



A G E N D A

GARDEN GROVE PLANNING COMMISSION

REGULAR MEETING

NOVEMBER 5, 2015

COURTYARD CENTER  
12732 MAIN STREET

REGULAR SESSION – 6:30 P.M. COURTYARD CENTER

ROLL CALL: CHAIR O'NEILL, VICE CHAIR KANZLER  
COMMISSIONERS MAI, MARGOLIN, PAK, PAREDES, ZAMORA

Members of the public desiring to speak on any item of public interest, including any item on the agenda except public hearings, must do so during Oral Communications at the beginning of the meeting. Each speaker shall fill out a card stating name and address, to be presented to the Recording Secretary, and shall be limited to five (5) minutes. Members of the public wishing to address public hearing items shall do so at the time of the public hearing.

Any person requiring auxiliary aids and services due to a disability should contact the City Clerk's office at (714) 741-5035 to arrange for special accommodations. (Government Code §5494.3.2).

All revised or additional documents and writings related to any items on the agenda, which are distributed to all or a majority of the Planning Commissioners within 72 hours of a meeting, shall be available for public inspection (1) at the Planning Services Division during normal business hours; and (2) at the Courtyard Center at the time of the meeting.

Agenda item descriptions are intended to give a brief, general description of the item to advise the public of the item's general nature. The Planning Commission may take legislative action it deems appropriate with respect to the item and is not limited to the recommended action indicated in staff reports or the agenda.

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

- A. ORAL COMMUNICATIONS - PUBLIC
- B. APPROVAL OF MINUTES: October 1, 2015
- C. STUDY SESSION
  - C.1. REVIEW OF CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA (CAL POLY) 606 MOBILITY STUDY
- D. PUBLIC HEARING(S) (Authorization for the Chair to execute Resolution shall be included in the motion.)
  - D.1. MINOR MODIFICATION SITE PLAN NO. SP-230-99  
MINOR MODIFICATION CONDITIONAL USE PERMIT NO.  
CUP-442-99

APPLICANT: AQUAZOOM CAR WASHES, INC.  
LOCATION: EAST SIDE OF BEACH BOULEVARD, SOUTH OF  
GARDEN GROVE BOULEVARD AT 8034 GARDEN  
GROVE BOULEVARD

REQUEST: Minor Modification approval to Site Plan No.  
SP-230-99 and Conditional Use Permit No.  
CUP-442-99 to allow the installation of a 2,180  
square foot fabric canopy on a new vacuum system  
and teller pay area for an existing automatic car  
wash. The project is exempt pursuant to CEQA  
Section 15303 – New Construction or Conversion of  
Small Structures.

STAFF RECOMMENDATION: Approval of Minor Modifications to  
SP-230-99 and CUP-442-99, subject to the recommended  
conditions of approval.

E. MATTERS FROM COMMISSIONERS

F. MATTERS FROM STAFF

G. ADJOURNMENT

GARDEN GROVE PLANNING COMMISSION  
Courtyard Center, 12732 Main Street, Garden Grove, CA 92840

Regular Meeting Minutes  
Thursday, October 1, 2015

CALL TO ORDER: 6:40 p.m.

ROLL CALL:

Chair O'Neill  
Vice Chair Kanzler  
Commissioner Mai  
Commissioner Margolin  
Commissioner Pak  
Commissioner Paredes  
Commissioner Zamora

Absent: Mai, Pak, Zamora

Commissioner Mai joined the meeting at 6:50 p.m. and Commissioner Zamora joined the meeting at 7:16 p.m.

PLEDGE OF ALLEGIANCE: Led by Vice Chair Kanzler.

ORAL COMMUNICATIONS – PUBLIC: None.

SEPTEMBER 17, 2015 MINUTES:

Action: Received and filed.  
Motion: Margolin Second: Kanzler  
Ayes: (4) Kanzler, Margolin, O'Neill, Paredes  
Noes: (0) None  
Absent: (3) Mai, Pak, Zamora

STUDY SESSION – REVIEW OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):  
Ricia Hager, Esq., from the City's Attorney's office, presented an overview of the California Environmental Quality Act (CEQA). Staff then discussed and received input on the subject.

MATTERS FROM COMMISSIONERS: Commissioner Margolin asked for staff to update the Commission on projects that had come before them, specifically, the new fast food tenants at the Promenade Shopping Center, the Inge Realty sign, the East Seafood Buffet, and the large sign for Next Level Sports center. Staff responded that regarding the East Seafood Buffet, Del Taco appealed the Planning Commission's Decision to the City Council; that the three-to-four Promenade Shopping Center

tenants were in plan check; that there was no movement on the Inge Realty sign; and that Next Level Sports center was reconsidering their sign due to cost requirements and may do something different.

Chair O'Neill asked staff to explain the Harbor Boulevard monument sign process. Staff responded that all of the signs could not be done at the same time and that two years was the original timeline to begin; that if a business wanted a sign, they would receive the criteria and go ahead, and if the City provided the sign, the City would set aside the funds. Staff added that the Hyatt Hotel sign was complete and the Great Wolf sign was in progress.

Commissioner Mai asked for an update on the Brookhurst Triangle. Staff stated that the developer's financing was in order, the loan documents would be signed shortly, the construction documents were in Building Services waiting to be issued, and that once the development fees were paid, permits would be issued. Construction could start with the ground breaking in three to four weeks. Staff added that issues with the boundaries on the tract map had been satisfied for the map to be recorded. After the site preparation is finished, the first phase of the project should be completed approximately 18 months after breaking ground. Staff also added that Kia would be relocated, as yet to an unknown location.

Staff also mentioned that Site "C" would break ground in three to four months and that recently, Great Wolf used the site for staging.

Commissioner Margolin asked for an update on the Galleria. Staff stated that a letter was sent from the City Attorney's office to all parties involved to obtain a timeline for the refined the conceptual plans, the three-party agreement between Hoag, Cathay, and the prospective developer, and the submittal of the revised entitlements for the new configuration. Then, if the timeline dates were not met, a 'Notice and Order' would be sent to have the structure demolished.

Commissioner Paredes mentioned that a resident said that Diane Street had no street lights, and that this was a public safety issue. Staff responded that there may be proximity restrictions for the lights and there may be enough coverage, however, the matter would be looked into.

Commissioner Paredes also mentioned that he had noticed more graffiti between Costco and Magnolia Street. Staff responded that a staff member that would be contacted regarding the issue.

Staff then addressed Commissioner Zamora's previous concern regarding the trees near McDonald's on Garden Grove Boulevard, responding that the City's arborist had scheduled the removal and replacement of a dying tree. Staff added that the trees on Main Street would be treated and were watered and maintained on a regular basis.

Commissioner Mai asked if the landlord in the Dalat retail center, where his dental office was located, could make the tenants pay for the fence between the landlord's property and the corner Property. Staff responded that the delineating fence was a

civil issue and that there has been no movement on the corner property.

Commissioner Zamora mentioned that the street sign names, on the south east corner of Stanford Avenue and Nelson Street, were faded and wanted to know if they could be replaced. Staff responded that Public Works staff member, Mark Ladney, would be contacted.

Chair O'Neill asked for the City's policy on banners, especially those that appear on chain link fences. Staff stated that the City allowed temporary signs for events with a valid permit for a certain number of days, however, Code Enforcement does try to monitor the non-permitted banners.

MATTERS FROM STAFF: Staff announced that the next Planning Commission meeting, on Thursday, October 15, 2015, would be cancelled and that the November 5<sup>th</sup> meeting would begin at 6:30 p.m. for a Study Session on the Cal Poly 606 Mobility Study, followed by one public hearing item.

ADJOURNMENT: At 7:42 p.m. to the next Regular Meeting of the Garden Grove Planning Commission on Thursday, November 5, 2015, at 6:30 p.m. in the Courtyard Center, 12732 Main Street, Garden Grove.

Motion:	Kanzler	Second:	Zamora
Ayes:	(7)	Kanzler, Mai, Margolin, O'Neill, Pak, Paredes, Zamora	
Noes:	(0)	None	
Absent:	(0)	None	

---

Judith Moore  
Recording Secretary

# COMMUNITY DEVELOPMENT DEPARTMENT PLANNING STAFF REPORT

<b>AGENDA ITEM NO.:</b> D.1.	<b>SITE LOCATION:</b> East side of Beach Boulevard, south of Garden Grove Boulevard at 8034 Garden Grove Boulevard
<b>HEARING DATE:</b> November 5, 2015	<b>GENERAL PLAN:</b> Residential/Commercial Mixed Use 1
<b>CASE NO.:</b> Minor Modification to Site Plan No. SP-230-99 and Minor Modification to Conditional Use Permit No. CUP-442-99	<b>ZONE:</b> GGMU-1 (Garden Grove Mixed Use 1)
<b>APPLICANT:</b> Ronald M. Jones for Aquazoom Car Washes, Inc.	<b>APN NO.:</b> 096-282-20
<b>PROPERTY OWNER:</b> Aquazoom Car Wash Land Management	<b>CEQA DETERMINATION:</b> Exempt

**REQUEST:**

The applicant is requesting a Minor Modification to Site Plan No. SP-230-99 and Conditional Use Permit No. CUP-442-99 to allow the installation of a 2,180 square foot fabric canopy on a new freestanding central vacuum system, and on an new automatic pay station at an existing automatic car wash.

