

ORDINANCE NO. 941

AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF BELL GARDENS, OTC BELL GARDENS, LLC, AND KIM DAE HO & HYE YEONG, RELATING TO THE PROPERTY LOCATED AT 5605 GAGE AVENUE IN THE CITY OF BELL GARDENS

WHEREAS, the City of Bell Gardens (City) Planning Commission approved Resolution #PC 2024-05 and recommended to the City Council the approval of Development Agreement No. 2023-067 by and between the City and OTC Bell Gardens, LLC (Operator) and Kim Dae Ho & Hye Yeong (Property Owner), which is incorporated herein by reference;

WHEREAS, after due notice, the City Planning Commission and City Council conducted duly noticed public hearings on this matter;

WHEREAS, pursuant to California Government Code Section 65864 *et seq.* and Resolution No. 2023-043 (Development Agreement Procedures), the City Planning Commission transmitted to the City Council its findings and recommendations through the approval of Resolution #PC 2024-05;

WHEREAS, the findings and determinations in Resolution #PC No. 2024-05 are incorporated herein by reference.

WHEREAS, DA No. 2023-067 is in the public interest and is consistent with the City's General Plan; and

WHEREAS, the City Council has reviewed and considered DA No. 2023-067 and the findings and recommendations of the City Planning Commission.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF BELL GARDENS DO ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated in full, herein.

SECTION 2. Pursuant to the Development Agreement Procedures, DA No. 2023-067:

- i. Is consistent with the objectives, policies, general land uses and programs specified in the General Plan;
- ii. Promotes the public health, safety, and general welfare;
- iii. Is just, reasonable, fair, and equitable under the circumstances; and

iv. Provides sufficient benefit to the community to justify entering into the agreement.

SECTION 3. The City Council hereby approves DA No. 2023-067 and authorizes the City Attorney to approve as to form and make clarifying changes and further authorizes and directs the Mayor to execute the development agreement in the name of the City of Bell Gardens.

SECTION 4. The City Clerk shall certify the passage and adoption of this Ordinance and shall cause this Ordinance to be published and/or posted as required by law, which shall take full force and effect thirty days from its adoption.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2024.

THE CITY OF BELL GARDENS

Jorgel Chavez, Mayor

APPROVED AS TO FORM:

ATTEST:

Stephanie Vasquez
City Attorney

Daisy Gomez
City Clerk