proclaiming that this was the "wrong forum" for his issue and that he never should have had to come anyway. The Commissioners did not reopen the meeting.

DISCUSSION

Mr. Paul Ding has had a number of conversations with staff, including Glen Krieger, Rosalinh Ung, and me. He continually presents a variety of arguments as to why he shouldn't have to apply for a PUD and a CUP: the changes were made by someone else; the previous owner is in collusion with us and we are persecuting Mr. Ding; the changes are only minor; he doesn't have time; he can't afford it.

With respect to allowing an applicant to continue operating for a lengthy or indefinite period of time without filing a new CUP (as requested by Mr. Ding), John Cavanaugh had advised that there is an element of risk. If we know that changes have been made illegally, and we allow those changes to continue without a new CUP, an applicant can claim that we have, in effect, condoned those changes and that the applicant has a vested right to continue without any new application.

On the day of the Planning Commission meeting (September 2), Mr. Ding called me about 4:00 p.m., insisting that the changes to his hotel were minor and would only necessitate a review by the Zoning Administrator, not the filing of a new set of applications. Our conversation lasted about an hour, during which time I attempted to explain that the creation of a separate nightclub on the premises is not a minor change. He indicated that he wanted me to cancel the hearing that

night, visit his property, and see that the changes were minor. I suggested that it would be much better if he came to the meeting that night and spoke to the Commission. Mr. Ding said (in a very threatening tone of voice) that I would regret it if he had to come and speak to the Commission because of the things he would have to say to the Commission about me and my staff. I responded that he is entitled to say whatever he must, but I continued to recommend that he attend the meeting. He then attacked the credibility of the staff and indicated that Rosalinh Ung had unduly influenced the Police Department in this matter. I told him I trusted the staff and their assessment that the changes were not minor. There was a long silence; then Mr. Ding said good bye and hung up.

SUMMARY

The changes which have been made to the Ramada's floor plan and uses over the past two years, especially the conversion of part of the restaurant to a nightclub, necessitate a new CUP and a revised PUD. Mr. Ding does not want to file the necessary applications and did not appear on time for the Planning Commission's hearing to present his points. The Planning Commission voted 5-0 to suspend Ramada's existing CUP until the floor plan is returned to its approved condition or until new applications are approved.



Millie J. Summerlin
Planning Services Manager

Attachment: Floor Plan
Staff Report

**RAMADA®
PLAZA HOTEL
DISNEYLAND SOUTH**

R E C E I V E D

SEP 08 1998

CITY MANAGER'S OFFICE

Mr. George Tindall
City Manager
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92842

Re: Revocation of CUP-132-89

Dear Mr. Tindall:

Sept. 3, 1998

I wish to urgently appeal for your understanding that the four alleged unpermitted changes are all minor modifications falling under the domain of the Zoning Administrator requiring no new application of the PUD/CUP as now required by the Planning Department staff. This is clear according to the conditions attached to the CUP, item no. 2 which states "All requests for minor modifications shall be submitted to the Zoning Administrator for approval...."

Such legal stipulation was not furnished to me until Aug. 31, 1998 and I didn't have a chance to review it until late Sept 1, 1998 to know of such definition. Such legal definition clearly points to the Planning Department staff misinterpreting and mishandling these changes done by the previous owner(s). As such, no new PUD/CUP are required, no revocation application should have been submitted to the Planning Commission as done. At 4pm Sept. 2, Ms. Millie Summerlin finally returned my call and I explained to her item by item in detail as to why these four changes are all MINOR in nature and in scope. I pleaded with her to review these changes one more time to decide the right way to handle them. I asked her at this juncture we shouldn't impose it on the Planning Commission and should withdraw it from last night's agenda. She refused but we agreed that I would appear. Being no. 4 on the agenda and being tied up by a very important potential client I arrived at the hearing at 7:30pm and listened to the proceedings for at least 5 minutes only to find out that I had missed the call and the meeting was adjourned. I asked but was declined a hearing--I thought it was unfair as I was there 5 minutes before it was adjourned and that it was still early at the time.

The first citation is a raised stage in the restaurant marked A in the attached diagram. It's one foot high, 9.67 feet long, 6.56 feet and 3.33 feet deep at both ends. It displays a drum for decorative purpose only as the space is too small for any performances. The only other purpose is the placement of music-playing equipments. It represents minimal amount of structural change, alters no business functions or nature, and poses no safety hazard whatsoever--three criteria I use to judge if it is minor change or not. It is very minor.

The second change is a portion of the main lobby being used as a coffee shop with a service counter. We have since removed this to allow for more open spaces and use the counter as bell desk so it's not a "problem" any more. But even then there were just those tables/chairs fully movable and the drinks served directly from the restaurant across the hall--very minor and temporary in nature.

The third objection is about the existing doors in the meeting/banquet

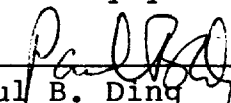
room (on the second floor) having been removed. This is not an accurate statement. Two of the four door were boarded up. This is a room that measures 47.8 feet long and 38.4 feet deep--not a very large room. Why did it have to have four doors along 47.8 feet span--an average of 11.95 feet between two very large doors? Fire Department only requires two doors and offers no objection. Again very minor.

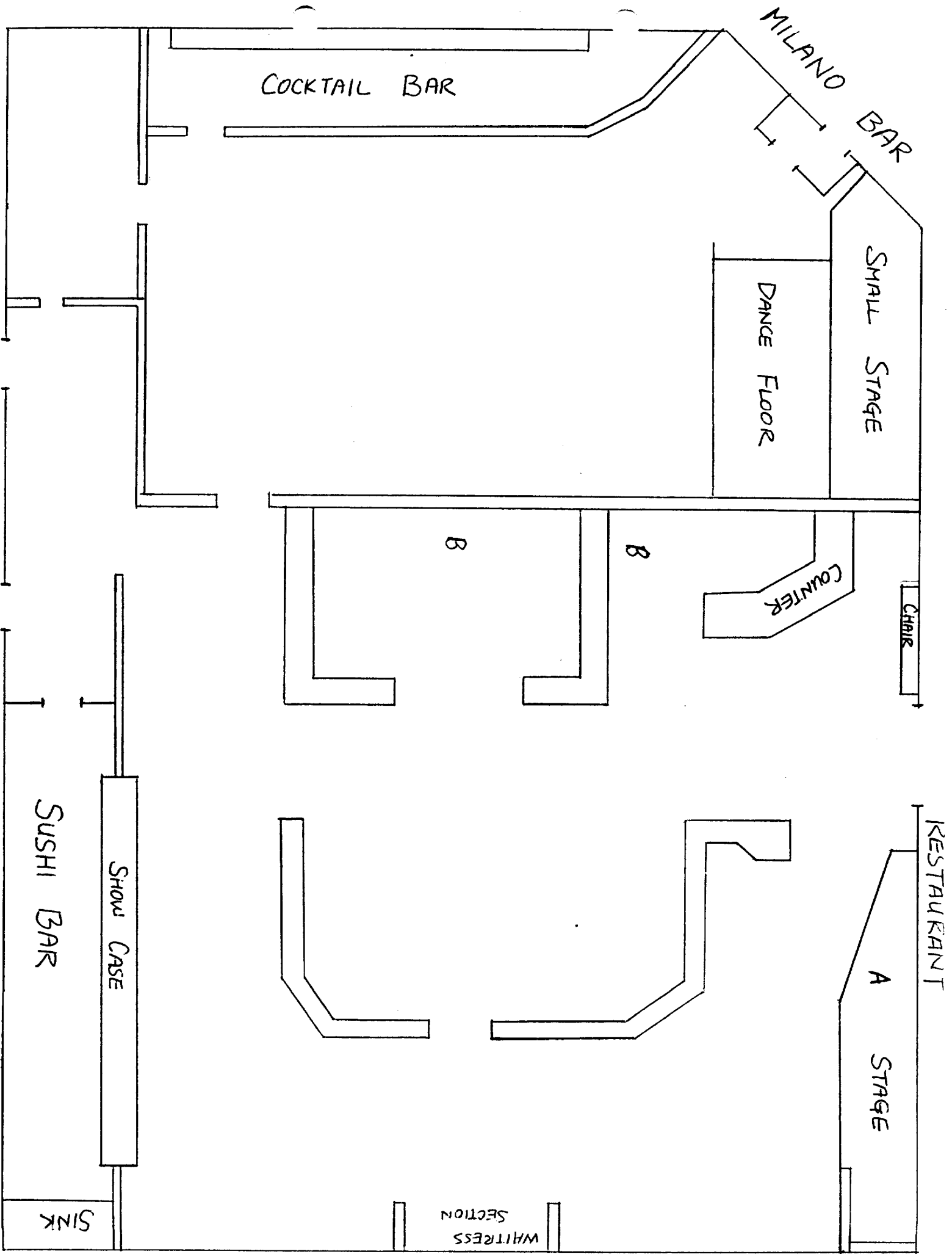
The fourth complaint is about Milano Lounge adjacent to the restaurant. I am the new owner and I have since ascertained that the only structural change was the addition of small walls to create a second entrance door for sound proof purpose. All other walls and doors have been in place without change. The bar is nothing new--it simply was moved from the area marked B in the attached diagram on the other side of the wall to where it is right now. Some interior design was done to the wall, ceiling etc. A small stage was made together with some sound equipments for karaoke purpose which is an allowable business activity according to my business tax certificate. The only issue is the existence of the dance floor while dancing is not allowed. While I don't understand why normal social dancing should be disallowed, for which I would like to ask an explanation, the dance floor is strictly intended for that purpose only, not any exotic dancing which I would have never allowed in my hotel. It is wrong for the staff to say there is any change in our business operation because of any of above. I have not even seen anyone dancing there. If the City can justify that social dancing should be banned here then I will comply fully. All in all changes here are all very minor.

I propose that we submit these changes to the Zoning Administrator for approval as the way it should be done before, or now to make up for it. In the meantime please withdraw the revocation application from the Planning Commission as a clerical error and void the Commission's order to suspend my entitlement to serve alcoholic beverages which was done as an uninformed and unjustified act having detrimental financial impact on an already failing business.

I was misrepresented into buying this very sick and mismanaged business which would have been an embarrassment for the community. I have sunk in so much money in improvements and operations, put forth so much time and energy trying to revive it. Just in 8.5 months in 1997 I have lost \$371,668 (see attached tax return) and I don't know how much more in 1998 up to now. This is a life and death struggle requiring my full attention and energy. I sleep five or six hours a day and don't even have time for lunch--living and working at the hotel the rest of the time with no break from work. I really don't have room for unnecessary distraction. I need to quickly turn this hotel around for the benefit of all concerned including that of the City. While I was misled by the staff about having to re-apply PUD/CUP, I did not ask for waiver permanently as alleged, but a delay until occupancy reaches 65% to gain a breathing room. That's what I need now so I can concentrate on marketing and sales of the property. I can already see the light at the end of the tunnel. I need your help to make it there. Thank you for your kind attention and consideration.

Sincerely yours,


Paul B. Ding



COCKTAIL BAR

MILANO BAR

SMALL STAGE
DANCE FLOOR

COUNTER

Chair

B

B

RESTAURANT

A STAGE

SUSHI BAR

SHOW CASE

SINK

WAITRESS SECTION

CITY OF GARDEN GROVE
BUSINESS TAX CERTIFICATE

THIS BUSINESS TAX CERTIFICATE IS NOT TO BE CONSTRUED AS A BUSINESS LICENSE.

THE PERSON, FIRM, OR CORPORATION NAMED BELOW IS GRANTED THIS BUSINESS TAX CERTIFICATE PURSUANT TO THE PROVISIONS OF THE CITY BUSINESS TAX ORDINANCE TO ENGAGE IN, CARRY ON, OR CONDUCT THE BUSINESS, TRADE, CALLING, PROFESSION, EXHIBITION, OR OCCUPATION DESCRIBED BELOW. ISSUANCE OF THIS CERTIFICATE IS NOT AN ENDORSEMENT NOR CERTIFICATION OF COMPLIANCE WITH OTHER ORDINANCES OR LAWS INCLUDING LAND USE OR ZONING LAWS. THIS CERTIFICATE IS ISSUED WITHOUT VERIFICATION THAT THE APPLICANT IS SUBJECT TO OR EXEMPT FROM LICENSING BY THE STATE OF CALIFORNIA.

TYPE OF BUSINESS

HOTEL (NO DANCING ALLOWED)
ENTERTAINMENT LIMITED TO KARAOKE/BANQUET ROOM

CERTIFICATE NO.

156072

BUSINESS ADDRESS

10022 GARDEN GROVE BLVD GARDEN GROVE, CA 92844

VALIDATION DATE

04/30/98

BUSINESS NAME

GARDEN GROVE HOTEL/D & W LLC

EXPIRATION DATE

03/31/99

MAILING ADDRESS

10022 GARDEN GROVE BLVD
GARDEN GROVE, CA 92844

BUSINESS OWNER

DING, PAUL B

CHIEF
REVENUE
OFFICER

Louise S. Fossum

TAX PAID IN ACCORDANCE WITH THE MUNICIPAL CODE

POST IN A CONSPICUOUS PLACE -- NOT TRANSFERABLE

CITY OF GARDEN GROVE
BUSINESS TAX CERTIFICATE

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TYPE OF BUSINESS

RESTAURANT/BANQUET/LOUNGE/COFFEE SHOP
ENTERTAINMENT LIMITED TO KARAOKE/NO DANCING

CERTIFICATE NO.

156073

BUSINESS ADDRESS

10022 GARDEN GROVE BLVD GARDEN GROVE, CA 92844

VALIDATION DATE

04/30/98

BUSINESS NAME

SWAN RESTAURANT/ D & W LLC

EXPIRATION DATE

03/31/99

MAILING ADDRESS

10022 GARDEN GROVE BLVD
GARDEN GROVE, CA 92844

BUSINESS OWNER

DING, PAUL B

CHIEF
REVENUE
OFFICER

Louise S. Fossum

TAX PAID IN ACCORDANCE WITH THE MUNICIPAL CODE

POST IN A CONSPICUOUS PLACE -- NOT TRANSFERABLE

U.S. Partnership Return of Income

For calendar year 1997, or tax year beginning, 1997, and ending, 19

1997

▶ See separate instructions.

A Principal business activity SERVICES	Use the IRS label. Otherwise, please print or type.	Name of partnership D & W, LLC	D Employer identification number 33 075 1732
B Principal product or service HOTEL		Number, street, and room or suite no. If a P.O. box, see page 10 of the instructions. 10022 GARDEN GROVE BLVD	E Date business started 4/12/97
C Business code number 7013		City or town, state, and ZIP code GARDEN GROVE CA 92844	F Total assets (see page 10 of the instructions) \$

G Check applicable boxes: (1) Initial return (2) Final return (3) Change in address (4) Amended return

H Check accounting method: (1) Cash (2) Accrual (3) Other (specify) ▶

I Number of Schedules K-1. Attach one for each person who was a partner at any time during the tax year ▶ **2**

Caution: Include only trade or business income and expenses on lines 1a through 22 below. See the instructions for more information.

Income	1a Gross receipts or sales 8 1/2 MONTHS	1a	929828 88	1c	929828 88
	b Less returns and allowances	1b	-		
	2 Cost of goods sold (Schedule A, line 8)	2	110774 63		
	3 Gross profit. Subtract line 2 from line 1c	3	819054 25		
	4 Ordinary income (loss) from other partnerships, estates, and trusts (attach schedule)	4			
	5 Net farm profit (loss) (attach Schedule F (Form 1040))	5			
	6 Net gain (loss) from Form 4797, Part II, line 18	6			
	7 Other income (loss) (attach schedule)	7			
8 Total income (loss). Combine lines 3 through 7	8	819054 25			
Deductions (see page 11 of the instructions for limitations)	9 Salaries and wages (other than to partners) (less employment credits)	9	413402 20		
	10 Guaranteed payments to partners MANAGEMENT FEES TO DING'S	10	28287 86		
	11 Repairs and maintenance	11	60584 06		
	12 Bad debts	12	100000 00		
	13 Rent	13	100000 00		
	14 Taxes and licenses	14	22855 19		
	15 Interest	15	208947 05		
	16a Depreciation (if required, attach Form 4562)	16a	163226 98		
	b Less depreciation reported on Schedule A and elsewhere on return	16b		16c	163226 98
	17 Depletion (Do not deduct oil and gas depletion.)	17			
	18 Retirement plans, etc.	18			
	19 Employee benefit programs	19			
	20 Other deductions (attach schedule) SCHEDULE I	20	291261 75		
21 Total deductions. Add the amounts shown in the far right column for lines 9 through 20	21	1,190722 03			
22 Ordinary income (loss) from trade or business activities. Subtract line 21 from line 8	22	(371667 78)			

Please Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than general partner or limited liability company member) is based on all information of which preparer has any knowledge.

Paul [Signature] Date **8/14/98**

Signature of general partner or limited liability company member

Paid Preparer's Use Only

Preparer's signature Date Check if self-employed Preparer's social security no.

Firm's name (or yours if self-employed) and address EIN ZIP code

(OVER)

Schedule A Cost of Goods Sold (see page 13 of the instructions)

1	Inventory at beginning of year	1	10,000	00
2	Purchases less cost of items withdrawn for personal use	2	110,774	63
3	Cost of labor	3		
4	Additional section 263A costs (attach schedule)	4		
5	Other costs (attach schedule)	5		
6	Total. Add lines 1 through 5	6	120,774	63
7	Inventory at end of year	7	10,000	00
8	Cost of goods sold. Subtract line 7 from line 6. Enter here and on page 1, line 2	8	110,774	63

- 9a Check all methods used for valuing closing inventory:
- (i) Cost as described in Regulations section 1.471-3
 - (ii) Lower of cost or market as described in Regulations section 1.471-4
 - (iii) Other (specify method used and attach explanation) ▶
- b Check this box if there was a writedown of "subnormal" goods as described in Regulations section 1.471-2(c).
- c Check this box if the LIFO inventory method was adopted this tax year for any goods (if checked, attach Form 970)
- d Do the rules of section 263A (for property produced or acquired for resale) apply to the partnership? . . . Yes No
- e Was there any change in determining quantities, cost, or valuations between opening and closing inventory? Yes No
If "Yes," attach explanation.

Schedule B Other Information

- | | Yes | No |
|---|-----|----|
| 1 What type of entity is filing this return? Check the applicable box: | | |
| a <input type="checkbox"/> General partnership | | |
| b <input type="checkbox"/> Limited partnership | | |
| c <input checked="" type="checkbox"/> Limited liability company | | |
| d <input type="checkbox"/> Other (see page 14 of the instructions) ▶ | | |
| 2 Are any partners in this partnership also partnerships? | | ✓ |
| 3 Is this partnership a partner in another partnership? | | ✓ |
| 4 Is this partnership subject to the consolidated audit procedures of sections 6221 through 6233? If "Yes," see Designation of Tax Matters Partner below | | ✓ |
| 5 Does this partnership meet ALL THREE of the following requirements? | | |
| a The partnership's total receipts for the tax year were less than \$250,000; | | |
| b The partnership's total assets at the end of the tax year were less than \$600,000; AND | | |
| c Schedules K-1 are filed with the return and furnished to the partners on or before the due date (including extensions) for the partnership return. | | |
| If "Yes," the partnership is not required to complete Schedules L, M-1, and M-2; Item F on page 1 of Form 1065; or Item J on Schedule K-1 | | ✓ |
| 6 Does this partnership have any foreign partners? | | ✓ |
| 7 Is this partnership a publicly traded partnership as defined in section 469(k)(2)? | | ✓ |
| 8 Has this partnership filed, or is it required to file, Form 8264, Application for Registration of a Tax Shelter? | | ✓ |
| 9 At any time during calendar year 1997, did the partnership have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? See page 14 of the instructions for exceptions and filing requirements for Form TD F 90-22.1. If "Yes," enter the name of the foreign country. ▶ | | ✓ |
| 10 During the tax year, did the partnership receive a distribution from, or was it the grantor of, or transferor to, a foreign trust? If "Yes," the partnership may have to file Form 3520 or 926. See page 14 of the instructions | | ✓ |
| 11 Was there a distribution of property or a transfer (e.g., by sale or death) of a partnership interest during the tax year? If "Yes," you may elect to adjust the basis of the partnership's assets under section 754 by attaching the statement described under Elections Made by the Partnership on page 5 of the instructions | | ✓ |

Designation of Tax Matters Partner (see page 15 of the instructions)

Enter below the general partner designated as the tax matters partner (TMP) for the tax year of this return:

Name of designated TMP ▶ POOL B DING Identifying number of TMP ▶ 497-54-7293

Address of designated TMP ▶ 10023 GARDEN GROVE BLVD
GARDEN GROVE CA 92644

(over)

Analysis of Net Income (Loss)

1 Net income (loss). Combine Schedule K, lines 1 through 7 in column (b). From the result, subtract the sum of Schedule K, lines 8 through 11, 14a, 17e, and 18b.						1	(371667.78)
2 Analysis by partner type:	(i) Corporate	(ii) Individual (active)	(iii) Individual (passive)	(iv) Partnership	(v) Exempt organization	(vi) Nominee/Other	
a General partners		(371667.78)					
b Limited partners							

Schedule L Balance Sheets per Books (Not required if Question 5 on Schedule B is answered "Yes.")