**BACKGROUND:**

The subject site has a General Plan Land Use designation of Residential/Commercial Mixed Use 1, and is zoned GGMU-1 (Garden Grove Mixed Use 1). The site is part of an integrated development that is comprised of three (3) parcels with shared vehicular access located at the corner of Garden Grove Boulevard and Beach Boulevard. The development was constructed in 1999, and currently consists of a Chevron service station with an Extra Mile convenience store located at the northwest most corner of the development at 8032 Garden Grove Boulevard (Parcel 1); an automatic car wash with a lube and oil change business located directly behind the service station at 8034 Garden Grove Boulevard (Parcel 2); and a pad restaurant building with a Taco Bell and Pizza Hut at 8042 Garden Grove Boulevard, located along Garden Grove Boulevard, and a building with an auto repair and smog check business located directly behind at 8038 Garden Grove Boulevard (Parcel 3). The development provides street frontage along Beach Boulevard and Garden Grove Boulevard; however, the only vehicle access to the development site, and to each parcel, is provided via two (2) existing and shared driveways located on Garden Grove Boulevard.

In June 2014, the previous property owner applied for building permits to redesign the circulation pattern of the car wash by reconfiguring the parking area, which included the

removal of a freestanding canopy; to install two (2) new automatic pay stations accessed via two (2) designated drive aisles; and to install new vacuum stations, which included expanding the vacuum parking area.

The applicant recently purchased the property with the intent to operate the car wash, and now proposes to replace the existing vacuums with two (2) freestanding central vacuum systems. On September 14, 2015, the applicant received a building permit for the central vacuum system structure; however, since each vacuum system will incorporate a permanent fabric canopy to provide shade for customers, a minor modification to the approved Site Plan and Conditional Use Permit is required to allow the proposed fabric canopies due to the overall size proposed.

**DISCUSSION:**

The subject site is 39,225 square feet, and consists of a 5,605 square foot building use by an automatic car wash and a quick lube and oil change business. Access to the car wash is achieved from two (2) drive aisles, located along the north property line, which provide access to the two (2) automatic pay stations. The applicant proposes to install a fabric canopy at each of the two (2) pay stations, with a size of 10 feet by 13 feet each, to provide shade for paying customers.

Customers then proceed to enter the car wash tunnel, and exit the car wash from the southeast end of the building. Two (2) separate vacuum parking areas are located to the east and north sides of the building. A total of sixteen (16) parking spaces are provided for the vacuum area.

The new central vacuum system will be one continuous structure that spans the length of each of the two (2) vacuum parking areas. Each structure will be 10 feet tall with drop vacuum hoses. A total of sixteen (16) fabric canopies (10 feet by 12 feet each), which are attached to the structure, will be installed over each of the vacuum parking spaces for shade purposes. The total size of the proposed canopy is 2,180 square feet, which includes the two (2) 10 foot by 13 foot canopies at the automatic pay stations, and sixteen (16) 10 foot by 12 foot fabric canopies at each of the vacuum parking spaces. No other changes to the site are proposed. The proposal is consistent with the zoning regulation, and will not adversely impact the existing site or adjacent uses.

Approval of this minor modification will require the car wash to continue to adhere with the conditions of approval for SP-230-99 and CUP-442-99, along with a new condition of approval that addresses the long-term maintenance of the fabric canopies. A copy of the conditions of approval have been included for Resolution Nos. 4973 and 4977.

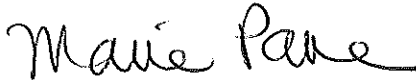
**RECOMMENDATION:**

Staff recommends that the Planning Commission take the following action:

1. Approve Minor Modification to Site Plan No. SP-230-99 and Minor Modification No. Conditional Use Permit No. CUP-442-99, subject to the recommended conditions of approval.



Lee Marino  
Acting Planning Services Manager



By: Maria Parra  
Urban Planner



300 Foot Radius Map

8034 Garden Grove Blvd  
CITY OF GARDEN GROVE, CA

Village Center

C-2

C-2

C-2

GARDEN GROVE BLVD

BEACH BLVD

Coast St

GGMU1

GGMU1


R-3

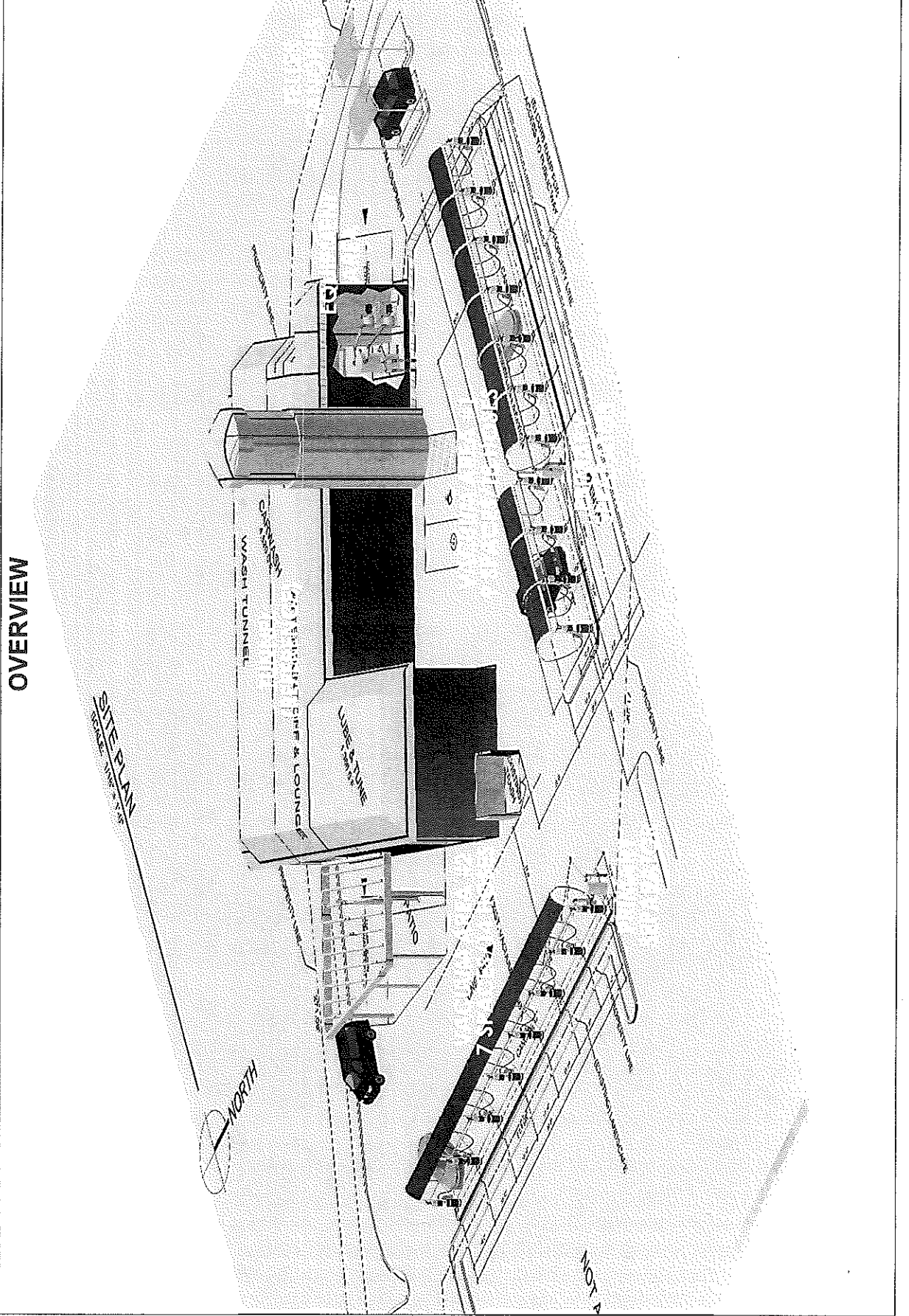
R-3

R-3

R-3



PROJECT NO: AVIQ14813		REV: C
PROJECT TITLE: AQUAZOOM EXPRESS - GARDEN GROVE		BY: CJ
CLIENT APPROVAL		NAME AND DATE:
 888-628-8682 www.autovacinc.com sales@autovacinc.com		SIGNATURE:





