City of Santa Ana
Planning Commission Meeting Agenda

MAY 22, 2017

City Council Chamber
22 Civic Center Plaza
Santa Ana, California
5:30 P.M.

LYNNETTE VERINO
Chair, Ward 2 Representative

MARK McLoughlin
Vice Chair, Citywide Representative

KENNETH NGUYEN
Ward 3 Representative

CYNTHIA CONTRERAS-LEO
Ward 5 Representative

ERIC ALDERETE
Ward 1 Representative

PHIL BACERRA
Ward 4 Representative

BEATRIZ MENDOZA
Ward 6 Representative

Lisa E. Storck
Legal Counsel

Hassan Haghani, AICP
Executive Director

Sarah Bernal
Recording Secretary

The Planning Commission Agenda can be found online at
http://www.ci.santa-ana.ca.us/pba/documents/agenda_pc.pdf/

Si tiene preguntas en español, favor de llamar a Narcee Perez al (714) 667-2260.
Nếu cần liên lạc bằng tiếng Việt, xin điềnthroat cho Tony Lai số (714) 565-2627.

If you wish to submit a comment on any item on the Agenda, please submit to eComments@santa-ana.org by 3 p.m. the day of
the meeting; emails received after said time will be on file for public viewing the day after the meeting.

If you need special assistance to participate in this Planning Commission meeting, please contact Michael Ortiz, City ADA
Program Coordinator, at (714) 647-5624. Please call prior to the meeting date, to allow the City time to make reasonable
arrangements for accessibility to this meeting. [Americans with Disabilities Act, Title II, 28 CFR 35.102]
Basic Planning Commission Meeting Information

Vision, Mission and Guiding Principles - The City of Santa Ana is committed to achieving a shared vision for the organization and its community. The vision, mission and guiding principles (values) are the result of a thoughtful and inclusive process designed to set the City and organization on a course that meets the challenges of today and tomorrow.

Vision - The dynamic center of Orange County which is acclaimed for our:
• Neighborhood pride
• Thriving economic climate
• Enriched and diverse culture
• Quality government services

Mission – “To deliver efficient public services in partnership with our community which ensures public safety, a prosperous economic environment, opportunities for our youth, and a high quality of life for residents.”

Guiding Principles
• Collaboration
• Efficiency
• Equity
• Excellence
• Fiscal Responsibility
• Innovation
• Transparency

Strategic Plan Goals/Objectives/Strategies:
Goal 1 - Community Safety
Goal 2 - Youth, Education, Recreation
Goal 3 - Economic Development
Goal 4 - City Financial Stability
Goal 5 - Community Health, Livability, Engagement & Sustainability
Goal 6 - Community Facilities & Infrastructure
Goal 7 - Team Santa Ana

Code of Ethics and Conduct - The people of the City of Santa Ana, at an election held on February 5, 2008, approved an amendment to the City Charter which established the Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees to assure public confidence. A copy of the City’s Code can be found on the Clerk of the Council’s webpage. The following are the core values expressed:
• Integrity
• Honesty
• Responsibility
• Fairness
• Accountability
• Respect
• Efficiency

Agenda Information - The agenda descriptions provide the public with a general summary of the items of business to be considered by the Planning Commission. The Planning Commission is not limited in any way by the “Recommended Action” and may take any action which the Commission deems to be appropriate on an agenda item. Except as otherwise provided by law, no action shall be taken on any item not listed on the agenda.

Public Comments/Public Input - Pursuant to Government Code Sec. 54954.3, the public may address the Planning Commission on any and all matters within the Commission’s jurisdiction.

At the discretion of the Chair, at the first Public Comment portion of the meeting, all comments may be considered jointly. The public will be given the opportunity to speak on any and all matters contained on any of the Consent Calendar and Business Calendar items and/or on issues of public interest within the jurisdiction of the Commission. Members of the public shall be given three (3) minutes for each duly noticed hearing (unless the matter is continued prior to taking public testimony). All requests to speak shall be submitted in writing to the Commission Secretary at the beginning of the meeting and before Public Comments begin. Speaker forms will be available at the meeting.

REQUESTS TO SPEAK SHALL NOT BE ACCEPTED AFTER THE PUBLIC COMMENT SESSION BEGINS WITHOUT PERMISSION OF THE CHAIR. When speaking, all persons addressing the Planning Commission shall follow the rules of decorum as detailed on the back of the speaker form. The presiding officer shall have the power and responsibility to enforce decorum and order of the meeting as set forth in Section 2-104(c) of the Santa Ana Municipal Code.

Consent Calendar - All matters listed under the Consent Calendar are considered to be routine by the Planning Commission and will be enacted by one motion without discussion unless a member of the Commission “pulls” an item(s) from the consent calendar for a separate vote.

Senate Bill 343 - As required by Senate Bill 343, any non-confidential writings or documents provided to a majority of the Planning Commission members regarding any item on this agenda will be made available for public inspection in the Planning & Building Agency during normal business hours.

Agenda & Minutes - Staff reports and documents relating to each agenda item are on file in the office of the Planning & Building Agency and are available for public inspection during regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Thursday and alternate Fridays. The Planning & Building Agency is located in City Hall Ross Annex, 20 Civic Center Plaza, 2nd Floor, Santa Ana, California, (714)667-2700. Council meeting agendas, staff reports, and minutes are available the Friday before a Planning Commission meeting at the following website address: www.santa-ana.org
CALL TO ORDER          CHAIR VERINO
COMMISSION MEMBERS ALDERETE, BACERRA, CONTRERAS-LEO, MCLOUGHLIN, MENDOZA, NGUYEN

ROLL CALL
PLEDGE OF ALLEGIANCE
PUBLIC COMMENTS (on non-agenda items)

CONSENT CALENDAR ITEMS

RECOMMENDED ACTION: Approve staff recommendation on the following Consent Calendar Item: A - B.

A. MINUTES FROM THE REGULAR MEETING OF MAY 8, 2017 {STRATEGIC PLAN NO. 5, 1}

   RECOMMENDED ACTION: Approve Minutes.

B. EXCUSED ABSENCES

   RECOMMENDED ACTION: Excuse absent commission member(s).

* * * END OF CONSENT CALENDAR * *
1. **SITE PLAN REVIEW NO. 2017-02 TO ALLOW THE CONSTRUCTION OF A MIXED-USE DEVELOPMENT LOCATED AT 421 NORTH HARBOR BOULEVARD {STRATEGIC PLAN NO. 3, 2}** – Ann Ni, Case Planner

   **RECOMMENDED ACTION:** Adopt a resolution approving Site Plan Review No. 2017-02 as conditioned.

2. **REVIEW OF PUBLIC ART PLAN FOR THE 301 DEVELOPMENT LOCATED AT 301 EAST JEANETTE LANE – WOOD PARTNERS, APPLICANT {STRATEGIC PLAN NO. 3, 2}** – Verny Carvajal, Case Planner

   **RECOMMENDED ACTION:** Adopt a resolution approving the Public Art Plan for The 301.

3. **PUBLICATION – CONDITIONAL USE PERMIT NO. 2017-10 TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION AT DO LUNCH DELI RESTAURANT LOCATED AT 901 WEST CIVIC CENTER DRIVE, UNIT 150 – BRIAN C. DOYLE, APPLICANT {STRATEGIC PLAN NO. 3, 2}** – Escarlet Mar, Case Planner

   Legal notice published in the Orange County Reporter on May 12, 2017 and notices mailed on May 12, 2017.

   **RECOMMENDED ACTION:** Adopt a resolution approving Conditional Use Permit No. 2017-10.

4. **PUBLICATION – CONDITIONAL USE PERMIT NO. 2017-15 TO ALLOW CONTINUED USE OF A 60-FOOT TALL WIRELESS FACILITY FOR AMERICAN TOWER LOCATED AT 2802 SOUTH FLOWER STREET – JOHN BITTERLY, APPLICANT {STRATEGIC PLAN NO. 3, 2; 3,5}** – Ivan Orozco, Case Planner

   Legal notice published in the Orange County Reporter on May 12, 2017 and notices mailed on May 12, 2017.

   **RECOMMENDED ACTION:** Adopt a resolution approving Conditional Use Permit No. 2017-15 as conditioned.

– Selena Kelaher, Case Planner

Legal notice published in the Orange County Reporter on May 12, 2017 and notices mailed on May 12, 2017.

**RECOMMENDED ACTIONS:**


2. Recommend that City Council adopt a resolution approving General Plan Amendment No. 2017-01.

3. Recommend that City Council adopt an ordinance approving Amendment Application No. 2017-01.

**END OF BUSINESS CALENDAR**

6. **STAFF COMMENTS – Candida Neal, Planning Manager**

   - General Plan Update
   - California Lodge Suites Hotel Update

7. **PLANNING COMMISSION MEMBER COMMENTS**

**ADJOURNMENT** - The next meeting of the Planning Commission is scheduled for Monday, June 12, 2017 at 5:30 p.m. in the Council Chamber, 22 Civic Center Plaza, Santa Ana, California.

