

FILED

DEC 13 2017

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: NA DEPUTY

Recorded in Official Records, Orange County  
Hugh Nguyen, Clerk-Recorder



50.00

201785001280 9:44 am 12/13/17

323 304 201

0.00 50.00 0.00 0.00 0.00 0.00 0.00 0.00

**NOTICE OF DETERMINATION**

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

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



DEC 13 2017

HUGH NGUYEN, CLERK-RECORDER

BY: NA DEPUTY

X  
Orange County Clerk  
Recorder Department  
Hall of Finance and Records  
12 Civic Center Plaza, Room 106  
Santa Ana, CA 92701

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

Development Agreement No. DA-008-2017

**Project Title**

<u>2012081036</u>	<u>Maria Parra</u>	<u>City of Garden Grove</u>	<u>(714)741-5312</u>
<b>State Clearinghouse Number</b>	<b>Lead Agency</b>	<b>Area Code/ Telephone/ Extension</b>	
(If submitted to Clearinghouse)	Contact Person		

12222, 12252, 12262, 12272, 12292 and 12302 Harbor Blvd.; 12511, 12531, 12551 and 12571 Harbor Blvd.; 12233, 12235, 12237 and 12239 Choisser Rd., City of Garden Grove, Orange County.

**Project Location (include county)**

**Name and Address of Developer/Applicant or Project Sponsor:**

Investel Garden Resorts, LLC  
11999 Harbor Blvd. #1711  
Garden Grove, CA 92840  
**Phone:** (626) 475-0707

**Project Description:**

An ordinance approving a Development Agreement between the City of Garden Grove and Investel Garden Resorts, LLC, pertaining to the development of a hotel resort project consisting of an aggregate total of a maximum of 769 rooms within up to three (3) hotels, approximately 39,867 square feet of conference/meeting banquet space, an aggregate total of approximately 36,885 square feet of restaurant/bar/retail/entertainment space, approximately 24,014 square feet of hotel restaurant space, approximately 26,090 square feet of additional hotel ancillary uses (i.e., fitness centers, pools, gyms, spas, salons, hotel shops, and kids' cubs), and a parking structure containing approximately 1,297 parking spaces within a multi-level parking structure with one-level of subterranean parking on property located at 12222, 12252, 12262, 12272, 12292, and 12302 Harbor Boulevard, 12511, 12531, 12551 and 12571 Twintree Lane, and 12233, 12235, 12237, and 12239 Choisser Road, Assessor's Parcel Nos. 231-491-20, 231-521-01, 02, 03, 04, 05, 06, 07, 08, 09, and 10; and 231-491-12, 13, 14, 15, 16, 17, 18, and 19 (the "Project"), consistent with Planned Unit Development No. PUD-128-12, Site Plan No. SP-043-2017 and Tentative Tract Map No. TT-17455, the previously approved land use entitlements for the Project.

The Project was originally proposed and considered in 2012 (the "2012 Project"). Pursuant to the California Environmental Quality Act, Public Resources Code Sections 21000 et seq. and California Code of Regulations, Title 14, Sections 15000 et seq. ("CEQA"), the City adopted a Mitigated Negative Declaration and approved the Project in 2012. A Notice of Determination was filed and posted on November 28, 2012. In 2017, minor modifications were proposed to the 2012 Project (the "Modified Project"). Pursuant to Public Resources Code Section 21166 and California Code of Regulations, Title 14, Section 15162, the City prepared a subsequent initial study to analyze the Modified Project's environmental effects. The subsequent initial study concluded that all of the 1283988.1

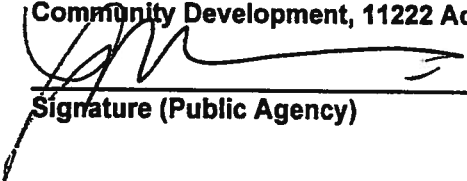
20-2017-1257

Modified Project's environmental impacts could be reduced to a level of less than significance. On this basis, on November 2, 2017, the City's Planning Commission adopted Resolution No. 5898-17 adopting a Subsequent Mitigated Negative Declaration for the Modified Project and Resolution No. 5899-17 approving Site Plan No. SP-043-2017 and Tentative Map No. TT-17455. A Notice of Determination for the Subsequent Mitigated Negative Declaration was filed and posted on November 3, 2017. The Development Agreement implements the Modified Project as analyzed by the Subsequent Mitigated Negative Declaration and as approved by the City's Planning Commission. No further environmental review is required. (Public Resources Code § 21166; Cal. Code of Regs., Tit. 14, § 15162.)