Assets	Beginning of tax year		End of tax year	
	(a)	(b)	(c)	(d)
1 Cash				71092.74
2a Trade notes and accounts receivable			20762.25	
b Less allowance for bad debts			2061.91	18700.34
3 Inventories				10,000.00
4 U.S. government obligations				
5 Tax-exempt securities				
6 Other current assets (attach schedule)				5000.00
7 Mortgage and real estate loans				
8 Other investments (attach schedule)				
9a Buildings and other depreciable assets			2881281.10	
b Less accumulated depreciation			163226.38	2703034.72
10a Depletable assets				
b Less accumulated depletion				
11 Land (net of any amortization)				708000.00
12a Intangible assets (amortizable only)				
b Less accumulated amortization				
13 Other assets (attach schedule)				10409.50
14 Total assets				3526257.30
Liabilities and Capital				
15 Accounts payable				51775.63
16 Mortgages, notes, bonds payable in less than 1 year				
17 Other current liabilities (attach schedule)				43000.00
18 All nonrecourse loans				
19 Mortgages, notes, bonds payable in 1 year or more				3223980.99
20 Other liabilities (attach schedule)				1000.00
21 Partners' capital accounts				196500.68
22 Total liabilities and capital				3526257.30

Schedule M-1 Reconciliation of Income (Loss) per Books With Income (Loss) per Return (Not required if Question 5 on Schedule B is answered "Yes." See page 23 of the instructions.)

1 Net income (loss) per books	(371667.78)	6 Income recorded on books this year not included on Schedule K, lines 1 through 7 (itemize):	
2 Income included on Schedule K, lines 1 through 4, 6, and 7, not recorded on books this year (itemize):		a Tax-exempt interest \$	
3 Guaranteed payments (other than health insurance)		7 Deductions included on Schedule K, lines 1 through 11, 14a, 17e, and 18b, not charged against book income this year (itemize):	
4 Expenses recorded on books this year not included on Schedule K, lines 1 through 11, 14a, 17e, and 18b (itemize):		a Depreciation \$	
a Depreciation \$		8 Add lines 6 and 7	
b Travel and entertainment \$		9 Income (loss) (Analysis of Net Income (Loss), line 1). Subtract line 8 from line 5	(371667.78)
5 Add lines 1 through 4	(371667.78)		

Schedule M-2 Analysis of Partners' Capital Accounts (Not required if Question 5 on Schedule B is answered "Yes.")

1 Balance at beginning of year	-	6 Distributions: a Cash	
2 Capital contributed during year	568168.46	b Property	
3 Net income (loss) per books	(371667.78)	7 Other decreases (itemize):	
4 Other increases (itemize):		8 Add lines 6 and 7	
5 Add lines 1 through 4	196500.68	9 Balance at end of year. Subtract line 8 from line 5	196500.68

Subject: success! (re Ramada)
Date: Tue, 15 Sep 1998 17:45:41 -0700
From: Millie Summerlin <millies@ch.ci.garden-grove.ca.us>
Organization: City of Garden Grove
To: cathys

wp-132-89

Cathy,

Ken Anderson has all the answers regarding Ramada's water dumping. Here is my non-Engineer's summary: When Ramada was built, they needed a way to discharge water that would accumulate around the exterior of the subterranean parking garage. Frank Pollard approved a system where the water would be accumulated in a pipe and discharged outside, with the water going to the gutters/storm drain. This was not much of a problem for a number of years, but due to increased rains and an elevated ground water table, now there is a need to regularly discharge this excess water. Ken has encouraged the Ramada folks to connect the water pipe to a sewer outlet (estimating about a \$200 hook up fee with SISDOC and very little expense to extend their drainage pipe to a sewer outlet); but the Ramada reps didn't want to spend the money, complaining that the City has already cost them too much money. Bottom line seems to be that Ramada has a legal right to discharge this water. As to the flow of the water and the ponding on Donegal, Ken says that Jim Yasataki is looking into what can be done to eliminate algae or improve the flow. Ken (ext. 5185) will be more than happy to give you the more technically precise explanation, but this is my "layperson's" understanding of the issue.

Millie

Schedule A Cost of Goods Sold (see page 13 of the instructions)

1	Inventory at beginning of year	1	10,000	00
2	Purchases less cost of items withdrawn for personal use	2	110,774	63
3	Cost of labor	3		
4	Additional section 263A costs (attach schedule)	4		
5	Other costs (attach schedule)	5		
6	Total. Add lines 1 through 5	6	120,774	63
7	Inventory at end of year	7	10,000	00
8	Cost of goods sold. Subtract line 7 from line 6. Enter here and on page 1, line 2	8	110,774	63

- 9a Check all methods used for valuing closing inventory:
- (i) Cost as described in Regulations section 1.471-3
 - (ii) Lower of cost or market as described in Regulations section 1.471-4
 - (iii) Other (specify method used and attach explanation) ▶
- b Check this box if there was a writedown of "subnormal" goods as described in Regulations section 1.471-2(c). ▶
- c Check this box if the LIFO inventory method was adopted this tax year for any goods (if checked, attach Form 970). ▶
- d Do the rules of section 263A (for property produced or acquired for resale) apply to the partnership? Yes No
- e Was there any change in determining quantities, cost, or valuations between opening and closing inventory? Yes No
If "Yes," attach explanation.

Schedule B Other Information

- | | Yes | No |
|---|-----|-------------------------------------|
| 1 What type of entity is filing this return? Check the applicable box: | | |
| a <input type="checkbox"/> General partnership | | |
| b <input type="checkbox"/> Limited partnership | | |
| c <input checked="" type="checkbox"/> Limited liability company | | |
| d <input type="checkbox"/> Other (see page 14 of the instructions) ▶ | | |
| 2 Are any partners in this partnership also partnerships? | | <input checked="" type="checkbox"/> |
| 3 Is this partnership a partner in another partnership? | | <input checked="" type="checkbox"/> |
| 4 Is this partnership subject to the consolidated audit procedures of sections 6221 through 6233? If "Yes," see Designation of Tax Matters Partner below | | <input checked="" type="checkbox"/> |
| 5 Does this partnership meet ALL THREE of the following requirements? | | |
| a The partnership's total receipts for the tax year were less than \$250,000; | | |
| b The partnership's total assets at the end of the tax year were less than \$600,000; AND | | |
| c Schedules K-1 are filed with the return and furnished to the partners on or before the due date (including extensions) for the partnership return. | | |
| If "Yes," the partnership is not required to complete Schedules L, M-1, and M-2; item F on page 1 of Form 1065; or item J on Schedule K-1 | | <input checked="" type="checkbox"/> |
| 6 Does this partnership have any foreign partners? | | <input checked="" type="checkbox"/> |
| 7 Is this partnership a publicly traded partnership as defined in section 469(k)(2)? | | <input checked="" type="checkbox"/> |
| 8 Has this partnership filed, or is it required to file, Form 8264, Application for Registration of a Tax Shelter? | | <input checked="" type="checkbox"/> |
| 9 At any time during calendar year 1997, did the partnership have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? See page 14 of the instructions for exceptions and filing requirements for Form TD F 90-22.1. If "Yes," enter the name of the foreign country. ▶ | | <input checked="" type="checkbox"/> |
| 10 During the tax year, did the partnership receive a distribution from, or was it the grantor of, or transferor to, a foreign trust? If "Yes," the partnership may have to file Form 3520 or 926. See page 14 of the instructions | | <input checked="" type="checkbox"/> |
| 11 Was there a distribution of property or a transfer (e.g., by sale or death) of a partnership interest during the tax year? If "Yes," you may elect to adjust the basis of the partnership's assets under section 754 by attaching the statement described under Elections Made By the Partnership on page 5 of the instructions | | <input checked="" type="checkbox"/> |

Designation of Tax Matters Partner (see page 15 of the instructions)

Enter below the general partner designated as the tax matters partner (TMP) for the tax year of this return:

Name of designated TMP ▶ POUL B DING Identifying number of TMP ▶ 497-54-7293

Address of designated TMP ▶ 10002 GARDEN GROVE BLVD
GARDEN GROVE CA 92844

(OVER)

Schedule K Partners' Shares of Income, Credits, Deductions, etc.

		(a) Distributive share items	(b) Total amount	
Income (Loss)	1	Ordinary income (loss) from trade or business activities (page 1, line 22)	1	(371667 78)
	2	Net income (loss) from rental real estate activities (attach Form 8825)	2	
	3a	Gross income from other rental activities	3a	
	b	Expenses from other rental activities (attach schedule)	3b	
	c	Net income (loss) from other rental activities. Subtract line 3b from line 3a	3c	
	4	Portfolio income (loss):		
	a	Interest income	4a	
	b	Dividend income	4b	
	c	Royalty income	4c	
	d	Net short-term capital gain (loss) (attach Schedule D (Form 1065))	4d	
	e	Net long-term capital gain (loss) (attach Schedule D (Form 1065)):		
	(1)	28% rate gain (loss) ▶	4e(1)	
	(2)	Total for year ▶	4e(2)	
f	Other portfolio income (loss) (attach schedule)	4f		
5	Guaranteed payments to partners	5		
6	Net section 1231 gain (loss) (other than due to casualty or theft) (attach Form 4797):			
a	28% rate gain (loss) ▶	6a		
b	Total for year ▶	6b		
7	Other income (loss) (attach schedule)	7		
Deductions	8	Charitable contributions (attach schedule)	8	
	9	Section 179 expense deduction (attach Form 4562)	9	
	10	Deductions related to portfolio income (itemize)	10	
	11	Other deductions (attach schedule)	11	
Credits	12a	Low-income housing credit:		
	(1)	From partnerships to which section 42(i)(5) applies for property placed in service before 1990	12a(1)	
	(2)	Other than on line 12a(1) for property placed in service before 1990	12a(2)	
	(3)	From partnerships to which section 42(i)(5) applies for property placed in service after 1989	12a(3)	
	(4)	Other than on line 12a(3) for property placed in service after 1989	12a(4)	
	b	Qualified rehabilitation expenditures related to rental real estate activities (attach Form 3468)	12b	
	c	Credits (other than credits shown on lines 12a and 12b) related to rental real estate activities	12c	
	d	Credits related to other rental activities	12d	
13	Other credits	13		
Investment Interest	14a	Interest expense on investment debts	14a	
	b	(1) Investment income included on lines 14a, 15b, 15c, and 11 above (2) Investment expenses included on line 10 above	14b(1) 14b(2)	
Self-Employment	15a	Net earnings (loss) from self-employment	15a	
	b	Gross farming or fishing income	15b	
	c	Gross nonfarm income	15c	
Adjustments and Tax Preference Items	16a	Depreciation adjustment on property placed in service after 1986	16a	
	b	Adjusted gain or loss	16b	
	c	Depletion (other than oil and gas)	16c	
	d	(1) Gross income from oil, gas, and geothermal properties (2) Deductions allocable to oil, gas, and geothermal properties	16d(1) 16d(2)	
	e	Other adjustments and tax preference items (attach schedule)	16e	
	Foreign Taxes	17a	Type of income ▶	
b		Name of foreign country or U.S. possession ▶		
c		Total gross income from sources outside the United States (attach schedule)	17c	
d		Total applicable deductions and losses (attach schedule)	17d	
e		Total foreign taxes (check one): ▶ <input type="checkbox"/> Paid <input type="checkbox"/> Accrued	17e	
f		Reduction in taxes available for credit (attach schedule)	17f	
g		Other foreign tax information (attach schedule)	17g	
Other	18	Section 59(e)(2) expenditures: a Type ▶ b Amount ▶	18b	
	19	Tax-exempt interest income	19	
	20	Other tax-exempt income	20	
	21	Nondeductible expenses	21	
	22	Distributions of money (cash and marketable securities)	22	
	23	Distributions of property other than money	23	
	24	Other items and amounts required to be reported separately to partners (attach schedule)		

Form **1065**

Department of the Treasury
Internal Revenue Service

U.S. Partnership Return of Income

For calendar year 1997, or tax year beginning 1997, and ending 19
▶ See separate instructions.

OMB No. 1545-0046

1997

A Principal business activity <i>SERVICES</i>	Use the IRS label. Otherwise, please print or type.	Name of partnership <i>D & W, LLC</i>	D Employer identification number <i>33 075 1732</i>
B Principal product or service <i>HOTEL</i>		Number, street, and room or suite no. If a P.O. box, see page 10 of the instructions. <i>10022 GARDEN GROVE BLVD</i>	E Date business started <i>4/12/97</i>
C Business code number <i>7013</i>		City or town, state, and ZIP code <i>GARDEN GROVE CA 92844</i>	F Total assets (see page 10 of the instructions) \$

G Check applicable boxes: (1) Initial return (2) Final return (3) Change in address (4) Amended return

H Check accounting method: (1) Cash (2) Accrual (3) Other (specify) ▶

I Number of Schedules K-1. Attach one for each person who was a partner at any time during the tax year ▶ 2

Caution: Include only trade or business income and expenses on lines 1a through 22 below. See the instructions for more information.

Income	1a Gross receipts or sales <i>8 1/2 MONTHS</i>	1a	<i>929828 88</i>	1c	<i>929828 88</i>
	b Less returns and allowances	1b	<i>-</i>		<i>929828 88</i>
	2 Cost of goods sold (Schedule A, line 8)	2	<i>110774 63</i>		<i>110774 63</i>
	3 Gross profit. Subtract line 2 from line 1c.	3	<i>819054 25</i>		<i>819054 25</i>
	4 Ordinary income (loss) from other partnerships, estates, and trusts (attach schedule)	4			
	5 Net farm profit (loss) (attach Schedule F (Form 1040))	5			
	6 Net gain (loss) from Form 4797, Part II, line 18.	6			
	7 Other income (loss) (attach schedule)	7			
8 Total income (loss). Combine lines 3 through 7	8				<i>819054 25</i>
Deductions (see page 11 of the instructions for limitations)	9 Salaries and wages (other than to partners) (less employment credits)	9	<i>413402 00</i>		<i>413402 00</i>
	10 Guaranteed payments to partners <i>MANAGEMENT FEES TO DING'S</i>	10	<i>28285 86</i>		<i>28285 86</i>
	11 Repairs and maintenance	11	<i>60584 06</i>		<i>60584 06</i>
	12 Bad debts	12	<i>22855 19</i>		<i>22855 19</i>
	13 Rent	13	<i>208947 05</i>		<i>208947 05</i>
	14 Taxes and licenses	14	<i>163226 98</i>		<i>163226 98</i>
	15 Interest	15			
	16a Depreciation (if required, attach Form 4562)	16a	<i>163226 98</i>		<i>163226 98</i>
	b Less depreciation reported on Schedule A and elsewhere on return	16b			
	17 Depletion (Do not deduct oil and gas depletion.)	17			
	18 Retirement plans, etc.	18			
	19 Employee benefit programs	19			
	20 Other deductions (attach schedule) <i>SCHEDULE I</i>	20			<i>291261 75</i>
21 Total deductions. Add the amounts shown in the far right column for lines 9 through 20	21			<i>1,190722 03</i>	
22 Ordinary income (loss) from trade or business activities. Subtract line 21 from line 8	22			<i>(371667 78)</i>	

Please Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than general partner or limited liability company member) is based on all information of which preparer has any knowledge.

Signature of general partner or limited liability company member: *[Signature]* Date: *8/14/98*

Paid Preparer's Use Only

Preparer's signature: _____ Date: _____ Check if self-employed

Firm's name (or yours if self-employed) and address: _____ EIN: _____ ZIP code: _____

Preparer's social security no.: _____

(OVER)

SCHEDULE I

D & W, LLC
1997

33-0751732

OTHER DEDUCTIONS

Supplies - OPERATING	\$ 49,022.05	
- LINENS	9,103.23	
- DISHES/WARES	473.25	
TOTAL		\$ 58,598.53
LAUNDRY		162.94
UTILITIES/ TRASH		64,078.57
TELEPHONE		12,606.66
FRANCHISE FEES/ COMMISSIONS		20,544.68
CREDIT CARD FEES		9,731.49
INDIRECT MARKETING		4,460.70
ADMINISTRATION		8,200.19
OUTSIDE SERVICES		24,449.69
INSURANCE		37,889.53
LEGAL		3,497.06
AUTO EXPENSES		18,457.54
MISC		5,282.53
BANK FEES		518.67
ESCROW EXPENSES		112.17
LOAN FEES		22,675.80
TOTAL		291,261.75

A P P E A L

REC'D
CITY OF GARDEN GROVE
CITY CLERK

Request for City Council or Planning Commission
Public Hearing

SEP 21 5 10 PM '98

TO: CITY CLERK
CITY OF GARDEN GROVE

CUP-132-89

Pursuant to Section 9.24.110 of the Municipal Code (see reverse,) I hereby appeal the decision of the CIRCLE ONE (Planning Commission/Zoning Administrator) in Case No. *Revocation of*, and petition the CIRCLE ONE (City Council/Planning Commission) for a public hearing to consider CIRCLE ONE (approving/denying/modifying the subject application for the following reasons:

to consider the Planning Commission action. At the September 2, 1998 Planning Commission meeting, the Planning Commission suspended Conditional Use Permit No. CUP-132-89 until such time the business owner/operator brings the hotel facility back into compliance with the approval under CUP-132-89.

(Use additional sheets if necessary)

Date: _____

Appeal Fee: _____

(see reverse)

Appellant: *Mark Leves* *Mark Leves*

Address: _____

City: _____

Zip: _____

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

AGENDA ITEM NO.: C.4.	SITE LOCATION: 10022 Garden Grove Blvd., S/S Garden Grove Blvd., W/O Brookhurst St.
HEARING DATE: September 2, 1998	GENERAL PLAN: Recreation Commercial
CASE NO.: Conditional Use Permit No. CUP-132-89 (Revocation)	ZONE: PUD (Planned Unit Development)
APPLICANT: City of Garden Grove	
OWNER: Paul B. Ding/ Ramada Inn	CEQA DETERMINATION: Exempt

REQUEST:

Pursuant to Garden Grove Municipal Code Section 9.24.030(D)(10) (Revocation), the City is proposing revocation of Conditional Use Permit No. CUP-132-89 for sale of alcoholic beverages within an existing hotel facility (Ramada Inn).

BACKGROUND:

In May 1987, the Planning Commission approved Planned Unit Development No. PUD-101-87, to construct a four-story, 141-room hotel and restaurant. With several modifications to the original approved PUD in 1988 and 1989, the 116-room hotel and restaurant were constructed and occupied in October 1989.

