

ORDINANCE NO. 2759

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-123-09, CHANGING THE ZONING DESIGNATION FROM C-2 (COMMUNITY COMMERCIAL) AND PLANNED UNIT DEVELOPMENT NO. PUD-102-88 TO PLANNED UNIT DEVELOPMENT NO. PUD-123-09

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

WHEREAS, the case, initiated by the City of Garden Grove, to establish a Mixed-Use Planned Unit Development zoning for the purpose of allowing future development of the 13.9-acre Brookhurst Triangle site consisting of approximately 200,000 square feet of commercial/office space and up to 700 residential dwelling units, which will also include sufficient parking, open space, an urban trail, and related development standards for a mixed-use development located within the triangular site bounded by Brookhurst Street, Garden Grove Boulevard, and Brookhurst Way, addressed as 12791 through 12861 Brookhurst Street (west side of Brookhurst Street), 10071 through 10151 Garden Grove Boulevard (north side of Garden Grove Boulevard only), and 12882 Brookhurst Way, Parcel Nos. 089-661-03, 04, 05; 089-071-05, 06, 07, 08, 11, 12, 13, 14, 24, & 25;

WHEREAS, the Planning Commission, at a Public Hearing held on October 1, 2009, recommended adoption of a Mitigated Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act for Planned Unit Development No. PUD-123-09 and Development Agreement;

WHEREAS, pursuant to Resolution No. 5694, the Planning Commission, at a Public Hearing held on October 1, 2009, recommended approval of Planned Unit Development No. PUD-123-09;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on November 10, 2009, and all interested persons were given an opportunity to be heard;

WHEREAS, the City Council of the City of Garden Grove, in regular session assembled on November 10, 2009, does hereby adopt a Mitigated Negative Declaration for land located within the triangular site bounded by Brookhurst Street, Garden Grove Boulevard, and Brookhurst Way, addressed as 12791 through 12861 Brookhurst Street (west side of Brookhurst Street), 10071 through 10151 Garden Grove Boulevard (north side of Garden Grove Boulevard only), and 12882 Brookhurst Way, Parcel Nos. 089-661-03, 04, 05; 089-071-05, 06, 07, 08, 11, 12, 13, 14, 24, & 25.

NOW, THEREFORE, BE IT ORDAINED THAT THE CITY COUNCIL OF THE CITY OF GARDEN GROVE:

Section 1. The City Council of the City of Garden Grove has considered the proposed Mitigated Negative Declaration together with comments received during the public review process. The record of proceedings on which the City Council of the City of Garden Grove decision is based is located at the City of Garden Grove, 11222 Acacia Parkway, Garden Grove, California. The custodian of record of proceedings is the Director of Community Development. The City Council of the City of Garden Grove finds on the basis of the whole record before it, including the initial study and comments received, that there is no substantial evidence that the project will have a significant effect on the environment. The City Council further finds that the adoption of the Mitigated Negative Declaration reflects the City Council's independent judgment and analysis. Therefore, the City Council of the City of Garden Grove adopts the Mitigated Negative Declaration.

Section 2. Planned Unit Development No. PUD-123-09 is hereby approved, as modified by City Council to a maximum of 700 residential dwelling units and a maximum building height of ten (10) stories, pursuant to the facts and reasons stated in Planning Commission Resolution No. 5694, a copy of which is on file in the Office of the City Clerk and incorporated herein by reference with the same force and effect as if set forth in full.

Section 3. The property shown on the map attached hereto is rezoned to the Planned Unit Development No. PUD-123-09 zone as shown thereon. Zone Map part N-12 is amended accordingly.

Section 4. This Ordinance shall take effect thirty (30) days after adoption and shall within fifteen (15) days of adoption be published with the names of Council Members voting for and against the same in a newspaper adjudicated and circulated in the City of Garden Grove.

The foregoing Ordinance was passed by the City Council of the City of Garden Grove on the ____ day of _____.

ATTEST:

MAYOR

CITY CLERK

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

I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced and presented on November 10, 2009, with a vote as follows:

AYES: COUNCIL MEMBERS: (5) BROADWATER, DO, JONES, NGUYEN, DALTON
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE

