

PUD-110-72

DEC 10 1972

December 12, 1972

County Recorder  
Post Office Box 238  
Santa Ana, California 92702

Dear Sir:

We are enclosing for recordation the following documents in connection with  
Planned Unit Development, PUD-110-72:

Ordinance No. 1279 (with map)

City Council Resolution No. 4285-72

Planning Commission Resolution No. 2592

Covenant and Affidavit

Appropriate Plans

Upon completion of recordation please return to the undersigned.

We are also enclosing the City's Warrant No. 25781 in the amount of \$37.00  
covering recordation fees as applicable to the aforementioned documents.

Thank you for your assistance in this matter.

Sincerely,

CITY OF GARDEN GROVE

/S/ Ruby K. Silva

CITY CLERK

/vas  
Enc.

cc: Development Services ✓

RECORDING REQUESTED  
BY AND MAIL TO  
City of Garden Grove  
11391 Acacia Parkway  
Garden Grove, CA 92640

12966

FREE  
C8

RECORDED IN OFFICIAL RECORDS  
OF ORANGE COUNTY, CALIFORNIA

28 Min. 1 1/2 P.M. DEC 14 1972  
Past  
J. WYLIE CARLYLE, County Recorder

ORDINANCE NO. 1279

BOOK 10470 PAGE 911

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE AMENDING THE GARDEN GROVE MUNICIPAL CODE AND PARTICULARLY ARTICLE IX THEREOF ENTITLED "LAND USE "

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

SECTION 1:

Article IX of the Municipal Code of the City of Garden Grove is hereby amended by the following addition:

SECTION 9203.20.181:

Planned Unit Development No. PUD-110-72 is hereby adopted. Zone Map Part D-9 is amended accordingly.

The amendment as provided by this Section shall be subject to all the conditions and provisions as set forth in the Planning Commission Resolution No. 2592 approving Planned Unit Development No. PUD-110-72.

SECTION 2:

This Ordinance shall take effect thirty (30) days after adoption and shall within fifteen (15) days of adoption be published with the names of the Councilmen voting for and against the same in the Orange County Evening News, a newspaper of general circulation, printed, published 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 15th day of August , 1972.

/S/ BERNARD C. ADAMS  
MAYOR

ATTEST:

/S/ RUBY K. SILVA  
CITY CLERK

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

I, RUBY K. SILVA, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance had its first reading on August 1, 1972, and had its second reading on August 15, 1972, and was passed by the following vote, to wit:

AYES: COUNCILMEN: BUTTERFIELD, DONOVAN, LAKE, ADAMS  
NOES: COUNCILMEN: NONE  
ABSENT: COUNCILMEN: SCHMIT

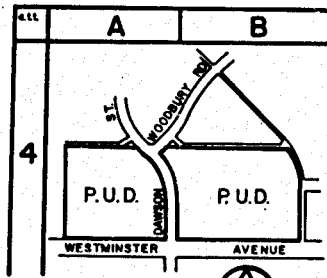
/S/ RUBY K. SILVA  
CITY CLERK

The foregoing instrument is a full, true and correct copy of the original on file in this office.

ATTEST: August 17, 1972  
RUBY K. SILVA, CITY CLERK OF THE CITY OF GARDEN GROVE

*Ruby K. Silva, City Clerk*

DIC 55 10 10 AM '15  
RECEIVED



VISUAL SCALE  
IN FEET



PUD-110-72  
ZONE MAP  
PART D-9

RECORDING REQUESTED  
BY AND MAIL TO

City of Garden Grove  
11391 Acacia Parkway  
Garden Grove, CA 92640

12967

FREE  
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RECORDED IN OFFICIAL RECORDS  
OF ORANGE COUNTY, CALIFORNIA

28 Min. Past 12 P.M. DEC 14 1972

J. WYLIE CARLYLE, County Recorder

RESOLUTION NO. 2592

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF GARDEN GROVE APPROVING  
PLANNED UNIT DEVELOPMENT NO. PUD-110-72

BOOK 10470 PAGE 913

WHEREAS, in the matter of Planned Unit Development No. PUD-110-72, the Planning Commission of the City of Garden Grove does report as follows:

1. The subject case was initiated by Naftali Deutsch, as applicant,
2. The applicant requests rezoning of approximately 18.8 acres from the C-1, Limited Commercial zone, to the PUD, Planned Unit Development Zone, and approval of a General Development Plan for the construction of the following: On the west side of Dawson (8.08 acres): 1. Ice Skating Rink (45,900 sq. ft.); 2. Rental space for office/commercial uses (20,000 sq. ft.); 3. Restaurant (5,000 sq. ft.); 4. Twin Theatre (5,000 sq. ft.); 5. Bank (5,000 sq. ft.); and 6. Aged Care Facility (31,500 sq. ft.). On the east side of Dawson (10.72 acres): 130 townhouse condominiums, to include approximately 1.2 acres of private open area and 4.3 acres of common open and recreation area. Subject property is located at the northwest and northeast corners of Dawson and Westminster at 10161 and 10221 Westminster Avenue.
3. The subject property is zoned C-1 and is unimproved.
4. Existing land use and zoning of property in the vicinity of the subject property have been reviewed.
5. Past cases affecting the subject property were considered and the Staff Report submitted by the City's Staff was reviewed.
6. Pursuant to legal notice, public hearing was held on July 13, 1972, and all interested persons were given an opportunity to be heard.
7. The Planning Commission gave due and careful consideration to the matter during their meeting of July 13, 1972; and

WHEREAS, facts and reasons supporting the conclusion of the Planning Commission, as required under Municipal Code Section 9220.4, are as follows:

1. The subject development conforms to the Westminster Avenue Study adopted by Council on September 14, 1971, in that the townhouse development provides for substantial spendable income within a quality residential complex located a considerable distance away from an arterial intersection.
2. Proposed development conforms to the Westminster Avenue Study in that it proposes to contribute to a compaction of a quality commercial development in the immediate proximity of an arterial intersection.
3. The commercial development will serve the City objective of broadening the tax base in that it will generate a substantial increase in property tax and sales tax revenues.
4. The subject PUD represents the highest and best use of the property due to the fact that Dawson Street effectively divides it in such a manner as to make any other type of totally coordinated development most difficult; and

WHEREAS, the Planning Commission does conclude:

1. Subject Planned Unit Development does possess characteristics that would indicate justification of the request for adoption in accordance with Municipal Code Section 9220.
2. In order to fulfill the purpose and intent of the Municipal Code and thereby promote the public health, safety, and general welfare, the following conditions of approval shall apply to the subject case:
  - A. Approval of this Planned Unit Development shall not be construed to mean any waiver of the applicable and appropriate zoning and other regulations. Wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.

B. A detailed landscaping plan for the commercial area shall be submitted for approval by the Zoning Administrator not later than thirty (30) days from the date of issuance of building permits for Phase I. Said plans shall show plant size, location, type, and method of sprinkling, and shall indicate mature landscaping for the entire Westminster frontage, both east and west of Dawson. Also, a combination of mature landscaping and a six-foot high masonry wall shall be provided along the entire north property line in order to completely screen the subject property from the property to the north, and provide a barrier to vehicular traffic between the two private alleys on the east parcel.

C. Signing in the commercial area shall be in accordance with the C-1, Limited Commercial Zone, and signing in the residential area shall be in accordance with the R-2, Limited Residential Zone. All signing shall be uniform and shall be subject to Zoning Administrator approval.

D. Prior to release of utilities for any of the residential buildings constructed in Phase II, a traffic signal meeting the specifications of the Development Services Director shall be installed by the developer at the intersection of Bowen and Westminster.

E. Phasing of the subject development shall be as follows:

Phase I shall include all commercial buildings, all off-site improvements, the townhouse model complex, townhouse buildings 3 to 9, the recreation building, and all recreation facilities.

Phase II shall include townhouse buildings 10 to 16 and the traffic signal at Bowen and Westminster.

Release of utilities shall be authorized simultaneously upon completion of each phase and no occupancy shall be permitted until Phase I is completed.

F. All buildings shall be roofed with wood shakes as approved by the Development Services Director.

G. Undergrounded marbelite street lights shall be installed along public streets by the developer before any utility release.

H. Standard trash enclosures meeting the requirements of Municipal Code Section 9205.10 shall be constructed adjacent to those driveways and private streets which can be served by the trash pick-up service without the necessity of backing up.

I. No patio covers shall be constructed so as to connect the dwelling units and the garages, and no patio covers in excess of 100 square feet shall be permitted.