**FUTURE AGENDA ITEMS**

- Conditional Use Permit No. 2017-16 to renew the entitlements of an existing 60-foot high mono-pole major wireless communications facility located at 3308 West Warner Avenue.
- Minor Exception 2017-01 to confirm Zoning Administrator's approval of minor exception to exceed fence height standards for a single-family residence located at 1904 N. Heliotrope Drive.
MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION OF THE
CITY OF SANTA ANA, CALIFORNIA

MAY 8, 2017

CALLED TO ORDER
COUNCIL CHAMBER
22 CIVIC CENTER PLAZA
SANTA ANA, CALIFORNIA
5:31 P.M.

ATTENDANCE
COMMISSIONERS Present:
LYNNETTE VERINO, Chair
ERIC ALDERETE
PHIL BACERRA
CYNTHIA CONTRERAS-LEO
BEATRIZ MENDOZA
KENNETH NGUYEN

COMMISSIONERS Absent:
MARK MCLoughlin, Vice Chair

STAFF Present:
CANDIDA NEAL, Planning Manager
LISA STORCK, Assistant City Attorney
ALVARO NUÑEZ, Code Enforcement Manager
SARAH BERNAL, Recording Secretary

PLEDGE OF ALLEGIANCE
Chairperson Verino

PUBLIC COMMENTS (on non-agenda items) - The following public comments were received:

Connie Hamilton and Kathleen Kuilanoff voiced concerns regarding the California Lodge Suites Hotel; issues with prostitution and drugs on this property; should be considered a public safety issue; City needs to take action to improve the conditions.

- Planning Manager Neal referred the public speakers to Alvaro Nuñez, Code Enforcement Manager.
- Commissioners requested that the matter be placed on the next agenda for follow-up.
CONSENT CALENDAR

MOTION: Approve staff recommendation on Consent Calendar Items A - B.

MOTION: Alderete   SECOND: Nguyen
VOTE: AYES: Alderete, Bacerra, Contreras-Leo, Mendoza, Nguyen, Verino (6)
NOES: None (0)
ABSTAIN: None (0)
ABSENT: McLoughlin (1)

A. MINUTES FROM THE REGULAR MEETING OF APRIL 24, 2017

MOTION: Approve Minutes.

B. EXCUSED ABSENCES

MOTION: Excuse absent commission member(s): McLoughlin

*** END OF CONSENT CALENDAR ***

WORK STUDY ITEMS

1. PLANNING COMMISSIONER TRAINING

Assistant City Attorney Storck provided a presentation which included information on the following:

- Brief History on the Planning Commission
- Planning Commission Membership
- Relationship with Council
- Attributes of an Effective Commission Member
- Relationship with Staff
- General Meeting Format for Business Items
- Consent Calendar
- Amending Motions
- Planning Commission Bylaws
- Overview of the Brown Act
2. CODE ENFORCEMENT AND REVOCATION PROCEDURES

Code Enforcement Manager Nuñez provided a presentation which included information on the following:

- Code Enforcement Division
- Common Violations
- Agency Partners
- Revocation Process Enforcement

Discussion ensued regarding fines, receivership process, conditional use permit (CUP) revocation process, notice of violation process, Code Enforcement staffing levels, and Planning Commission purview relating to code enforcement issues. Commission inquired about proactive efforts by staff to enforce CUP conditions. Suggested that staff conduct random checks to ensure businesses are complying with CUP conditions.

3. PLANNING DIVISION WORK PROGRAM

Planning Manager Neal provided a presentation which included information on the following:

- Current Planning
- Large Development Projects
- Zoning Ordinance Amendments
- Development Processing
- Advance Planning
- Urban Design
- Administration

Discussion ensued regarding the zoning ordinance amendment timeline, average processing time for project approval and the fee schedule.

COMMENTS

4. STAFF COMMENTS - None.

5. PLANNING COMMISSION MEMBER COMMENTS

Commissioner Bacerra
- Thanked staff for their presentations.
ADJOURNED 6:54 P.M. - The next meeting of the Planning Commission is scheduled for Monday, May 22, 2017 at 5:30 p.m. in the Council Chamber, 22 Civic Center Plaza, Santa Ana, California.

Sarah Bernal
Recording Secretary
REQUEST FOR
Planning Commission Action

PLANNING COMMISSION MEETING DATE:
MAY 22, 2017

TITLE:
SITE PLAN REVIEW NO. 2017-2 TO ALLOW THE CONSTRUCTION OF A MIXED-USE DEVELOPMENT AT 421 NORTH HARBOR BOULEVARD – TOM LO, APPLICANT {STRATEGIC PLAN NO. 3, 2; 5,3}

Prepared by Ann Hsin-An Ni

Executive Director

Planning Manager

RECOMMENDED ACTION

Adopt a resolution approving Site Plan Review No. 2017-02 as conditioned.

Executive Summary

Tom Lo, representing the Charles Company, is requesting site plan approval to allow the construction of a four-story mixed-use residential and commercial development at 421 N. Harbor Boulevard. Pursuant to the Harbor Mixed-Use Transit Corridor Specific Plan (SP2), structures over three-stories in height require Site Plan Review approval by the Planning Commission.

Table 1: Project and Location Information

<table>
<thead>
<tr>
<th>Item</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Address and Nearest Cross Streets</td>
<td>421 North Harbor Blvd (Harbor Blvd and Fifth Street)</td>
</tr>
<tr>
<td>General Plan and Zoning Designations</td>
<td>General Plan</td>
</tr>
<tr>
<td></td>
<td>Harbor Neighborhood (UN)</td>
</tr>
<tr>
<td></td>
<td>Zoning</td>
</tr>
<tr>
<td></td>
<td>Harbor Mixed-Use Transit Corridor Specific Plan (SP2) – Corridor District</td>
</tr>
<tr>
<td>Surrounding Land Uses</td>
<td>North Commercial</td>
</tr>
<tr>
<td></td>
<td>East Residential</td>
</tr>
<tr>
<td></td>
<td>South Residential</td>
</tr>
<tr>
<td></td>
<td>West Commercial</td>
</tr>
<tr>
<td>Existing Site Development</td>
<td>Vacant</td>
</tr>
<tr>
<td>Use Permissions</td>
<td>Structures over three stories in height require Site Plan Review approval by the Planning Commission</td>
</tr>
<tr>
<td>Zoning Code Sections Affected</td>
<td>Use</td>
</tr>
<tr>
<td></td>
<td>Harbor Mixed-Use Transit Corridor Specific Plan (SP2)</td>
</tr>
<tr>
<td></td>
<td>Development Standards</td>
</tr>
<tr>
<td></td>
<td>Harbor Mixed-Use Transit Corridor Specific Plan (SP2)</td>
</tr>
</tbody>
</table>
Site Plan Review No. 2017-02  
May 22, 2017  
Page 2

<table>
<thead>
<tr>
<th>Item</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Report Exhibits</td>
<td>1 (Land Use &amp; Zoning Vicinity Map), 2 (Site Photo), 3 (Site Plan), 4 (Floor Plan), 5 (Elevations and Colored Rendering), 6 (Landscape Plan), and 7 (Resolution)</td>
</tr>
</tbody>
</table>

**Project Description**

The applicant is proposing to construct a four-story apartment project with 94 units and five levels of parking. In addition, approximately 11,000 square feet of commercial space is proposed to be provided. The project also includes 18 percent of the 1.85 acre site (14,506 square feet) to be dedicated for common open space and recreational areas.

The project has been designed as a “Lined Block” building type with a “Shopfront” frontage type on Harbor Boulevard and “Stoop” frontage type on Fifth and Figueroa Streets. The project architecture will feature a “California Contemporary” design which emphasizes simple massing over structural articulation and is characterized by a variety of earth tones and natural materials. The architecture will also feature decorative elements such as balconies and mixed but complementary fenestration patterns. Building materials will feature plaster, alucabond cladding, white corrugated metal and stained cedar wood horizontal siding.

The project will contain a total of 94 studio, one and two bedroom units. The units will range in size from 517 to 1,196 square feet.

