



APPLICATION FOR CONDITIONAL USE PERMIT

City of La Habra Planning Department
110 East La Habra Blvd., P.O. Box 337, La Habra Ca 90633-0337
Phone: (562) 383-4100 Fax: (562) 383-4476
www.lahabracity.com

Office Use Only
CUP 20-13

APPLICANT

Property Owner(s) (use mailing address)
Name La Habra Associates, LLC
Address c/o DJM Capital Partners, Inc.
7777 Edinger Ave., Ste. 133, Huntington Beach, CA 92647
Phone: Home () N/A
Work (714) 897-2534
Fax () _____
E-mail awesley@djmcapital.com

Representative (acting on behalf of the property owner(s))
Name ABC liquor consultants Kevin Hufford
Address 100 Wilshire Blvd. Ste. 700 Santa
Monica, CA 90401
Phone 213-600-7355
() Work: 818-458-1541
() Fax: _____
E-mail Kevin@abliquorconsultants.com

CONTACT

Send all **short-term** correspondence to: Property Owner () Representative ()
Send all **long-term** correspondence to: Property Owner () Representative ()

INFORMATION

Location of Property 1841 W Imperial Hwy @, La Habra, CA 90631
Legal Description of Property _____ Tract No. _____ Lot No. _____ or Attached ()
Assessors Parcel Number see attached Ex. A
Present Use _____ Present Zoning _____

REQUEST

Please state what is intended to be done with the property which does not comply with the provisions of the
Zoning code: Restaurant & ~~Alcohol~~ uses.

PROPERTY OWNERS AFFIDAVIT

STATE OF CALIFORNIA
COUNTY OF ORANGE
CITY OF LA HABRA

I, (We) Amber Wesley, being duly sworn, depose and say that I am (we are) the owner (s)* of the property involved in this petition and that the statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my (our) knowledge and belief and that I (we) have the intention to proceed with the application and understand that the application shall become null and void within six (6) months from the date this application is deemed incomplete as required by L.H.M.C. Section 18.08.130. In addition, I (we) have the intention to proceed with the actual construction work in accordance with these plans within one (1) year from the date of granting of the Conditional Use Permit and understand that this Conditional Use Permit if granted, becomes null and void if I (we) do not proceed with the actual construction work in accordance with these plans within one (1) year from the granting of this Conditional Use Permit.

SIGNED [Signature]

SIGNED _____

Subscribed and sworn to before me on this 20 day of JULY 2020

by CHRISTINE WOSLEY proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

[Signature]
Signature

*Power of attorney must accompany affidavit if signed by other than the actual owner of record.

REQUIRED FINDINGS

The City Planning Commission is required to make a "Finding of Fact" based upon the following questions and answers and such other evidence as many be established at a public hearing. Granting of the request is dependent upon proof that all four conditions have been met.

- A. That the granting of such Conditional Use Permit will not be detrimental to the public welfare and will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties and will not impair the character of the zone in which it is to be located.
- B. The subject site is physically suitable for the type of land use being proposed.
- C. The use is conditionally permitted within the subject zone and complies with the intent of all applicable provisions of this title.
- D. The granting of this Conditional Use Permit is consistent with the Comprehensive General Plan.

OPERATIONAL CHARACTERISTICS

Please list all relevant characteristics of your proposal/business including, but not limited to the following: days and hours of operation, number of employees and a complete description of services provided.

- 10am to 10pm daily
- 15 employees
- Restaurant serving premium quality B2B with Beer & Wine.
- 101 seats.

NOTICE

Approval of your plans and specifications are subject to all conditions and requirements which may be imposed by the City of La Habra Planning Commission and/or City Council. This application shall become null and void within six months from the date of the project being deemed initially incomplete. An extension of six months may be approved by the Director of Community and Economic Development upon the submittal of a Continuance request fee, as per the fee schedule to cover the costs of extending the application.

The approval of your plot plans and specifications SHALL NOT be held to permit or approve any omission or deviation from, or any violation of the provisions of any city codes or ordinances or state laws except for the above specifically requested conditional use under a section of the City of La Habra Zoning Code.

FOR OFFICE USE ONLY:

Application and Fee Received By DAVID LOPEZ Date 8/19/20

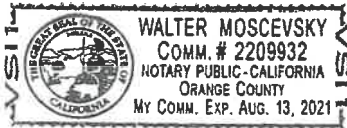
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

Subscribed and sworn to (or affirmed) before me on this _____ day of 20 July, 2020 by Angela Christina Wiley

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature [Handwritten Signature]



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SIGNED [Signature]

SIGNED _____

Subscribed and sworn to before me on this 20 day of July 2020

by Amber Christine Wesley proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

[Signature]
Signature

*Power of attorney must accompany affidavit if signed by other than the actual owner of record.

