

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE APPROVING PLANNED UNIT DEVELOPMENT NO. PUD-104-81/86/90 (REV. 2019) AMENDING THE GENERAL USE AND DEVELOPMENT STANDARDS FOR PLANNED UNIT DEVELOPMENT NO. PUD-104-81/86 REV. 90 TO REDUCE THE REQUIRED MINIMUM PARKING AREA LANDSCAPE SETBACK FOR AREA III B

**City Attorney Summary**

***This Ordinance approves a text amendment to the General Use and Development Standards for Planned Unit Development No. PUD-104-81/86 REV. 90 to reduce the minimum required parking area landscape setback from Euclid Street from twenty (20) feet to seven (7) feet within Area III B of the PUD, consisting of the property located on the west side of Euclid Street, between Emperor Quang Trung and Forbes Avenue, at 14231 to 14291 Euclid Street, Assessor's Parcel No. 099-183-03.***

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

WHEREAS, on April 19, 1982, the Garden Grove City Council adopted Resolution No. 6217-82, approving Planned Unit Development No. PUD-104-81, and rezoning an approximately 54-acre parcel located at the southwest corner of Forbes Avenue and Euclid Street to PUD-104-81, subject to all of the conditions and provisions as set forth in Planning Commission Resolution No. 3226;

WHEREAS, subsequent revisions to the development guidelines of Planned Unit Development No. PUD-104-81 were made in 1984, 1986, and 1990;

WHEREAS, pursuant to Planning Commission Resolution No. 4127, the current zoning designation, PUD-104-81/86 REV. 90 was adopted;

WHEREAS, Area III B of the PUD consists of the approximately 4.396-acre parcel located between Emperor Quang Trung (formerly Business Center Parkway) and Forbes Avenue, at 14231 to 14291 Euclid Street, which is currently developed with a 47,922 square feet commercial retail center with 251 parking stalls, commonly referred to as the Euclid Retail Center;

WHEREAS, the minimum required landscape setback of the parking area from Euclid Street within Area III is currently twenty (20) feet;

WHEREAS, Bon Hoang for Westfield Construction and Development, on behalf of Phung Mai Nguyen, owner of the property containing the Euclid Retail Center, has requested approval of a text amendment to the General Use and Development Standards of Planned Unit Development No. PUD-104-81/86 (REV. 90) to reduce the required minimum landscape setback applicable to the property from twenty (20) feet to seven (7) feet, to facilitate the future redevelopment of the Euclid Retail Center by: constructing a two-story 7,250 square foot commercial retail and

office building; reconfiguring the parking area and adding 65 new parking spaces; and rehabilitating the landscaping;

WHEREAS, the uses, activities, and improvements contemplated by the proposed PUD amendment and redevelopment project are collectively referred to as the "Project";

WHEREAS, following a public hearing held on June 20, 2019, the Planning Commission adopted Resolution No. 5956-19 recommending City Council approval of Planned Unit Development No. PUD-104-81/86/90 (REV. 2019);

WHEREAS, pursuant to a legal notice, a public hearing was held by the City Council on August 13, 2019, and all interested persons were given an opportunity to be heard;

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

WHEREAS, the City Council hereby determines that the proposed Project is categorically exempt from the California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 et. seq.) pursuant to Section 15305 (Minor Alterations in Land Use Limitations) and Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines (14 Cal. Code Regs., Sections 15305 and 15303); and

WHEREAS, the City Council hereby incorporates by reference the findings and reasons set forth in Planning Commission Resolution No. 5956-19, and makes the following findings regarding Planned Unit Development No. PUD-104-81/86/90 (REV. 2019):

A. The parking area landscape setback along Euclid Street proposed pursuant to the PUD amendment is compatible with the character of existing development in the vicinity, and will be well integrated into its setting.

B. The amended plan will produce a stable and desirable environment, and will not cause undue traffic congestion on surrounding streets.

C. Provision is made for both public and private open spaces.

D. Provision is made for the protection and maintenance of private areas reserved for common use.

E. The quality of the Project achieved through the proposed amendment to the existing planned unit development zoning is greater than could be achieved through traditional zoning.

F. The amendment to the PUD is internally consistent with the goals, objectives, and elements of the General Plan.

G. The amendment to the PUD will promote the public interest, health, and welfare.

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

SECTION 1: The above recitals are true and correct.

SECTION 2: Planned Unit Development No. PUD-104-81/86/90 (REV. 2019) is hereby approved pursuant to the findings set forth herein and the facts and reasons stated in Planning Commission Resolution No. 5956-19, a copy of which is on file in the Office of the City Clerk, and which is incorporated herein by reference with the same force and effect as if set forth in full.

SECTION 3: Subparagraph (a) of Paragraph 1 (Setbacks from Streets), of Subsection C (Setbacks), of Section II (General Use and Development Standards), applicable to Planned Unit Development PUD-104-81/86 REV. 90, as set forth in the attachment to Planning Commission Resolution No. 4127, adopted November 8, 1990, is hereby amended to read as follows (additions shown in ***bold/italics***; deletions shown in ~~strikethrough~~):

**"C. Setbacks**

All setbacks will be measured from the property line. For the purpose of these supplemental regulations, a street side property line is that line created by the ultimate right-of-way of the frontage street.

1) Setbacks from Streets

The following setbacks shall be maintained from designated streets.

a. Euclid and Hazard

- Buildings shall be set back a minimum of forty (40) feet.
- Parking shall be set back a minimum of twenty (20) feet, ***except in in Area III B.***
- Parking shall be set back a minimum of seven (7) feet ~~for the property located at 14291-14321 Euclid Street~~ ***in Area III B, located between Emperor Quang Trung (formerly Business Center Parkway) and Forbes Avenue.***

SECTION 4: 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 5: 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.