PROJECT NO.: AV1014813

PROJECT TITLE: AQUAZOOM EXPRESS - GARDEN GROVE

REV: C  
BY: CJ  
DATE: CLIENT APPROVAL

SIGNATURE:

NAME AND DATE:

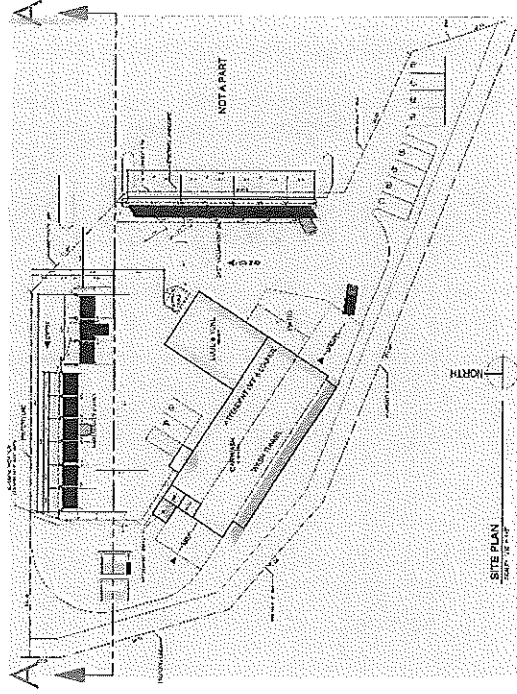
888-028-6682

www.aulovac.com

sales@aulovac.com

**AUTMAC**  
INDUSTRIAL  
VACUUM & AIR SYSTEMS

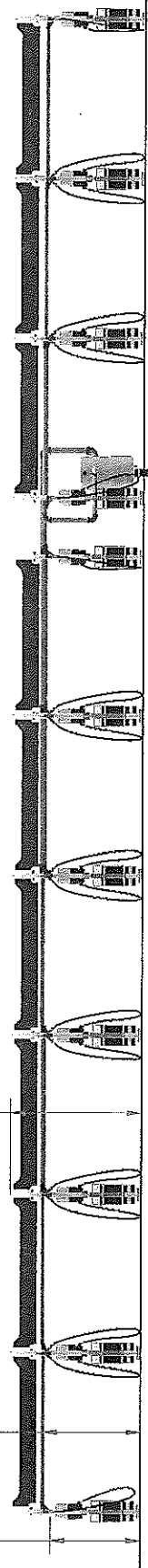
# VACUUM AREA #1 ELEVATION VIEW



(7'-0" FINISH FLOOR TO HOSE DISCONNECT)

(7'-6" FINISH FLOOR TO CENTER OF MANIFOLD)

(10'-0" FINISH FLOOR TO TOP OF STRUCTURE)



VACUUM AREA #1B

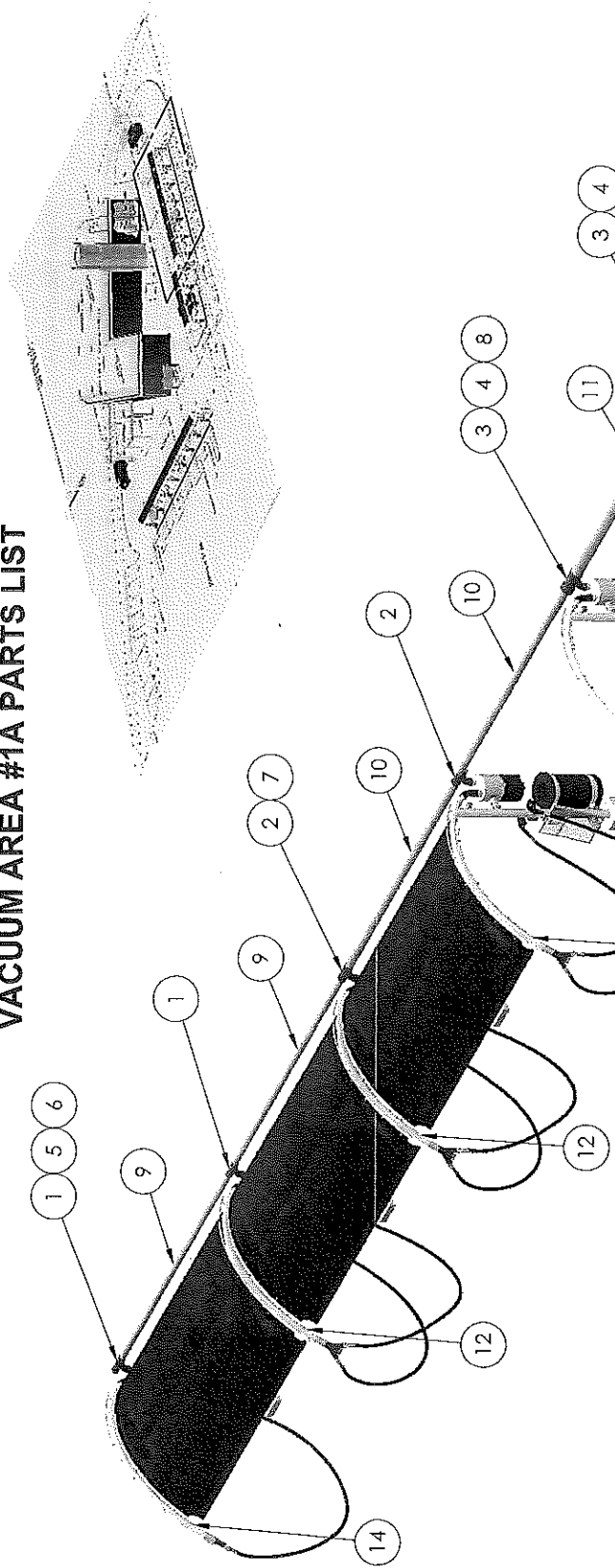
PRIMARY SEPARATOR

VACUUM AREA #1A

ELEVATION A-A  
SCALE 1 : 100



# VACUUM AREA #1A PARTS LIST



ITEM NO.	PART NUMBER	DESCRIPTION	QTY.
1	C592-0003	COMBO WYE, 90 DEG, ABS, 3 IN	2
2	C522-0005	COMBO WYE, 90 DEG, ABS, 4 X 3 IN	2
3	C524-0008	WYE, 45 DEG, ABS, 6 X 3 IN	3
4	C526-0102	ELBOW, STREET, 45 DEG, ABS, 3 IN	3
5	C528-0202	CLEANOUT ADAPTER, 3 IN SLIP X 3 IN FNPT, ABS	1
6	C529-0102	3" ABS PLUG	1
7	C530-0003	BUSHING, ABS, 4 X 3	1
8	C530-0006	BUSHING, ABS, 6 X 4	1
9	C555-0012	TUBE, ALUM, 3.5 OD X 12 FT	2
10	C555-0013	TUBE, ALUM, 4.5 OD X 12 FT	2
11	C555-0015	TUBE, ALUM, 6.5 OD X 12 FT	2
12	C706-15XX	A1 VACUUM ARCH DOUBLE DROP ASSY	5
13	C706-15XX	A1 VACUUM ARCH SINGLE DROP (LEFT) ASSY	1
14	C706-15XX	A1 VACUUM ARCH SINGLE DROP (RIGHT) ASSY	1
15	C706-2002	A1 12 FT CANOPY KIT	6