J. A tentative tract shall be filed within thirty (30) days of final City Council action approving PUD-110-72. Prior to issuance of building permits for each phase, a final tract map shall be recorded in substantial agreement with the tentative tract map for each phase.

K. Minor modifications to Planned Unit Development No. PUD-110-72 shall be approved by the Zoning Administrator or the Building-Zoning Manager. If other than minor changes are made in the proposed development, a new PUD application shall be filed which reflects the revisions made.

L. All roof-mounted mechanical equipment shall be screened from view from any public street or common area within the project. Said screening shall meet the approval of the Zoning Administrator prior to installation and shall be designed in a manner complementary to the architecture of the building.

M. Uses permitted within the commercial area on the west side of Dawson shall be as follows:

- 1) Any use permitted in the C-1 zone.
- 2) Movie theatre.
- 3) Bank or other financial institution.
- 4) Restaurant.
- 5) Ice skating rink.

N. For the townhouse development, the developer shall construct and dedicate to the City all on-site water system facilities necessary to provide adequate fire protection and metered domestic water services to each individual dwelling unit. However, for the commercial developments, all domestic and on-site fire protection services shall be installed within the dedicated public right-of-way of Westminster Avenue and Dawson Street;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Garden Grove does hereby recommend approval of Planned Unit Development No. PUD-110-72.

ADOPTED this 13th day of July, 1972.

/s/ THOMAS B. CONN  
VICE CHAIRMAN

I HEREBY CERTIFY that the foregoing resolution was duly adopted at a regular meeting of the Planning Commission of the City of Garden Grove which was held on July 13, 1972, and carried by the following vote, to wit:

AYES: COMMISSIONERS: FINCH, MC NAMARA, SHELTON, WOOLLEY, CONN  
NOES: COMMISSIONERS: NONE  
ABSENT: COMMISSIONERS: MC CLEARY, SHELSTAD

/s/ NORENE SHERRARD  
CLERK OF THE PLANNING AGENCY

The foregoing instrument is a full, true and correct copy of the original on file in this office. *The Development Services Dept.*

ATTEST, August 17 1972  
RUBY K. SILVA, CITY CLERK OF THE CITY OF GARDEN GROVE

*Ruby K. Silva, City Clerk*

RECORDING REQUESTED  
BY AND MAIL TO  
City of Garden Grove  
11391 Acacia Parkway  
Garden Grove, CA 92640

12968

FREE  
C8

RECORDED IN OFFICIAL RECORDS  
OF ORANGE COUNTY, CALIFORNIA

28 Min. Past 12 P.M. DEC 14 1972  
J. WYLIE CARLYLE, County Recorder

RESOLUTION NO. 4285-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-110-72

WHEREAS, the applicant, Naftali Deutsch, requests rezoning of approximately 18.8 acres from the C-1, Limited Commercial Zone, to the PUD, Planned Unit Development Zone, and approval of a General Development Plan for the construction of the following: On the west side of Dawson (8.08 acres): 1. Ice Skating Rink (45,900 sq ft); 2. Rental space for office/commercial uses (20,000 sq ft); 3. Restaurant (5,000 sq ft); 4. Twin Theatre (5,000 sq ft); 5. Bank (5,000 sq ft); and 6. Aged Care Facility (31,500 sq ft). On the east side of Dawson (10.72 acres): 130 townhouse condominiums, to include approximately 1.2 acres of private open area and 4.3 acres of common open and recreation area. Subject property is located at the northwest and northeast corners of Dawson and Westminster at 10161 and 10221 Westminster Avenue; and

FILED 10470 REC 916

WHEREAS, the City Planning Commission, pursuant to Resolution No. 2592, recommended approval of PUD-110-72 on July 13, 1972; and

WHEREAS, pursuant to legal notice, the City Council held public hearing on the subject case on August 1, 1972; and

and WHEREAS, all interested persons were given an opportunity to be heard;

WHEREAS, the City Council gave due and careful consideration to the matter,

NOW, THEREFORE, BE IT RESOLVED:

1. Planned Unit Development No. PUD-110-72 is hereby approved pursuant to Planning Commission Resolution No. 2592, a copy of which is attached hereto and incorporated herein by reference with the same force and effect as if set forth in full.