REQUIRED FINDINGS

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FOR OFFICE USE ONLY:

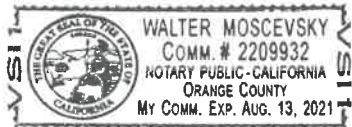
Application and Fee Received By DAVID LOPEZ Date 9/19/20

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange

Subscribed and sworn to (or affirmed) before me on this _____
day of 20 July, 2020 by Armen Christou
Waltrey

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



(Seal)

Signature [Handwritten Signature]

EXHIBIT A
Legal Description

Real property in the City of La Habra, County of Orange, State of California, described as follows:

PARCEL A:

LOTS 1, 2, 4, 5, 6, 7 AND 8 OF TRACT NO. 13828, AS SHOWN ON A MAP FILED IN BOOK 700, PAGES 1 TO 6 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION DESCRIBED IN THOSE CERTAIN DEEDS, TO THE CITY OF LA HABRA RECORDED AUGUST 26, 1997 AS INSTRUMENT NO. 97-414771 AND OCTOBER 22, 1997 AS INSTRUMENT NO. 97-527917 OF OFFICIAL RECORDS OF SAID ORANGE COUNTY.

ALSO EXCEPTING FROM SAID LAND, ALL OIL, GAS, ASPHALTUM, AND OTHER HYDROCARBONS AND OTHER MINERALS, WHETHER SIMILAR TO THOSE HEREIN SPECIFIED OR NOT, WITHIN OR UNDERLYING, OR THAT MAY BE PRODUCED FROM SAID PROPERTY, AND THE SOLE AND EXCLUSIVE RIGHT TO DRILL SLANTED WELLS FROM ADJACENT LANDS INTO AND THROUGH, AND TO DEVELOP MINES AND CONSTRUCT TUNNELS, SHAFTS AND OTHER WORKS THROUGH, AND TO DEVELOP MINES AND CONSTRUCT TUNNELS, SHAFTS AND OTHER WORKS IN AND THROUGH THE SUBSURFACE OF SAID PROPERTY FOR THE PURPOSE OF RECOVERING SAID MINERALS, OR ANY OF THEM FROM SAID PROPERTY OR OTHER PROPERTY, OR BOTH, AND THE RIGHT TO USE THAT PORTION OF THE SUBSURFACE OF SAID PROPERTY LYING BELOW A DEPTH OF 500 FEET FROM THE SURFACE OF SAID PROPERTY FOR ALL PURPOSES PERTAINING TO OR INCIDENT TO THE PRODUCTION OF, THE STORAGE OF, CONSERVATION OF, OR EXPLORING FOR OIL, GAS, ASPHALTUM AND OTHER HYDROCARBONS AND OTHER MINERALS, WHETHER SIMILAR TO THOSE SPECIFIED OR NOT, OR ANY OF SAID SUBSTANCES, BY MEANS OF ANY METHOD NOW KNOWN OR UNKNOWN, BUT NOT INCLUDING WITHIN THIS EXCEPTION ANY RIGHT TO USE THE SURFACE ABOVE A DEPTH OF 500 FEET BELOW THE SURFACE FOR THE AFORESAID PURPOSES, AS RESERVED IN THE DEEDS FROM HAROLD M. STERN AND OTHERS, RECORDED SEPTEMBER 14, 1961 IN BOOK 5846, PAGES 813 AND 816 OF OFFICIAL RECORDS.

ALSO EXCEPTING FROM SAID LAND ALL OIL, RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER SAID LAND, TOGETHER WITH THE PERPETUAL RIGHT OF DRILLING, MINING, EXPLORING AND OPERATING THEREFOR, AND REMOVING THE SAME FROM SAID LAND OR ANY OTHER LAND, INCLUDING THE RIGHT TO WHIPSTOCK OR DIRECTIONALLY DRILL AND MINE FROM LANDS OTHER THAN THOSE HEREINABOVE DESCRIBED, OIL OR GAS WELLS, TUNNELS AND SHAFTS INTO, THROUGH OR ACROSS THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, AND TO BOTTOM SUCH WHIPSTOCKED OR DIRECTIONALLY DRILLED WELLS, TUNNELS AND SHAFTS UNDER AND BENEATH OR BEYOND THE EXTERIOR LIMITS THEREOF, AND TO REDRILL, RETUNNEL, EQUIP, MAINTAIN, REPAIR, DEEPEN AND OPERATE ANY SUCH WELLS OR MINES, WITHOUT, HOWEVER, THE RIGHT TO DRILL, MINE, EXPLORE AND OPERATE THROUGH THE SURFACE OR THE UPPER 100 FEET OF THE SUBSURFACE OF THE LAND HEREINABOVE DESCRIBED, OR OTHERWISE IN SUCH MANNER AS TO ENDANGER THE SAFETY OF ANY HIGHWAY THAT MAY BE CONSTRUCTED ON SAID LANDS, AS RESERVED IN THE DEED FROM JACOB STERN & SONS, INC., RECORDED FEBRUARY 21, 1956 IN BOOK 3405, PAGE 113 OF OFFICIAL RECORDS.