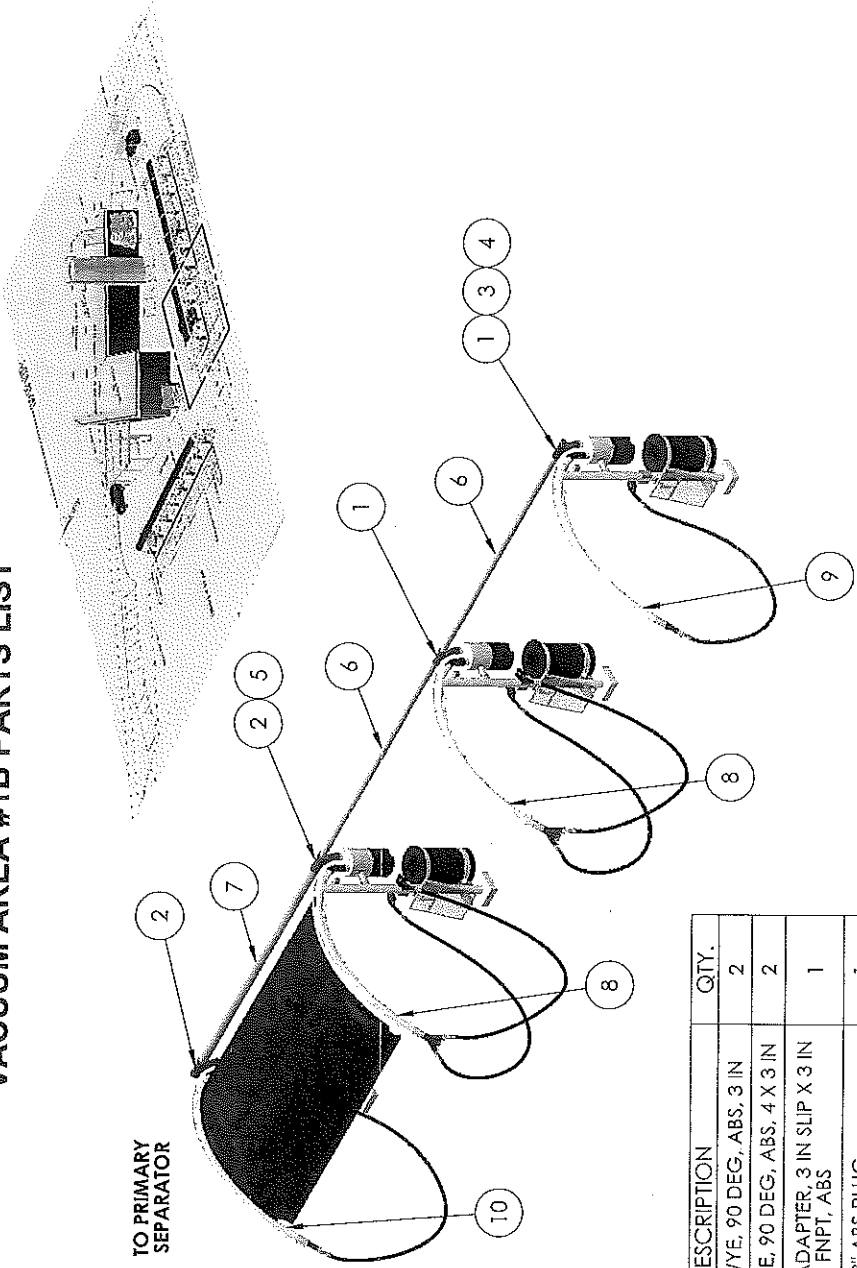
NOTES: UNLESS OTHERWISE SPECIFIED

1. THREE (3) CANOPIES ARE NOT SHOWN FOR CLARITY.

**PROJECT TITLE:** AQUAZOOM EXPRESS - GARDEN GROVE  
**PROJECT NO.:** AV1Q14813  
**REV.:** C  
**SIGNATURE:** \_\_\_\_\_  
**NAME AND DATE:** \_\_\_\_\_  
**CLIENT APPROVAL:** \_\_\_\_\_

**AUTVAC Industrial**  
 888-628-8882  
 www.autovacinc.com  
 sales@autovacinc.com  
 Vacuum & Air Systems

# VACUUM AREA #1B PARTS LIST

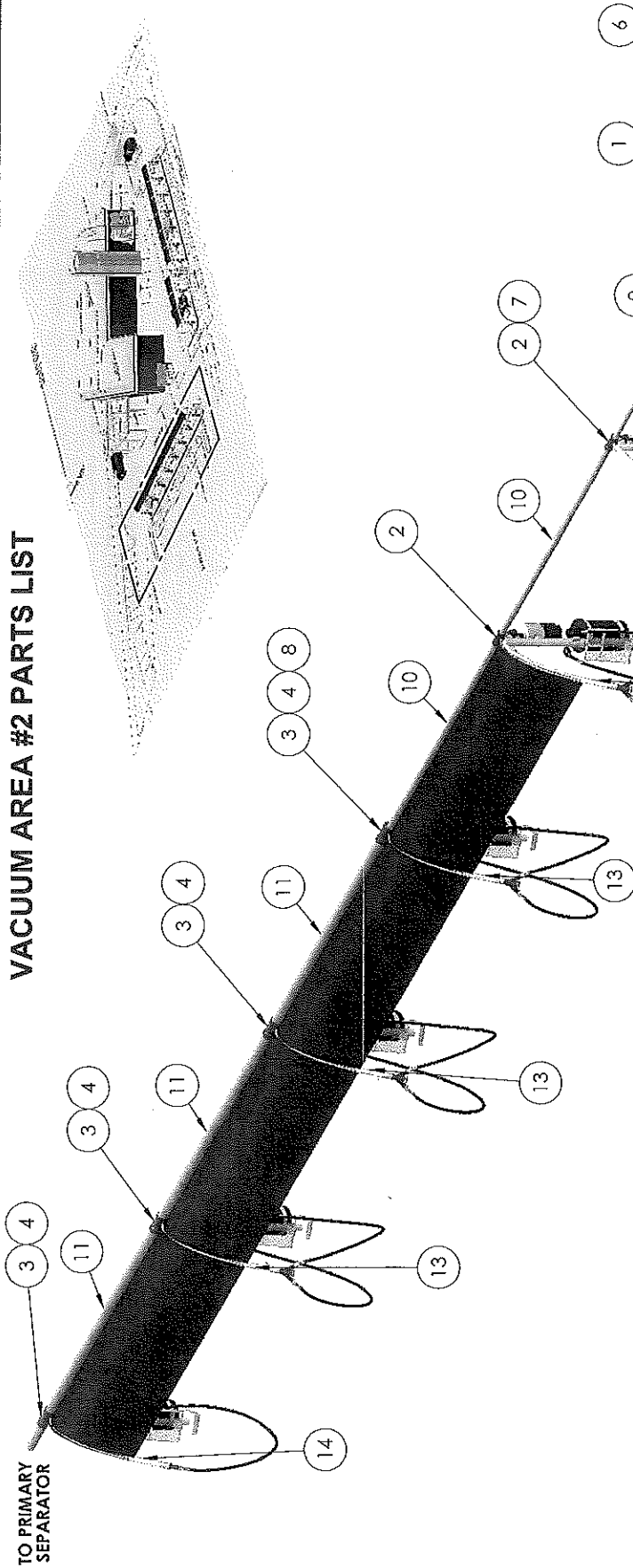


ITEM NO.	PART NUMBER	DESCRIPTION	QTY.
1	C-522-0003	COMBO WYE, 90 DEG, ABS, 3 IN	2
2	C-522-0005	COMBO WYE, 90 DEG, ABS, 4 X 3 IN	2
3	C-528-0202	CLEANOUT ADAPTER, 3 IN SLIP X 3 IN FNPT, ABS	1
4	C-529-0102	3" ABS PLUG	1
5	C-530-0003	BUSHING, ABS, 4 X 3	1
6	C-555-0012	TUBE, ALUM, 3.5 OD X 12 FT	2
7	C-555-0013	TUBE, ALUM, 4.5 OD X 12 FT	1
8	C706-15XX	A1 VACUUM ARCH DOUBLE DROP ASSY	2
9	C706-15XX	A1 VACUUM ARCH SINGLE DROP (LEFT) ASSY	1
10	C706-15XX	A1 VACUUM ARCH SINGLE DROP (RIGHT) ASSY	1
11	C706-2002	A1 12 FT CANOPY KIT	3

NOTES: UNLESS OTHERWISE SPECIFIED  
 1. TWO (2) CANOPIES ARE NOT SHOWN FOR CLARITY.



# VACUUM AREA #2 PARTS LIST



ITEM NO.	PART NUMBER	DESCRIPTION	QTY.
1	C522-0003	COMBO WYE, 90 DEG, ABS, 3 IN	2
2	C522-0005	COMBO WYE, 90 DEG, ABS, 4 X 3 IN	2
3	C524-0008	WYE, 45 DEG, ABS, 6 X 3 IN	4
4	C526-0102	ELBOW, STREET, 45 DEG, ABS, 3 IN	4
5	C528-0202	CLEANOUT ADAPTER, 3 IN SLIP X 3 IN FNPT, ABS	1
6	C529-0102	3" ABS PLUG	1
7	C530-0003	BUSHING, ABS, 4 X 3	1
8	C530-0006	BUSHING, ABS, 6 X 4	1
9	C555-0012	TUBE, ALUM, 3.5 OD X 14 FT	2
10	C555-0013	TUBE, ALUM, 4.5 OD X 14 FT	2
11	C555-0015	TUBE, ALUM, 6.5 OD X 14 FT	4
12	C706-15XX	A1 VACUUM ARCH SINGLE DROP (LEFT) ASSY	1
13	C706-15XX	A1 VACUUM ARCH DOUBLE DROP ASSY	6
14	C706-15XX	A1 VACUUM ARCH SINGLE DROP (RIGHT) ASSY	1
15	C706-20XX-L	A1 ARCH CANOPY, LEFT	7

NOTES: UNLESS OTHERWISE SPECIFIED  
 1. THREE (3) CANOPIES ARE NOT SHOWN FOR CLARITY.

PROJECT NO: AVIQ14813  
 PROJECT TITLE: AQUAZOOM EXPRESS - GARDEN GROVE  
 DRAWN BY: [Signature]  
 NAME AND DATE: [Signature]  
 CLIENT APPROVAL: [Signature]  
 REV: [Signature]  
 SIGNATURE: [Signature]

888-628-9692  
 www.autovac.com  
 sales@autovac.com  
 Vacuum & Air Systems  
**AUTovac Industrial**

RESOLUTION NO. 4977

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING CONDITIONAL USE PERMIT NO. CUP-442-99 FOR A CAR WASH FACILITY ON A PARCEL OF LAND LOCATED AT THE SOUTHEAST CORNER OF GARDEN GROVE BOULEVARD AND BEACH BOULEVARD, AT 8032 GARDEN GROVE BOULEVARD, PARCEL NO. 96-282-01.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on February 17, 1999, does hereby approve Conditional Use Permit No. CUP-442-99.

BE IT FURTHER RESOLVED in the matter of Conditional Use Permit No. CUP-442-99, the Planning Commission of the City of Garden Grove does report as follows:

1. The subject case was initiated by Garden Grove Investment, Inc..
2. The applicant requests approval of a Conditional Use Permit in order to operate a car wash facility.
3. The proposed project will not have a significant adverse effect on the environment; therefore, the City of Garden Grove has prepared a Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act. Further, the Planning Commission finds a de minimis impact in relation to fish and wildlife resources.
4. The property has a General Plan designation of Light Commercial and is zoned C-2 (Community Commercial). The site is currently vacant.
5. Existing Land Use, Zoning, and General Plan designation of property in the vicinity of the property have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on February 17, 1999, 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 February 17, 1999; 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 Sections 9.08.050.6 and 9.24.030, are as follows:

FACTS:

The car wash site is approximately 2.1 acres and is unimproved.

Automatic car wash facilities are conditionally permitted uses in the C-2 (Community Commercial) zone.

The application also includes (under separate resolution):

- Site Plan No. SP-230-99 to develop the 3.05 acre site with a 2,645 square foot service station/mini-mart on Parcel No. 1; and a 4,325 square foot car wash, a 1,280 square foot lube-n-tune, a 2,800 square foot retail building, and a 1,944 square foot fast food restaurant on Parcel No. 2.
- Parcel Map in order to subdivide the site into two lots. Parcel 1 will be the corner lot having a net lot area of .95 acres. Parcel 2 will consist of the remaining site area having a net lot area of 2.1 acres.
- The Project also includes a Development Agreement. The developer is authorized to enter into a Development Agreement in compliance with Government Code Section 65864.

FINDINGS AND REASONS:

1. The use is consistent with the General Plan and Redevelopment Plan. The use is a conditionally permitted use in the C-2 (Community Commercial) zone and complies with all applicable code provisions.
2. The proposed use will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area provided the conditions of approval are adhered to for the life of the project. The use will be harmonious with the persons who work and live within the area.
3. The establishment will not unreasonably interfere with the use, enjoyment or valuation of property of other persons located within the vicinity of the site provided the conditions of approval are adhered to for the life of the project. The establishment will be compatible with the surrounding area.
4. The establishment will not jeopardize, endanger or otherwise constitute a menace to public health, safety or general welfare. The conditions of approval for the establishment will ensure the public, health, safety, and welfare.

5. The Conditional Use Permit approval to allow the car wash facility will not adversely affect the use and enjoyment of adjacent properties. The hours of operation are consistent with other similar uses in the area. If the applicant operates this use in compliance with the conditions of approval, there should be no impact on the adjoining properties.

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

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

Conditional Use Permit No. CUP-442-99 does possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.08.050.6 and 9.24.030.

In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health safety and general welfare, the following conditions of approval shall apply to CUP-442-99:

CONDITIONS OF APPROVAL

- A. All below-listed conditions of approval are required to be recorded. Recordation of said conditions is the responsibility of the applicant, and proof of such recordation is required prior to issuance of building permits. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the Planning Commission.
- B. Approval of this Conditional Use Permit shall not be construed to mean any waiver of applicable and appropriate zoning and other regulations; and wherein not otherwise specified, all other requirements of the Garden Grove Municipal Code shall apply.
- C. All requests for minor modifications shall be submitted to the Community Development Department for approval. If other than minor changes are proposed in the development, approval of a new Conditional use Permit, containing all proposed revisions, shall be required.

- D. The approved floor plan is an integral part of the decision approving this Conditional Use Permit. There shall be no change in the design of the floor plan without the approval of the Community Development Department. Any change in the approved floor plan which has the effect of expanding or intensifying the present use shall require a new Conditional Use Permit.
- E. The car wash operation shall not operate before 7:00 a.m. or after 10:00 p.m..
- F. There shall be no deliveries from or to the premises between the hours of 10:00 p.m. and 7:00 a.m., seven (7) days a week.
- G. The applicant/property owner shall submit a signed letter acknowledging receipt of the decision approving Conditional Use Permit No. CUP-442-99, and his/her agreement with all conditions of approval.
- H. The applicant/property owner shall be responsible for maintaining the site free from graffiti, debris and litter, in those areas adjacent to the premises over which he/she has control.
- I. A copy of the resolution approving Conditional Use Permit No. CUP-442-99 shall be kept on the premises at all times.
- J. The applicant/property owner shall be responsible for keeping the sidewalk portion in front of the business continuously maintained in a clean and orderly condition.
- K. All signs require a separate permit and shall be installed in accordance with the provisions of the sign ordinance and shall be approved by the Community Development Department, Planning Division prior to installation. All exterior signs indicating businesses and services shall be single channel letter.
- L. Any public phones located on the site shall be modified to allow outgoing phone calls only.
- M. The applicant shall apply for a review of the CUP in three (3) years from date of this resolution's approval and conditions may be added and/or modified at that time.
- N. All conditions of approval for Site Plan No. SP-230-99 shall also apply to this Conditional Use Permit.
- O. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the City's Planning

Division. Lighting shall be restricted to low decorative type wall-mounted lights, or a ground mounted lighting system, or, unless the applicant can demonstrate through a photometric plan that the method of lighting can satisfy the intent of this condition to the satisfaction of the Planning Division. Lighting shall be provided throughout all parking and drive areas at a minimum intensity of two foot candles of light during business hours and one foot candle during non-business hours. Lighting shall be directed, positioned, or shielded in such manner so as not to unreasonably illuminate the window area of nearby residences.

- P. The applicant shall enter into a maintenance agreement with the City of Garden Grove to ensure proper maintenance and upkeep of the property.
- Q. Applicant/operator of the car wash facility is advised that the establishment is subject to the provisions of State Law AB 13, which prohibits smoking inside the establishment as of January 1, 1995.
- R. Graffiti shall be removed from the premises and all parking lots under the control of the applicant within 120 hours of application.
- S. No merchandise storage or display shall be permitted outside of the building.
- T. The rear area of the property, that includes the car wash, lube-n-tune, and the retail building, shall be cordoned off each day at the close of the car wash operation. The method of securing this area shall either be with a heavy steel chain or wrought iron fence or other similar method approved by the Garden Grove Police, Fire, and Community Development Departments. The method of securing this area off shall be in place prior to granting occupancy of any buildings on-site.
- U. Any sound emanating from the operation of the car wash shall be in conformance with those standards adopted by the City for the control of noise and noise sources.

- V. Hand drying of vehicles shall occur in the designated area per the Site Plan. Areas designated for parking or on-site circulation shall not be used for hand drying or detailing of vehicles. Detailing of vehicles shall be done in an enclosed building.

ADOPTED this 17th day of February 1999.

/s/ BENJAMIN FREZE  
VICE 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 February 17, 1999, by the following votes:

AYES:	COMMISSIONERS:	FREZE, BARRY, BUTTERFIELD, KNYPSTRA, HUTCHINSON, OH, TRAN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

/s/ TERESA POMEROY  
SECRETARY

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

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is March 10, 1999.

RESOLUTION NO. 4973

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE ADOPTING A NEGATIVE DECLARATION, APPROVING SITE PLAN NO. SP-230-99 AND TENTATIVE PARCEL MAP NO. PM-98-103, AND RECOMMENDING APPROVAL OF A DEVELOPMENT AGREEMENT FOR LAND LOCATED ON THE SOUTHEAST CORNER OF GARDEN GROVE BOULEVARD AND BEACH BOULEVARD, AT 8032 GARDEN GROVE BOULEVARD, PARCEL NO. 096-282-01.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on February 17, 1999, does hereby adopt a Negative Declaration, find a de minimis impact on fish and wildlife resources, approve Site Plan No. SP-230-99 and Tentative Parcel Map No. PM-98-103, and recommend approval of a Development Agreement.

