

ORDINANCE NO. 2773

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A NEGATIVE DECLARATION AND APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-124-10, CHANGING THE ZONING DESIGNATION FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO PLANNED UNIT DEVELOPMENT NO. PUD-124-10

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

WHEREAS, the case, initiated by Brandywine Homes, proposes to rezone approximately 2.48 acres of land zoned R-1 (Single-Family Residential) to the Planned Unit Development zone in order to facilitate development of the site with a twenty (20) unit single-family residential small-lot subdivision 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;

WHEREAS, the Planning Commission, at a Public Hearing held on March 4, 2010, recommended adoption of a Negative Declaration of Environmental Impact pursuant to the California Environmental Quality Act for this project for Planned Unit Development No. PUD-124-10 and Development Agreement No. DA-180-10;

WHEREAS, pursuant to Resolution No. 5708, the Planning Commission, at a Public Hearing held on March 4, 2010, recommended approval of Planned Unit Development No. PUD-124-10;

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; and

WHEREAS, the City Council of the City of Garden Grove, in regular session assembled on April 13, 2010, does hereby adopt a Negative Declaration for land 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.

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

Section 1. 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 adopts the Negative Declaration.

Section 2. Planned Unit Development No. PUD-124-10 is hereby approved pursuant to the facts and reasons stated in Planning Commission Resolution No. 5708, 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-124-10 zone as shown thereon. Zone Map part T-15 is amended accordingly.

Section 3. 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 4. 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)

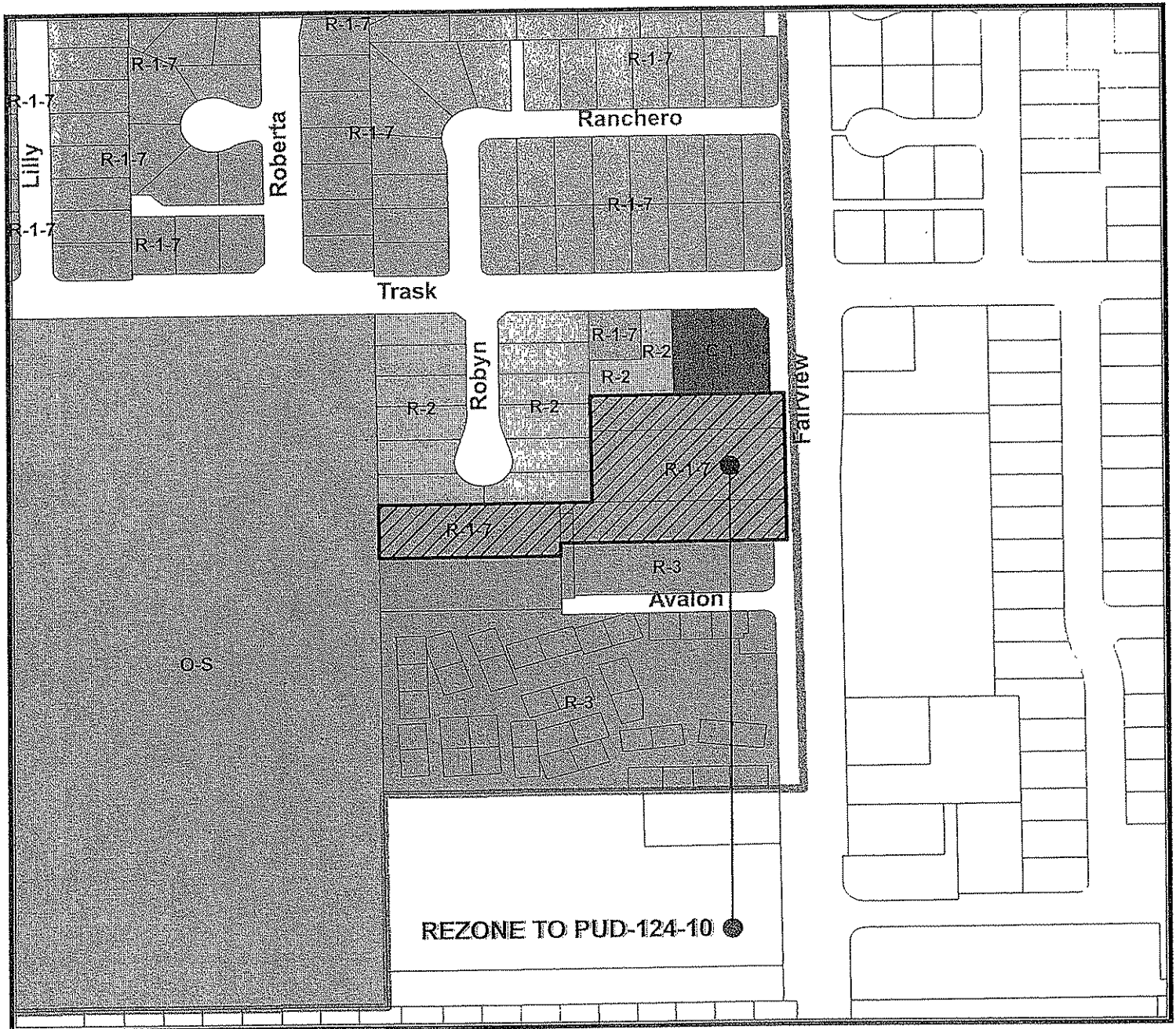
I, KATHLEEN BAILOR, City Clerk of the City of Garden Grove, do hereby certify that the foregoing Ordinance was introduced and presented on April 13, 2010, with a vote as follows:

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


PLANNED UNIT DEVELOPMENT NO. PUD-124-10


GARDEN GROVE

REZONE FROM R-1 TO PUD-124-10



LEGEND

 PROJECT SITE - 13531,13551,13581, and 13585 FAIRVIEW ST.

 500 FOOT RADIUS



NOTES

1. GENERAL PLAN: LOW DENSITY RESIDENTIAL
2. EXISTING ZONE: R-1 (SINGLE-FAMILY RESIDENTIAL)
3. PROPOSED ZONE: PUD-124-10

CITY OF GARDEN GROVE
 COMMUNITY DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 GIS SYSTEM
 APRIL 2010