In February 1990, the Zoning Administrator approved Conditional Use Permit No. CUP -132-89, to allow the entire hotel facility including restaurant and banquet facilities to operate under a State ABC License Type "47" (On-Sale General, Public Eating Place).

In December 1991, the Planning Commission approved a request for retail commercial ancillary uses as part of the hotel facility. These uses include: retail sales of arts and crafts, travel agency, book/magazine newsstand, gift and souvenir sales, jewelry and camera sales, barber/beauty salon, and auto rental agency (no storage of vehicles).

On November 14, 1996, the Planning Commission approved Site Plan No. SP-173-96 and Conditional Use Permit No. CUP-305-96 to allow the construction of a 1,628 square foot banquet room, a 1,308 square foot coffee shop, the conversion of the existing 2,000 square foot banquet room into a cafe and one hotel room into a storage area on the third floor, and to allow a total of 744 square feet of retail space on the first floor.

CASE NUMBER CUP-132-89(REVOCATION)

On January 28, 1997, the City Council approved PUD-111-96 to allow additional ancillary uses for the existing hotel facility including banquet rooms, cafes, coffee shops, and entertainment and on-site sales of alcoholic beverages subject to the approval of a Conditional Use Permit. PUD-111-96 also incorporated standards for the exterior signage. The land use entitlements for the proposed expansions (SP-173-96, CUP-305-96, and PUD-111-96) were never implemented and consequently expired one year after the date of approval.

On April 1, 1998, a change of ownership occurred for the existing hotel facility. The new property and business owner is Mr. Paul B. Ding.

On April 1, 1998, the Fire Department conducted an annual inspection and noted that several changes had been made to the existing facility.

On April 29, 1998, per Fire Department request, staff conducted a site inspection of the hotel facility and noted that there were several changes made to the existing hotel lobby area, the hotel restaurant, and the banquet room located on the second floor. These changes were made without permits from the City. Staff conducted the site inspection with Mr. Ding.

On May 18, 1998, an Office Hearing was conducted with Mr. Ding regarding the unpermitted changes to the floor plan and business operation. During the Office Hearing the following issues were discussed:

- A raised stage area had been added to the existing restaurant.
- The southerly portion of the existing restaurant on the first floor had been converted into a lounge area with a stage, dance floor, karaoke equipment, microphone and amplified sound system, and a full bar.
- A portion of the main lobby area had been converted to a cafe shop with a coffee bar.
- The exiting doors in the meeting/banquet room on the second floor were removed.

Staff informed Mr. Ding that the Planned Unit Development and Conditional Use Permit for the establishment do not allow the above modifications to the existing hotel facility.

Staff further explained that the existing establishment is now operating in violation of the Planned Unit Development and the conditions of approval of Conditional Use Permit No. CUP-132-89. These violations must be rectified in order for Mr. Ding to continue to operate the establishment. Additionally, Mr. Ding was given three months (to August 18, 1998) in which to file new CUP and Planned Unit Development (PUD) applications, should he wish to legalize the unpermitted changes.

Staff received a letter dated May 30, 1998, and another letter addressed to the Planning Commission dated June 28, 1998, requesting a waiver from Title 9

RESOLUTION NO. 4928

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE SUSPENDING CONDITIONAL USE PERMIT NO. CUP-132-89 FOR RAMADA INN, LOCATED ON THE SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF BROOKHURST STREET, AT 10022 GARDEN GROVE BOULEVARD, PARCEL NOS. 098-066-05 AND 098-070-58.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on September 2, 1998, does hereby suspend Conditional Use Permit No. CUP-132-89.

BE IT FURTHER RESOLVED in the matter of the suspension of Conditional Use Permit No. CUP-132-89, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The City of Garden Grove initiated a revocation of Conditional Use Permit No. CUP-132-89 for an existing hotel facility (Ramada Inn) that was approved to operate under a State Alcoholic Beverage Control Type "47" (On-Sale General, Eating Place) License.
2. The Planning Commission considered the following options:
 - Revoke CUP-132-89. Under this option, the existing hotel facility would no longer be permitted to serve alcoholic beverages on the premises. The business operator/owner would need to file a new Planned Unit Development and Conditional Use Permit, to reflect the recent changes to the floor plan of the facility and to allow the facility to operate under a State ABC license.
 - Suspend CUP-132-89. Under this option, the hotel's entitlement to serve alcoholic beverages would be suspended until such time as the applicant brings the facility back into compliance with the approval granted under CUP-132-89.
 - Grant limited additional time to file new applications. Under this option, the hotel could continue to operate and serve alcoholic beverages, but the business owner/operator would be required to file Conditional Use Permit and Planned Unit Development (PUD) applications within a specified period of time. Should the applications not be filed, then revocation or suspension would again be considered.
3. The City of Garden Grove has determined that this action is exempt pursuant to Article 19, Section 15321, Enforcement Actions by Regulatory Agencies, of the California Environmental Quality Act.

4. The property has a General Plan Land Use designation of Recreation Commercial and is zoned PUD (Planned Unit Development). The site is improved with a hotel development.
5. Existing land use, zoning, and General Plan designation of property within the vicinity of the subject property have been reviewed.
6. Report submitted by City Staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on September 2, 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 September 2, 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, and 9.08.080 are as follows:

FACTS:

In May 1987, the Planning Commission approved Planned Unit Development No. PUD-101-87, to construct a four-story, 141-room hotel and restaurant. The 116-room hotel and restaurant were constructed and occupied in October 1989.

In February 1990, the Zoning Administrator approved Conditional Use Permit No. CUP -132-89, to allow the entire hotel facility including restaurant and banquet facilities to operate under a State ABC License Type "47" (On-Sale General, Public Eating Place).

In December 1991, the Planning Commission approved a request for retail commercial ancillary uses as part of the hotel facility. These uses include: retail sales of arts and crafts, travel agency, book/magazine newsstand, gift and souvenir sales, jewelry and camera sales, barber/beauty salon, and auto rental agency (no storage of vehicles).

On November 14, 1996, the Planning Commission approved Site Plan No. SP-173-96 and Conditional Use Permit No. CUP-305-96 to allow the construction of a 1,628 square foot banquet room, a 1,308 square foot coffee shop, the conversion of the existing 2,000 square foot banquet room into a cafe and one hotel room into a storage area on the third floor, and to allow a total of 744 square feet of retail space on the first floor.

On January 28, 1997, the City Council approved PUD-111-96 to allow additional ancillary uses for the existing hotel facility including banquet rooms, cafes, coffee shops, and entertainment and on-site sales of alcoholic beverages subject to the approval of a Conditional Use Permit. PUD-111-96 also incorporated standards for the exterior signage. The land use entitlements for the proposed expansions (SP-173-96, CUP-305-96, and PUD-111-96) never implemented and consequently expired one year after the date of approval).

On April 1, 1998, a change of ownership occurred for the existing hotel facility. The new property and business owner is Mr. Paul B. Ding.

On April 1, 1998, the Fire Department conducted an annual inspection and noted that several changes had been made to the existing facility.

On April 29, 1998, per Fire Department request, staff conducted a site inspection of the hotel facility and noted that there were several changes made to the existing hotel lobby area, the hotel's restaurant, and the banquet room located on the second floor. These changes were made without proper permits from the City. Staff conducted the site inspection with Mr. Ding.

On May 18, 1998, an Office Hearing was conducted to inform Mr. Ding of the unpermitted changes to the hotel's floor plan and business operation. During the Office Hearing the following issues were discussed:

- A raised stage area has been added to the existing restaurant.
- The southerly portion of the existing restaurant on the first floor has been converted into a lounge area with a stage, dance floor, karaoke equipment, microphone and amplified sound system, and a full bar.
- A portion of the main lobby area has been converted to a cafe shop with a coffee bar.
- The exiting doors in the meeting/banquet room on the second floor were removed.

The originally approved Planned Unit Development (PUD-101-87 & PUD-101-87/Revised 92) and Conditional Use Permit (CUP-132-89) for the establishment do not allow the above modifications to the existing hotel facility.

The existing establishment is now operating in violation of the Planned Unit Development and the conditions of approval of the Conditional Use Permit.

Title 9 requires a new Conditional Use Permit for an ABC licensed establishment that has a change in floor plan, operating characteristic, and/or conditions of approval from what was originally approved by the City.

These violations must be rectified in order for the property/business owner to continue to operate the establishment. A deadline date of August 18, 1998, was giving to the property/business owner for filing of the new CUP and Planned Unit Development (PUD) applications. Those applications were not filed.

FINDINGS AND REASONS:

1. Based on the non-permitted changes noted above, the establishment is now operating in violation of CUP-132-89 and Planned Unit Development Nos. PUD-101-87 & PUD-101-87/Revised 92. Pursuant to Municipal Code Section 9.24.030.10.b, the hearing body may modified or revoke a land use action that is being exercised contrary to the terms or conditions of its approval.
2. Pursuant to Municipal Code Section 9.08.080.C.5, the Planning Commission may suspend a Conditional Use Permit which is being operated contrary to its conditions of approval. Changes have been made to the establishment which were not authorized under the existing Conditional Use Permit and a new Conditional Use Permit has not been filed to legalize those changes.

INCORPORATION OF FACTS AND REASONS 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. Conditional Use Permit No. CUP-132-89 shall be suspended until such time as the business owner/operator brings the hotel facility back into compliance with the approval granted under this CUP.

ADOPTED this 2nd day of September 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 September 2, 1998, by the following votes:

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

/s/ JULIE PROPP
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 September 23, 1998.

MINUTE EXCERPTS

GARDEN GROVE PLANNING COMMISSION

PUBLIC

HEARING: CONDITIONAL USE PERMIT NO. CUP-132-89
APPLICANT: CITY OF GARDEN GROVE
LOCATION: SOUTH SIDE OF GARDEN GROVE BOULEVARD, WEST OF BROOKHURST STREET
AT 10022 GARDEN GROVE BOULEVARD
DATE: SEPTEMBER 2, 1998

REQUEST: To consider a revocation of the Conditional Use Permit that currently allow the Ramada Inn to operate under an ABC Type "47" (On-Sale General, Eating Place) License. The site is located in the PUD (Planned Unit Development) zone.

The staff report was reviewed recommending revocation of the CUP.

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

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

Chairman Wilkins stated that because the applicant did not appear before the Commission, that the CUP should be suspended. Commissioner Hutchinson concurred; Commissioner Butterfield felt that the applicant had approximately 90 days to respond and agreed with the suspension, Commissioner Schild agreed.

Chairman Wilkins moved, seconded by Commissioner Hutchinson to suspend Conditional Use Permit No. CUP-132-89, and direct that a Resolution be prepared to reflect that, and authorized the Chairman to execute such resolution. The motion carried with the following vote:

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

Agenda Item 2.c.
Hearing Date February 7, 1990
Case No. CUP-132-89
Applicant Yong Hoon Cho
(Ramada Inn)

I. APPLICANT'S REQUEST AS ADVERTISED

The applicant, Yong Hoon Cho (Ramada Inn), 8932 Katella Avenue, Anaheim, 92804, is requesting approval of a Conditional Use Permit to allow a new restaurant with banquet facilities in the PUD (Planned Unit Development) zone to operate under a State Alcoholic Beverage Control license Type "47" (On-Sale General Bona-Fide Public Eating Place). The subject property is located on the south side of Garden Grove Boulevard, west of Brookhurst Street at 10022 Garden Grove Boulevard.

II. GENERAL INFORMATION

The subject property has a General Plan classification of Commercial.

General Plan

The proposed project is in conformance with the elements of the City's General Plan, including: Growth Policy, Land Use, Scenic Highway, Safety, Seismic Safety, Housing, Open Space, Noise, Circulation, and Conservation.

Land Use/Zoning

Description of Subject Property

Zoned PUD (Planned Unit Development) and is improved with the Ramada Inn.

Surrounding Use/Zoning

North

Across Garden Grove Boulevard zoned C2 (General Commercial) and is improved with various commercial uses.

East

Zoned C2 (General Commercial) and is improved with a new and used auto dealership.

South Zoned R-3 (Multiple Residential) and is improved with various residential uses, and OS (Open Space) and is improved with Kiwanisland.

West Zoned C2 (General Commercial) and is improved with various commercial uses.

Environmental
Determination

The Planning Coordinating Committee recommends that the Zoning Administrator determine the project to be exempt from the preparation of an Environmental Impact Report pursuant to the California Environmental Quality Act.

History

PUD-101-87/PM-87-161

The Planned Unit Development was approved by the Planning Commission and City Council to rezone the site and construct a 141 room Ramada Inn in 1987.

SPA-152-79

A Site Plan Amendment was approved by the Planning Commission and City Council to rezone the site from R-1 (One Family Residential) to C2 (General Commercial) and to construct a 30,000 square foot office/retail building. The site plan was never exercised and expired.

III. PROJECT DESCRIPTION

The applicant, Yong Hoon Cho, is requesting approval of a Conditional Use Permit in order to operate a new restaurant and banquet facilities under a State Alcoholic Beverage Control Type "47" (On Sale General Bona Fide Public Eating Place) license. The subject site is located on the south side of Garden Grove Boulevard east of Kerry Street at 10022 Garden Grove Boulevard. The site is approximately 96,950 square feet (2.23 acres) in size.

The site is improved with a new 141 room Ramada Inn including an estimated 3,900 square foot restaurant and banquet facilities. The restaurant is located east of the main lobby. Banquet facilities are located on the second floor and consist of a total of 4,879 square feet of meeting rooms, pantry, lobby and elevator areas and restrooms.

The Inn is improved with 164 parking spaces; the site main access is off of Garden Grove Boulevard with an exit only driveway onto Kerry Street.

Project Statistics

<u>Item</u>	<u>Provided</u>	<u>Code</u>
Lot size (S.F./Ac.)	96,950 Sq.Ft./2.23 Ac.	1 Acre
Setbacks		
North	75 Ft. Front	15 Ft.
South	10 Ft. Rear	10 Ft.
East	10 Ft. Side	0
West	10 Ft. Side	0
Parking		
(Standard)	114	
(Compact)	46	
(Handicap)	4	
Total	<u>164</u> Spaces	<u>*182</u> Spaces
Building Height	47 Ft.	*N/A

*PUD sets parking and building height standards for site.

IV. COMPARISON WITH ZONING AND DEVELOPMENT STANDARDS

Staff has reviewed the proposed Conditional Use Permit and finds that the applicant's proposal meets all applicable Municipal Codes except as noted. Staff notes that the proposed use is currently restricted by the existing City-wide moratorium for the sale of Alcoholic Beverages in the City of Garden Grove (Ordinance 2116), which was enacted by the City Council in June, 1989.

Section 5 Exemptions of Ordinance No. 2116 state the following:

This moratorium shall not apply to any project for which a building permit has been lawfully issued before April 26, 1989.

Additionally, the Director of Development Services shall make a determination as to whether the subject project and new restaurant is prohibited by this ordinance and make his recommendation to the Zoning Administrator. (See comments under Staff Analysis.)

V. STAFF ANALYSIS

A review by staff indicates that the proposal meets all applicable Municipal Codes as well as all Conditions of Approval related to PUD-101-87. The use is similar in nature to other establishment located

in the general area. The subject proposal is consistent with the criteria outlined by the Municipal Code.

The applicant is requesting an appeal of Ordinance No. 2116, Section 5 (Exemptions) in that the proposed project obtained applicable building permits starting in September 1988. In addition, the Planned Unit Development PUD-101-87 was approved by the City Council in 1987, long before the moratorium was adopted in April 1989. Staff further notes that the intent of the proposed development was always a multi-story hotel with a full restaurant and banquet facilities.

The Director of Development Services has determined that pursuant to Ordinance No. 2116, the subject site is entitled to an exemption of said Ordinance (see attached form); and therefore recommends that the Zoning Administrator grant approval of the applicant's request.

In relation to the above compatibility uses, the following criteria have been collected and evaluated by the Police Department and Development Services staff:

1. The subject site is located in a high crime area (District No. 95).
2. The crime count for the district in which the subject site is located is 278.
3. Average crime count per district in the City is 173.
4. Subject district exceeds the City-wide average by 60 percent.
5. Maximum allowable crime percentages over the City-wide average is 20 percent.
6. Abutting crime count districts are:

North:	District 94/104	Crime Count	239/328
East:	District 105	Crime Count	<u>251</u>
South:	District 96	Crime Count	<u>467</u>
West:	District 85	Crime Count	<u>302</u>
7. Subject site is in Alcoholic Beverage Control (ABC) Census Reporting District No. 887.02.
8. Alcoholic Beverage Control District 887.02 allows seven (7) On-Sale Licenses within this district. There are currently eighteen (18) On-Sale Licenses within the district.

9. Even though the subject site is in a high crime and overconcentrated area, staff feels that the granting of the Conditional Use Permit can be justified in that the existing restaurant and hotel provides a public convenience and necessity. The applicant has stated that there are no other similar type of establishments within the general area and that the restaurant and banquet facilities provide a convenience for the occupants of the hotel and its related uses.

Based on the statistics herein presented and the above evaluation, the Police Department and Development Services Department does support the subject request, provided the applicant meets all conditions of approval. These conditions are included in the Conditions of Approval Section of this report.

VI. RECOMMENDATION

Staff has reviewed the subject Conditional Use Permit in relation to the goals and objectives of the City of Garden Grove and Municipal Code Sections 9213F, 9217, and 9219.

These criteria include consideration of permitted uses, pedestrian and vehicular circulation, parking and other relative sections of the aforementioned Code sections. Staff therefore recommends approval of Conditional Use Permit No. CUP-132-89.

VII. CONDITIONS OF APPROVAL

The following conditions are recommended if Conditional Use Permit No. CUP-132-89 is approved:

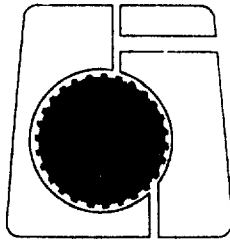
1. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the Garden Grove Municipal Code shall apply.
2. All requests for minor modifications shall be submitted to the Zoning Administrator for approval. If other than minor changes are proposed in the development, a new application shall be filed which reflects the revisions proposed.
3. The subject establishment shall be operated as a "Bona-Fide Public Eating Place" which is regularly and in a bona-fide manner used and kept open for the serving of meals to guests for compensation and which has suitable kitchen facilities connected therewith containing conveniences for cooking an assortment of foods which

may be required for ordinary meals. The kitchen shall be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and shall comply with all the regulations of the local department of health. "Meals" means the usual assortment of food commonly ordered at various times of the day; the service of such food and victuals only as sandwiches or salads shall not be deemed in compliance with this requirement.

4. The premises shall be maintained as a bona-fide restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurants.
5. The establishment shall contain sufficient space and equipment to assure a full restaurant kitchen.
6. The kitchen shall be open and preparing food during all hours the establishment is open.
7. Food sales shall account for at least 65 percent of the total gross sales of the establishment.
8. The quarterly gross sales of alcoholic beverages shall not exceed the sales of food or other commodities during the same period.
9. The owner of the establishment shall, upon request, provide the City of Garden Grove with a certified report of sales ratio of food to alcohol.
10. The rear doors shall be kept closed at all times during the operation of the premises except in case of emergency or to permit deliveries, or to allow for the ingress and egress of patrons and employees.
11. The Petitioner shall be responsible for maintaining free of litter, the areas adjacent to the premises over which he/she has control.
12. 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 Section. Lighting shall be restricted to decorative type wall mounted lights, or preferably, a ground lighting system.
13. All requirements of the Fire Department shall be met.
14. All requirements and conditions of the Garden Grove Police Department shall be complied with.
15. All requirements of Water Engineering Services of the Public Services Department shall be met.

16. The site shall comply with all requirements of the State of California regarding parking and accessibility of the physically handicapped including the installation of vertical identification signs at each handicapped parking space and, if not already provided, a wheelchair ramp to the front entrance of the establishment.
17. All signs shall comply with the City of Garden Grove sign requirements.