**Table 2: Development Standards**

<table>
<thead>
<tr>
<th>Standard</th>
<th>Required by SAMC</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front setback</td>
<td>None with a 25 feet clear zone at corner</td>
<td>15 to 20 feet (Existing)</td>
</tr>
<tr>
<td>Side setback</td>
<td>5 feet, 15 feet to Single-Family</td>
<td>1 to 50 feet plus (Existing)</td>
</tr>
<tr>
<td>Rear setback</td>
<td>5 feet, 15 feet to Single-Family</td>
<td>50 feet minimum (Existing)</td>
</tr>
<tr>
<td>Building height</td>
<td>4-story max</td>
<td>4-story</td>
</tr>
<tr>
<td>Parking</td>
<td>190 spaces</td>
<td>236 spaces</td>
</tr>
<tr>
<td>Landscaping</td>
<td>Within front, side setback and common open space</td>
<td>Provided within front, side setback and common open space</td>
</tr>
<tr>
<td>Signage</td>
<td>None required</td>
<td>Signage shall conform to the sign standards in SAMC §41-800</td>
</tr>
</tbody>
</table>

**Table 3: Unit Summary**

<table>
<thead>
<tr>
<th>Unit type</th>
<th>Units proposed</th>
<th>Percent of total</th>
<th>Square footage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>1</td>
<td>1%</td>
<td>517</td>
</tr>
<tr>
<td>1 bed</td>
<td>55</td>
<td>51%</td>
<td>653-699</td>
</tr>
<tr>
<td>2 bed</td>
<td>38</td>
<td>48%</td>
<td>888-1,196</td>
</tr>
<tr>
<td>Total</td>
<td>94</td>
<td>100%</td>
<td>74,931</td>
</tr>
</tbody>
</table>
Project Background and Chronology

In October 2014, the City adopted the Harbor Mixed-Use Transit Corridor Specific Plan, which created detailed regulations for development and land uses within the Specific Development area. The Plan contemplated a mixture of development and open spaces that situate commerce, work places, residences, and civic buildings within walking distance of transit and one another. A provision of the Plan requires Planning Commission review of structures over three-stories in height. Since the project consists of four-story structures, a Site Plan Review is required by the Planning Commission.

The applicant, Charles Company, is a company headquartered in West Hollywood. Charles Company is a real estate development partnership specialized in shaping urban and suburban landscapes for nearly forty years, devoting their substantial visionary resources to each and every project.

Project Analysis

Projects that are located within the Harbor Mixed-Use Transit Corridor with structure over three-stories in height are subject to Site Plan Review approval by the Planning Commission. The purpose of the review is to ensure that the buildings, structures, and grounds will be in keeping with the neighborhood and will not be detrimental to the harmonious development of the city or impair the desirability of investment in the neighborhood. Further, the Planning Commission must determine that the proposed project is in conformity with the Specific Development standards. Based on staff’s review of the project submittal, the project complies with, or exceeds all development standards including height, setbacks, parking and open space. The project also complies with the selected “Lined Block” building and “Shopfront” and “Stoop” frontage types, and is consistent with the design guidelines for the Harbor Mixed-Use Transit Corridor Specific Plan.

Based on staff’s analysis, the Fifth and Harbor Mixed-Use Apartment project is consistent with the “Corridor” designation and the Harbor Mixed-Use Transit Corridor Specific Plan as proposed.

Table 3: CEQA, Strategic Plan Alignment, Public Notification/Community Outreach

<table>
<thead>
<tr>
<th>CEQA, Strategic Plan Alignment, Public Notification/Community Outreach</th>
<th>CEQA</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEQA Type</td>
<td>§15162 and 15168</td>
</tr>
<tr>
<td>Document Type</td>
<td>Previously certified Environmental Impact Report (EIR) No. 2014-01</td>
</tr>
<tr>
<td>Reason(s) Exempt or Analysis</td>
<td>In accordance with the California Environmental Quality Act (CEQA), the recommended action has been determined to be within the scope of the previously certified Environmental Impact Report (EIR) No. 2014-01, as that program EIR adequately describes this activity for the purposes of CEQA, as per Sections 15162 and 15168 of the CEQA guidelines. It has been determined that no new effects could occur and no new mitigation measures would be required. Thus, a discretionary action can be taken on the proposed project since it is within the scope of the project covered by the previously approved program EIR.</td>
</tr>
</tbody>
</table>
## CEQA, Strategic Plan Alignment, Public Notification/Community Outreach

<table>
<thead>
<tr>
<th>Strategic Plan Alignment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goal(s), Policy or Policies</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Public Notification &amp; Community Outreach</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required Measures</td>
</tr>
<tr>
<td>Additional Measures</td>
</tr>
</tbody>
</table>

## Conclusion

Based on the analysis provided within this report, staff recommends that the Planning Commission approve Site Plan Review No. 2017-02 as conditioned.

Ann Hsin-An Ni  
Associate Planner

AN: sb

Exhibits: 1. Vicinity and Land Use Map  
2. Site Photo  
3. Site Plan  
4. Floor Plan  
5. Building Elevations and Colored Renderings  
6. Landscape Plan  
7. Resolution
Exhibit 1: Land Use and Zoning Vicinity Map
EXHIBIT 4
RESOLUTION NO. 2017-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING SITE PLAN REVIEW NO. 2017-02 AS CONDITIONED FOR A NEW MIXED-USE RESIDENTIAL AND COMMERCIAL DEVELOPMENT ON THE PROPERTY LOCATED AT 421 NORTH HARBOUR BOULEVARD

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The Planning Commission of the City of Santa Ana hereby finds, determines and declares as follows:

A. Charles Company ("Applicant") is requesting approval of Site Plan Review No. 2017-02, as conditioned, to allow the construction of a new mixed-use residential and commercial development at 421 N. Harbor Boulevard.

B. The proposed project consists of 94 residential units within a four-story residential buildings and a five-story parking structure. In addition, approximately 11,000 square feet of commercial space is proposed to be provided. The project also includes 18 percent of the 1.85 acre site (14,506 square feet) to be dedicated for common open space and recreational areas.

C. On January 29, 2015, a meeting was held at Russell Elementary School pursuant to the Sunshine Ordinance.

D. On May 22, 2017 the Planning Commission of the City of Santa Ana held a public meeting and at that time considered all testimony, written and oral.

E. Section 7-1 of the Harbor Mixed Use Transit Corridor Plan requires a review by the Planning Commission of all site plans where the proposed structures are over three (3) stories in height.

F. The zoning designation for the subject property is Corridor (C) district in the Harbor Mixed Use Transit Corridor Plan.

G. Based on the following review, the project has been determined to be in compliance with all applicable provisions and development standards outlined within the Corridor (C) district in the Harbor Mixed Use Transit Corridor Plan:

1. That the proposed development plan is consistent with and will
further the objectives outlined in Section 1 of the Harbor Mixed Use Transit Corridor Plan.

The proposed mixed-use development project will be compatible with Section 1 (Guiding Principles) of the Harbor Mixed Use Transit Corridor Plan as the project will be a mixed use project that will allow persons to live, work and shop in the immediate area while taking advantage of regional and local transit investments made along and around Harbor Boulevard. Further, the project will incorporate an active streetscape that will integrate the private development with the public realm and will assist in creating a distinct identity for the district.

2. That the proposed development plan is consistent with the development standards specified in Section 3 of the Harbor Mixed Use Transit Corridor Plan.

The proposed project is consistent with Section 3 (Land Use Plan and Development Standards) of the Harbor Mixed Use Transit Corridor Plan zone. The project is in compliance with the various development standards for the Corridor district, including setbacks, parking, lot size and open space.

3. That the proposed development plan is designed to be compatible with adjacent development in terms of similarity of scale, height, and site configuration and otherwise achieves the objectives of the design and development Principles specified in Section 3 and 6 of the Harbor Mixed Use Transit Corridor Plan.

The project site is compatible with adjacent development and achieves the design and development principles outlined in Section 3 (Land Use Plan and Development Standards) and Section 6 (Design Guidelines) of the Harbor Mixed Use Transit Corridor Plan. Further, the project incorporates a variety of architectural materials, massing and ground floor uses that are compatible with the Harbor Mixed Use Transit Corridor Plan.

4. That the land use uses, site design, and operational considerations in the proposed development plan have been planned in a manner that will result in a compatible and harmonious operation as specified in Section 4 of the Harbor Mixed Use Transit Corridor Plan.

The proposed project has been designed to be compatible
and harmonious with all existing development and Mobility Goals as identified in Section 4 (Mobility Plan) of the Harbor Mixed Use Transit Corridor Plan. The project’s proximity to a variety of transportation options will provide a greater choice for residents to travel.

Section 2. The Applicant agrees to indemnify, hold harmless, and defend the City of Santa Ana, its officials, officers, agents, and employees, from any and all liability, claims, actions or proceedings that may be brought arising out of its approval of this project, and any approvals associated with the project, including, without limitation, any environmental review or approval, except to the extent caused by the sole negligence of the City of Santa Ana.

Section 3. In accordance with the California Environmental Quality Act (CEQA), the recommended action has been determined to be within the scope of the previously certified Environmental Impact Report (EIR) No. 2014-01, as that program EIR adequately describes this activity for the purposes of CEQA, as per Sections 15162 and 15168 of the CEQA guidelines. It has been determined that no new effects could occur and no new mitigation measures would be required. Thus, a discretionary action can be taken on the proposed project since it is within the scope of the project covered by the previously approved program EIR.

The project will comply with all mitigation measures as required by the approved Mitigation Monitoring Program (MMP), as required by the environmental documentation prepared for the Harbor Mixed Use Transit Corridor Plan. As required by the MMP, a site impact analysis was performed to analyze any potential changes in area traffic as a result of the proposed development. The site impact analysis is incorporated herein by this reference. The analysis concluded that no additional significant impacts would trigger the requirement for additional environmental review.

