

ORDINANCE NO. 2878

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING DEVELOPMENT AGREEMENT NO. DA-005-2017 BETWEEN THE CITY OF GARDEN GROVE AND SCOTT A. LISSOY, TRUSTEE OF THE LISSOY TRUST

**City Attorney Summary**

***This Ordinance approves a Development Agreement between the City of Garden Grove and Scott A. Lissoy, Trustee of the Lissoy Trust, the developer of a proposed 16-unit mixed-use development (with two (2) work-live units and 14 residential units) to be located on the south side of Garden Grove Boulevard, east of Euclid Street, at 11222 Garden Grove Boulevard. The agreement provides that the developer will be entitled to build the project in accordance with the land use entitlement approved pursuant to Site Plan No. SP-034-2017 for a period of 4 years. The agreement further provides for a development agreement payment to the City of Garden Grove in an amount not to exceed \$30,656.00.***

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

WHEREAS, the City of Garden Grove has received an application from Far West Industries (Developer) for Development Agreement No. DA-005-2017 to construct a 16-unit, three-story mixed-use development, consisting of two (2) commercial storefronts fronting on Garden Grove Boulevard with residential units above and 14 residential units on the 28,232 square foot site with related improvements on that certain real property located on the south side of Garden Grove Boulevard, east of Euclid Street, at 11222 Garden Grove Boulevard Assessor's Parcel Nos. 100-013-09, 100-013-10, and 100-013-13 (the "Project"); and

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on March 28, 2017, and all interested persons were given an opportunity to be heard; and

WHEREAS, Development Agreement No. DA-005-2017 is consistent with the CC-3 (Civic Center Core) zoning, including the goals and policies of the Garden Grove General Plan (Civic Center Mixed Use Land Use Designation); and

1. WHEREAS, The City of Garden Grove has determined that this action is exempt pursuant to Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES ORDAIN AS FOLLOWS:

Section 1. Recitals. The City Council finds that the above recitations are true and correct.

Section 2. Environmental Review. Pursuant to CEQA, the City Council has determined that this action is exempt pursuant to Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act.

Section 3. Approval. Development Agreement No. DA-005-2017 is hereby adopted for property located on the south side of Garden Grove Boulevard, east of Euclid Street, at 11222 Garden Grove Boulevard, Assessor's Parcel Nos. 100-013-09, 100-013-10, and 100-013-13. A copy of Development Agreement No. DA-005-2016 is attached to this Ordinance and is on file in the City Clerk's Office.

Section 4. Recording. Pursuant to California Government Code Section 65868.5, the City Clerk shall record a copy of the Development Agreement with the County Recorder for the County of Orange within 10 days after the Development Agreement is executed.

Section 5. 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 6. 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 11 day of April 2017.

ATTEST:

/s/ STEVEN R. JONES  
MAYOR

/s/ TERESA POMEROY, CMC  
CITY CLERK

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

I, TERESA POMEROY, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced for first reading and passed to second reading on March 28, 2017, with a vote as follows:

AYES: COUNCIL MEMBERS: (7) BEARD, O'NEILL, NGUYEN T., BUI,  
KLOPFENSTEIN, NGUYEN K., JONES  
NOES: COUNCIL MEMBERS: (0) NONE  
ABSENT: COUNCIL MEMBERS: (0) NONE

and was passed on April 11, 2017, by the following vote:

AYES: COUNCIL MEMBERS: (7) BEARD, O'NEILL, NGUYEN T., BUI,  
KLOPFENSTEIN, NGUYEN K., JONES  
NOES: COUNCIL MEMBERS: (0) NONE  
ABSENT: COUNCIL MEMBERS: (0) NONE

/s/ TERESA POMEROY, CMC  
CITY CLERK