5457T/1846A
02/01/90



GARDEN GROVE

Case File

GARDEN GROVE ZONING ADMINISTRATOR

DECISION NO. 1281

CONDITIONAL USE PERMIT NO. CUP-132-89

YONG HOON CHO (RAMADA INN)

FEBRUARY 14, 1990

This decision pertains to a Conditional Use Permit application filed for property located on the south side of Garden Grove Boulevard west of Brookhurst Street, at 10022 Garden Grove Boulevard.

The applicant is requesting approval of a Conditional Use Permit to allow a new restaurant with banquet facilities in the PUD (Planned Unit Development) zone to operate under a State Alcoholic Beverage Control License Type "47" (On-Sale General, Bona Fide Public Eating Place). The City of Garden Grove has prepared a Negative Declaration because the project will not have a significant adverse effect on the environment pursuant to the California Environmental Quality Act.

A public hearing was held on February 7, 1990, and all testimony presented at the public hearing and all evidence applicable to this case have been considered in this decision.

At the public hearing, staff introduced and reviewed the Development Services Planning Staff Report and indicated that the subject site is improved with a new 141-room Ramada Inn, including an estimated 3,900 square foot restaurant and banquet facilities. Banquet facilities are located on the second floor and consist of a total of 4,879 square feet of meeting rooms, pantry, lobby and elevator areas, and restrooms. The Inn is improved with 164 parking spaces, which is the number of parking spaces required to be provided under the subject PUD (PUD-101-87).

Zoning Administrator Decision No. 1281
Conditional Use Permit No. CUP-132-89

The Garden Grove Municipal Code states in part that cocktail lounges, bars, nightclubs and other similar uses open to the general public and licensed by the California Department of Alcoholic Beverage Control (ABC) and on-sale premises type licenses shall be required to obtain approval of a Conditional Use Permit. No Conditional Use Permit shall be granted unless the applicant shows that the proposed use shall not be incompatible with the adjoining uses as it relates to noise, debris, traffic, storage, design and hours of operation.

Staff noted that a review of the applicant's request indicates that the use, as proposed, is similar in nature to other establishments located in the general area. Staff indicated that it had reviewed the proposed CUP application and finds that the proposal meets all applicable Municipal Codes except that the proposed use is currently restricted by the existing citywide moratorium for the sale of alcoholic beverages in the City of Garden Grove (Ordinance No. 2116), which was enacted by the City Council in June of 1989. Section 5 of Ordinance 2116 states that this moratorium shall not apply to any project for which a building permit has been lawfully issued before April 26, 1989. Additionally, the Director of Development Services shall make a determination as to whether the subject project is prohibited by the Ordinance and make his recommendations to the Zoning Administrator.

The applicant is requesting an appeal of the City's moratorium in that the proposed project obtained applicable building permits in September 1988. In addition, the Planned Unit Development (PUD-101-87) was approved by the City Council in 1987, long before the moratorium was adopted in April 1989. Staff further noted that the intent of the proposed development was always a multi-story motel with a full restaurant and banquet facilities.

The Director of Development Services has determined that, pursuant to Ordinance No. 2116, the subject site is entitled to an exemption or said ordinance, and therefore recommends that the Zoning Administrator grant approval of the applicant's request.

Staff reported that the following information has been collected and evaluated by the Police Department and the Development Services staff relative to the subject request:

1. The subject site is located in a high crime area (District No. 95).
2. The crime count for the District in which the subject site is located is 278.
3. The average crime count per district in the city is 173.
4. The subject district exceeds the citywide average by 60 percent.

Zoning Administrator Decision No. 1281
Conditional Use Permit No. CUP-132-89

5. A district is considered to be a high crime area where the crime count exceeds the citywide average by more than 20 percent.
6. The subject site is located in ABC Census Reporting District No. 887.02, which allows seven on-sale licenses. There are currently 18 on-sale licenses within this district.

ABC regulations allow local agencies to protest the issuance of ABC licenses where conditions of high crime and undue concentration exist. The subject site is located in a district that has an overconcentration of on-sale licenses and also is in a high crime area.

The Garden Grove City Council has established a policy relative to on-sale licenses in cases where both overconcentration and high crime counts exist, that rather than excluding such uses per se, certain conditions of approval controlling hours of operation, food items, percentage of alcohol sales, location and design could be imposed which would mitigate the concerns of high crime and overconcentration of licenses. Therefore, the Garden Grove Police Department is not protesting the requested license provided that certain conditions of approval are complied with.

Staff further reported that it had reviewed the subject Conditional Use Permit request in relation to the goals and objectives of the City of Garden Grove and Municipal Code sections 9213(f), 9217 and 9219. These criteria include consideration of permitted uses, pedestrian and vehicular circulation, parking and other relative sections of the aforementioned code. As a result of this review, staff stated that it feels the proposed use would be compatible with surrounding uses subject to certain conditions, and therefore recommended approval of Conditional Use Permit No. CUP-132-89.

The Zoning Administrator declared the public hearing open to receive testimony in favor of or in opposition to the application.

Ms. Connie Margolin, General Manager of the Ramada Inn, appeared before the Zoning Administrator and testified that they are very anxious to obtain the Conditional Use Permit in order to be able to serve their patrons. Ms. Margolin also indicated that she is aware of the concerns of the high crime in the area and that they have armed guards all night at the hotel, and also have surveillance cameras throughout the hotel complex. In response to a question from the Zoning Administrator, Ms. Margolin stated that she concurred with the recommended conditions of approval.

No one else appeared before the Zoning Administrator to offer testimony either in favor of or in opposition to the application.

Zoning Administrator Decision No. 1281
Conditional Use Permit No. CUP-132-89

The purpose of a Conditional Use Permit is to assure that the proposed use will be compatible with other existing or potential uses and improvements in the surrounding area, and to recognize and compensate for technological improvements and recently established development standards affecting the site. In reviewing the application for Conditional Use Permit No. CUP-132-89, it is found by the Zoning Administrator that the addition of a type "47" on-sale license in conjunction with an existing hotel at the subject location would be a convenience to the public and would not significantly impact the surrounding neighborhood for the following facts and reasons:

1. The proposal meets or exceeds the provisions of the Garden Grove Municipal Code.
2. The proposal is consistent with guidelines established by ABC.
3. The proposed use will be compatible with existing and proposed uses of the same or surrounding sites.
4. The proposed use will be compatible with the other uses in the facility.
5. The site of the proposed use complies with the specified distance requirements from any school, church, or other public facility.
6. The proposed use will not have a negative impact or effect on the general health, welfare, safety and convenience of the immediate neighborhood and of the city in general.

It does appear, however, that there are measures that need to be taken by the applicant to help improve the appearance, health, safety, efficiency and productivity of the site and to ensure compatibility of the use with the surrounding neighborhood.

In consideration of the evidence submitted at the public hearing, the criteria established for approval Conditional Use Permits, and the facts and reasons recited herein, it is hereby determined that Conditional Use Permit No. CUP-132-89, should be and is hereby granted subject to and after proof to the Zoning Administrator of compliance with the following conditions:

1. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the Garden Grove Municipal Code shall apply.
2. All requests for minor modifications shall be submitted to the Zoning Administrator for approval. If other than minor changes are proposed in the development, a new application shall be filed which reflects the revisions proposed.

3. The subject establishment shall be operated as a "Bona-Fide Public Eating Place" which is regularly and in a bona-fide manner used and kept open for the serving of meals to guests for compensation and which has suitable kitchen facilities connected therewith containing conveniences for cooking an assortment of foods which may be required for ordinary meals. The kitchen shall be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and shall comply with all the regulations of the local department of health. "Meals" means the usual assortment of food commonly ordered at various times of the day; the service of such food and victuals only as sandwiches or salads shall not be deemed in compliance with this requirement.
4. The premises shall be maintained as a bona-fide restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurants.
5. The establishment shall contain sufficient space and equipment to assure a full restaurant kitchen.
6. The kitchen shall be open and preparing food during all hours the establishment is open.
7. Food sales shall account for at least 65 percent of the total gross sales of the establishment.
8. The quarterly gross sales of alcoholic beverages shall not exceed the sales of food or other commodities during the same period.
9. The owner of the establishment shall, upon request, provide the City of Garden Grove with a certified report of sales ratio of food to alcohol.
10. The rear doors shall be kept closed at all times during the operation of the premises except in case of emergency or to permit deliveries, or to allow for the ingress and egress of patrons and employees.
11. The Petitioner shall be responsible for maintaining free of litter, the areas adjacent to the premises over which he/she has control.
12. 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 Section. Lighting shall be restricted to decorative type wall mounted lights, or preferably, a ground lighting system.

13. All requirements of the Fire Department shall be met.
14. All requirements and conditions of the Garden Grove Police Department shall be complied with.
15. All requirements of Water Engineering Services of the Public Works Department shall be met.
16. The site shall comply with all requirements of the State of California regarding parking and accessibility of the physically handicapped including the installation of vertical identification signs at each handicapped parking space and, if not already provided, a wheelchair ramp to the front entrance of the establishment.
17. All signs shall comply with the City of Garden Grove sign requirements.
18. The subject CUP shall be subject to a review after three years from the date of this decision.

Prior to notification by the City of Garden Grove to ABC that the subject Conditional Use Permit has been granted, the applicant shall submit to the City of Garden Grove Development Services Department within thirty (30) days of the date of this decision, a Certificate of Compliance that all conditions of approval have been complied with or completed. Failure by the applicant to comply with these conditions of approval within the time frames established therefor shall be deemed and operated as a withdrawal and abandonment of the subject Conditional Use Permit application, and said CUP request shall become null and void. Failure by the applicant to maintain the premises in compliance with the provisions of the Garden Grove Municipal Code and the above conditions during the term of the approved Conditional Use Permit shall render said CUP subject to revocation.


E. JOHN GRAICHEN
ZONING ADMINISTRATOR

The appeal deadline to the City Council for the subject case is March 7, 1990.

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

5490T/1846A
02/13/90

File

RAMADA



DISNEYLAND SOUTH

Garden Grove Planning
Commissioners
C/O Planning Services Division
Garden Grove City Hall
11222 Acacia Parkway
Garden Grove, CA 92842

Chairman	Mr. Ernest Wilkins	cc:Rosalinh M. Ung
Vice Chairman	Mr. Benjamin Freze	Bill Johnson
Commissioner	Mr. Lee Butterfield	John Shaw
Commissioner	Mr. Edward Heskett	
Commissioner	Mr. Mark Rosen	
Commissioner	Mr. Jack Schild	

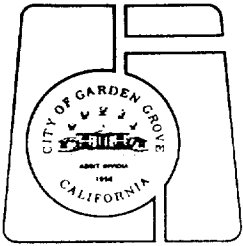
Re: Waiver to amend CUP and PUD

Your honorable commissioners: June 28, 1998

This is a urgent and sincere appeal to your commission to request a waiver of the requirement to amend my Conditional Use Permit and Planned Unit Development, as dictated by the Planning Services Division. Five previous correspondences on this issue are attached here for your information. Key reasons and justifications for my appeal are as follows:

- 1)As new owner I am totally innocent of these unpermitted changes done by the previous owners/managers. The actual offenders are acting as tips-
ters to cause trouble in retaliation. The City shouldn't dance to their
tune to prosecute me while they hide behind and applaude.
- 2)These unpermitted changes, while admittedly illegal in their physical
form and altered location, do not functionally constitute any possibility
of abuse or operational hazards, or additional business activities out-
side of the realm of the City's approval under my stewardship.
- 3)At below 40% occupancy since April 1997 I have lost much more than all
of my savings and retirement money and the trend is continuing. At this
pathetic level of activities what harm can these stupid changes do? It
doesn't make sense to force me to spend more money/time/efforts on these
inconsequential changes in a business so sick and dying--it's academic.
- 4)In the best interest of all concerned, City and community included, my
priority should be on sales and marketing to revive it. The peripheral
location and the demise of Asian tour trade have made my job triply di-
fficult. But I am confident I can do it in time. I promise once I reach
65% occupancy and the pressures are off I will gladly and promptly com-
ply to amend as required. In the meantime I guarantee full compliance
with all regulations, ordinances or codes so there will be no problem.
I remain respectfully at your disposal for any questioning.

Paul B. Ding
Paul B. Ding



GARDEN GROVE

CITY OF GARDEN GROVE, CALIFORNIA

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

(714) 741-5312

June 17, 1998

Paul B. Ding
Ramada Inn
10022 Garden Grove Boulevard
Garden Grove, CA 92844

SUBJECT: RAMADA INN AT 10022 GARDEN GROVE BOULEVARD

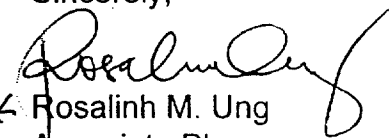
Dear Mr. Ding:

Recently you were notified that the Planning Commission will be reviewing your Conditional Use Permit and Planned Unit Development at a public hearing on July 15, 1995. It has been subsequently determined that a review of your entitlement permits is not required at this time. Therefore, this item will not be heard by the Planning Commission on July 15, 1998, and your attendance is not necessary.

As you recall, at the administrative office hearing held on May 18, 1998, you were given ninety (90) days to file a new Conditional Use Permit and Planned Unit Development application in order to legalize the unpermitted changes to the floor plan and operation of Ramada Inn. Your deadline to file these applications is August 18, 1998. As discussed, if you do not meet this deadline, a revocation hearing will be scheduled before the Planning Commission. If your Conditional Use Permit is revoked, you will no longer be able to sell or serve alcoholic beverages on the premises.

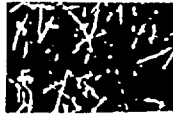
If you require additional information, please contact Rosalinh Ung at (714) 741-5312. Thank you for your cooperation.

Sincerely,


Rosalinh M. Ung
Associate Planner

c: Bill Johnson, Police Department
John Shaw, City Attorney

RAMADA



Ms Rosalinh M. Ung
Associate Planner
City of Garden Grove
11222 Acacia Parkway
Garden Grove, CA 92642

DISNEYLAND SOUTH

cc:Mr. Bill Johnson
Mr. John Shaw

Re: Your letter of May 22, 1998

Dear Ms. Ung:

May 30, 1998

I wish to first go on official record that all the changes were made by the previous owner(s). The only change I have made is the removable partitions for the banquet/meeting room on the second floor which are not permanent fixtures. Mr. Yung E. Kim, the former General Manager that I let go, should be a part of the decisions to make all or part of these illegal changes and was aware of the fact that on April 11, 1997 when I took over ownership of this property, these changes were all in place and I was totally innocent of these unlawful acts. Upon being fired, Mr. Kim blackmailed me to pay him some money to hush him up or else he said he would go report these illegalities to the City Hall. I flatly rejected that and warned him that such blackmail is criminal and I have two eye-witnesses to prosecute him. He must have gone ahead and done it anyway.

This was a very cowardly act just to cause trouble. Even more unfair is the actual offender(s) are acting as tipster(s) of their own illegal acts. I urge the City Hall to go after these offenders and make them responsible and liable for what they did without proper permit or authority. I am just an innocent victim. I should not be made to pay for all these. The City Hall needs to decide if it should dance to the tune being played by these cowards and actual offenders who hide behind the scene.

With the hotel occupancy hovering below 40% due to past neglect and mismanagement, in spite of substantial renovations, I have lost tons of money already and it is continuing. My priority has to concentrate on marketing and sales to rescue this property. For the City, the community, and me the issue right now is to revive and survive so that this does not become a burden or embarrassment or casualty. Not that I don't want to be forward-looking and apply to make these all legal and some more, such effort would be futile and superfluous if this business goes under like it is going. Please understand at this stage I have no choice but to stay put and make do with whatever I have to turn this thing around. I guarantee you I will work with you all to make this business functioning in a way that is acceptable to you all. In the meantime I do need your understanding and cooperation.

Let's address the specific issues that you mentioned. First, the raised stage near the restaurant entrance is purely decorative and serves no functional purpose except the placement of music-playing equipment. It, therefore, is incapable of any violation that I can think of.

I was informed, and you can verify that the original restaurant design as approved included the now lounge area without the wall separating. There was a full bar in the center serving the whole restaurant. So

Ramada Inn - Disneyland South

other than the layout change, the walls and doors that resulted, the only change was the addition of the stage and dance floor. I am not sure about the Karaoke and sound systems but I can find out. The type of business defined on our business tax certificate for the hotel says "no dancing allowed, entertainment limited to karaoke/banquet room." For the restaurant/banquet/lounge/coffee shop it says "entertainment limited to karaoke/no dancing. (I have another source saying originally there was already a wall separating the restaurant and the now lounge area which was where the gift shop used to be located. And there was a full bar on the other side of the wall inside the restaurant. The gift shop was then moved to the lobby and to allow for a banquet room in its stead.)

I would like to continue to use the Milano Lounge with its full bar as is and its karaoke capacity. Occasionally we may use it as a banquet room when other banquet rooms are occupied. So far I have never seen any one dancing in there. Due to its physical limitations it can never be a place for wild dancing or something that would have any chance of being out of control. I wouldn't want that kind of reputation and would not allow that to happen.

Where you call the cafe shop in the main lobby is used primarily as a waiting/rendezvous area. If they order a drink it is served from the restaurant. It is not staffed to do on-going drinking business. When business picks up we will use the counter as bell desk.

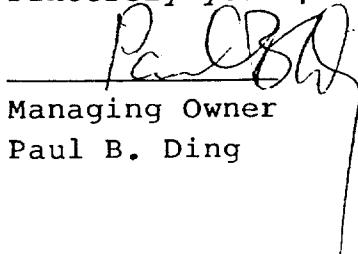
As to the two doors eliminated in the meeting/banquet room on the second floor, there are already two other doors existing for safe exit. I am working with the Fire Department to find a solution to allow for second exit when we put up the room partitions to divide it into two rooms as break-out rooms. The first partition is a door that opens freely. The other partitions are of such a design that they are easy to take down.

We have converted guest room #123 into an office--previously for Yung Kim and now for the sales director. We may convert another room into a gym. These were or will be accomplished without any physical alteration to the structure. As mentioned to you before the business center with fax/copier/computer would entail no physical change as well.

Let me reiterate that this new ownership and management, my brother-in-law partner Mr. Li-Pei Wu is the Chairman/CEO of the General Bank in Los Angeles, has set compliance with the laws/regulations as a must. As long time naturalized citizens we know how the American systems work. We pledge to keep you informed and to conduct our businesses in ways that are acceptable to you. We ask that for now we be allowed to not have to apply for the CUP, PUD and ER. This ownership so far has not done anything in violation of any rules or regulations and you can expect the same for the future.

Thank you for your understanding and assistance. If you have any questions or doubts please let me know.

Sincerely yours,



Managing Owner

Paul B. Ding



CITY OF GARDEN GROVE, CALIFORNIA

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

(714) 741-5312

May 22, 1998

Paul B. Ding
Ramada Inn
10022 Garden Grove Boulevard
Garden Grove, CA 92844

SUBJECT: RAMADA INN AT 10022 GARDEN GROVE BOULEVARD

Dear Mr. Ding:

Thank you for your attendance at the Office Hearing on May 18, 1998. The purpose of this letter is to summarize the issues that were discussed at the hearing. They are as follows:

- The existing restaurant has a raised stage near the entrance.
- The southerly portion of the existing restaurant on the first floor has been converted into a lounge area with a stage, dance floor, karaoke equipment, microphone and amplified sound system, and a full bar.
- A portion of the main lobby area has been converted to a cafe shop with a coffee bar.
- The exiting doors in the meeting/banquet room on the second floor were removed.

The Planned Unit Development and Conditional Use Permit for the establishment do not allow the above modifications to the existing hotel facility.

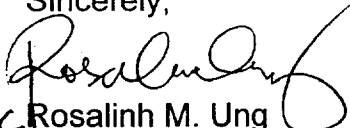
Your establishment is now operating in violation of the Planned Unit Development and the conditions of approval of the Conditional Use Permit. These violations shall be rectified immediately in order for you to continue to operate the establishment.