BE IT FURTHER RESOLVED in the matter of Site Plan No. SP-230-99, Tentative Parcel Map No. PM-98-103, and the Development Agreement, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Garden Grove Investment, Inc.
2. The applicant is requesting approval of a Site Plan, Tentative Parcel Map, and a Development Agreement in order to subdivide the site into two parcels, Parcel 1 consisting of .95 acres and Parcel 2 consisting of 2.1 acres, and develop the combined two parcel site (approximately 3.05 net acres) with a 2,645 square foot service station/mini-mart on Parcel No. 1; and a 4,325 square foot car wash, a 1,280 square foot lube-n-tune, a 2,800 square foot retail building, and a 1,944 square foot fast food restaurant on Parcel No. 2.
3. The proposed project will not have a significant adverse effect on the environment; therefore, the City of Garden Grove has prepared a Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act. Further, the Planning Commission finds a de minimis impact in relation to fish and wildlife resources.
4. The property has a General Plan Land Use designation of Light Commercial and is currently zoned C-2 (Community Commercial). The site is currently vacant.
5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
6. Report submitted by City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on February 17, 1999, 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 February 17, 1999; 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 Sections 9.24.030 and 9.32.010, are as follows:

FACTS:

The site is an irregularly shape lot and has a net developable area of 3.05 acres.

The site is zoned C-2 (Community Commercial) and the proposed uses are permitted and conditionally permitted uses in the C-2 zone.

The application includes a Parcel Map in order to subdivide the site into two lots. Parcel 1 will be the corner lot having a net lot area of .95 acres. Parcel 2 will consist of the remaining site area having a net lot area of 2.1 acres.

Also included in this proposal, but under separate resolutions, are two Conditional Use Permit requests: CUP-433-99 for the operation of the service station / mini-mart and to allow an ABC Type "20" (Off-Sale Beer & Wine) License; and CUP-442-99 for the operation of the car wash.

The Project also includes a Development Agreement. The developer is authorized to enter into a Development Agreement in compliance with Government Code Section 65864.

FINDINGS AND REASONS:

SITE PLAN:

1. The Site Plan complies with the spirit and intent of the provisions, conditions and requirements of Title 9 and the General Plan.

The project complies with the existing Light Commercial General Plan designation and the C-2 (Community Commercial) zoning for the property. The building facades, site design, parking, and landscaping, are consistent with the spirit and intent of the requirements of Title 9.

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

The project provides off-street parking spaces which meets the number of parking spaces required by Title 9. The drive aisles and maneuvering areas are adequate for vehicle access. Adequate pedestrian access is provided within the project. The project is required to provide new driveway approaches, repair public sidewalks, and provide a new parking area with landscaping and parking lot striping.

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

The existing streets, utilities and drainage facilities within the area are adequate to accommodate the project. The on-site circulation and parking are sufficient for the existing development.

4. The project will not adversely impact the Public Works Department's ability to perform its required function.

The project has been reviewed by the Public Works Department, which has required various on- and off-site improvements, including sidewalks, driveways, grading improvements, and street dedication for Garden Grove Boulevard to its ultimate right-of-way and a bus turn-out. Issues raised by the project have been addressed in the project design and the conditions of approval.

5. The project is compatible with the physical, functional and visual quality of the neighboring uses and desirable neighborhood characteristics.

The project has been designed in accordance with Title 9 provisions for building appearance, building placement, landscaping, and other amenities to attain an attractive environment.

#### TENTATIVE PARCEL MAP

1. The map is consistent with the Garden Grove General Plan which encourages land subdivision in order to facilitate new development. The parcels are adequate in size and shape to accommodate the proposed development.
2. The design and improvements of the proposed two-lot subdivision are consistent with the zoning, Title 9 of the Garden Grove Municipal Code, and the General Plan provisions for location, proximity to similar uses, lot width and overall depth.
3. The site is physically suitable for the proposed development and complies with the spirit and intent of C-2 zone and Title 9 of the City's Municipal Code.

4. The requirements of the California Environmental Quality Act (CEQA) have been satisfied.
5. The design of the subdivision and the proposed improvements are not likely to cause public health problems. The conditions of approval for on- and off-site improvements will safeguard the public health.
6. The design of the subdivision and the proposed improvements will not conflict with easements of record or easements established by court judgment acquired by the public-at-large for access through or use of property within the subdivision; if such easements exist, then alternate easements for access or for use will be provided and these will be substantially equivalent to the ones previously acquired by the public.
7. The design and improvements of the two-lot subdivision are suitable for the proposed uses and the subdivision can be developed in compliance with the applicable zoning regulations.

INCORPORATION OF FINDINGS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The Site Plan, Tentative Parcel Map, and Development Agreement possess characteristics that would indicate justification of the request in accordance with Municipal Code Sections 9.24.030.D.3 (Site Plan), 9.32.060 (Tentative Maps), and Government Code Section 65864 et. seq, provisions for Development Agreements.
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the health, safety, and general welfare, the following Conditions of Approval shall apply to Site Plan No. SP-230-99, and Tentative Parcel Map No. PM-98-103:

CONDITIONS OF APPROVAL:

- A. All below-listed conditions of approval are required to be recorded. Recordation of said conditions is the responsibility of the applicant, and proof of such recordation is required prior to issuance of building permits. All conditions of approval are required to be adhered to for the life of the project, regardless of property ownership. Any changes of the conditions of approval require approval by the Planning Commission.

- B. Approval of this Site Plan and Variance 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.
- C. Minor modifications may be approved by the Community Development Department. If other than minor changes are made in the proposed development, a new Site Plan application shall be filed, which reflects the revisions made.
- D. All lighting structures shall be placed so as to confine direct rays to the subject property. All exterior lights shall be reviewed and approved by the City's Planning Division. Lighting shall be restricted to low decorative type wall-mounted lights, or a ground lighting system. Lighting shall be provided throughout the parking area at a minimum of two footcandles of light on the parking area during regular business hours for all businesses, and one footcandle for non-business hours. Lighting in the parking areas shall be directed, positioned, or shielded in such manner so as not to unreasonably illuminate the adjoining properties.
- E. The developer shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community Development Department, Planning Division, for review and approval prior to submittal of plans for Building Division Plan Check. The project shall also be subject to the following:
  - 1. For the construction of the commercial buildings, above-ground utility equipment (e.g., electrical, gas, telephone) shall not be located in the street setbacks and shall be screened to the satisfaction of the Community Development Department, Planning Division.
  - 2. For the construction of the new buildings, no roof-mounted mechanical equipment shall be permitted unless a method of screening complementary to the architecture of the building is approved by the Planning Division prior to the issuance of building permits. Said screening shall block visibility of any roof-mounted mechanical equipment from view of public streets, including the adjacent freeway, and surrounding properties.
  - 3. For the construction of the new buildings, all ground- or wall-mounted mechanical equipment shall be screened from view from any place on or off the site.
- F. The following provisions of the Public Works, Engineering Division shall be complied with, including, but not limited to, the following:

1. The Parcel Map is required to conduct a field survey. In the event that one or both parcels are sold to different owners, prior to the sale, the current owner shall provide reciprocity agreements over both parcels for ingress and egress, and maintenance. Such reciprocal agreement(s) shall be reviewed and approved by the City prior to recordation of such instruments. The Parcel Map shall comply with following two items.

2. TIES TO HORIZONTAL CONTROL:

Prior to the recordation of a final map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor / engineer shall submit record information to the City in AutoCAD Drawing format.

3. DIGITAL MAP SUBMISSION:

Prior to the recordation of a final map, the surveyor/engineer preparing the map shall submit to the County Surveyor a digital graphics file of said map in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The surveyor / engineer shall submit record information to the City in AutoCAD Drawing format.

4. All deficient improvements in the public right-of-way from the center line to the ultimate right-of-way shall be constructed. Garden Grove Blvd. requires street improvements including pavement reconstruction, curb, gutter, catch basin, concrete bus turn-out, street lights, and sidewalk per City standards. Construct improvements on Beach Blvd. consistent with Caltrans plans for the development of Beach Blvd. as a Smart Street and Caltrans shall review, approve, and permit all work within the State right-of-way.

5. Any required right-of way necessary to construct adjacent street(s) to their ultimate width shall be dedicated to the City. These dedications shall include dedication of Garden Grove Boulevard to its ultimate right-of-way, and a bus turn-out on Garden Grove Boulevard. In addition, any dedication required by Caltrans for Beach Boulevard (State Highway 39) shall also be provided. These dedications/improvements shall be shown on the required Parcel Map and plans for these improvements shall be provided and be prepared by a registered Civil Engineer. These plans are also required to include the location of and necessary modifications to the center medians, per Public

Works Department requirements. All deficient improvements in the public right-of-way from the street center line to property line shall be constructed. Replace damaged improvements as required.