Section 4. The Planning Commission of the City of Santa Ana, after conducting the public meeting, hereby approves Site Plan Review No. 2017-02 as conditioned in Exhibit A attached hereto and incorporated as though fully set forth herein. This decision is based upon the evidence submitted at the above said public meeting, which includes, but is not limited to: the Request for Planning Commission Action dated May 22, 2017, and exhibits attached thereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

ADOPTED this 22nd day of May 2017.

Resolution No. 2017-xx
Page 3 of 4
AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTENTIONS: Commissioners:

____________________________________
Lynnette Verino
Chairperson

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: ________________________________
Lisa Storck
Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Sarah Bernal, Planning Commission Secretary, do hereby attest to and certify the attached Resolution No. 2017-xx to be the original resolution adopted by the Planning Commission of the City of Santa Ana on May 22, 2017.

Date: ________________________________
Planning Commission Secretary
City of Santa Ana
EXHIBIT A

Conditions for Approval for Site Plan Review No. 2017-02

Site Plan Review No. 2017-02 is approved subject to compliance, to the reasonable satisfaction of the Planning Manager, with applicable sections of the Santa Ana Municipal Code (SAMC), the California Administrative Code, the California Building Standards Code, and all other applicable regulations. In addition, it shall meet the following conditions of approval:

The Applicant must comply with each and every condition listed below prior to exercising the rights conferred by this site plan review.

The applicant must remain in compliance with all conditions listed below throughout the life of the development project. Failure to comply with each and every condition may result in the revocation of the site plan review.

A. Planning Division

1. All proposed improvements must conform to the Development Project Review approval of DP No. 2014-51 and staff report exhibits.


3. Landscaping shall be maintained per the approved landscape plan. After project occupancy, landscaping is to be maintained to include the required plant materials installed at the time of occupancy and per the approved plan.

4. All signs for the proposed project shall comply with Section 6-6 of the Harbor Corridor Mixed Use Transit Plan and Section and Division 2 of the SAMC. Signage shall be submitted to the case planner for review and approval prior to submittal into Building plan check.

5. A Public Art Plan must be submitted and reviewed prior to issuance of building permits.

Exhibit “A”

1-19
Conditions for Approval

Site Plan Review No. 2017-02 is approved subject to compliance, to the reasonable satisfaction of the Planning Manager, with all applicable sections of the Santa Ana Municipal Code, the California Administrative Code, the California Building Standards Code and all other applicable regulations.

The applicant must comply in full with each and every condition listed below prior to exercising the rights conferred by this Site Plan Review.

The applicant must remain in compliance with all conditions listed below throughout the life of the Site Plan Review. Failure to comply with each and every condition may result in the revocation of the Site Plan Review.

A. Planning Division

1. All proposed site improvements must conform to the Site Plan Review approval of DP No. 2014-51 and the staff report exhibits.

2. Any amendment to this approved Site Plan Review must be submitted to the Planning Division and Police Department for review. At that time, staff will determine if administrative relief is available or if the approved Site Plan Review must be amended.

3. Prior to approval of Certificate of Occupancy, all on-site improvements shall be made in accordance with the submitted plans.

4. Prior to submittal into Building plan check, a Final Landscaping Plan shall be submitted for review and approval. In addition to plant materials and sizes, the plan shall include an irrigation plan that details compliance with the provisions of the City's Water Conservation Ordinance.

5. Landscaping shall be maintained in compliance with the submitted plan. Any modifications to this plan shall be submitted to the Planning Division for review and subject to the approval of the Planning Manager.

6. A minimum of 23 bicycle parking spaces (racks) shall be provided for this project. The bicycle spaces shall be shown on the landscaping plan.

B. Orange County Fire Authority

1. The applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to issuance of a building permit:

   a. Fire master plan
b. Architectural Plan Review

c. Underground piping for private hydrants and fire sprinkler systems

d. Fire sprinkler system

e. Sprinkler monitoring system

f. Fire alarm system

g. Hood and duct extinguishing system
REQUEST FOR
Planning Commission Action

PLANNING COMMISSION MEETING DATE:
MAY 22, 2017

TITLE:
REVIEW OF THE PUBLIC ART PLAN FOR
THE 301 DEVELOPMENT LOCATED AT
301 EAST JEANETTE LANE –
WOOD PARTNERS, APPLICANT
{STRATEGIC PLAN NO. 3, 2}

Prepared by  Verny Carvajal

Executive Director

RECOMMENDED ACTION

Adopt a resolution approving the Public Art Plan for The 301.

DISCUSSION

Request of the Applicant

Ms. Yael Sunison, representing Wood Partners, is requesting approval of the Public Art Plan for The 301 development that is currently under construction at 301 East Jeanette Lane.

Project Background

In 2013, the City approved various entitlements to allow the construction of a 182-unit, multi-family development project consisting of one four-story building over a podium parking garage containing two levels of parking on the north side of Memory Lane between Main Street and Lawson Way. The entitlements included an amendment to Specific Development No. 59 (SD-59) and site plan review approval. Site Plan Review (SPR) No. 2013-05 was approved with various conditions which included a requirement to install a permanent work of public art equal to one-half of one percent (.5%) of the value of the development prior to the issuance of the first certificate of occupancy for the project's first unit. The art requirement was intended to enrich both the project site, the surrounding community and initiate the expansion of a public art program throughout the City.

SPR No. 2013-05 contains a condition that requires the Planning Commission to review and approve the public art plan for the development. As the first phase of the units is expected to be ready for occupancy in August, the applicant has submitted a Public Art Plan for review and approval.
Project Analysis

As required by SPR No. 2013-05, the applicant has commissioned a local artist, Bret Price, to create a sculpture for the project. Mr. Price specializes in the manipulation of steel to create sculptures. Mr. Price's studio is in Santa Ana and has been featured at various locations within Southern California including Newport Beach, Brea, Orange County Museum of Art, Chapman University, Pomona College, the Long Beach Museum of Art, and most recently in Century City. Mr. Price is deeply rooted in the local community and has expressed excitement in contributing to Santa Ana and neighboring local communities.

The proposed art plan brings to life and immortalizes the weather phenomenon known as the Santa Ana winds derived from the Santa Ana Canyon where the winds are known to blow most intensely. The winds experienced throughout Santa Ana are of inspiration to Mr. Price and the sculpture "Wind Swept" commemorates this climate event. "Wind Swept" honors the essential element of air which simulates the Santa Ana winds experience for the user. The winds, represented by the sculpture, are creating the movement felt by those winds where the piece will appear to be moving as it faces those winds. The winds illusion of this movement invites interest and curiosity for the viewers, including the local community and visitors alike.

The art piece is a 10-foot high (including the base) by 11 feet in width stainless steel sculpture that will be anchored to a 3-foot high concrete pedestal. The art piece will be located at the main front entrance of the community along Jeanette Lane where it will greet its residents and members of the public. The sculpture will be visible from both Lawson Way and Jeannette Lane (Exhibits 1 and 2).

The condition of approval as part of the Site Plan approval requires Planning Commission's review and approval of the Public Art Plan prior to issuance of a certificate of occupancy. The requirements of the public art plan include:

1. Public art minimum value: $97,500.

   The proposal is consistent with the requirement related to the cost for the public art equal to one-half of one percent (.5%) of the building permit valuation of $19,500,000. The estimated cost for the art work, excluding utility fees and lighting elements is $165,300 (Exhibit 3).

2. The public art should invite participation and interaction, inspire, add local meaning, interpret the community by revealing its culture or history, and/or capture or reinforce the unique character of the new place.

   "Wind Swept" is an abstract sculpture constructed of stainless steel dipped in molten zinc. The movement within the sculpture both originates and represents the climate phenomenon which not only creates the Santa Ana winds but also illuminates the result of the winds colloquially known to stem from Santa Ana and reach all of Southern California.
3. The public art should be comprised of a single or grouped permanent work(s) at a prime location visible to the public and sited to complement features such as plaza or architectural components so that the art piece is an integral part of the development site.

The art will be located near a significant intersection of the project viewable from both Lawson Way and Jeanette Lane. The single art piece will be placed in a prominent location as part of a publicly accessible open space plaza along Jeanette Lane. As constructed, the proposed art pedestal will recede so "Wind Swept" is only to remain as the highlighted work. Furthermore, as the wind element is comprised of organic materials, it stands out from the rectilinear architecture of the building. The artwork will be installed at the exterior of the property's main leasing entrance for local residents and visitors to participate and enjoy.

4. The use of durable materials and finishes including, but not limited to, stone or metal.

The art piece will be constructed from stainless steel dipped in molten zinc and will be structurally mounted and embedded within a concrete base thereby creating a durable, lasting piece of art. The quality of the art piece materials is complementary to the building construction as the base will be comprised of materials to match the color of the exterior material of the building façade.

5. No advertising of any type including, but not limited to, products, services or businesses.

There is no advertising or signage proposed on the art piece.

