

RESOLUTION NO. 5260

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDEN GROVE RECOGNIZING THE PREVIOUSLY ADOPTED NEGATIVE DECLARATION AND RECOMMENDING APPROVAL OF PLANNED UNIT DEVELOPMENT NO. PUD-141-01 AND A DEVELOPMENT AGREEMENT FOR LAND LOCATED ON THE WEST SIDE HARBOR BOULEVARD, SOUTH OF CHAPMAN AVENUE, NORTH OF TWINTREE AVENUE, PARCEL NOS. 231-471-01 THROUGH 18

BE IT RESOLVED that the Planning Commission of the City of Garden Grove, in regular session assembled on December 6, 2001, does hereby recognize the previously adopted Negative Declaration and recommends approval of Planned Unit Development No. PUD-141-01 and a Development Agreement.

BE IT FURTHER RESOLVED in the matter of Planned Unit Development No. PUD-140-01 and Development Agreement, the Planning Commission of the City of Garden Grove does hereby report as follows:

1. The subject case was initiated by Palm Court Lodging, LLC.
2. The applicant requests approval of a Zone Change from PUD-121-98 to PUD-141-01 and a Development Agreement in order to construct two hotels on approximately 5.60 acres.
3. The previously adopted Negative Declaration considered the necessary entitlements for the proposed project including Planned Unit Development, Site Plan, Parcel Map, Street and Alley Vacations, and Conditional Use Permit applications; therefore, no further environmental action is necessary.
4. The property has a General Plan Land Use designation of Mixed Use (MX), and is currently zoned Planned Unit Development No. PUD-121-98. The site is improved with a mixture of single family residences and commercial businesses.
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 December 6, 2001, 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 December 6, 2001; 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 Section 9.12.020, are as follows:

FACTS:

The site is currently improved with various commercial and residential uses.

The site is approximately 5.60 acres in area, and the minimum site requirement for Planned Unit Development commercial development is 5 acres.

The site is located within a redevelopment project area.

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

FINDINGS AND REASONS:

Planned Unit Development:

1. The location of the buildings, architectural design, and proposed uses are compatible with the character of existing development in the vicinity, and the project will be well-integrated into its setting.

The project is designed to be integrated with the existing developments in the area. The design of the proposed development, in conjunction with the conditions of approval and mitigations contained in the Negative Declaration, will ensure a reasonable degree of compatibility with adjacent uses.

2. The plan will produce a stable and desirable environment and will not cause undue traffic congestion on surrounding or access streets.

All appropriate conditions of approval and mitigation measures, including a traffic study to be prepared, have been incorporated to minimize any adverse impacts on surrounding streets.

3. The quality of the project achieved through the Planned Unit Development zoning is greater than could be achieved through traditional zoning.

The project incorporates an innovative design, reflects the intent for tourist-based development contained in the Harbor Corridor Regional/Urban Design Assistance Team (R/UDAT) study and the Harbor Corridor Specific Plan, and implements goals of the General Plan regarding creating enhanced opportunities for tourist-based development in the Harbor Corridor (Land Use, Planning Area

Policies 1.2., 1.5, and Economic Development Policies 5.1, 5.2, and 5.3). The project will be developed in accordance with the conditions of approval, which will insure that the overall quality of the project will be comparable to projects that could be achieved through the Specific Plan and other Municipal Code provisions.

INCORPORATION OF FACTS AND REASONS 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. Planned Unit Development No. PUD-141-01 possesses characteristics that would indicate justification of the request in accordance with Municipal Code Section 9.12.020 (Planned Unit Development) and Government Code Section 65864 et. seq., provisions for Development Agreements.
2. The implementation provisions for Planned Unit Development No. PUD-141-01 are found under Resolution No. 5261 for Site Plan No. SP-301-01 and Tentative Parcel Map No.2001-227.

ADOPTED this 6th day of December 2001.

/s/ SUSAN ANN BARRY  
CHAIR

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 December 6, 2001, by the following votes:

AYES: COMMISSIONERS: BARRY, BUTTERFIELD, CALLAHAN, FREZE,  
HUTCHINSON JONES, NGUYEN

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 January 2, 2002.