6. The developer shall submit grading, water and sewer, and approved utility plans, which are to be prepared by a registered Civil Engineer. Separate plans shall be submitted for construction in the public right-of-way and shall be prepared by a registered Civil Engineer. Plans shall be approved by the Cities of Garden Grove and by the State of California (Caltrans). A courtesy review of these plans shall be extended to the City of Stanton. Any soil imported to the site must be clean fill and a clean soil test may be required. Grease traps shall be installed on sewer laterals for all food facilities (mini-mart and restaurant). No outside storage of grease or oil from restaurant will be permitted. Restaurant and mini-mart shall have washing facilities within the buildings for any floor mats and / or food equipment.

7. The developer shall provide a hydrology map to scale and calculations. Hydraulic calculations shall be required to size parkway culvert(s) or storm drain(s) per OCEMA Standards. Parkway culverts shall be constructed per OCEMA Standard Plan 1309 (Type B). The on-site building pads shall be elevated one foot higher than the 100-year flood elevation.

8. All on-site improvements shall be removed prior to start of construction. Demolition permit required.

9. Driveway approaches shall be constructed in conformance with Garden Grove Standard Plan B-120 (flared driveway approaches). A separate street permit shall be required for work performed within the public right-of-way prior to start of work. The minimum driveway approach shall be 30 feet. Access rights to adjacent arterial roadways shall be restricted to approved driveway locations. A dedication on the Final Map is required.

10. Bonds shall be posted to secure all work within the public right-of-way and all public improvements.

11. Any new or required block walls and/or retaining walls and trash enclosures shall be shown on the grading plans. Block walls shall be developed to a height of six (6) feet minimum, unless otherwise specified, as measured from highest on-site, or adjacent property finished grade and shall be either split face or slump stone. Block walls shall be developed to City standards or designed by a professional engineer registered in the State of California.

12. If the development requires existing street trees to be removed, they shall be replaced with 15 gallon size trees at another location in the public right-of-way. The new location and the type of tree are to be specified by the City Engineer.

13. Owner to dedicate all rights to underground water without the right to subsurface entry. A blanket easement, excluding building pads, shall be dedicated to the City for operation and maintenance of the existing public sewer system on site. The existing sewer main at the east property line shall be abandoned and capped with an expansion sewer plug and encased in concrete.

14. In accordance with the 1972 Clean Water Act and National Pollution Discharge Elimination System (NPDES) requirements, the developer shall submit a long term, post construction, Water Quality Management Plan (WQMP) for the entire site. The WQMP shall include provisions for the installation and maintenance of appropriate structural and non-structural Best Management Practices (BMPs). The WQMP shall be submitted with the first grading plan check and approved by the Public Works and Community Development Departments prior to the issuance of any permits. The project shall also be subject to all conditions in the latest edition of the Drainage Area Management Plan (DAMP) and appendices. The gas station shall be required to provide a three stage clarifier in accordance with the DAMP. The car wash shall be designed with a water recycling system for the water used in the wash tunnel.

15. Environmental clearance or an approved remediation plan for the site shall be submitted prior to utility release. Current monitoring wells shall be maintained, abandoned, or relocated off the site as appropriate.

16. All domestic meters and fire service connections shall be installed in existing public rights-of-way.

17. All sewer improvements within the project boundaries shall be constructed to Garden Grove Sanitary District Standards, subject to approval by the City Engineer. A sewer study shall be performed and submitted to the Public Works Department in order to determine size, location and related improvements necessary for installation of the sewer line(s) prior to issuance of any permits.

18. Wheelchair ramps shall be constructed per City Standard Plan B-108.

19. The developer is required to install a center median from Beach Boulevard to Court Street. An opening in the center median may only be permitted if joint access is provided between the subject site and the property immediately to the east of the subject site (Inn-Cal Motel). Evidence of joint access shall be provided to the Public Works Department.

20. All existing and new utilities shall be placed underground in the public right-of-way and on site subject to the approval of the Public Works Department, Engineering Division.

G. The following provisions of the Public Works' Traffic Engineering Division shall be complied with:

1. All entrances to the property shall be posted with a sign indicating that unauthorized vehicles will be removed at the owner's expense. The signs shall be of the size, type, and location specified in the California Vehicle Code and Garden Grove Municipal Code.

2. Handicap parking stalls shall be marked and signed in accordance with C.V.C. 22511.8(a). The handicap parking spaces shall be dispersed and the location shall be approved by City (Title 24, Sec. 3107A.a). All other parking stalls shall be standard size (9 feet x 19 feet) and/or compact size (8 feet x 15 feet) minimum and hairpin striped. The number of compact spaces shall not exceed 35 percent. All curbs not associated with a parking stall shall be painted red to prohibit parking.

3. Paint curbs red where required by the City's Traffic Engineer.

4. Traffic mitigation fees shall be paid prior to the issuance of building permits for the project.

H. The following provisions of the Garden Grove Fire Department shall be met:

1. Address numbers shall be visible from the street (in contrasting colors).

2. Underground flammable liquid storage tanks shall be approved by Orange County Environmental Health Department.

3. On-site fire hydrant(s) shall be required. The number and location shall be determined by the Garden Grove Fire Dept.



4. Storage of waste oil in Quick Lube shall be in accordance with the Uniform Fire Code.
  5. Fire lanes shall be posted and marked per the California Vehicle Code and the location to be determined by the Garden Grove Fire Department.
  6. Assembly permit required for the restaurant.
  7. The canopy over the service station pump islands shall have a minimum under canopy clearance of thirteen feet six inches (13'-6").
- I. The building plans, site plans and all new construction shall comply with the current editions of the U.B.C., U.P.C., U.M.C., and N.E.C., as amended by the City of Garden Grove and State of California for handicap access, energy conservation and sound transmission control requirements. It is recommended that the developer obtain a copy of the above-amended code sections before completing the final design. In addition, the following shall also apply.
1. Locate the car wash vacuum canopy at least ten (10') feet from property line.
  2. The location of the service station / mini-mart shall be subject to a one-hour rated fire wall if less than 20 feet from property line; a one-hour rated fire wall and parapet with fire rated openings if the building is less than 10 feet from property line; and if the building is closer than five feet to property line, then all the above applies except that no openings will be permitted.
- J. The following provisions of the Garden Grove Public Services' Water Services Division shall be met:
1. All new water service installations to be at owner's/developer's expense. Installation to be by City forces upon payment of applicable fees, unless otherwise noted. Fire services and larger water services (3" inches and larger) to be installed by contractor per City Standards.
  2. Water meters and fire services to be located within the City right-of-way or within dedicated waterline easement(s). Fire services and large water services (3" inches and larger) to be installed by contractor with a Class A or a Class C-34 License, per City water standards and inspected by a Public Works Department inspector.

3. The installation of a backflow prevention device is required on water lateral. New backflow prevention device(s) to be installed per City standards and to be inspected by cross connection specialist after installation. Device(s) to be tested immediately after installation and once a year by a certified backflow device tester and the results to be submitted to the cross connection specialist.
  4. Developer shall install water lateral from the 12 inch water main located on the north side of Garden Grove Blvd. to provide both domestic water service and on-site fire protection.
- K. The developer shall submit a complete landscape plan governing the entire development. Said plan shall include type, size, location and quantity of all plant material. It shall include irrigation plans and staking and planting specifications. The landscape plan is also subject to the following:
1. A complete, permanent, automatic remote control irrigation system shall be provided for all on-site landscaped areas shown on the plan. The sprinklers shall be of low flow/precipitation sprinkler heads for water conservation.
  2. The plan shall provide a mixture of a minimum of seven percent (7%) of the trees at 36-inch box, fifteen percent (15%) of the trees at 24-inch box and sixty percent (60%) of the trees at 15-gallon, the remaining five percent (5%) may be of any size. These trees shall be incorporated into the landscaped frontages of both streets. Trees in the parking area shall be a minimum of 15-gallon in size.
  3. The developer shall be responsible for installation and maintenance of all landscaping on the property during the construction period. The property owner shall be responsible for the long-term landscaping maintenance after the buildings are completed. Said responsibility shall extend to within the public right-of-way. Any pad site not built on, is required to be landscaped, irrigated, and maintained with turf until actual building occurs on each respective pad site.
  4. Trees planted within fifteen feet (15') of any public right of way shall be planted in a root barrier shield. All landscaping along street frontages adjacent to driveways shall be of the low height variety to ensure safe sight clearance. Final tree location shall be approved by the Community Development Department, Planning Division.