**This is to advise that on December 12, 2017, the City of Garden Grove City Council approved the Development Agreement implementing the Modified Project as analyzed in the Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program adopted by the City of Garden Grove Planning Commission on November 2, 2017, pursuant to CEQA. The City of Garden Grove Planning Commission made the following determinations regarding the Modified Project prior to adopting the Subsequent Mitigated Negative Declaration on November 2, 2017:**

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

**This is to certify that the Subsequent Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and record of project approval are available to the General Public at: City of Garden Grove, Community Development, 11222 Acacia Parkway, Garden Grove, CA 92842**



	December 13, 2017	Planning Manager
Signature (Public Agency)	Date	Title

**FILED**  
DEC 13 2017

ORANGE COUNTY CLERK-RECORDER DEPARTMENT  
BY: NA DEPUTY

**POSTED**

DEC 13 2017  
HUGH NGUYEN, CLERK-RECORDER  
BY: NA DEPUTY

POSTED

FILED

NOV 03 2017

NOV 03 2017

Recorded In Official Records, Orange County  
Hugh Nguyen, Clerk-Recorder



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201785001140 2:03 pm 11/03/17

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HUGH NGUYEN, CLERK-RECORDER

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: HN DEPUTY

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**NOTICE OF DETERMINATION**

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Office of Planning and Research  
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Sacramento, CA 95814

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



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ORANGE COUNTY CLERK-RECORDER DEPARTMENT

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

Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, Site Plan No. SP-043-2017, Tentative Tract Map No. TT-17455, and Development Agreement No. DA-008-2017

**Project Title**

<u>2012081036</u>	<u>Maria Parra</u>	<u>City of Garden Grove</u>	<u>(714)741-5312</u>
<b>State Clearinghouse Number</b>	<b>Lead Agency</b>	<b>Area Code/ Telephone/ Extension</b>	
<b>(If submitted to Clearinghouse)</b>	<b>Contact Person</b>		

12222, 12252, 12262, 12272, 12292 and 12302 Harbor Blvd.; 12511, 12531, 12551 and 12571 Harbor Blvd.; 12233, 12235, 12237 and 12239 Choisser Rd., City of Garden Grove, Orange County.

**Project Location (include county)**

**Name and Address of Developer/Applicant or Project Sponsor:**

Investel Garden Resorts, LLC  
11999 Harbor Blvd. #1711  
Garden Grove, CA 92840

**Phone:**

(626) 475-0707

DEC 13 2017

HUGH NGUYEN, CLERK-RECORDER

**Project Description:**

A request for approval of a Site Plan, Tentative Tract Map, and Development Agreement to implement a previously approved resort hotel development project on "Site C" at the Northwest corner of Harbor Boulevard and Twintree Lane in the City of Garden Grove.

BY: NA DEPUTY

In 2012, the Garden Grove City Council approved General Plan Amendment No. GPA-2-12(B) and Planned Unit Development No. PUD-128-12 and adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program to facilitate the future development of a resort hotel project on Site C. As approved in 2012, the Site C project called for up to 769 rooms in one (1) full service hotel and up to two (2) limited service hotels ranging from 10-19 stories; associated conference/meeting/banquet space, several restaurants; an indoor entertainment venue; and a multi-level parking garage with 1,297 total spaces on a 5.2 acre site, as depicted on a conceptual site plan (the "2012 Project").

Modifications to the project adopted in 2012 are now proposed (the "Modified Project") in conjunction with the proposed Site Plan. The Modified Project includes the same number of hotels, hotel rooms, and maximum building heights as the 2012 Project, but the configuration of the buildings, the amount and type of ancillary uses, and the site access have been modified. The Modified Project generally includes: (1) a change to two (2) full service hotels and one (1) limited service hotel; (2) changes to on-site circulation and access, including a new second driveway along Harbor Boulevard at the most southerly portion of the site, and changes to the parking structure including one entrance instead of the previous two entrances and one level of subterranean parking (maintaining the same 1,297 total spaces approved in the 2012 Project); (3) the introduction of retail uses; (4)

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HUGH NGUYEN, CLERK-RECORDER

BY: HB DEPUTY

minor changes to the total square footage of conference/meeting banquet space, restaurant/retail/entertainment space, hotel ancillary uses (such as gyms, spas, salon, a hotel shop, and a kids club) and hotel restaurant space; and (5) modifications to the 2012 Project's building placements and configuration including (a) shifting the placement of Hotel A to maintain a 5-foot setback from the north property line, a 10-foot setback from the east property line, and expanding the hotel's second floor terrace along the northerly portion of the property line toward Harbor Boulevard, constructing a new retail building at the northwest corner of the site that connects to Hotel A via a second floor terrace, and relocating the valet drop-off for Hotel A; (b) swapping the placement of Hotel B with a restaurant pad building so that the restaurant pad is located at the southwest corner of the project site and Hotel B is located just north of the restaurant pad building with a connection provided between both structures via the hotel's second floor terrace; and (c) expanding and reconfiguring the usable outdoor roof deck area of Hotel A, which includes increasing the height of certain portions of the outdoor roof deck area from 75 feet to 80 feet and 85 feet, while continuing to maintain the easterly most portion of the parking structure at a height of 75 feet. The size of the Modified Project site has been reduced from 5.2 acres to 4.3 acres. The proposed Tentative Tract Map will adjust the rear property lines of four existing City-owned parcels located at the Northeast corner of the site on Cholsser Road to incorporate a portion of these parcels into the Modified Project site and will consolidate the existing parcels on the Modified Project site into two lots to facilitate development of the Modified Project and future commercial condominiumization. The Planning Commission also recommended approval of a Development Agreement with the developer of the Modified Project that would merely implement the approved Site Plan and Tentative Map.

Pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162, the City prepared a subsequent initial study in connection with the Modified Project. The subsequent initial study concludes, based on numerous technical studies and facts in the record, that the Modified Project's environmental impacts can be mitigated to a level of less than significant. As a result, the City has prepared a Subsequent Mitigated Negative Declaration (the "Subsequent IS/MND"). No further environmental review is required. (Public Resources Code section 21166; CEQA Guidelines sections 15162(a), (b).)

This is to advise that the City of Garden Grove Planning Commission adopted the Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program pursuant to CEQA, and recommended approval of DA-008-2017 for SP-043-2017 and TT-17455, on November 2, 2017, and has made the following determinations regarding the above-described project:

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

This is to certify that the Subsequent Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and record of project approval are available to the General Public at: City of Garden Grove, Community Development, 11222 Acacia Parkway, Garden Grove, CA 92842

Emi  
Signature (Public Agency)

November 3, 2017  
Date

Senior Planner  
Title

FILED

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ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: NA DEPUTY

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HUGH NGUYEN, CLERK-RECORDER

BY: NA DEPUTY



State of California - Department of Fish and Wildlife  
**2017 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
 DFW 753.5a (Rev. 01/01/17) Previously DFG 753.5a



RECEIPT NUMBER:  
**30-2017 1122**

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY <b>CITY OF GARDEN GROVE</b>	LEAD AGENCY EMAIL	DATE <b>11/03/2017</b>
COUNTY/STATE AGENCY OF FILING <b>Orange</b>	DOCUMENT NUMBER <b>201785001140</b>	

PROJECT TITLE  
SUBSEQUENT MITIGATED NEG. DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, SITE PLAN (SP-043-2017, TENTATIVE TRACT MAP #TT-1717455, & DEVELOPMENT AGREEMENT #DA-008-2017

PROJECT APPLICANT NAME <b>INVESTEL GARDEN RESORTS, LLC</b>	PROJECT APPLICANT EMAIL	PHONE NUMBER <b>(714) 741-5312</b>
PROJECT APPLICANT ADDRESS <b>11999 HARBOR BLVD #1711</b>	CITY <b>GARDEN GROVE</b>	STATE <b>CA</b>
		ZIP CODE <b>92840</b>

PROJECT APPLICANT (Check appropriate box)

Local Public Agency   
  School District   
  Other Special District   
  State Agency   
  Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,078.25	\$	<u>0.00</u>
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,216.25	\$	<u>2,216.25</u>
<input type="checkbox"/> Certified Regulatory Program document (CRP)	\$1,046.50	\$	<u>0.00</u>

- Exempt from fee  
      Notice of Exemption (attach)  
      CDFW No Effect Determination (attach)  
 Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	<u>0.00</u>
<input checked="" type="checkbox"/> County documentary handling fee		\$	<u>50.00</u>
<input type="checkbox"/> Other		\$	<u>          </u>

PAYMENT METHOD:

- Cash   
  Credit   
  Check   
  Other

TOTAL RECEIVED \$ 2,266.25

SIGNATURE 	AGENCY OF FILING PRINTED NAME AND TITLE <b>HAZEL L. BENNETT, DEPUTY CLERK</b>
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**ORANGE COUNTY CLERK-RECORDER DEPARTMENT**

BY: NA DEPUTY

CITY OF GARDEN GROVE

631355

~~631355~~  
DATE

ACCOUNT CODE

PURCHASE  
ORDER NO.

VENDOR  
INVOICE NO.

NET AMOUNT

Orange County  
Clerk-Recorder's Office  
Hugh Nguyen

630N Broadway Bldg. 12 Suite  
101  
Santa Ana, CA, 92701

County

Finalization: 20170000389331  
11/3/17 2:03 PM  
41 304

Item	Title	Count
1	Z03	1
	Fish & Game: Negative Declaration	
	Document ID	Amount
	DOC# 201785001140	2266.25
	Time Recorded 2:03 PM	
Total		2266.25
Payment Type		Amount
Check	tendered	50.00
	# 631332	
Check	tendered	2216.25
	# 631355	
Amount Due		0.00

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BY: NA DEPUTY

THANK YOU  
PLEASE RETAIN THIS RECEIPT  
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