Should you wish to legalize these unpermitted changes, please submit complete Planned Unit Development and Conditional Use Permit applications by **July 23, 1998**.

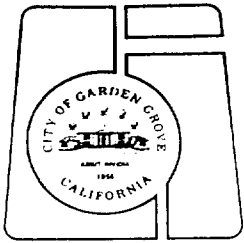
Paul B. Ding
May 22, 1998
Page 2

If you require additional information, please contact Rosalinh Ung at (714) 741-5312.
Thank you for your understanding and cooperation.

Sincerely,


Rosalinh M. Ung
Associate Planner

c: Bill Johnson, Police Department
John Shaw, City Attorney



CITY OF GARDEN GROVE, CALIFORNIA

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

GARDEN GROVE
May 7, 1998

(714) 741-5312

CERTIFIED MAIL

Paul B. Ding
Garden Grove Hotel/ D & W LLC
10022 Garden Grove Blvd.
Garden Grove, Ca 92844

NOTICE AND INVITATION TO ATTEND AN OFFICE HEARING

SUBJECT: OFFICE HEARING FOR RAMADA INN
TO: PAUL DING, BUSINESS OWNER AT 10022 GARDEN GROVE BOULEVARD
(RAMADA INN)
PLACE: CITY HALL, FIRST FLOOR NORTH CONFERENCE ROOM
11222 ACACIA PARKWAY
GARDEN GROVE, CA 92840
DATE: May 18, 1998
TIME: 10:30 a.m.

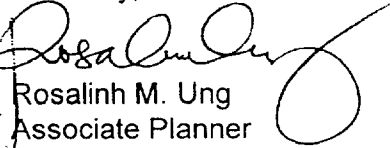
On April 29, 1998, staff conducted a site inspection of your establishment and noted that there were several changes made to the existing hotel lobby area, the hotel's restaurant, and the banquet room located on the second floor. These changes were made without proper permits from the City.

The entire facility, including restaurant and banquet facilities, was approved under a Conditional Use Permit (CUP-132-89) to operate a State Alcoholic Beverage Control License Type "47" (On-Sale General, Public Eating Place) in June 1990. The CUP was approved with specific conditions and floor plan layouts of the site.

Since these changes are not permitted under the approved Conditional Use Permit, please be advised that the City will conduct an office hearing on May 18, 1998, at 10:30 a.m. The purpose of the office hearing is to review your recent changes to the hotel facility and to provide you with options to resolved the unpermitted changes. Your attendance is expected.

If you require additional information, or if we can provide further assistance, please contact Rosalinh Ung at (714) 741-5312. Thank you for your understanding and cooperation.

Sincerely,


Rosalinh M. Ung
Associate Planner

C: Bill Johnson, Police Department

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Garden Grove Journal

PROOF OF PUBLICATION (2015.5. C.C.P)

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not a part or interested in the above title matter. I am the principle clerk of The Garden Grove Journal, a newspaper of general circulation, published in the City of Garden Grove, County of Orange, and which a newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Orange, State of California on November 26, 1984, case number A124641; that the notice, of which the annexed is a printed copy, has been published in regular and entire issue of said newspaper and not run in supplement there of on the following date, to wit:

AUG 13, 1998

I certify (or declare) under penalty of perjury that the forgoing is true and correct. Executed at Garden Grove, California.

Date

Aug 16, 1998

Carol Lewis
Signature

This space is for the County Clerk's Filing Stamp

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE WILL HOLD A PUBLIC HEARING IN THE COUNCIL CHAMBER OF THE CITY OF GARDEN GROVE WILL HOLD A PUBLIC HEARING IN THE COUNCIL CHAMBER OF COMMUNITY MEETING CENTER, 11300 STANFORD AVENUE, GARDEN GROVE, CALIFORNIA ON WEDNESDAY, 7:00 P.M., SEPTEMBER 2, 1998 TO RECEIVE AND CONSIDER ALL EVIDENCE AND REPORTS RELATIVE TO THE APPLICATIONS DESCRIBED BELOW.

VARIANCE NO. V-232-98

TO CONSIDER VARIANCE NO. V-232-98, A REQUEST TO LEGALIZE THE CONSTRUCTION OF A STORAGE SHED LOCATED WITHIN THE REAR AND SIDE YARD SETBACKS. THE SITE IS LOCATED IN THE R1 (SINGLE FAMILY RESIDENCE) ZONE ON THE WEST SIDE OF LEONHARDT CIRCLE, NORTH OF ROYAL PALM BLVD., AT 11871 LEONHARDT CIR. THE CITY OF GARDEN GROVE HAS DETERMINED THIS ACTION IS EXEMPT PURSUANT TO CEQA.

CONDITIONAL USE PERMIT NO. CUP-414-98

TO CONSIDER CONDITIONAL USE PERMIT NO. CUP-414-98. A REQUEST TO ALLOW HILTON GARDEN INN TO OPERATE UNDER A STATE ABC LICENSE TYPE "47" (ON-SALE GENERAL, PUBLIC EATING PLACE). THE SITE IS LOCATED IN THE PUD-118-98 (PLANNED UNIT DEVELOPMENT) ZONE ON THE WEST SIDE OF HARBOR BLVD., NORTH OF CHAPMAN AVE. THE CITY OF GARDEN GROVE PROPOSES TO RECOGNIZE THE PREVIOUSLY ADOPTED MITIGATED DECLARATION FOR THIS PROJECT.

CONDITIONAL USE PERMIT NO. CUP-132-89

TO CONSIDER REVOKING CONDITIONAL USE PERMIT NO. CUP-132-89. THIS CONDITIONAL USE PERMIT ALLOWS RAMADA INN TO OPERATE UNDER AN ABC TYPE "47" (ON-SALE GENERAL, EATING PLACE) LICENSE. THE SITE IS LOCATED IN THE PUD (PLANNED UNIT DEVELOPMENT) ZONE, ON THE SOUTH SIDE OF GARDEN GROVE BLVD., THE CITY OF GARDEN GROVE HAS DETERMINED THIS ACTION IS EXEMPT PURSUANT TO CEQA.

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 Hearings and express opinions or submit evidence for or against the proposals 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 Planning Commission at, 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.

DATE: AUGUST 10, 1998
PUBLISH: AUGUST 13, 1998

Publish Aug. 13, 1998
Garden Grove Journal (GG 98-33-1)

Grove Journal

12866 Main Street, Suite 203, Garden Grove, CA 92840

Tel: (714) 539-6018

Fax: (714) 892-7052

:sort pn-parcel nopage id-supp by notice# by parcel parcel break-on notice# "'p'" owner owner.address o.csz total cnt heading "page

'p' Public Notice Parcels Listing 'TL' (P

page 1 Public Notice Parcels Listing 16:16:37 21 Sep 1998

parcel.. notice#..... owner..... owner.address..... o.csz..... cnt.

08907113	REVCUP-132-89	FRIEDLANDER, HERBERT	8 Sunset Cv	NEWPORT BEACH, CA 92657	1
08907114	REVCUP-132-89	HAYMAN, DARCY	10071 Garden Grove Blvd	GARDEN GROVE, CA 92844	1
08907130	REVCUP-132-89	CHOI, JAE MOON	26536 Esteban	MISSION VIEJO, CA 92692	1
09806103	REVCUP-132-89	CARCAMO, MANUEL & ROSARIO	13122 Kerry St	GARDEN GROVE, CA 92844	1
09806104	REVCUP-132-89	NGUYEN, PHUONG MAI THI	13132 Kerry St	GARDEN GROVE, CA 92844	1
09806125	REVCUP-132-89	GALAMBOS, THEODOR	13112- Kerry St	GARDEN GROVE, CA 92844	1
09806211	REVCUP-132-89	WOO, WILLIAM G	PO Box 1386	ARCADIA, CA 91077	1
09806212	REVCUP-132-89	PARK, YONG HO	2024 Sommerset Ln	FULLERTON, CA 92833	1
09806214	REVCUP-132-89	KIM, CHUL HO & MOK J	18831 Pinto Ln	SANTA ANA, CA 92705	1
09806216	REVCUP-132-89	LEE, TAI H & HEE J	9100 Blair River Cir	FOUNTAIN VALLEY, CA 92708	1
09806218	REVCUP-132-89	THE KOREAN AMERICAN FEDERATION	9886 Garden Grove Blvd	GARDEN GROVE, CA 92844	1
09806220	REVCUP-132-89	KIM, CHUL & MOK	13041 Kerry St	GARDEN GROVE, CA 92844	1
09806221	REVCUP-132-89	PARK, JAI DOO	9941 Belfast Dr	GARDEN GROVE, CA 92844	1
09806222	REVCUP-132-89	TSAI, LONGWAY & FUMEI LU	13091 Kerry St	GARDEN GROVE, CA 92844	1
09806232	REVCUP-132-89	SASSAMAN, SANG SOOK	13085 Kerry St	GARDEN GROVE, CA 92844	1
09806233	REVCUP-132-89	KIM, CHUL & MOK	9944 Garden Grove Blvd	GARDEN GROVE, CA 92844	1
09806237	REVCUP-132-89	KIM, CHUL HO	18831 Pinto Ln	SANTA ANA, CA 92705	1
09806238	REVCUP-132-89	KIM, CHUL & MOK	13031 Kerry St	GARDEN GROVE, CA 92844	1
09806245	REVCUP-132-89	GARDEN SQUARE PARKING ASSOCIAT	9832 Garden Grove Blvd	GARDEN GROVE, CA 92844	1
09806324	REVCUP-132-89	BERMUDEZ, RICHARD	18222 E Evergreen Cir	VILLA PARK, CA 92861	1
09806325	REVCUP-132-89	PECOR, JAMES G	8832 Anthony Ave	GARDEN GROVE, CA 92841	1
09806601	REVCUP-132-89	CHU, KI SUNG	2777 Foxborough Pl	FULLERTON, CA 92833	1
09806602	REVCUP-132-89	MCMASTERS JR., JAMES FRANKLIN	187 N Quail Ln	ORANGE, CA 92869	1
09806603	REVCUP-132-89	SEAMAN, MARIE E	12662 Dottie Cir	GARDEN GROVE, CA 92841	1
09806604	REVCUP-132-89	SEAMAN, MARIE E	12662 Dottie Cir	GARDEN GROVE, CA 92841	1
09806605	REVCUP-132-89	D & W LLC			1
09806606	REVCUP-132-89	KO, YOUNG	*No Site Address*	, 92644	1
09806607	REVCUP-132-89	KO, YOUNG	*No Site Address*	, 92644	1
09806608	REVCUP-132-89	SHNYDER, LOLA JEANNE	13092 Kerry St	GARDEN GROVE, CA 92844	1
09806609	REVCUP-132-89	CITY OF GARDEN GROVE	11391 Acacia Pkwy	GARDEN GROVE, CA 92840	1
09807032	REVCUP-132-89	RICHARDS, ELIZABETH JANE	9801 Larson Ave	GARDEN GROVE, CA 92844	1
09807035	REVCUP-132-89	EMLN W HOAG FOUNDATION	800 Chrysler Dr	, 48326	1
09807038	REVCUP-132-89	EMLN W HOAG FOUNDATION	800 Chrysler Dr	, 48326	1
09807056	REVCUP-132-89	RICHARDS, ELIZABETH JANE	9801 Larson Ave	GARDEN GROVE, CA 92844	1
09807068	REVCUP-132-89	EMLN W HOAG FOUNDATION	9860 Larson Ave	GARDEN GROVE, CA 92844	1

35

35

[405] 35 items listed out of 35 items.

pn-text REVCUP-132-89

USER TERRI TERRI 08/03/98 17:05 5 03/02/99 TERRI 08/03/98 17:05 5 03/02/99
1 THE GARDEN GROVE PLANNING COMMISSION WILL HOLD A PUBLIC
2 HEARING IN THE COUNCIL CHAMBER, 11300 STANFORD AVENUE,
3 GARDEN GROVE, ON WEDNESDAY, SEPTEMBER 2, 1998 AT 7 P.M.
4 TO CONSIDER ~~THE REVOCATION OF~~ ^{reversing} ~~CONDITIONAL USE PERMIT NO.~~
5 ~~CUP-132-89. THE CITY OF GARDEN GROVE IS PROPOSING TO~~ ^{allows} ~~REVOKE THE~~ ^{This}
6 ~~PREVIOUSLY APPROVED~~ ~~FOR RAMADA INN~~
7 ~~TO OPERATE UNDER AN ABC TYPE "47"~~
8 (ON-SALE GENERAL, EATING PLACE) LICENSE. THE SITE IS
9 LOCATED IN THE PUD (PLANNED UNIT DEVELOPMENT) ZONE, ON
10 THE SOUTH SIDE OF GARDEN GROVE BLVD., WEST OF BROOKHURST
11 ST. AT 10022 GARDEN GROVE BLVD. THE CITY OF GARDEN
12 GROVE HAS DETERMINED THIS ACTION IS EXEMPT PURSUANT TO
13 CEQA. FOR INFORMATION, PLEASE CALL (714) 741-5312 OR
14 INQUIRE AT THE PLANNING DIVISION IN CITY HALL, 11222
15 ACACIA PKWY.

[405] 1 items listed out of 1 items.

Legals/PN's approved by:

Planner	<u>twf</u>	Date	<u>8/2/98</u>
Glen	<u>[Signature]</u>	Date	<u>8/2</u>
Millie	<u>[Signature]</u>	Date	<u>8-5</u>

CONDITIONAL USE PERMIT

THE GARDEN GROVE PLANNING COMMISSION WILL HOLD A PUBLIC HEARING IN THE COUNCIL CHAMBER, 11300 STANFORD AVENUE, GARDEN GROVE, ON WEDNESDAY, September 2, 1998 AT 7 P.M.

TO CONSIDER ^{The revocation of} CONDITIONAL USE PERMIT NO. CP-132-89,

A REQUEST The City of Garden Grove is requesting to revoke the Conditional Use permit for Pamada Inn previously approved to operate under an ABC type "47" (on-sale General, Eating Place) license.

THE SITE IS LOCATED IN THE PUD (Planned Unit Development) ZONE

ON 45 Garden Grove Blvd, w/o Brookhurst St.

AT 10099 Garden Grove Blvd.


THE CITY OF GARDEN GROVE RECOMMENDS A NEGATIVE DECLARATION BE ADOPTED PURSUANT TO CEQA.

OR

THE CITY OF GARDEN GROVE HAS DETERMINED THIS ACTION IS EXEMPT PURSUANT TO CEQA.

FOR INFORMATION, PLEASE CALL (714) 741-5312 OR INQUIRE AT THE PLANNING DIVISION IN CITY HALL, 11222 ACACIA PKY.
5/6/97

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): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
3. Article Addressed to: PAUL DING/RAMADA INN 10022 GARDEN GROVE BLVD. GARDEN GROVE CA 92844	4a. Article Number 2 358 797 714	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
5. Received By: (Print Name)	7. Date of Delivery 8-24-98	
6. Signature: (Addressee or Agent) X 	8. Addressee's Address (Only if requested and fee is paid)	

Thank you for using Return Receipt Service.

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

Z 358 797 714

US Postal Service

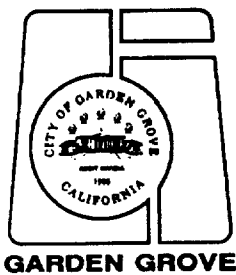
Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
Paul Ding	
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



BUSINESS LOCATION REVIEW

THIS FORM MUST ACCOMPANY BUSINESS OPERATION TAX APPLICATION

Office Use Only

Zone PCD
APPROVAL DENIAL
Reviewed by [Signature]
Other Planning Actions Required: NO YES
TYPE
Occupancy Classification
Date 7/11/90

Before your application for a Business Operation Tax Certificate can be processed, it is necessary to verify that your business will be conducted in accordance with the provisions of the Garden Grove Municipal Code.

Business Address 10022 Garden Grove Blvd, Garden Grove, CA 92644
Business Mailing Address S/A
Business Name RAMADA INN
Owner's Home Address (No P.O. Box) 17507 Regina Ave., Torrance CA 90504
Owner's Driver's License Number N9426343 Owner's Home Ph. No (213) 730-0449
State Contractor's License Number
Resale Number Square footage of proposed use

Answer all questions and check appropriate box.

Type of business:

- Office Only
Retail Sales
Wholesale Only
Combination % Wholesale % Retail
Industrial/Manufacturing
Mailing Address Only
Other HOTEL

This is a:

- New Business in Garden Grove
Business Name Change (previous name)
Ownership Change (Same Business)
Change in Type of Business
Address Change (previous address in Garden Grove)
Other

Describe operation in detail HOTEL, RESTAURANT, LOUNGE

Will any work/use/storage be conducted outside of a wholly enclosed building? No Yes
If yes, describe outside operation

- 1. How many people are expected during peak business hours? 15 Employees 90 Customers
2. How many business vehicles are used? 1 Autos Trucks Customers
3. Will your business operations include any process, handling or storage involving hazardous materials as stated in GGMC 6.32?
4. Will your business operation include any welding? Acetelene Arc
5. Will your business operation include spray painting?
6. Will there be storage of more than 10 gallons of flammable liquid of any type?
7. Will your business operation include sanding, cutting, or shaping of wood or other products producing combustible dust or fibers?
8. Will there be storage of materials exceeding 12 feet in height or tire storage over 6 feet in height?
9. Will there be repair of vehicles beyond the simple exchange of parts?
10. Has this building ever been used as a gasoline service station?
11. Will the building be used for education, instruction, worship, or dining?
12. Will there be entertainment including, but not limited to (check appropriate boxes): Live Performances Dancing Other
13. Will you be selling/serving alcoholic beverages? In Banquet facilities only
14. Will there be arcade machines/amusement devices? How many?
15. Will your business have peep show devices as defined in GGMC 5.60?
16. Will you be selling or showing material (movies-books-video) depicting specified anatomical areas or sexual acts?
17. Will you have employees or yourself modeling or entertaining for someone (customers) nude or partially nude, either at your location or after being sent to another location?
18. Will you or your employees be giving massages or manipulation either at the location or after being sent to another location?
19. Will your business have rap sessions or counseling sessions entailing sexual activity or introductory services?
20. Will your business offer any type of service or product or entertainment which is characterized by an emphasis on matters depicting, describing, or relating to specified anatomical matters as stated in GGMC 9216C.3?
21. Will your business involve gambling, bingo, horse racing or games of chance as stated in GGMC 8.20.010?
22. Will your business involve palm reading or fortunetelling?
23. Will an alarm system be used at the location? Robbery Burglary Both

Comments:

Your Business Operation Tax Certificate will be issued under the provisions of Garden Grove Municipal Code Chapter 5.04 et seq. You are cautioned that this Certificate does not permit operation of a business in violation of other Municipal Code Sections.

I hereby certify under penalty of perjury that I have read and understand the above statement, and that the information provided above is true and correct to the best of my knowledge and ability.

Signature [Signature] Title
Print Name YONG HOON CHO Print Title owner Date



****IF BUSINESS IS CONDUCTED AT A BUSINESS LOCATION, COMPLETE THIS SIDE****
THIS FORM MUST ACCOMPANY BUSINESS TAX APPLICATION

GARDEN GROVE BUSINESS LOCATION REVIEW

OFFICE USE ONLY

APPROVED/DENIED

Other Planning Actions Required: No Yes

Type: SIGN CHANGE

Occupancy Classification: _____

Zone: P00

Reviewed by: MLH

Date: 4/20/97

Before your application for a Business Tax Certificate can be processed, it is necessary to verify that your business will be conducted in accordance with all provisions of the Garden Grove Municipal Code. In order to determine whether your business is legally permitted at the proposed location, please answer the questions below and return the form along with your application. Incomplete applications will be returned and all processing will cease. Thank you for your cooperation. Please print legibly.