5. Landscaping and berming along the street frontage is required. Height, shape and plant material are subject to approval by the Community Development Department, Planning Division.
- L. No exterior piping, plumbing, roof top access ladders, or mechanical duct work shall be permitted on any exterior facade and/or visible from any public right-of-way or adjoining property.
- M. Hours and days of construction and grading shall be as follows as set forth in the City of Garden Grove's Municipal Code Section 8.47.010 referred to as the County Noise Ordinance as adopted:
1. Monday through Saturday - not before 7 a.m. and not after 8 p.m. (of the same day).
  2. Work on Sunday and Federal Holidays may occur during the same hours subject to the noise restrictions as stipulated in section 8.47.010 of the Municipal Code.
- N. The property owner shall enter into a maintenance agreement with the City of Garden Grove to ensure proper maintenance and upkeep of the property.
- O. The developer shall enter into a binding Development Agreement with the City of Garden Grove. This includes the payment of a Development Impact Mitigation Fee in accordance with City Council Ordinance.
- P. All driveway approaches shall be treated with decorative stamped concrete or interlocking pavers or other enhanced treatment, excluding scored and/or colored concrete. Color, pattern, and material shall be approved by Community Development Department, Planning Division, and be shown on the final site plan and the grading plan.
- Q. The developer shall construct all trash enclosures per current City Standard Plan B-502. The trash enclosure doors shall be kept closed and secured except during trash disposal or pickup. Trash pickup shall be a minimum of 3 times a week.
- R. All signs shall comply with the Municipal Code. All signs require a separate permit and shall be installed in accordance with the provision of the sign ordinance. A signage program governing the entire site, including height, size, color and locations of all signs, shall be approved by the Community Development Department, Planning Division prior to installation. All exterior signs indicating businesses and services shall be single channel letter.

- S. Construction activities shall adhere to SCAQMD Rule 403 (Fugitive Dust) which includes dust minimization measures, use electricity from power poles rather than diesel or gasoline powered generators, and use methanol, natural gas, propane or butane vehicles instead of gasoline or diesel powered equipment, where feasible. Use solar or low-emission water heaters, use low-sodium parking lot lights, and ensure compliance with Title 24.
- T. The rear area of the property, that includes the car wash, lube-n-tune, and the retail building, shall be cordoned off each day at the close of the car wash operation. The method of securing this area shall either be with a heavy steel chain or wrought iron fence or other similar method approved by the Garden Grove Police, Fire, and Community Development Departments. The method of securing this area off shall be in place prior to granting occupancy of any buildings on-site.
- U. The entire site shall be developed in one phase or the quick-lube and car wash buildings and all site improvements on Parcel 2 shall be completed prior to the issuance of a certificate of occupancy for the service station / mini-mart on the corner parcel.
- V. The proposed buildings on both parcels shall maintain continuity. All buildings shall maintain the same architectural design, color scheme, and roof material. This requirement shall apply to the life of the project.

ADOPTED this 17th day of February 1999.

/s/ BENJAMIN FREZE  
VICE 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 February 17, 1999, by the following votes:

AYES:	COMMISSIONERS:	FREZE, BARRY, BUTTERFIELD, KNYPSTRA, HUTCHINSON, OH, TRAN
NOES:	COMMISSIONERS:	NONE
ABSENT:	COMMISSIONERS:	NONE

/s/ TERESA POMEROY  
SECRETARY

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

A decision becomes final if it is not timely appealed to the City Council. Appeal deadline is March 10, 1999.

RESOLUTION NO. 5851-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE APPROVING A MINOR MODIFICATION TO SITE PLAN NO. SP-230-99 AND A MINOR MODIFICATION TO CONDITIONAL USE PERMIT NO. CUP-442-99.

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in a regular session assembled on November 5, 2015, hereby approve a Minor Modification to Site Plan No. SP-230-99 and a Minor Modification to Conditional Use Permit No. CUP-442-99, for property located at 8034 Garden Grove Boulevard, Assessor's Parcel No. 096-282-20.

BE IT FURTHER RESOLVED in the matter of the Minor Modification to Site Plan No. SP-230-99 and the Minor Modification to Conditional Use Permit No. CUP-442-99, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Ronald M. Jones for Aquazoom, Car Washes, Inc.
2. The applicant is requesting Minor Modifications to Site Plan No. SP-230-99 and Conditional Use Permit No. CUP-442-99 to allow the installation of a 2,180 square foot fabric canopy on a new freestanding vacuum system and automatic pay area at an existing automatic car wash.
3. The City of Garden Grove has determined that this action is exempt pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act.
4. The property has a General Plan Land Use designation of Residential/Commercial Mixed Use 1 and is zoned GGMU-1 (Garden Grove Mixed Use 1). The site is improved with a 5,605 square foot building with the automatic car wash and a quick lube and oil change business.
5. Existing land use, zoning, and General Plan designation of property in the vicinity of the subject property have been reviewed.
6. Report submitted by the City staff was reviewed.
7. Pursuant to a legal notice, a public hearing was held on November 5, 2015, and all interested persons were given an opportunity to be heard.
8. The Planning Commission gave due and careful consideration to the matter during its meeting on November 5, 2015; 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 Sections 9.32.030 are as follows:

FACTS:

The property has a General Plan Land Use designation of Residential/Commercial Mixed Use 1, and is zoned GGMU-1 (Garden Grove Mixed Use 1).

The site is 39,225 square feet, and is improved with a 5,605 square foot building with an automatic car wash and a quick lube and oil change business. The car wash was constructed in 1999 as part of a larger development that included the construction of a service station, a restaurant pad building, and an automotive repair pad building on the adjacent properties.

In June 2014, the previous property owner applied for building permits to redesign the circulation pattern of the car wash by reconfiguring the parking area, which included the removal of a freestanding canopy; and to install two (2) new automatic pay stations, that included expanding the vacuum parking area.

The applicant recently purchased the property, and proposed to install a series of fabric canopies on a new freestanding vacuum system and at the automatic pay stations to provide shade to customers. The total canopy will be 2,180 square feet, which requires a minor modification to the approved Site Plan and Conditional Use Permit due to the size of the fabric canopy proposed.

FINDINGS AND REASONS:

**Modification to Approved Plans:**

1. The modification to the Site Plan and Conditional Use Permit would not require the filing of an application for waiver or variance to the zoning code.

The proposed modification does not require filing of a waiver or a variance from the zoning code. The installation of the new fabric canopies on two (2) new freestanding vacuum systems and on two (2) new automatic pay stations complies with the development standards of the GGMU-1 zone.

2. The modification to the Site Plan and Conditional Use Permit would not adversely affect the quality or design of the original plan.

The car wash was originally approved in 1999 under Site Plan No. SP-230-99 and Conditional Use Permit No. CUP-442-99. The applicant proposes to install a series of fabric canopies on two (2) new automatic pay stations, and on two (2) new freestanding vacuum systems to provide shade to customers. The applicant has obtained building permit approval for the installation of the new freestanding central vacuum system. The proposed fabric canopies will not affect the quality or design of the original plan as the canopies are being installed to provide shade for customers.

3. The modification would not adversely affect the use or enjoyment of adjacent properties.

The proposed modification will not adversely affect the use or enjoyment of adjacent properties. The site is improved with an automatic car wash and related site improvements. The applicant proposed to install a new fabric canopy on two (2) new automatic pay stations and on two (2) new freestanding central vacuum systems. The freestanding vacuum system has been approved recently by the City. Now the applicant proposes to install fabric canopies to provide shade to customers. No changes to the business operation or to the site design will occur. Provided the conditions of approval are adhered to for the life of the project, the use will be harmonious with the persons who work and live in the area.

#### INCORPORATION OF FACTS AND FINDINGS SET FORTH IN STAFF REPORT

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

BE IT FURTHER RESOLVED that the Planning Commission does conclude:

1. The minor modifications to the approved Site Plan and Conditional Use Permit possess characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.24.030.D.8 (Modification to Approved Site Plan).
2. In order to fulfill the purpose and intent of the Municipal Code, and, thereby, promote the health, safety, and general welfare, the originally approved conditions of approval for Site Plan No. SP-230-99 and Conditional Use Permit No. CUP-442-99 shall continue to be in effect.
3. The following conditions of approval shall apply to this approval:
  - a) The fabric canopies shall be properly maintained. Any existing fabric canopy that is in poor condition, including being worn, torn, tattered, and weathered, shall be replaced.
  - b) The applicant shall obtain an appropriate building permit for the installation of any freestanding structure at the automatic pay stations.
  - c) The canopy structures shall comply with Sections 3102 and 3105 of the California Building Code, and Section 3104 of the California Fire Code.
  - d) The applicant shall, as a condition of project approval, at its sole expense, defend, indemnify and hold harmless the City, its officers,

employees, agents and consultants from any claim, action, or proceeding against the City, its officers, agents, employees and/or consultants, which action seeks to set aside, void, annul or otherwise challenge any approval by the City Council, Planning Commission, or other City decision-making body, or City staff action concerning Minor Modifications to Site Plan No. SP-230-99 and Conditional Use Permit No. CUP-442-99. The applicant shall pay the City's defense costs, including attorney fees and all other litigation related expenses, and shall reimburse the City for court costs, which the City may be required to pay as a result of such defense. The applicant shall further pay any adverse financial award, which may issue against the City, including, but not limited to, any award of attorney fees to a party challenging such project approval. The City shall retain the right to select its counsel of choice in any action referred to herein.