CEQA Analysis

In accordance with the California Environmental Quality Act, the recommended action has been reviewed through previously adopted Mitigated Negative Declaration and Mitigation Monitoring Program, Environmental Review No. 2013-14. The original Environmental Review contemplated the submittal and review of the public art plan and it was determined that there are no new significant impacts resulting from this plan. Therefore, no further environmental documentation is required.

Strategic Plan Alignment

Approval of this item supports the City's efforts to meet Goal #3 Economic Development, Objective #2 (create new opportunities for business/job growth and encourage private development through new General Plan and Zoning Ordinance policies).

Conclusion

The Public Art Plan is in compliance with the provisions of Site Plan Review No. 2013-05. Therefore, staff recommends that the Planning Commission approve the Public Art Plan for The 301.
Exhibits:  
1 – Artist Background  
2 – Public Art Plan  
3 – Cost and Completion Schedule  
4 - Resolution
Bret Price

Since 1979, Bret Price has been building heating chambers around large pieces of steel, applying concentrated, intense heat, then manipulating the material to create a sense of softness. When the heat is removed, these illusions of flexibility are frozen, and on one level, the sculpture becomes a documentation of those forces used in the process. It is Price's intent that these sculptures communicate a sense of continuance, as if each piece is a single frame taken from a film, appearing to be at rest before moving on.

This method of making art offers a number of creative options for Price as a sculptor. The variables of heat intensity, size and shape of the raw material produce a wide range of results; from the quiet simplicity of a single pipe bend to the rhythmic complexity that emerges from folding a section of structural steel. A degree of unpredictability is always present, which tends to tease one's curiosity and lend energy.
Artist’s Statement & Inspiration

I grew up in Los Angeles, graduated from Pomona College in Claremont and grad school at Cal Arts in Valencia and moved to Orange in 1976 to teach at Chapman University until 1987. My wife and I bought a home in Orange in 1979 and that residence is 2.9 miles from my studio in Santa Ana. During these years I have witnessed many variations of weather phenomenon in this area. Most of the time the weather is wonderful, which is why so many people live in Santa Ana, but I have seen it rain in torrents and felt winds that make the act of walking a distinct challenge. These extremes originating in Santa Ana are fascinating to me and the sculpture “Wind Swept” is a nod to the climate event known as the Santa Ana winds. It is my intent to compose a work of art that appears to be pushing against this gale and leaning into it with an illusion of forward motion. I look forward to viewing the work during such a wind event.

“Wind Swept” honors the essential element of air which simulates the Santa Ana winds experience for the user. The winds, represented by the sculpture, are creating the movement felt by those winds where the piece will appear to be moving as it faces those winds. This winds illusion of this movement invites interest and curiosity for the viewer, including the local community and visitors alike.
Bret Price Works

During the last twenty plus years of living in Orange County and sculpture making in southern California and Ohio, Bret has worked on a variety of projects around the country for both public and private concerns. These include permanent placement of work for the cities of Newport Beach and Brea, California and colleges and universities such as Pomona College in Claremont, California, Chapman University in Orange, California, California State University's at Bakersfield and Sacramento, California, Ohio Northern University in Ada, Ohio, and Heidelberg College, Tiffin, Ohio.

Bret's sculptures are held in the collections of the Smithsonian Museum of American Art, Washington, DC, the Long Beach Museum of Art, Long Beach, California, Orange County Museum of Art, Newport Beach, California, The Dayton Art Institute, Dayton, Ohio, San Antonio Museum of Art, San Antonio, Texas, Springfield Art Museum, Springfield, Ohio, the University of Evansville, Evansville, Indiana, University of Cincinnati, Cincinnati, Ohio and the Cultural Arts Center in Key Largo, Florida. Corporate collections include Pepsico Sculpture Gardens in Purchase, New York, Crown Equipment Corporation in New Bremen, Ohio along with numerous private collections both nationally and internationally.
The Harp Water Fountain
Newport Beach, CA
Revolution
Bremen, OH
Century City Sculpture 2016

THE EXHIBITION

Our 26 sculptures on exhibit are grouped in four areas. The following numbers correspond with the numbers on the map.

Prices available upon request. Please contact the Century City Chamber of Commerce:
(310) 383-2222

Avenue of the Stars - Forest Plaza Shopping Center

1. Stainless Steel Sculpture Height: 12 ft.

2. Jeff Koons Sculpture Height: 20 ft.

3. Tony Cragg Sculpture Height: 24 ft.

4. Jeff Koons Sculpture Height: 24 ft.

5. Michael Heizer Sculpture Height: 24 ft.


7. Jeff Koons Sculpture Height: 24 ft.

Corbin Building - 2600 Century Plaza

8. Jeff Koons Sculpture Height: 24 ft.


10. Jeff Koons Sculpture Height: 24 ft.


15. Jeff Koons Sculpture Height: 24 ft.


17. Jeff Koons Sculpture Height: 24 ft.

18. Jeff Koons Sculpture Height: 24 ft.


20. Jeff Koons Sculpture Height: 24 ft.


22. Jeff Koons Sculpture Height: 24 ft.

23. Jeff Koons Sculpture Height: 24 ft.


25. Jeff Koons Sculpture Height: 24 ft.

Aspire
Culver Academy
Culver, IN

Rapture
Trinity University
San Antonio, TX
Faith Lift
Dayton Art Institute
Dayton, OH

Giant Step
Crown Equipment Corp.
New Bremen, OH
Lemon Twist
Bend, OR

Big Shoot
San Antonio Museum of Art
San Antonio, TX
BRET PRICE
Sculptor
1033 East Van Biber Avenue
Orange, CA 92866
Tel: (714) 270-0970 Fax: (714) 633-7737
Email: Bret@BretPrice.com Web site: www.BretPrice.com

EDUCATION

1975  MFA, California Institute of the Arts, Valencia, CA
1973  Otis Art Institute, Los Angeles, CA
1972  BA, Pomona College, Claremont, CA

SOLO EXHIBITIONS

2009  Fort Collins Museum of Contemporary Art, Ft. Collins, CO. “Out of Shapes: Stainless Steel Sculpture”
2008  Colorado State University, Fort Collins, CO. “Explorations in Metal”
2006  Dayton Art Institute, Dayton OH, “Monumental Sculptures by Bret Price”
2004  Reynne Gallery, Cincinnati, OH
2004  Sinclair Community College Gallery, Dayton, OH
2003  The Art Foundry Gallery, Sacramento, CA
2001  Elizabeth Edwards Fine Arts, Laguna Beach, CA
1998  Wyndy Morehead Gallery, New Orleans, LA
1997  Tusin Renaissance Gallery, Tusin, CA
1996  Wyndy Morehead Gallery, New Orleans, LA. “Range of Motion”
1996  Ruth Bachofner Gallery, Santa Monica, CA. “Burnt Offerings”
1995  Kavish Gallery, Ketchum, ID
1991  Ruth Bachofner Gallery, Santa Monica, CA.
1990  L.A. Arcore, Los Angeles, CA. “Uprisings”
1990  Orange County Center for Contemporary Art, Santa Ana, CA
1989  Modern Museum of Art, Santa Ana, CA. “Recent Large Scale Sculpture In Steel”
1986  Mills House Gallery, Garden Grove, CA
1976  The Sculpture Gallery, San Diego, CA
1975  Craft and Folk Art Museum, Los Angeles, CA

TWO PERSON EXHIBITIONS

2006  Gallery MODA, Albuquerque, NM
2004  BGH Gallery, Santa Monica, CA
2003  Clark Contemporary Gallery, Mammoth Mountain, CA
1992  Solomon Dubnick Gallery, Sacramento, CA
1989  Diane Nelson Gallery, Laguna Beach, CA
1985  Susan Spiritus Gallery, Newport Beach, CA. “Metal Works”
1982  Laguna Museum of Art, Laguna Beach, CA. “Contemporary Artists 7”

GROUP EXHIBITIONS, MAJOR COMMISSIONS

2010  “Malibu 2010, Summer Sculpture Exhibition” Malibu, CA
2008  Third Biennial Sculpture Exhibition, Chattanooga, TN
2008  Krasi Biennial Sculpture Invitational, Saint Joseph, MI
2008  "Mind Over Metal", Sculptureisite Gallery, San Francisco, CA
2008  “California in New York”, Hubert Gallery, New York, NY
2008  “Art On The Streets”, 10th Annual Sculpture Exhibition, Colorado Springs, CO
2007  “Art On The Streets”, 9th Annual Sculpture Exhibition, Colorado Springs, CO
2007  “In The Shadow Of The Alps”, Group Sculpture Show, St. Urban, Switzerland
2006  “Peace Up”, 2004, 33’ high, Promised gift to The Columbus Museum of Art, Columbus, OH
2006  “Sculptural States”, Los Angeles, CA, Four person Sculpture Exhibition
2006  Macon Arts, Macon, GA, “Group Sculpture Show”
2005  “Malibu 2005, Summer Sculpture Exhibition”, Malibu, CA
2004  “Rapture”, Galvanized steel, 12’ high, Collection of Trinity University, San Antonio, TX
2003  Creative Arts Guild – Center for the Arts, Outdoor Sculpture Exhibit, Dalton, GA – Best in Show
GROUP EXHIBITIONS, MAJOR COMMISSIONS, continued