2. The City Staff is hereby directed to prepare the necessary ordinance to amend the Municipal Code as proposed by Planned Unit Development No. PUD-110-72.

3. The City Clerk is directed to forward copies of this Resolution to all pertinent parties.

ADOPTED this 8th day of August, 1972.

/S/ BERNARD C. ADAMS  
MAYOR

ATTEST:

/S/ RUBY K. SILVA  
CITY CLERK

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

The foregoing Instrument is a full, true and correct copy of the original on file in this office.

ATTEST: August 17 1972  
RUBY K. SILVA, CITY CLERK OF THE CITY OF GARDEN GROVE  
*Ruby K. Silva, City Clerk*

I, RUBY K. SILVA, City Clerk of the City of Garden Grove do hereby certify that the foregoing Resolution was duly adopted by the Council of the City of Garden Grove, California, at a regular meeting thereof held on the 8th day of August, 1972, by the following vote:

AYES: COUNCILMEN: BUTTERFIELD, DONOVAN, LAKE, SCHMIT, ADAMS  
NOES: COUNCILMEN: NONE  
ABSENT: COUNCILMEN: NONE

/S/ RUBY K. SILVA  
CITY CLERK



Mail to: RECORDING REQUESTED BY  
City Clerk  
City of Garden Grove  
11391 Acacia Parkway  
Garden Grove, Calif. 92640

13016

BOOK 10471 PAGE 29

RECORDED IN OFFICIAL RECORDS  
OF ORANGE COUNTY, CALIFORNIA  
38 Min. 2 P.M. DEC 14 1972  
J. WYLIE CARLYLE, County Recorder

\$33.00

COVENANT AND AFFIDAVIT

REGARDING ACCEPTANCE OF CONDITIONS OF APPROVAL FOR  
PLANNED UNIT DEVELOPMENT NO. PUD-110-72

STATE OF CALIFORNIA }  
COUNTY OF ORANGE } SS:

The undersigned represent that they are the sole owners of that parcel of real property situated in the City of Garden Grove, County of Orange, State of California, described as follows:

That portion of Lot 1 of Tract No. 2545, as shown on a map of said tract recorded in book 82, pages 13, 14 and 15, Miscellaneous Maps, records of said Orange County, together with a portion of the North 10.00 feet of Westminster Avenue which was abandoned by Resolution No. 49 of the City Council of Garden Grove, a copy of which was recorded November 14, 1956 in book 3710, page 493, Official Records, in the office of the County Recorder of said Orange County, described as a whole as follows:

Commencing at the Northwest corner of said Lot 1 and running thence North 89° 31' 25" East along the North line of said lot, 605.04 feet; thence South 0° 28' 35" East parallel with the West line of said lot, 300.00 feet to the true point of beginning of the boundary of the land described herein; thence North 89° 31' 25" East parallel with that portion of the Northerly boundary of said Lot 1 having said bearing, and along the Easterly extension of said parallel line, 642.91 feet to the East line of said Lot 1; thence South 0° 28' 35" East along said East line, and its Southerly extension, 602.94 feet to a line which is parallel with, and distant 50.00 feet Northerly, measured at right angles, from the surveyed center line of Westminster Avenue as shown on said map of Tract No. 2545; thence South 89° 29' 30" West along said parallel line, 642.91 feet to its intersection with a line extending South 0° 28' 35" East, parallel with the West line of said Lot 1, from the true point of beginning; thence North 0° 28' 35" West along said parallel line, 603.30 feet to the true point of beginning.

PARCEL 2:

Those portions of Lots 1 and 33 of Tract No. 2545, as shown on a map of said tract recorded in book 82, pages 13, 14 and 15, Miscellaneous Maps, records of said Orange County, together with a portion of the North 10.00 feet of Westminster Avenue which was abandoned by Resolution No. 49 of the City Council of Garden Grove, a copy of which was recorded November 14, 1956, in book 3710, page 493, Official Records, in the office of the County Recorder of said Orange County, described as a whole as follows:

Commencing at the Northwest corner of said Lot 1 and running thence North 89° 31' 25" East along the North line of said lot, 605.04 feet; thence South 0° 28' 35" East parallel with the West line of said lot, 300.00 feet to the true point of beginning of the boundary of the land described herein; thence North 89° 31' 25" East parallel with that portion of the Northerly boundary of said Lot 1 having said bearing, and along the Easterly extension of said parallel line, 1394.95 feet more or less, to the Easterly boundary of said Lot 33, said point being in a curve concave Southwesterly and having a radius of 230.00 feet, a radial line to said point bearing North 52° 53' 41" East; thence Southerly along said curve through a central angle of 35° 35' 49" an arc distance of 146.91 feet to a line tangent in the Easterly boundary of said lot; thence South 0° 30' 30" East along said Easterly boundary, and its Southerly extension, 465.39 feet to a line which is parallel with, and distant 50.00 feet Northerly, measured at right angles, from the surveyed center line of Westminster Avenue, as shown on said map of Tract No. 2545; thence South 89° 29' 30" West along said parallel line, 1440.63 feet to its intersection with a line extending South 0° 28' 35" East, parallel with the West line of said Lot 1, from the true point of beginning; thence North 0° 28' 35" West along said parallel line, 603.30 feet to the true point of beginning.

Excepting therefrom that portion lying West of the East line of said Lot 1 and its Southerly extension.

which property is situated at the northwest and northeast corner of Westminster and Dawson.

The undersigned in consideration of being granted approval of Planned Unit Development No. PUD-110-72 on the above described property do hereby promise, covenant, and agree to and with the City of Garden Grove that they are aware of, and accept, all the conditions of said Planned Unit Development No. PUD-110-72 granted by the Planning Commission of the City of Garden Grove in Resolution No. 2592 on July 13, 1972, and by the City Council of the City of Garden Grove in Resolution No. 4285-72 on August 8, 1972.

The conditions of approval that apply to the subject case are as follows:

- A. Approval of this Planned Unit Development shall not be construed to mean any waiver of the applicable and appropriate zoning and other regulations. Wherein not otherwise specified, all requirements of the City of Garden Grove Municipal Code shall apply.
- B. A detailed landscaping plan for the commercial area shall be submitted for approval by the Zoning Administrator within thirty (30) days of the issuance of building permits for Phase I. A similar landscaping plan shall be submitted for the residential area within sixty (60) days of the issuance of building permits for Phase I. Said plans shall show plant size, location, type, and method of sprinkling, and shall indicate mature landscaping for the entire Westminster frontage, both east and west of Dawson. Also, a combination of mature landscaping and a six-foot high masonry wall shall be provided along the entire north property line in order to completely screen the subject property from the property to the north, and provide a barrier to vehicular traffic between the two private alleys on the east parcel.
- C. Signing in the commercial area shall be in accordance with the C-1, Limited Commercial Zone, and signing in the residential area shall be in accordance with the R-2, Limited Residential Zone. All signing shall be uniform and shall be subject to Zoning Administrator approval.
- D. Prior to release of utilities for any of the residential buildings constructed in Phase II, a traffic signal meeting the specifications of the Development Services Director shall be installed by the developer at the intersection of Bowen and Westminster.
- E. Phasing of the subject development shall be as follows:
- Phase I shall include all commercial buildings, all off-site improvements, the townhouse model complex, townhouse buildings 3 to 9, the recreation building, and all recreation facilities.
- Phase II shall include townhouse buildings 10 to 16 and the traffic signal at Bowen and Westminster.
- Release of utilities shall be authorized simultaneously upon completion of each phase and no occupancy shall be permitted until Phase I is completed.
- F. All buildings shall be roofed with wood shakes as approved by the Development Services Director.
- G. Undergrounded marbelite street lights shall be installed along public streets by the developer before any utility release.
- H. Standard trash enclosures meeting the requirements of Municipal Code Section 9205.10 shall be constructed adjacent to those driveways and private streets which can be served by the trash pick-up service without the necessity of backing up.
- I. No patio covers shall be constructed so as to connect the dwelling units and the garages, and no patio covers in excess of 100 square feet shall be permitted.
- J. A tentative tract shall be filed within thirty (30) days of final City Council action approving PUD-110-72. Prior to issuance of building permits for each phase, a final tract map shall be recorded in substantial agreement with the tentative tract map for each phase.
- K. Minor modifications to Planned Unit Development No. PUD-110-72 shall be approved by the Zoning Administrator or the Building-Zoning Manager. If other than minor changes are made in the proposed development, a new PUD application shall be filed which reflects the revisions made.

