

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM; AND ADOPTING DEVELOPMENT AGREEMENT NO. DA-002-2016 BETWEEN TONY LAM AND JENNIE DO (DEVELOPERS), AND THE CITY OF GARDEN GROVE

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

WHEREAS, pursuant to Resolution No. 5857-16, the Planning Commission, at a Public Hearings held on April 21, 2016, May 5, 2016, and May 19, 2016, recommended approval of Development Agreement No. DA-002-2016 between Tony Lam and Jennie Do and the City of Garden Grove;

WHEREAS, pursuant to a legal notice, a Public Hearing was held by the City Council on June 28, 2016, and all interested persons were given an opportunity to be heard; and

The City Council of the City of Garden Grove does ordain as follows: The City Council of the City of Garden Grove has considered the proposed Mitigated Negative Declaration AND Mitigation Monitoring Program 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 Mitigated Negative Declaration reflects the City Council's independent judgment and analysis. Therefore, the City Council of the City of Garden Grove, in regular session assembled on June 28, 2016, does hereby adopt a Mitigated Negative Declaration and Mitigation Monitoring Program, for land consisting of three properties, two located on the north side of Garden Grove Boulevard, west of Nelson Street and one located contiguous to the north side of the Garden Grove Boulevard properties that fronts on the south side of Pearl Street, west of Nelson Street, at 10641 and 10661 Garden Grove Boulevard and 10662 Pearl Street, Assessor Parcel Nos. 089-092-06, 089-092-25, and 089-092-26 (Collectively, the "Property").

Section 1. A Development Agreement is hereby adopted for Site Plan No. SP-022-2016, Conditional Use Permit No. CUP-065-2016, and Lot Line Adjustment No. LLA-011-2016 for land consisting of three properties, two located on the north side of Garden Grove Boulevard, west of Nelson Street and one located contiguous to the north side of the Garden Grove Boulevard properties that fronts on the south

side of Pearl Street, west of Nelson Street, at 10641 and 10661 Garden Grove Boulevard and 10662 Pearl Street, Assessor Parcel Nos. 089-092-06, 089-092-25, and 089-092-26. A copy of Development Agreement No. DA-002-2016 is on file in the City Clerk's Office.

Section 2. 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 3. 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.