2003  3-D Chicago, Pier Walk, The Chicago International Sculpture Exhibition, Chicago, IL
2003  "The Artful Teapot", 20th Century Expressions from the Kamm Collection, Gardiner Museum of
      Ceramics, Toronto, Ontario, Canada (Traveling Exhibition)
2003  University of Hawaii at Manoa Art Gallery, Honolulu, HI, "The 8th International Shoebox Sculpture
      Exhibition"
2002  The Art Foundry Gallery, Sacramento, CA, "Invitational Sculpture Exhibit"
2002  Clark Contemporary Gallery, Mammoth Mountain, CA, "Mixed Company"
2002  Carl Schlossberg Fine Arts, Sherman Oaks, CA, "30th Anniversary Exhibition"
2002  "The Gathering", Steel, paint, 17.5' x 11', Art in Public Places, Brea, CA
2002  3-D Chicago, Pier Walk, The Chicago International Sculpture Exhibition, Chicago, IL
2001  "Dance", 57 N Gallery, Washington, D.C.
2001  "Conch", Steel, paint, 6.5' h. Collection of Ocean Reef Cultural Arts Center, Key Largo, FL
2000  "Enter Laughing; Humor in Contemporary Art", Long Beach Museum of Art, Long Beach, CA
2000  "Opus", Steel, paint, 12' h. x 39' l. Collection of Ohio Northern University, Ada, OH
2000  Tustin Renaissance Gallery, Tustin, CA
1999  "Faith Lift!", Steel, paint, 19.5' h. Permanent collection, Dayton Art Institute, Dayton, OH
1999  Malibu Sculpture Exhibition, Carl Schlossberg Fine Arts, Malibu, CA
1998  Pomona College, Claremont, CA, "Four Players", Steel, paint, 13' h. x 14' w.
1998  Carl Schlossberg Fine Arts, Sherman Oaks, CA, "25th Anniversary Exhibition"
1997  Carl Schlossberg Fine Arts, Malibu, CA, Group sculpture exhibit. Partial list of artists included: George
      Rickey, Anthony Caro, Robert Indiana, Gwynne Murrill
1997  Mr. & Mrs. Mayer Luskin, Los Angeles, CA, Commission, "Gates of Luskiny", 20' w x 7' h.
1995  California State University at Bakersfield, Visiting Artist Program
1994  Solomon Dubnick Gallery, Sacramento, CA, "Sculptural Furnishings III"
1994  Ruth Bachofner Gallery, Santa Monica, CA, "On Water"
1993  ART/LA '93, Los Angeles Convention Center, Los Angeles, CA
1993  Solomon Dubnick Gallery, Sacramento, CA, "Sculptural Furnishings II"
1993  Works Gallery, Costa Mesa, CA, "Kustom Grafix: Fine Art from the Underground"
1993  Carl Schlossberg Fine Arts, Malibu, CA, "Malibu International Sculpture Exhibition"
1993  City of Brea Gallery, Brea, CA, "Sculpture '93"
1992  Solomon Dubnick Gallery, Sacramento, CA, "Sculptural Furnishings"
1992  Works Gallery, Costa Mesa, CA, "Real Space"
1991  Galleries of the Claremont Colleges, Claremont, CA, "Professor's Choice"
1991  Diane Nelson Gallery, Laguna Beach, CA, "Collector's Choice"
1990  ART/LA '90, Los Angeles Convention Center, Los Angeles, CA
1990  Ruth Bachofner Gallery, Santa Monica, CA, "Cal Arts Alumni"
1990  Koll Center, Newport Beach, CA, "Industrious Artists/Industrial Materials"
1990  Irvine Civic Center, Irvine, CA, "Sculptural Views"
1988  ART/LA '88, Los Angeles Convention Center, Los Angeles, CA
1988  Carl Schlossberg Fine Arts, Los Angeles, CA, "Contemporary Bronze Sculpture"
1988  George Boone, San Marino, CA, Commission, "Looped", Steel, 8' h.
1988  Carl Schlossberg Fine Arts, Los Angeles, CA, "Contemporary Abstract Sculpture"
1987  Pepperdine University, Malibu, CA, "Los Angeles Public Art, Concept/Reality"
1987  "Arts Irvine '87", Irvine, CA
1986  Laguna Museum of Art, Laguna Beach, CA, Permanent Collection: "Plain Wrap"
1986  City of Newport Beach, Newport Beach, CA, "Megaliths", Steel, 8' 1/2" x 4' x 2'
1986  "The City Terrace Sculpture Invitational", Orange, CA
1984  PepsiCo, Purchase, NY, "Big Scoop", Steel, 9' x 6' x 4'
1984  Galleries of the Claremont Colleges, Claremont, CA, "Professor's Choice 2"
1983  Laguna Museum of Art, Laguna Beach, CA, "Orange County Clay"
1981  Planning Research Corporation, McLean, VA, "Loop Hole", Polished Aluminum and Marble, 6 1/2' diameter
1981  Scripps College, Claremont, CA, "37th Annual Scripps Invitational Ceramic Exhibition"
1981  Downey Museum of Art, Downey, CA, "Westwood Clay National"
1979  Hester Development Company, Santa Ana, CA, "Twisted Flex", Steel, 28' x 3' x 1'
1976  "California Design, '76", Los Angeles, CA
TEACHING EXPERIENCE

1996    Pomona College, Claremont, CA, Lecturer in Art, Sculpture
1995    California State University at Bakersfield, Bakersfield, CA, Visiting Artist
1975-87 Chapman University, Orange, CA, Assistant Professor of Art

WORKSHOPS AND LECTURES

2005    Wright State University, Dayton, OH
2004    Ohio Northern University, Ada, OH
2004    Sinclair Community College, Dayton, OH
1995    California State University at Bakersfield, Bakersfield, CA
1993    Art Institute of Southern California, Laguna Beach, CA
1988    California State University at Sacramento, Sacramento, CA
1987    Irvine Valley College, Irvine, CA
1985    State University of New York, Purchase, NY
1983    University of Hawaii, Honolulu, HI
1980    Saddleback College, Mission Viejo, CA
1980    Orange Coast College, Costa Mesa, CA
1979    California State University at San Jose, San Jose, CA
1979    Claremont Graduate School, Claremont, CA
1977    University of California at Berkeley, Berkeley, CA

CORPORATE AND PUBLIC COMMISSIONS

Boone Fetter Associates, Monrovia, CA
Chapman University, Orange, CA
Claremont College, Claremont, CA
Crown Equipment Corporation, New Bremen, OH
Dayton Art Institute, Dayton, OH
Walt Disney Productions, Burbank, CA
Griffin Related Properties, Santa Ana, CA
Heidelberg College, Tiffin, OH
Kelsey National Corporation, Los Angeles, CA
Laguna Beach Museum of Art, Laguna Beach, CA
Long Beach Museum of Art, Long Beach, CA
The City of Newport Beach, Newport Beach, CA
Orange County Museum of Art, Newport Beach, CA
Ocean Reef Cultural Arts Center, Key Largo, FL
Ohio Northern University, Ada, OH
Otis Elevator Corporation, NJ
Pacific Theaters, Beverly Hills, CA
PepsiCo, Purchase, NY
Planning Research Corporation, McLean, VA
Pomona College, Claremont, CA
Renwick Gallery of the Smithsonian American Art Museum, Washington, D.C.
Rockwell International, Costa Mesa, CA
San Antonio Museum of Art, San Antonio, TX
Scope Industries, Santa Monica, CA
Sea World, San Diego, CA
Sheppard, Mullin, Richter & Hampton, Los Angeles, CA
Springfield Art Museum, Springfield, OH
Toyota Corporation, Chicago, IL
Trinity University, San Antonio, TX
University of Evansville, Evansville, IN
Public Art Proposal
301 Jeanette
Santa Ana, CA 92705

Custom Stainless Steel and Concrete Structure

<table>
<thead>
<tr>
<th>Artists Name</th>
<th>Bret Price</th>
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<tbody>
<tr>
<td>Name of Work</td>
<td>&quot;Wind Swept&quot;</td>
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<tr>
<td>Stainless Steel dipped in Molten Zinc</td>
<td>1,400 lbs (approx)</td>
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<td>Piece Dimensions</td>
<td>11'L x 7'H x 3'W</td>
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<td>Pedestal Dimensions</td>
<td>9'L x 3'H x 3'W</td>
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<td>Overall Dimensions</td>
<td>11'L x 10'H x 3'W</td>
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<tr>
<th>Cost Breakdown</th>
<th>&quot;Wind Swept&quot;</th>
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<td>Stainless Steel Structure (includes 8% CA Sales Tax)</td>
<td>$91,800</td>
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<td>Concrete Structure and Surrounds</td>
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<td>Artist Design</td>
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<td>Delivery and Installation</td>
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<td>Total</td>
<td>$165,300</td>
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<td>Allowance</td>
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Note: A commemorative plaque to the art and artist will be installed on or near the artwork.
301 Jeanette Lane, Santa Ana, CA 92705
Public Art Submittal
Wind Swept