Business Address: 10022 GARDEN GROVE BLVD 92874 Unit/Suite: 116

Business Name: GARDEN GROVE HOTEL

Business Mailing Address: DITTO

Owner's Name: D & W, LLC

Owner's Home Address (No P.O. Box): DITTO

Owner's Home Phone #: 714-534-1818 Business Phone #: 714-534-1818

Square footage of proposed use: 70,000 sq ft

What is the primary Business Activity at this location?

- Office Only
- Retail Sales
- Wholesale Only
- Combination Wholesale _____ % Retail _____ %
- Industrial/Manufacturing
- Mailing Address Only
- Other _____

This is a:

- New Business in Garden Grove
- Business Name Change (previous name) SEAL HOTEL HOTEL
- Ownership Change (same business) NEW NAME
- Change in Type of Business
- Address Change (previous address in Garden Grove)

PLEASE DESCRIBE BUSINESS ACTIVITIES AT THIS LOCATION: HOTEL & RESTAURANT

Will any work/use/storage be conducted outside of a wholly enclosed building at this location? No Yes
 If yes, describe outside operation: _____

Answer the following questions as they apply to your business at this location:

- | | YES | NO |
|--|---|-------------------------------------|
| 1. Will your operations include any process, handling or storage of hazardous materials? | 1. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Will your business operation include any welding? <input type="checkbox"/> Acetylene <input type="checkbox"/> Arc | 2. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Will your business operation include spray painting? | 3. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Will there be storage of more than 5 gallons of flammable liquid of any type? | 4. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Will your operation include sanding, cutting, or shaping of wood or products producing combustible dust or fibers? | 5. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Will there be storage of materials exceeding 12 feet in height or tire storage over 6 feet in height? | 6. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Will there be repair of motor vehicles? | 7. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8. Do your primary business activities involve <input type="checkbox"/> schools? <input type="checkbox"/> education? <input type="checkbox"/> instruction? <input type="checkbox"/> worship/meditation/prayer? <input type="checkbox"/> religious gathering? If yes, please explain. | 8. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9. Do your primary business activities involve <input type="checkbox"/> dining? <input type="checkbox"/> drinking? If yes, please explain. <u>FOOD & BEVERAGE IN RESTAURANT, BAR/LOBBY, LOUNGE</u> | 9. <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Will there be entertainment including, but not limited to (check appropriate boxes): <input checked="" type="checkbox"/> Live Performance (includes bands, disc jockey, karaoke) <input checked="" type="checkbox"/> Dancing <input type="checkbox"/> Other | 10. <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Will your business operation include using water for any manufacturing, processing, labs, pumping, cooling of equipment, heating and/or air conditioning, etc. or for any other industrial purpose? (Water Department Approval Required) | 11. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12. Will your business have peep show devices as defined in GGMC 5.60? | 12. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13. Will you be selling or showing material (movies-books-video) depicting specified anatomical areas or sexual acts? (See GGMC 9.08.070 (B)) | 13. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14. Will you have employees or yourself modeling or entertaining for someone (customers) nude or partially nude, either at your location or after being sent to another location? | 14. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Will you or your employees be giving massages or manipulation either at the location or after being sent to another location? | 15. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16. Will your business have rap sessions or counseling sessions entailing sexual activity or introductory dating services or escort services? | 16. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 17. Will your business offer any type of service or product or entertainment which is characterized by an emphasis on matters depicting, describing, or relating to specified anatomical matters as stated in GGMC 9.08.070 (B)? | 17. <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 18. Will your business involve gambling, bingo, horse racing or games of chance as stated in GGMC 8.20.010? | 18. <input type="checkbox"/> | <input checked="" type="checkbox"/> |

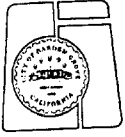
Comments: NO DANCING PERMITTED - ENTERTAINMENT LIMITED TO KARAOKE ONLY
IN BAR/LOBBY AREA ON THIRD FLOOR ML 4/20/97

Your Business Tax Certificate will be issued under the provisions of Garden Grove Municipal Code Chapter 5.04 et seq. You are cautioned that this Certificate does not permit operation of a business in violation of other Municipal Code Sections. There will be no tax refund if you are found operating illegally after the Tax Certificate has been issued. Your business must comply with zoning and signage requirements of the Garden Grove Municipal Code. It is your responsibility to check with Planning (on your location) before filing your application for a Garden Grove Business Tax Certificate. Issuance of the Tax Certificate is not an endorsement nor certification of compliance with other ordinances or laws.

I hereby certify under penalty of perjury that I have read and understand the above statement, and that the information provided above is true and correct to the best of my knowledge and ability.

Signature: [Signature] Title: President Date: 4/14/97

Print Name: PAUL B DING Print Title: PRESIDENT



****IF BUSINESS IS CONDUCTED AT A BUSINESS LOCATION, COMPLETE THIS SIDE****
THIS FORM MUST ACCOMPANY BUSINESS TAX APPLICATION

GARDEN GROVE BUSINESS LOCATION REVIEW

OFFICE USE ONLY

APPROVED/DENIED

Other Planning Actions Required: No Yes

Type: SIGN CHANGE

Occupancy Classification: _____

Zone: P00
 Reviewed by: MLG
 Date: 4/20/97

Before your application for a Business Tax Certificate can be processed, it is necessary to verify that your business will be conducted in accordance with all provisions of the Garden Grove Municipal Code. In order to determine whether your business is legally permitted at the proposed location, please answer the questions below and return the form along with your application. Incomplete applications will be returned and all processing will cease. Thank you for your cooperation. Please print legibly.

Business Address: 10022 GARDEN GROVE BLVD 92844 Unit/Suite: 116
 Business Name: GARDEN GROVE HOTEL
 Business Mailing Address: DITTO
 Owner's Name: D & W, LLC
 Owner's Home Address (No P.O. Box): DITTO
 Owner's Home Phone #: 714-534-1818 Business Phone #: 714-534-1818
 Square footage of proposed use: 70,000 Sq Ft

What is the primary Business Activity at this location?

Office Only
 Retail Sales
 Wholesale Only
 Combination Wholesale _____ % Retail _____ %
 Industrial/Manufacturing
 Mailing Address Only
 Other _____

This is a:

New Business in Garden Grove
 Business Name Change (previous name) STAY PLACE HOTEL
 Ownership Change (same business) NEW NAME
 Change in Type of Business
 Address Change (previous address in Garden Grove)

PLEASE DESCRIBE BUSINESS ACTIVITIES AT THIS LOCATION: HOTEL & RESTAURANT

Will any work/use/storage be conducted outside of a wholly enclosed building at this location? No Yes
 If yes, describe outside operation: _____

- Answer the following questions as they apply to your business at this location:
- | | | |
|--|---|--|
| 1. Will your operations include any process, handling or storage of hazardous materials? | 1. <input type="checkbox"/> YES | 1. <input checked="" type="checkbox"/> NO |
| 2. Will your business operation include any welding? <input type="checkbox"/> Acetylene <input type="checkbox"/> Arc | 2. <input type="checkbox"/> YES | 2. <input checked="" type="checkbox"/> NO |
| 3. Will your business operation include spray painting? | 3. <input type="checkbox"/> YES | 3. <input checked="" type="checkbox"/> NO |
| 4. Will there be storage of more than 5 gallons of flammable liquid of any type? | 4. <input type="checkbox"/> YES | 4. <input checked="" type="checkbox"/> NO |
| 5. Will your operation include sanding, cutting, or shaping of wood or products producing combustible dust or fibers? | 5. <input type="checkbox"/> YES | 5. <input checked="" type="checkbox"/> NO |
| 6. Will there be storage of materials exceeding 12 feet in height or tire storage over 6 feet in height? | 6. <input type="checkbox"/> YES | 6. <input checked="" type="checkbox"/> NO |
| 7. Will there be repair of motor vehicles? | 7. <input type="checkbox"/> YES | 7. <input checked="" type="checkbox"/> NO |
| 8. Do your primary business activities involve <input type="checkbox"/> schools? <input type="checkbox"/> education? <input type="checkbox"/> instruction? <input type="checkbox"/> worship/meditation/prayer? <input type="checkbox"/> religious gathering? If yes, please explain. | 8. <input type="checkbox"/> YES | 8. <input checked="" type="checkbox"/> NO |
| 9. Do your primary business activities involve <input type="checkbox"/> dining? <input type="checkbox"/> drinking? If yes, please explain. <u>FOOD & BEVERAGE IN RESTAURANT, BANQUET, LOUNGE</u> | 9. <input checked="" type="checkbox"/> YES | 9. <input type="checkbox"/> NO |
| 10. Will there be entertainment including, but not limited to (check appropriate boxes): <input type="checkbox"/> Live Performance (includes bands, disc jockey, karaoke) <input checked="" type="checkbox"/> Dancing <input type="checkbox"/> Other | 10. <input checked="" type="checkbox"/> YES | 10. <input type="checkbox"/> NO |
| 11. Will your business operation include using water for any manufacturing, processing, labs, pumping, cooling of equipment, heating and/or air conditioning, etc. or for any other industrial purpose? (Water Department Approval Required) | 11. <input type="checkbox"/> YES | 11. <input checked="" type="checkbox"/> NO |
| 12. Will your business have peep show devices as defined in GGMC 5.60? | 12. <input type="checkbox"/> YES | 12. <input checked="" type="checkbox"/> NO |
| 13. Will you be selling or showing material (movies-books-video) depicting specified anatomical areas or sexual acts? (See GGMC 9.08.070 (B)) | 13. <input type="checkbox"/> YES | 13. <input checked="" type="checkbox"/> NO |
| 14. Will you have employees or yourself modeling or entertaining for someone (customers) nude or partially nude, either at your location or after being sent to another location? | 14. <input type="checkbox"/> YES | 14. <input checked="" type="checkbox"/> NO |
| 15. Will you or your employees be giving massages or manipulation either at the location or after being sent to another location? | 15. <input type="checkbox"/> YES | 15. <input checked="" type="checkbox"/> NO |
| 16. Will your business have rap sessions or counseling sessions entailing sexual activity or introductory dating services or escort services? | 16. <input type="checkbox"/> YES | 16. <input checked="" type="checkbox"/> NO |
| 17. Will your business offer any type of service or product or entertainment which is characterized by an emphasis on matters depicting, describing, or relating to specified anatomical matters as stated in GGMC 9.08.070 (B)? | 17. <input type="checkbox"/> YES | 17. <input checked="" type="checkbox"/> NO |
| 18. Will your business involve gambling, bingo, horse racing or games of chance as stated in GGMC 8.20.010? | 18. <input type="checkbox"/> YES | 18. <input checked="" type="checkbox"/> NO |

Comments: NO DANCING PERMITTED - ENTERTAINMENT LIMITED TO KARAOKE ONLY IN BANQUET AREA ON THIRD FLOOR ML 4/20/97

Your Business Tax Certificate will be issued under the provisions of Garden Grove Municipal Code Chapter 5.04 et seq. You are cautioned that this Certificate does not permit operation of a business in violation of other Municipal Code Sections. There will be no tax refund if you are found operating illegally after the Tax Certificate has been issued. Your business must comply with zoning and signage requirements of the Garden Grove Municipal Code. It is your responsibility to check with Planning (on your location) before filing your application for a Garden Grove Business Tax Certificate. Issuance of the Tax Certificate is not an endorsement nor certification of compliance with other ordinances or laws.

I hereby certify under penalty of perjury that I have read and understand the above statement, and that the information provided above is true and correct to the best of my knowledge and ability.

Signature: _____ Title: President Date: 4/14/97

Print Name: PAUL B DING Print Title: PRESIDENT

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):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

PAUL DING/RAMADA INN
 10022 GARDEN GROVE BLVD.
 GARDEN GROVE CA 92844

4a. Article Number
 Z 358 797 689

4b. Service Type

Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
 9-1-96

5. Received By: (Print Name)

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

6. Signature (Addressee or Agent)
[Signature]

PS Form 3811, December 1994

102595-97-B-0179

Domestic Return Receipt

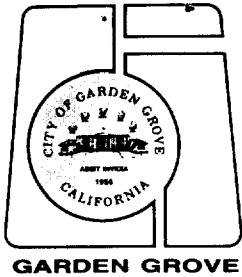
Thank you for using Return Receipt Service.

Z 358 797 689

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to <i>Paul Ding</i>	
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



CITY OF GARDEN GROVE, CALIFORNIA

11222 ACACIA PARKWAY, P.O. BOX 3070, GARDEN GROVE, CALIFORNIA 92842

(714) 741-5312

August 28, 1998

CERTIFIED MAIL

Paul Ding
Ramada Inn
10022 Garden Grove Blvd.
Garden Grove, CA 92844

SUBJECT: For Public Hearing Before the Planning Commission
Case No.: Revocation of Conditional Use Permit No. CUP-132-89
Date & Time: September 2, 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,

xlp for

M. J. Summerlin

Millie J. Summerlin
Planning Services Manager

Enclosure

- Restaurant (1st floor)

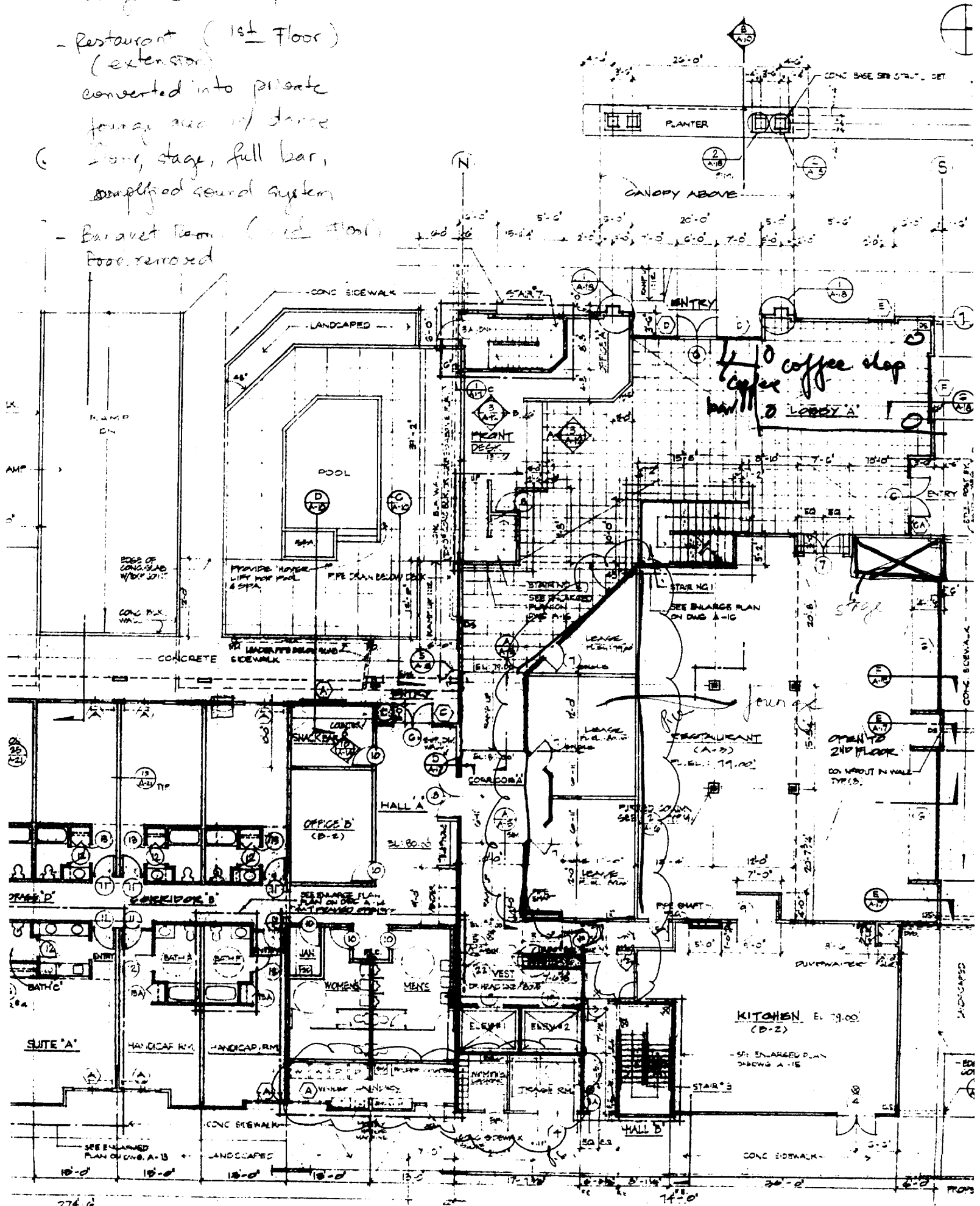
Stage near entry

- Restaurant (1st Floor) (extension)

converted into private lounge area w/ dance

floor, stage, full bar, amplified sound system

- Banquet Room (2nd floor)
Food removed





CITY OF GARDEN GROVE, CALIFORNIA

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

(714) 741-5312

June 17, 1998

Paul B. Ding
Ramada Inn
10022 Garden Grove Boulevard
Garden Grove, CA 92844

SUBJECT: RAMADA INN AT 10022 GARDEN GROVE BOULEVARD

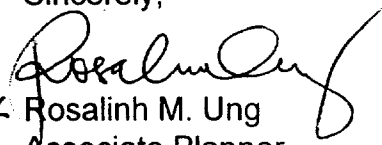
Dear Mr. Ding:

Recently you were notified that the Planning Commission will be reviewing your Conditional Use Permit and Planned Unit Development at a public hearing on July 15, 1995. It has been subsequently determined that a review of your entitlement permits is not required at this time. Therefore, this item will not be heard by the Planning Commission on July 15, 1998, and your attendance is not necessary.

As you recall, at the administrative office hearing held on May 18, 1998, you were given ninety (90) days to file a new Conditional Use Permit and Planned Unit Development application in order to legalize the unpermitted changes to the floor plan and operation of Ramada Inn. Your deadline to file these applications is August 18, 1998. As discussed, if you do not meet this deadline, a revocation hearing will be scheduled before the Planning Commission. If your Conditional Use Permit is revoked, you will no longer be able to sell or serve alcoholic beverages on the premises.

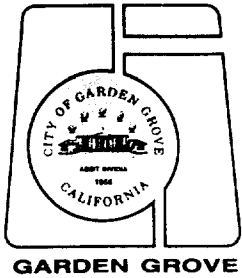
If you require additional information, please contact Rosalinh Ung at (714) 741-5312. Thank you for your cooperation.

Sincerely,


Rosalinh M. Ung
Associate Planner

c: Bill Johnson, Police Department
John Shaw, City Attorney

Handwritten notes:
HORN ST SEP
Steffen/ajada part
argue
leg license cup



CITY OF GARDEN GROVE, CALIFORNIA

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

(714) 741-5312

June 10, 1998

Paul B. Ding
Ramada Inn
10022 Garden Grove Boulevard
Garden Grove, CA 92844

SUBJECT: RAMADA INN AT 10022 GARDEN GROVE BOULEVARD

Dear Mr. Ding:

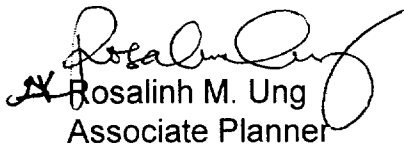
In response to your letter dated May 30, 1998, requesting a waiver of the requirement to amend your Conditional Use Permit and Planned Unit Development to allow the unpermitted changes to the floor plan and operation of the existing hotel facility, the Planning Services Division has determined that your request requires a review by the Planning Commission.

A public hearing meeting before the Planning Commission is scheduled on July 15, 1998, to review the Planned Unit Development and Conditional Use Permit for the establishment. Your attendance is mandatory.

A copy of the Planning Commission meeting agenda and staff report will be mailed to you one week before the meeting.

If you require additional information, please contact Rosalinh Ung at (714) 741-5312. Thank you for your understanding and cooperation.