PARCEL B:

PARCELS 2 AND 3, AS SHOWN ON A MAP FILED IN BOOK 32, PAGE 11 OF PARCEL MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION DESCRIBED IN THOSE CERTAIN DEEDS, TO THE CITY OF LA HABRA RECORDED AUGUST 26, 1997 AS INSTRUMENT NO. 97-414772 AND OCTOBER 22, 1997 AS INSTRUMENT NO. 97-527916 OF OFFICIAL RECORDS OF SAID ORANGE COUNTY.

EXCEPT ALL OIL, GAS, ASPHALTUM AND OTHER HYDROCARBONS AND OTHER MINERALS, WHETHER SIMILAR TO THOSE HEREIN SPECIFIED OR NOT, WITHIN OR UNDERLYING, OR THAT MAY BE PRODUCED FROM SAID PROPERTY, AND THE SOLE AND EXCLUSIVE RIGHT TO DRILL SLANTED WELLS FROM ADJACENT LANDS INTO AND THROUGH, AND TO DEVELOP MINES AND CONSTRUCT TUNNELS, SHAFTS AND OTHER WORKS IN AND THROUGH THE SUBSURFACE OF SAID PROPERTY FOR THE PURPOSE OF RECOVERING SAID MINERALS, OR ANY OF THEM FROM SAID PROPERTY OR OTHER PROPERTY, OR BOTH, AND THE RIGHT TO USE THAT PORTION OF THE SUBSURFACE OF SAID PROPERTY LYING BELOW A DEPTH OF 500 FEET FROM THE SURFACE OF SAID PROPERTY FOR ALL PURPOSES PERTAINING TO OR INCIDENT TO THE PRODUCTION OF, THE STORAGE OF, CONSERVATION OF, OR EXPLORING FOR OIL, GAS, ASPHALTUM AND OTHER HYDROCARBONS AND OTHER MINERALS, WHETHER SIMILAR TO THOSE SPECIFIED OR NOT, OR ANY OF SAID SUBSTANCES, BY MEANS OF ANY METHOD NOW KNOWN OR UNKNOWN, BUT NOT INCLUDING WITHIN THIS EXCEPTION ANY RIGHT TO USE THE SURFACE OF SAID PROPERTY OR THAT PORTION OF THE SUBSURFACE THEREOF LYING ABOVE A DEPTH OF 500 FEET BELOW THE SURFACE FOR THE AFORESAID PURPOSES, AS RESERVED IN THE DEEDS FROM HAROLD M. STERN AND OTHERS, RECORDED SEPTEMBER 14, 1961 IN BOOK 5846, PAGES 813 AND 816 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED IN THAT CERTAIN DEED TO THE CITY OF LA HABRA RECORDED APRIL 22, 1999 AS INSTRUMENT NO. 19990295478 OF OFFICIAL RECORDS OF SAID ORANGE COUNTY.

PARCEL C:

A NON-EXCLUSIVE, IRREVOCABLE EASEMENT FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS, NON-EXCLUSIVE, IRREVOCABLE RIGHT TO USE ALL COMMON FACILITIES AND IMPROVEMENT, AND NON-EXCLUSIVE, IRREVOCABLE RIGHT TO PARK AUTOMOBILES CREATED BY RESTATEMENT OF EASEMENT, RESTRICTION AND OPERATING AGREEMENT DATED APRIL 23, 1990 BY AND BETWEEN BULLOCK'S PROPERTIES CORP. AND LA HABRA ASSOCIATES RECORDED APRIL 27, 1990 AS INSTRUMENT NO. 90-224781, ON, OVER AND ACROSS LOT 3 OF TRACT NO. 13828, AS SHOWN ON A MAP FILED IN BOOK 700 PAGES 1 TO 6, INCLUSIVE OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

APN: 018-381-61 and 018-381-62 and 018-381-63 and 018-381-66 and 018-381-67 and 018-381-69 and 018-381-70 and 018-381-71 and 018-391-37 and 018-391-38