Completion and Installation Schedule

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<th>Task Name</th>
<th>Duration in Days</th>
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<td>Planning Committee Approval</td>
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<td>5/22/2017</td>
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<td>City Permitting</td>
<td>46</td>
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<td>Sculpture Fabrication</td>
<td>85</td>
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<td>8/14/2017</td>
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<td>6/22/2017</td>
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<td>Concrete Pour</td>
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<td>6/25/2017</td>
<td>6/27/2017</td>
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<td>6/30/2017</td>
<td>7/2/2017</td>
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<td>Tile Work</td>
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<td>Landscape Work</td>
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<td>7/8/2017</td>
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<td>Sculpture Install</td>
<td>2</td>
<td>8/15/2017</td>
<td>8/16/2017</td>
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*Final outside date in schedule
RESOLUTION NO. 2017-xxx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING THE PUBLIC ART PLAN FOR THE PROPERTY LOCATED AT 301 EAST JEANETTE LANE

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The Planning Commission of the City of Santa Ana hereby finds, determines and declares as follows:

A. The Applicant is requesting approval of the proposed public art plan for The 301 residential development located at 301 East Jeanette Lane.

B. The public art plan came before the Planning Commission of the City of Santa Ana on May 22, 2017.

C. In 2013, the City approved various entitlements for The 301 development, including an amendment to an existing specific development and site plan review approval. Included within the conditions of approval was a requirement to install a permanent work of public art valued equal to one-half of one percent (0.5%) of the value of the development prior to the issuance of the first certificate of occupancy for the project’s first unit.

D. The art plan proposes a sculpture to be known as “Wind Swept,” a unique sculpture designed to symbolize and immortalizes the weather phenomenon known as the Santa Ana winds. The art piece is a 10-foot high (including the base) by 11 foot wide stainless steel sculpture that will be anchored to a 3-foot concrete pedestal. The art piece will be located at the main front entrance of the community along Jeanette Lane where it will greet its residents and members of the public.

E. The site plan review condition of approval requires Planning Commission’s review and approval of the public art plan prior to issuance of a certificate of occupancy for the first unit of the project. The requirements of the public art plan include:

1. Public art valued at a minimum of $97,500.

EXHIBIT 4
2. The public art should invite participation and interaction, inspire, add local meaning, interpret the community by revealing its culture or history, and/or capture or reinforce the unique character of the new place.

3. The public art should be comprised of a single or grouped permanent work(s) at a prime location visible to the public and sited to complement features such as plaza or architectural components so that the art piece is an integral part of the development site.

4. The use of durable materials and finishes including, but not limited to, stone or metal.

5. No advertising of any type including, but not limited to, products, services or businesses.

F. The Planning Commission finds that the public art plan is in compliance with the provisions of Site Plan Review No. 2013-05.

G. In accordance with the California Environmental Quality Act, the recommended action has been reviewed through previously adopted Mitigated Negative Declaration and Mitigation Monitoring Program, Environmental Review No. 2013-14. The original Environmental Review contemplated the submittal and review of the public art plan and it was determined that there are no new significant impacts resulting from this plan. Therefore, no further environmental documentation is required.

Section 2. The Planning Commission of the City of Santa Ana hereby approves the public art plan. This decision is based upon the evidence submitted at the above said meeting, which includes, but is not limited to: the Request for Planning Commission Action dated May 22, 2017, and exhibits attached thereto, and the public testimony, all of which are incorporated herein by this reference.

ADOPTED this ____ day of May, 2017 by the following vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTENTIONS: Commissioners:
APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: __________________________
Lisa Storck
Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALLITY

I, SARAH BERNAL, Planning Commission Secretary, do hereby attest to and
certify the attached Resolution No. 2017-____ to be the original resolution
adopted by the Planning Commission of the City of Santa Ana on
_______________, 2017.

Date: __________________________

_________________________________
Planning Commission Secretary
City of Santa Ana
REQUEST FOR
Planning Commission Action

PLANNING COMMISSION MEETING DATE:
MAY 22, 2017

TITLE:
PUBLIC HEARING – CONDITIONAL USE PERMIT
NO. 2017-10 TO ALLOW THE SALE OF
ALCOHOLIC BEVERAGES FOR ON-PREMISE
CONSUMPTION AT DO LUNCH DELI
RESTAURANT LOCATED AT 901 WEST CIVIC
CENTER DRIVE, UNIT 150 – BRIAN C. DOYLE,
APPLICANT {STRATEGIC PLAN NO. 3, 2}
Prepared by  Escarlet Mar

Executive Director

PLANNING COMMISSION SECRETARY

APPROVED
☐ As Recommended
☐ As Amended
☐ Set Public Hearing For

DENIED
☐ Applicant’s Request
☐ Staff Recommendation

CONTINUED TO

RECOMMENDED ACTION

Adopt a resolution approving Conditional Use Permit No. 2017-10.

Executive Summary

Brian C. Doyle, owner of Do Lunch Deli Restaurant, is requesting approval of a conditional use permit (CUP) to allow the sale of alcoholic beverages for on-premise consumption at an existing eating establishment located at 901 West Civic Center Drive, Unit 150. Staff is recommending approval of the applicant’s request due to the site’s location away from sensitive land uses and the restaurant’s history of compliance with the City codes and regulations that require it to operate as a bona-fide eating establishment.

Table 1: Project and Location Information

<table>
<thead>
<tr>
<th>Item</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Address</td>
<td>901 West Civic Center Drive, Unit 150</td>
</tr>
<tr>
<td>Nearest Intersection</td>
<td>Flower Street and Civic Center Drive</td>
</tr>
<tr>
<td>General Plan Designation</td>
<td>Professional &amp; Administrative Office (PAO)</td>
</tr>
<tr>
<td>Zoning Designation</td>
<td>Specific Development No. 20 (SD-20)</td>
</tr>
<tr>
<td>Surrounding Land Uses</td>
<td></td>
</tr>
<tr>
<td>North</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>East</td>
<td>Commercial (Professional offices)</td>
</tr>
<tr>
<td>South</td>
<td>Santa Ana Stadium</td>
</tr>
<tr>
<td>West</td>
<td>Parking Structure</td>
</tr>
<tr>
<td>Property Size</td>
<td>2 acres</td>
</tr>
<tr>
<td>Existing Site Development</td>
<td>The site contains one standalone commercial building and a parking structure</td>
</tr>
<tr>
<td>Use Permissions</td>
<td>Restaurant use is allowed by right; alcohol sales are allowed with approval of a CUP</td>
</tr>
</tbody>
</table>
Project Description

The proposed alcoholic beverages will be stored on a rack adjacent to a walk-in cooler at the back of the restaurant within the kitchen area and will consist of less than five percent of the floor area. No display area for alcoholic beverages and no construction or expansions of square footage are proposed at this time.

Table 2: Operational Standards

<table>
<thead>
<tr>
<th>Standards</th>
<th>Required by SAMC</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eating Establishment Type</td>
<td>Bona-Fide</td>
<td>Compiles</td>
</tr>
<tr>
<td>Hours of Operation for ABC Sales</td>
<td>8:00 am to 12:00 am</td>
<td>10:00 am to 8:00 pm Daily</td>
</tr>
<tr>
<td>Window Display</td>
<td>25% of Window Coverage</td>
<td>Complies</td>
</tr>
<tr>
<td>Live Entertainment</td>
<td>Entertainment Permit</td>
<td>No Entertainment Proposed</td>
</tr>
<tr>
<td>Alcohol Storage and Display</td>
<td>5% of G.F.A.</td>
<td>0.004% of G.F.A.</td>
</tr>
<tr>
<td>Exterior Telephone</td>
<td>Prohibited</td>
<td>None</td>
</tr>
</tbody>
</table>

Project Background

The subject site, constructed in 1986, contains a multi-tenant office building and a multilevel parking structure. Do Lunch Deli, which opened at the subject location in 2016, serves sandwiches and is located within close proximity to the Civic Center and the Santa Ana Stadium. In 2015, the restaurant owner began construction to reopen Unit 150 as an eating establishment; a prior eating establishment operated in the same unit between 1992 and 2000. As an ancillary component to its food sales, Do Lunch Deli is proposing to sell beer and wine through a Type 41 Alcoholic Beverage Control (ABC) license. With no tenant improvements or expansion proposed at this time, the restaurant will continue to have a maximum occupancy of 125 patrons.

Project Analysis

CUP requests are governed by § 41-638 of the Santa Ana Municipal Code (SAMC). CUPs may be granted when it can be shown that the proposed project will not adversely impact the community. If these findings can be made, then it is appropriate to grant the conditional use permit. Conversely, the inability to make these findings would result in a denial. Staff has prepared the following analysis, which in turn forms the basis for the recommendation contained in this report.