Sincerely,


Rosalinh M. Ung
Associate Planner

c: Bill Johnson, Police Department
John Shaw, City Attorney



CITY OF GARDEN GROVE, CALIFORNIA

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

(714) 741-5312

May 22, 1998

Paul B. Ding
Ramada Inn
10022 Garden Grove Boulevard
Garden Grove, CA 92844

SUBJECT: RAMADA INN AT 10022 GARDEN GROVE BOULEVARD

Dear Mr. Ding:

Thank you for your attendance at the Office Hearing on May 18, 1998. The purpose of this letter is to summarize the issues that were discussed at the hearing. They are as follows:

- The existing restaurant has a raised stage near the entrance.
- The southerly portion of the existing restaurant on the first floor has been converted into a lounge area with a stage, dance floor, karaoke equipment, microphone and amplified sound system, and a full bar.
- A portion of the main lobby area has been converted to a cafe shop with a coffee bar.
- The exiting doors in the meeting/banquet room on the second floor were removed.

The Planned Unit Development and Conditional Use Permit for the establishment do not allow the above modifications to the existing hotel facility.

Your establishment is now operating in violation of the Planned Unit Development and the conditions of approval of the Conditional Use Permit. These violations shall be rectified immediately in order for you to continue to operate the establishment.

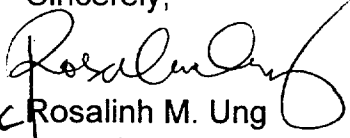
Should you wish to legalize these unpermitted changes, please submit complete Planned Unit Development and Conditional Use Permit applications by **July 23, 1998**.

- OVER -

Paul B. Ding
May 22, 1998
Page 2

If you require additional information, please contact Rosalinh Ung at (714) 741-5312.
Thank you for your understanding and cooperation.

Sincerely,


Rosalinh M. Ung
Associate Planner

c: Bill Johnson, Police Department
John Shaw, City Attorney



CITY OF GARDEN GROVE, CALIFORNIA

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

GARDEN GROVE
May 7, 1998

*Yong J Kwon AIA
EST S VERMONT AVE #505 (714) 741-5312
LA 90005
213-365-1145 GLEN*

CERTIFIED MAIL

Paul B. Ding
Garden Grove Hotel/ D & W LLC
10022 Garden Grove Blvd.
Garden Grove, Ca 92844

NOTICE AND INVITATION TO ATTEND AN OFFICE HEARING

SUBJECT: OFFICE HEARING FOR RAMADA INN
TO: PAUL DING, BUSINESS OWNER AT 10022 GARDEN GROVE BOULEVARD
(RAMADA INN)
PLACE: CITY HALL, FIRST FLOOR NORTH CONFERENCE ROOM
11222 ACACIA PARKWAY
GARDEN GROVE, CA 92840
DATE: May 18, 1998
TIME: 10:30 a.m.

On April 29, 1998, staff conducted a site inspection of your establishment and noted that there were several changes made to the existing hotel lobby area, the hotel's restaurant, and the banquet room located on the second floor. These changes were made without proper permits from the City.

The entire facility, including restaurant and banquet facilities, was approved under a Conditional Use Permit (CUP-132-89) to operate a State Alcoholic Beverage Control License Type "47" (On-Sale General, Public Eating Place) in June 1990. The CUP was approved with specific conditions and floor plan layouts of the site.

Since these changes are not permitted under the approved Conditional Use Permit, please be advised that the City will conduct an office hearing on May 18, 1998, at 10:30 a.m. The purpose of the office hearing is to review your recent changes to the hotel facility and to provide you with options to resolved the unpermitted changes. Your attendance is expected.

If you require additional information, or if we can provide further assistance, please contact Rosalinh Ung at (714) 741-5312. Thank you for your understanding and cooperation.

Sincerely,

Rosalinh M. Ung
Rosalinh M. Ung
Associate Planner

C: Bill Johnson, Police Department

*KATE OKITSU & ASS.
17852 17TH ST. #107
TUSTIN CA 92680
573-0317*

*EXERCISE
Room*

*① Banquet room
② Bob CTR
③ coffee shop - counter change
④ gift shop
⑤ Banquet room*

RAMADA



RECEIVED

JUN - 3 1998

DEVELOPMENT SERVICES

Ms Rosalinh M. Ung
Associate Planner
City of Garden Grove
11222 Acaçia Parkway
Garden Grove, CA 92642

DISNEYLAND SOUTH

cc:Mr. Bill Johnson
Mr. John Shaw

Re: Your letter of May 22, 1998

Dear Ms. Ung:

May 30, 1998

I wish to first go on official record that all the changes were made by the previous owner(s). The only change I have made is the removable partitions for the banquet/meeting room on the second floor which are not permanent fixtures. Mr. Yung E. Kim, the former General Manager that I let go, should be a part of the decisions to make all or part of these illegal changes and was aware of the fact that on April 11, 1997 when I took over ownership of this property, these changes were all in place and I was totally innocent of these unlawful acts. Upon being fired, Mr. Kim blackmailed me to pay him some money to hush him up or else he said he would go report these illegalities to the City Hall. I flatly rejected that and warned him that such blackmail is criminal and I have two eye-witnesses to prosecute him. He must have gone ahead and done it anyway.

This was a very cowardly act just to cause trouble. Even more unfair is the actual offender(s) are acting as tipster(s) of their own illegal acts. I urge the City Hall to go after these offenders and make them responsible and liable for what they did without proper permit or authority. I am just an innocent victim. I should not be made to pay for all these. The City Hall needs to decide if it should dance to the tune being played by these cowards and actual offenders who hide behind the scene.

With the hotel occupancy hovering below 40% due to past neglect and mismanagement, in spite of substantial renovations, I have lost tons of money already and it is continuing. My priority has to concentrate on marketing and sales to rescue this property. For the City, the community, and me the issue right now is to revive and survive so that this does not become a burden or embarrassment or casualty. Not that I don't want to be forward-looking and apply to make these all legal and some more, such effort would be futile and superfluous if this business goes under like it is going. Please understand at this stage I have no choice but to stay put and make do with whatever I have to turn this thing around. I guarantee you I will work with you all to make this business functioning in a way that is acceptable to you all. In the meantime I do need your understanding and cooperation.

Let's address the specific issues that you mentioned. First, the raised stage near the restaurant entrance is purely decorative and serves no functional purpose except the placement of music-playing equipment. It, therefore, is incapable of any violation that I can think of.

I was informed, and you can verify that the original restaurant design as approved included the now lounge area without the wall separating. There was a full bar in the center serving the whole restaurant. So

Ramada Inn - Disneyland South

other than the layout change, the walls and doors that resulted, the only change was the addition of the stage and dance floor. I am not sure about the Karaoke and sound systems but I can find out. The type of business defined on our business tax certificate for the hotel says "no dancing allowed, entertainment limited to karaoke/banquet room." For the restaurant/banquet/lounge/coffee shop it says "entertainment limited to karaoke/no dancing. (I have another source saying originally there was already a wall separating the restaurant and the now lounge area which was where the gift shop used to be located. And there was a full bar on the other side of the wall inside the restaurant. The gift shop was then moved to the lobby and to allow for a banquet room in its stead.)

I would like to continue to use the Milano Lounge with its full bar as is and its karaoke capacity. Occasionally we may use it as a banquet room when other banquet rooms are occupied. So far I have never seen any one dancing in there. Due to its physical limitations it can never be a place for wild dancing or something that would have any chance of being out of control. I wouldn't want that kind of reputation and would not allow that to happen.

Where you call the cafe shop in the main lobby is used primarily as a waiting/rendezvous area. If they order a drink it is served from the restaurant. It is not staffed to do on-going drinking business. When business picks up we will use the counter as bell desk.

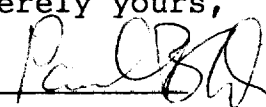
As to the two doors eliminated in the meeting/banquet room on the second floor, there are already two other doors existing for safe exit. I am working with the Fire Department to find a solution to allow for second exit when we put up the room partitions to divide it into two rooms as break-out rooms. The first partition is a door that opens freely. The other partitions are of such a design that they are easy to take down.

We have converted guest room #123 into an office--previously for Yung Kim and now for the sales director. We may convert another room into a gym. These were or will be accomplished without any physical alteration to the structure. As mentioned to you before the business center with fax/copier/computer would entail no physical change as well.

Let me reiterate that this new ownership and management, my brother-in-law partner Mr. Li-Pei Wu is the Chairman/CEO of the General Bank in Los Angeles, has set compliance with the laws/regulations as a must. As long time naturalized citizens we know how the American systems work. We pledge to keep you informed and to conduct our businesses in ways that are acceptable to you. We ask that for now we be allowed to not have to apply for the CUP, PUD and ER. This ownership so far has not done anything in violation of any rules or regulations and you can expect the same for the future.

Thank you for your understanding and assistance. If you have any questions or doubts please let me know.

Sincerely yours,



Managing Owner
Paul B. Ding

CUP-

132-89

see page

Agenda Item	2.c.
Hearing Date	February 7, 1990
Case No.	CUP-132-89
Applicant	Yong Hoon Cho (Ramada Inn)

I. APPLICANT'S REQUEST AS ADVERTISED

The applicant, Yong Hoon Cho (Ramada Inn), 8932 Katella Avenue, Anaheim, 92804, is requesting approval of a Conditional Use Permit to allow a new restaurant with banquet facilities in the PUD (Planned Unit Development) zone to operate under a State Alcoholic Beverage Control license Type "47" (On-Sale General Bona-Fide Public Eating Place). The subject property is located on the south side of Garden Grove Boulevard, west of Brookhurst Street at 10022 Garden Grove Boulevard.

II. GENERAL INFORMATION

The subject property has a General Plan classification of Commercial.

General Plan

The proposed project is in conformance with the elements of the City's General Plan, including: Growth Policy, Land Use, Scenic Highway, Safety, Seismic Safety, Housing, Open Space, Noise, Circulation, and Conservation.

Land Use/Zoning

Description of Subject Property

Zoned PUD (Planned Unit Development) and is improved with the Ramada Inn.

Surrounding Use/Zoning

North

Across Garden Grove Boulevard zoned C2 (General Commercial) and is improved with various commercial uses.

East

Zoned C2 (General Commercial) and is improved with a new and used auto dealership.

South

Zoned R-3 (Multiple Residential) and is improved with various residential uses, and OS (Open Space) and is improved with Kiwanisland.

West

Zoned C2 (General Commercial) and is improved with various commercial uses.

Environmental
Determination

The Planning Coordinating Committee recommends that the Zoning Administrator determine the project to be exempt from the preparation of an Environmental Impact Report pursuant to the California Environmental Quality Act.

History

PUD-101-87/PM-87-161

The Planned Unit Development was approved by the Planning Commission and City Council to rezone the site and construct a 141 room Ramada Inn in 1987.

SPA-152-79

A Site Plan Amendment was approved by the Planning Commission and City Council to rezone the site from R-1 (One Family Residential) to C2 (General Commercial) and to construct a 30,000 square foot office/retail building. The site plan was never exercised and expired.

III. PROJECT DESCRIPTION

The applicant, Yong Hoon Cho, is requesting approval of a Conditional Use Permit in order to operate a new restaurant and banquet facilities under a State Alcoholic Beverage Control Type "47" (On Sale General Bona Fide Public Eating Place) license. The subject site is located on the south side of Garden Grove Boulevard east of Kerry Street at 10022 Garden Grove Boulevard. The site is approximately 96,950 square feet (2.23 acres) in size.

The site is improved with a new 141 room Ramada Inn including an estimated 3,900 square foot restaurant and banquet facilities. The restaurant is located east of the main lobby. Banquet facilities are located on the second floor and consist of a total of 4,879 square feet of meeting rooms, pantry, lobby and elevator areas and restrooms.

The Inn is improved with 164 parking spaces; the site main access is off of Garden Grove Boulevard with an exit only driveway onto Kerry Street.

Project Statistics

<u>Item</u>	<u>Provided</u>	<u>Code</u>
Lot size (S.F./Ac.)	96,950 Sq.Ft./2.23 Ac.	1 Acre
Setbacks		
North	75 Ft. Front	15 Ft.
South	10 Ft. Rear	10 Ft.
East	10 Ft. Side	0
West	10 Ft. Side	0
Parking		
(Standard)	114	
(Compact)	46	
(Handicap)	4	
Total	164 Spaces	*182 Spaces
Building Height	47 Ft.	*N/A

*PUD sets parking and building height standards for site.

IV. COMPARISON WITH ZONING AND DEVELOPMENT STANDARDS

Staff has reviewed the proposed Conditional Use Permit and finds that the applicant's proposal meets all applicable Municipal Codes except as noted. Staff notes that the proposed use is currently restricted by the existing City-wide moratorium for the sale of Alcoholic Beverages in the City of Garden Grove (Ordinance 2116), which was enacted by the City Council in June, 1989.

Section 5 Exemptions of Ordinance No. 2116 state the following:

This moratorium shall not apply to any project for which a building permit has been lawfully issued before April 26, 1989.

Additionally, the Director of Development Services shall make a determination as to whether the subject project and new restaurant is prohibited by this ordinance and make his recommendation to the Zoning Administrator. (See comments under Staff Analysis.)

V. STAFF ANALYSIS

A review by staff indicates that the proposal meets all applicable Municipal Codes as well as all Conditions of Approval related to PUD-101-87. The use is similar in nature to other establishment located

in the general area. The subject proposal is consistent with the criteria outlined by the Municipal Code.

The applicant is requesting an appeal of Ordinance No. 2116, Section 5 (Exemptions) in that the proposed project obtained applicable building permits starting in September 1988. In addition, the Planned Unit Development PUD-101-87 was approved by the City Council in 1987, long before the moratorium was adopted in April 1989. Staff further notes that the intent of the proposed development was always a multi-story hotel with a full restaurant and banquet facilities.

The Director of Development Services has determined that pursuant to Ordinance No. 2116, the subject site is entitled to an exemption of said Ordinance (see attached form); and therefore recommends that the Zoning Administrator grant approval of the applicant's request.

In relation to the above compatibility uses, the following criteria have been collected and evaluated by the Police Department and Development Services staff:

1. The subject site is located in a high crime area (District No. 95).
2. The crime count for the district in which the subject site is located is 278.
3. Average crime count per district in the City is 173.
4. Subject district exceeds the City-wide average by 60 percent.
5. Maximum allowable crime percentages over the City-wide average is 20 percent.
6. Abutting crime count districts are:

North: District 94/104	Crime Count	239/328
East: District 105	Crime Count	<u>251</u>
South: District 96	Crime Count	<u>467</u>
West: District 85	Crime Count	<u>302</u>
7. Subject site is in Alcoholic Beverage Control (ABC) Census Reporting District No. 887.02.
8. Alcoholic Beverage Control District 887.02 allows seven (7) On-Sale Licenses within this district. There are currently eighteen (18) On-Sale Licenses within the district.

9. Even though the subject site is in a high crime and overconcentrated area, staff feels that the granting of the Conditional Use Permit can be justified in that the existing restaurant and hotel provides a public convenience and necessity. The applicant has stated that there are no other similar type of establishments within the general area and that the restaurant and banquet facilities provide a convenience for the occupants of the hotel and its related uses.

Based on the statistics herein presented and the above evaluation, the Police Department and Development Services Department does support the subject request, provided the applicant meets all conditions of approval. These conditions are included in the Conditions of Approval Section of this report.

VI. RECOMMENDATION

Staff has reviewed the subject Conditional Use Permit in relation to the goals and objectives of the City of Garden Grove and Municipal Code Sections 9213F, 9217, and 9219.

These criteria include consideration of permitted uses, pedestrian and vehicular circulation, parking and other relative sections of the aforementioned Code sections. Staff therefore recommends approval of Conditional Use Permit No. CUP-132-89.

VII. CONDITIONS OF APPROVAL

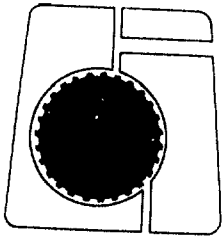
The following conditions are recommended if Conditional Use Permit No. CUP-132-89 is approved:

1. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the Garden Grove Municipal Code shall apply.
2. All requests for minor modifications shall be submitted to the Zoning Administrator for approval. If other than minor changes are proposed in the development, a new application shall be filed which reflects the revisions proposed.
3. The subject establishment shall be operated as a "Bona-Fide Public Eating Place" which is regularly and in a bona-fide manner used and kept open for the serving of meals to guests for compensation and which has suitable kitchen facilities connected therewith containing conveniences for cooking an assortment of foods which

- may be required for ordinary meals. The kitchen shall be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and shall comply with all the regulations of the local department of health. "Meals" means the usual assortment of food commonly ordered at various times of the day; the service of such food and victuals only as sandwiches or salads shall not be deemed in compliance with this requirement.
4. The premises shall be maintained as a bona-fide restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurants.
 5. The establishment shall contain sufficient space and equipment to assure a full restaurant kitchen.
 6. The kitchen shall be open and preparing food during all hours the establishment is open.
 7. Food sales shall account for at least 65 percent of the total gross sales of the establishment.
 8. The quarterly gross sales of alcoholic beverages shall not exceed the sales of food or other commodities during the same period.
 9. The owner of the establishment shall, upon request, provide the City of Garden Grove with a certified report of sales ratio of food to alcohol.
 10. The rear doors shall be kept closed at all times during the operation of the premises except in case of emergency or to permit deliveries, or to allow for the ingress and egress of patrons and employees.
 11. The Petitioner shall be responsible for maintaining free of litter, the areas adjacent to the premises over which he/she has control.
 12. 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 Section. Lighting shall be restricted to decorative type wall mounted lights, or preferably, a ground lighting system.
 13. All requirements of the Fire Department shall be met.
 14. All requirements and conditions of the Garden Grove Police Department shall be complied with.
 15. All requirements of Water Engineering Services of the Public Services Department shall be met.

16. The site shall comply with all requirements of the State of California regarding parking and accessibility of the physically handicapped including the installation of vertical identification signs at each handicapped parking space and, if not already provided, a wheelchair ramp to the front entrance of the establishment.
17. All signs shall comply with the City of Garden Grove sign requirements.

5457T/1846A
02/01/90



GARDEN GROVE

Case File

GARDEN GROVE ZONING ADMINISTRATOR

DECISION NO. 1281

CONDITIONAL USE PERMIT NO. CUP-132-89

YONG HOON CHO (RAMADA INN)

FEBRUARY 14, 1990

This decision pertains to a Conditional Use Permit application filed for property located on the south side of Garden Grove Boulevard west of Brookhurst Street, at 10022 Garden Grove Boulevard.

The applicant is requesting approval of a Conditional Use Permit to allow a new restaurant with banquet facilities in the PUD (Planned Unit Development) zone to operate under a State Alcoholic Beverage Control License Type "47" (On-Sale General, Bona Fide Public Eating Place). The City of Garden Grove has prepared a Negative Declaration because the project will not have a significant adverse effect on the environment pursuant to the California Environmental Quality Act.

A public hearing was held on February 7, 1990, and all testimony presented at the public hearing and all evidence applicable to this case have been considered in this decision.

At the public hearing, staff introduced and reviewed the Development Services Planning Staff Report and indicated that the subject site is improved with a new 141-room Ramada Inn, including an estimated 3,900 square foot restaurant and banquet facilities. Banquet facilities are located on the second floor and consist of a total of 4,879 square feet of meeting rooms, pantry, lobby and elevator areas, and restrooms. The Inn is improved with 164 parking spaces, which is the number of parking spaces required to be provided under the subject PUD (PUD-101-87).

Zoning Administrator Decision No. 1281
Conditional Use Permit No. CUP-132-89

The Garden Grove Municipal Code states in part that cocktail lounges, bars, nightclubs and other similar uses open to the general public and licensed by the California Department of Alcoholic Beverage Control (ABC) and on-sale premises type licenses shall be required to obtain approval of a Conditional Use Permit. No Conditional Use Permit shall be granted unless the applicant shows that the proposed use shall not be incompatible with the adjoining uses as it relates to noise, debris, traffic, storage, design and hours of operation.

