

ORDINANCE NO. 2774

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A NEGATIVE DECLARATION AND ADOPTING DEVELOPMENT AGREEMENT NO. DA-180-10 BETWEEN BRANDYWINE HOMES (DEVELOPER), AND THE CITY OF GARDEN GROVE

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE FINDS AND DETERMINES AS FOLLOWS:

WHEREAS, pursuant to Resolution No. 5708, the Planning Commission, at a Public Hearing held on March 4, 2010, recommended approval of Development Agreement No. DA-180-10 between Brandywine Homes and the City of Garden Grove;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on April 13, 2010, and all interested persons were given an opportunity to be heard.

THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS: The City Council of the City of Garden Grove has considered the proposed 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 Negative Declaration reflects the City Council's independent judgment and analysis. Therefore, the City Council of the City of Garden Grove, in regular session assembled on April 13, 2010, does hereby adopt a Negative Declaration for property located on the west side of Fairview Street, south of Trask Avenue, at 13531, 13551, 13581, and 13585 Fairview Street, Garden Grove, Parcel Nos. 101-52-04, 05, 06, and 11.

Section 1. A Development Agreement is hereby adopted for Site Plan No. SP-455-10 and Tentative Tract Map No. TT-17353 for property located on the west side of Fairview Street, south of Trask Avenue, at 13531, 13551, 13581, and 13585 Fairview Street, Garden Grove, Parcel Nos. 101-652-04, 05, 06, and 11. A copy of Development Agreement No. DA-180-10 is on file in the City Clerk's Office.

Section 2. Severability. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this

Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words, or portions thereof be declared invalid or unconstitutional.

Section 3. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after adoption.

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 April 13, 2010, with a vote as follows:

AYES: COUNCIL MEMBERS: (3) BROADWATER, NGUYEN, DALTON
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (2) DO, JONES