Staff noted that a review of the applicant's request indicates that the use, as proposed, is similar in nature to other establishments located in the general area. Staff indicated that it had reviewed the proposed CUP application and finds that the proposal meets all applicable Municipal Codes except that the proposed use is currently restricted by the existing citywide moratorium for the sale of alcoholic beverages in the City of Garden Grove (Ordinance No. 2116), which was enacted by the City Council in June of 1989. Section 5 of Ordinance 2116 states that this moratorium shall not apply to any project for which a building permit has been lawfully issued before April 26, 1989. Additionally, the Director of Development Services shall make a determination as to whether the subject project is prohibited by the Ordinance and make his recommendations to the Zoning Administrator.

The applicant is requesting an appeal of the City's moratorium in that the proposed project obtained applicable building permits in September 1988. In addition, the Planned Unit Development (PUD-101-87) was approved by the City Council in 1987, long before the moratorium was adopted in April 1989. Staff further noted that the intent of the proposed development was always a multi-story motel with a full restaurant and banquet facilities.

The Director of Development Services has determined that, pursuant to Ordinance No. 2116, the subject site is entitled to an exemption of said ordinance, and therefore recommends that the Zoning Administrator grant approval of the applicant's request.

Staff reported that the following information has been collected and evaluated by the Police Department and the Development Services staff relative to the subject request:

1. The subject site is located in a high crime area (District No. 95).
2. The crime count for the District in which the subject site is located is 278.
3. The average crime count per district in the city is 173.
4. The subject district exceeds the citywide average by 60 percent.

Zoning Administrator Decision No. 1281
Conditional Use Permit No. CUP-132-89

5. A district is considered to be a high crime area where the crime count exceeds the citywide average by more than 20 percent.
6. The subject site is located in ABC Census Reporting District No. 887.02, which allows seven on-sale licenses. There are currently 18 on-sale licenses within this district.

ABC regulations allow local agencies to protest the issuance of ABC licenses where conditions of high crime and undue concentration exist. The subject site is located in a district that has an overconcentration of on-sale licenses and also is in a high crime area.

The Garden Grove City Council has established a policy relative to on-sale licenses in cases where both overconcentration and high crime counts exist, that rather than excluding such uses per se, certain conditions of approval controlling hours of operation, food items, percentage of alcohol sales, location and design could be imposed which would mitigate the concerns of high crime and overconcentration of licenses. Therefore, the Garden Grove Police Department is not protesting the requested license provided that certain conditions of approval are complied with.

Staff further reported that it had reviewed the subject Conditional Use Permit request in relation to the goals and objectives of the City of Garden Grove and Municipal Code sections 9213(f), 9217 and 9219. These criteria include consideration of permitted uses, pedestrian and vehicular circulation, parking and other relative sections of the aforementioned code. As a result of this review, staff stated that it feels the proposed use would be compatible with surrounding uses subject to certain conditions, and therefore recommended approval of Conditional Use Permit No. CUP-132-89.

The Zoning Administrator declared the public hearing open to receive testimony in favor of or in opposition to the application.

Ms. Connie Margolin, General Manager of the Ramada Inn, appeared before the Zoning Administrator and testified that they are very anxious to obtain the Conditional Use Permit in order to be able to serve their patrons. Ms. Margolin also indicated that she is aware of the concerns of the high crime in the area and that they have armed guards all night at the hotel, and also have surveillance cameras throughout the hotel complex. In response to a question from the Zoning Administrator, Ms. Margolin stated that she concurred with the recommended conditions of approval.

No one else appeared before the Zoning Administrator to offer testimony either in favor of or in opposition to the application.

Zoning Administrator Decision No. 1281
Conditional Use Permit No. CUP-132-89

The purpose of a Conditional Use Permit is to assure that the proposed use will be compatible with other existing or potential uses and improvements in the surrounding area, and to recognize and compensate for technological improvements and recently established development standards affecting the site. In reviewing the application for Conditional Use Permit No. CUP-132-89, it is found by the Zoning Administrator that the addition of a type "47" on-sale license in conjunction with an existing hotel at the subject location would be a convenience to the public and would not significantly impact the surrounding neighborhood for the following facts and reasons:

1. The proposal meets or exceeds the provisions of the Garden Grove Municipal Code.
2. The proposal is consistent with guidelines established by ABC.
3. The proposed use will be compatible with existing and proposed uses of the same or surrounding sites.
4. The proposed use will be compatible with the other uses in the facility.
5. The site of the proposed use complies with the specified distance requirements from any school, church, or other public facility.
6. The proposed use will not have a negative impact or effect on the general health, welfare, safety and convenience of the immediate neighborhood and of the city in general.

It does appear, however, that there are measures that need to be taken by the applicant to help improve the appearance, health, safety, efficiency and productivity of the site and to ensure compatibility of the use with the surrounding neighborhood.

In consideration of the evidence submitted at the public hearing, the criteria established for approval Conditional Use Permits, and the facts and reasons recited herein, it is hereby determined that Conditional Use Permit No. CUP-132-89, should be and is hereby granted subject to and after proof to the Zoning Administrator of compliance with the following conditions:

1. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all requirements of the Garden Grove Municipal Code shall apply.
2. All requests for minor modifications shall be submitted to the Zoning Administrator for approval. If other than minor changes are proposed in the development, a new application shall be filed which reflects the revisions proposed.

Zoning Administrator Decision No. 1281
Conditional Use Permit No. CUP-132-89

3. The subject establishment shall be operated as a "Bona-Fide Public Eating Place" which is regularly and in a bona-fide manner used and kept open for the serving of meals to guests for compensation and which has suitable kitchen facilities connected therewith containing conveniences for cooking an assortment of foods which may be required for ordinary meals. The kitchen shall be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and shall comply with all the regulations of the local department of health. "Meals" means the usual assortment of food commonly ordered at various times of the day; the service of such food and victuals only as sandwiches or salads shall not be deemed in compliance with this requirement.
4. The premises shall be maintained as a bona-fide restaurant and shall provide a menu containing an assortment of foods normally offered in such restaurants.
5. The establishment shall contain sufficient space and equipment to assure a full restaurant kitchen.
6. The kitchen shall be open and preparing food during all hours the establishment is open.
7. Food sales shall account for at least 65 percent of the total gross sales of the establishment.
8. The quarterly gross sales of alcoholic beverages shall not exceed the sales of food or other commodities during the same period.
9. The owner of the establishment shall, upon request, provide the City of Garden Grove with a certified report of sales ratio of food to alcohol.
10. The rear doors shall be kept closed at all times during the operation of the premises except in case of emergency or to permit deliveries, or to allow for the ingress and egress of patrons and employees.
11. The Petitioner shall be responsible for maintaining free of litter, the areas adjacent to the premises over which he/she has control.
12. 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 Section. Lighting shall be restricted to decorative type wall mounted lights, or preferably, a ground lighting system.

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Conditional Use Permit No. CUP-132-89

13. All requirements of the Fire Department shall be met.
14. All requirements and conditions of the Garden Grove Police Department shall be complied with.
15. All requirements of Water Engineering Services of the Public Works Department shall be met.
16. The site shall comply with all requirements of the State of California regarding parking and accessibility of the physically handicapped including the installation of vertical identification signs at each handicapped parking space and, if not already provided, a wheelchair ramp to the front entrance of the establishment.
17. All signs shall comply with the City of Garden Grove sign requirements.
18. The subject CUP shall be subject to a review after three years from the date of this decision.

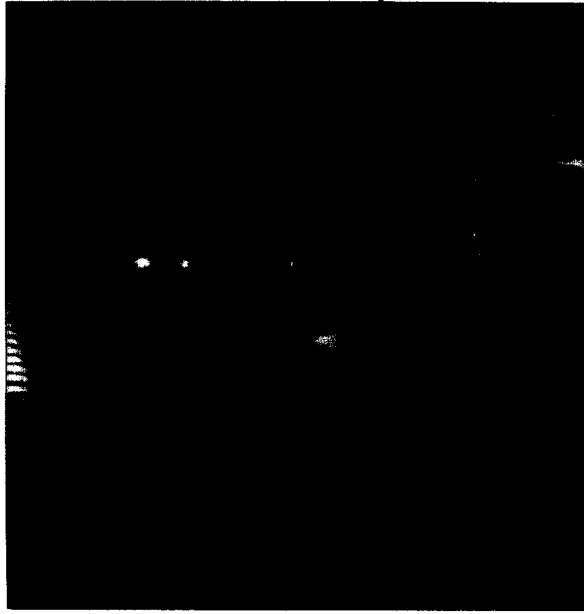
Prior to notification by the City of Garden Grove to ABC that the subject Conditional Use Permit has been granted, the applicant shall submit to the City of Garden Grove Development Services Department within thirty (30) days of the date of this decision, a Certificate of Compliance that all conditions of approval have been complied with or completed. Failure by the applicant to comply with these conditions of approval within the time frames established therefor shall be deemed and operated as a withdrawal and abandonment of the subject Conditional Use Permit application, and said CUP request shall become null and void. Failure by the applicant to maintain the premises in compliance with the provisions of the Garden Grove Municipal Code and the above conditions during the term of the approved Conditional Use Permit shall render said CUP subject to revocation.


E. JOHN GRAICHEN
ZONING ADMINISTRATOR

The appeal deadline to the City Council for the subject case is March 7, 1990.

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

5490T/1846A
02/13/90



Ramada Inn
full bar in lounge area



Ramada Inn
stage, dance floor & karaoke
equipments



FIRE SAFETY SURVEY
 Garden Grove Fire Department
 11301 Acacia Parkway, P.O. Box 3070
 Garden Grove, CA 92642 (714)741-5600

INSP# : 983808
 LAST INSP:
 INSP ID :
 BUSLIC : 139564
 PAGE : 1 OF 1

ADDRESS: 10022 GARDEN GROVE BLVD SUITE:

DBA: RAMADA INN

ADDRESS INFO : Date 04/21/98

Responsible Party Information:
 OWNER: RAMADA INN
 ADDRESS: 10022 GARDEN GROVE BLVD
 CITY: GARDEN GROVE CA 92844
 BUS PH: 534-1818 EMER PH:

Occupancy Information:
 GROUP: R1 LOAD: 231
 EXT.REQ: 25 ONSITE: 25
 SPRINKLERS: YES
 5 YR CERTIFICATION: 6-21-95
 FDC LOCATION: GG BLVD
 HAZARDOUS MATERIALS:

Fire Permits:

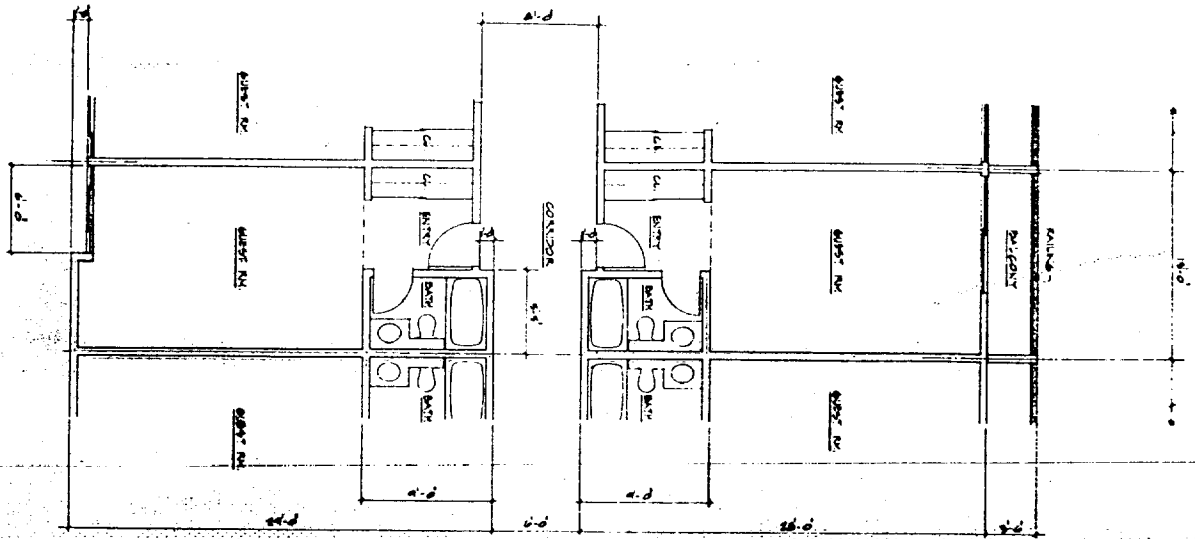
AN INSPECTION OF YOUR OCCUPANCY REVEALED THE FOLLOWING VIOLATIONS:

- UFC 1111.2 ALL HOTEL REQUIRED FIRE DOORS SHALL CLOSE AND LATCH
- UFC 1203 ALL STAIRWAY DOORS FROM CORRIDORS SHALL CLOSE AND LATCH
- UFC 1201 VENTILATION SYSTEM SHALL BE OPERATING AT ALL TIMES
- UFC 1212.4 ALL EXIT SIGNS SHALL BE ILLUMINATED
- UFC 1103 REMOVE COMBUSTIBLE STORAGE FROM WEST END OF PARKING GARAGE
- UFC 1203 REMOVE DEADBOLTS FROM EXIT DOORS FROM 2ND FL MEETING ROOMS
- UFC 1001.5 KITCHEN HOOD CHEMICAL WASHING SYSTEM SHALL BE OPERATIONAL
- UFC 1203 ALL REQUIRED EXIT DOORS MUST BE UNOBSTRUCTED AND OPERATIONAL AT ALL TIMES WHEN THE PUBLIC IS PRESENT.
 EXIT GATES SHALL OPENABLE FROM THE OUTSIDE

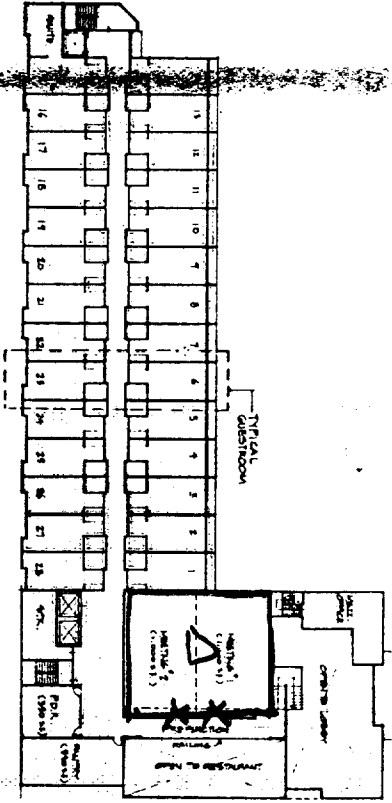
RE-INSPECTION WILL BE CONDUCTED ON : 05-28-98 MBCC : N

LUKAS JR, EDWARD F 5190

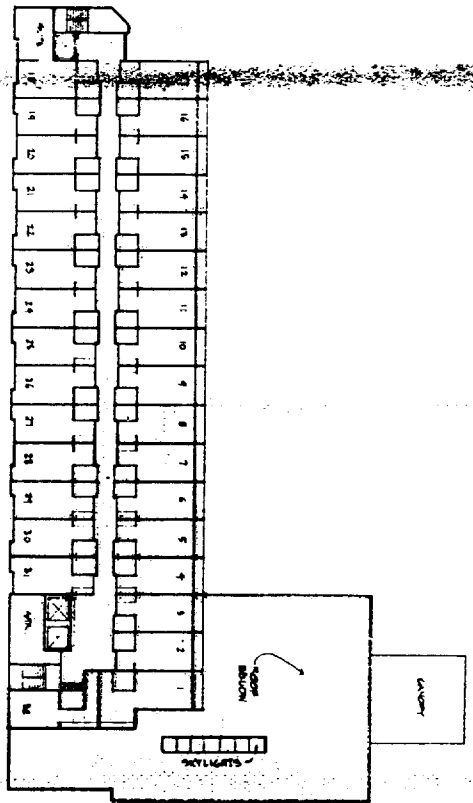
TYPICAL GUEST ROOM



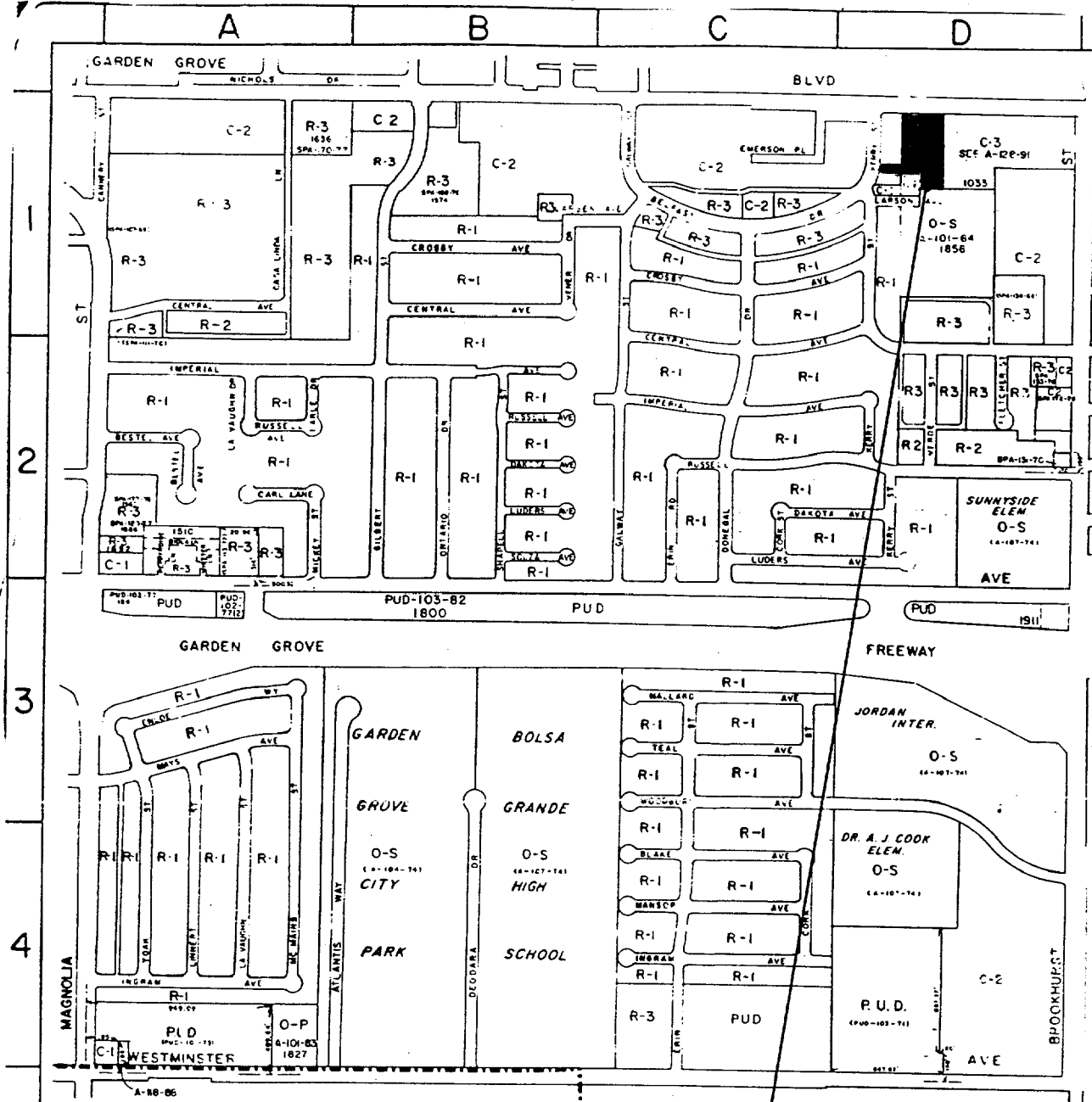
2nd FLOOR PLAN



3rd & 4th FLOOR PLAN



VICINITY MAP



CITY OF GARDEN GROVE
CALIFORNIA
ZONING MAP PART D-8

SUBJECT SITE