The purpose of regulating establishments that sell alcoholic beverages is to set forth operating practices and procedures, and to minimize impacts to surrounding areas. Staff has reviewed the applicant's request to obtain the on-sale beer and wine license. Since the proposed alcohol license is intended to provide an added amenity to the restaurant, and the sale of alcoholic
beverages will be ancillary to the primary use as an eating establishment, staff recommends approval of the proposed CUP.

The proposed sale of alcoholic beverages for on-premise consumption will not be detrimental to the health, safety, and welfare of the community. Do Lunch Deli is an established restaurant business with a history of service to the community and visitors of the City. The existing eating establishment and proposed alcoholic beverage service will enhance the economic viability of the area and create a more attractive dining opportunity for visitors and residents in the community. Moreover, the sale of alcoholic beverages with food will provide a one-stop dining experience for those attending events at the Santa Ana Stadium.

The restaurant is located away from sensitive land uses such as residences, schools, and parks, and is in compliance with all applicable regulations and conditions imposed on an established bona fide public eating establishment pursuant to Chapter 41 of the SAMC. Finally, the proposed CUP will be consistent with several goals and policies of the General Plan, including Goal 2 of the Land Use Element, which encourages land uses that enhance the City's economic and fiscal viability. Do Lunch Deli proposes to provide an additional amenity as part of the restaurant operations by serving alcoholic beverages to guests and residents of the city.

Table 3: Police Department Analysis and Criteria for Recommendation

<table>
<thead>
<tr>
<th>Police Grid No. and Rank</th>
<th>Police Grid No. 144; ranked 48 out of 103 Police Reporting Grids (48th percentile)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Threshold for High Crime</td>
<td>This reporting district is below the 20 percent threshold established by the State for high crime</td>
</tr>
<tr>
<td>Police Department Recommendation</td>
<td>The Police Department contends that the operational standards applicable to on-premise ABC licenses will mitigate any potential impacts to the surrounding community and therefore does not oppose the granting of a CUP.</td>
</tr>
</tbody>
</table>

The Police Department reviews CUP applications for the sale and service of alcoholic beverages in order to ensure that the potential crime and nuisance behaviors associated with alcohol consumption are mitigated to the greatest extent possible. For on-sale licenses, the Police Department analyzes the crime rate in the area using the standards and definitions contained in the Business and Professions Code § 23948.4(c)(2), which also are utilized by the State Department of Alcoholic Beverage Control. This section defines "reported crimes" as criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors, except traffic citations.

The Police Department then compares the number of such crimes in the reporting district as compared to the number of crimes in other reporting districts. In keeping with the standard used by the State Department of Alcohol Beverage Control and Business and Professions Code, should the Police Department determine that the reporting district has a 20 percent greater
number of reported crimes than the average number found in all reporting districts, the Police Department will consider this information in making its recommendation.

Table 4: CEQA, Strategic Plan Alignment and Public Notification & Community Outreach

<table>
<thead>
<tr>
<th>CEQA, Strategic Plan Alignment, and Public Notification &amp; Community Outreach</th>
<th>CEQA</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CEQA Type</strong></td>
<td>General Rule [§15061 (b) (3)]</td>
</tr>
<tr>
<td><strong>Reason(s) Exempt or Analysis</strong></td>
<td>This exemption applies to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. This is an existing eating establishment and no alterations are being proposed at this time.</td>
</tr>
</tbody>
</table>

**Strategic Plan Alignment**

Goal(s) and Policy(s) | Approval of this item supports the City's efforts to meet Goal #3 (Economic Development) Objective #2 of creating new opportunities for business/job growth and encourage private development through new General Plan and Zoning Ordinance policies. |

**Public Notification & Community Outreach**

Required Measures | A public noticed was posted on the project site on May 12, 2017. |
| | Notification by mail was mailed to all property owners and occupants within 500 feet of the project site on May 12, 2017. |
| | Newspaper posting was published in the Orange County Reporter on May 12, 2017. |

Additional Measures | The Washington Square Neighborhood Association was contacted by phone 10 days prior to the scheduled public hearing. At the time this report was printed, no issues of concern were raised regarding this application. |

**Conclusion**

Based on the analysis provided within this report, staff recommends that the Planning Commission approve Conditional Use Permit No. 2017-10.

---

Escarlet Mar  
Planning Technician

EM: sb  
M:Discretionary Projects\CUP\2017-10:ABC (Do Lunch Deli)

Exhibits:  
1. General Vicinity Map  
2. Existing Land Use Map  
3. Site Photo  
4. Site Plan  
5. Floor Plan  
6. Resolution
CUP 2017-10
DO LUNCH DELI ON-SALE ABC
901 WEST CIVIC CENTER DRIVE, UNIT 150

SITE PHOTO
EXHIBIT 3
RESOLUTION NO. 2017-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2017-10 TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION AT DO LUNCH DELI RESTAURANT LOCATED AT 901 WEST CIVIC CENTER, UNIT 150

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The Planning Commission of the City of Santa Ana hereby finds, determines and declares as follows:

A. Applicant is requesting approval of Conditional Use Permit No. 2017-10 to allow the sale of alcoholic beverages for on-premise consumption for the property located at 901 West Civic Center, Unit 150.

B. Santa Ana Municipal Code Section 41-196 requires a conditional use permit for the sale of alcoholic beverages for on-site consumption of alcoholic beverages that is ancillary to the primary restaurant use.

C. On May 22, 2017, the Planning Commission held a duly noticed public hearing on Conditional Use Permit No. 2017-10.

D. The Planning Commission determines that the following findings, which must be established in order to grant this Conditional Use Permit pursuant to Santa Ana Municipal Code (SAMC) Section 41-638, have been established for Conditional Use Permit No. 2017-10 to allow for sale of alcoholic beverages for on-premise consumption:

1. That the proposed use will provide a service or facility which will contribute to the general well being of the neighborhood or the community.

   The proposed sale of alcoholic beverage for on-premise consumption at this location will provide an ancillary service to the restaurant’s customers by allowing them the ability to purchase a variety of alcoholic beverages with their food. This will thereby benefit the community by providing a restaurant with an additional and complementary food-related amenity. Standards are applicable to the alcoholic beverage control license which will mitigate any potential impacts created by the use and ensure that the use will not negatively affect the surrounding community.

EXHIBIT 6
2. That the proposed use under the circumstances of the particular case will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity.

The proposed sale of alcoholic beverages for on-premise consumption at this location will not be detrimental to persons residing or working in the vicinity because operational standards applicable to the alcoholic beverage control license will mitigate any potential negative or adverse impacts created by the use. This is primarily a restaurant use and the addition of alcohol will be ancillary to the main use. Moreover, the restaurant's location away from sensitive land uses reduces any potential impacts to others in the immediate vicinity. Finally, the sale of alcohol in the restaurant is intended to be incidental to the primary use as an eating establishment and will occur within the premises.

3. That the proposed use will not adversely affect the present economic stability or future economic development of properties surrounding the area.

The proposed use will not adversely affect the economic stability of the area, but will instead allow the restaurant to compete with other nearby restaurants that also offer beer and wine for sale to their guests and provide a one-stop dining experience to its visitors, especially those visiting the Santa Ana Stadium and Civic Center. Moreover, the offering of alcoholic beverages will allow Do Lunch Deli, a locally-owned restaurant, to remain economically viable and compete with nearby full-service restaurants in the vicinity and contributes to the overall success of the City of Santa Ana.

4. That the proposed use shall comply with the regulations and conditions specified in Chapter 41 for such use.

The proposed project will be in compliance with all applicable regulations and conditions imposed on a restaurant selling alcoholic beverages for on-premise consumption pursuant to Chapter 41 of the Santa Ana Municipal Code. The facility will be maintained as a full-service, bona-fide eating establishment, having suitable kitchen facilities and supplying an assortment of foods commonly ordered at various hours of the day. Additionally, the restaurant will utilize less than five (5) percent of the gross floor area for the display and/or storage of alcoholic beverages, which is the maximum threshold established by the Santa Ana Municipal Code.
5. That the proposed use will not adversely affect the General Plan or any specific plan of the City.

The proposed sale of alcoholic beverage for on-premise consumption at this location will not adversely affect the General Plan. The granting of this conditional use permit supports several policies contained in the General Plan. Policy 2.2 of the Land Use Element encourages land uses that accommodate the City's needs for goods and services. Providing a variety of full-service restaurants that feature alcoholic beverages on their menus offers additional dining options for Santa Ana residents and visitors. Finally, Policy 5.5 of the Land Use Element encourages development that is compatible with and supporting of surrounding land uses. Do Lunch Deli is located in a commercial building and its operation is compatible with the surrounding commercial businesses.

E. In accordance with the California Environmental Quality Act (CEQA) the recommended action is exempt from CEQA per Section 15061(b)(3). This exemption applies to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The project proposes to allow the on-premise sale of alcoholic beverages at a full-service restaurant within an existing structure. It has been found by the City that the use will not create any adverse impacts such as noise, traffic, or safety concerns. The cumulative impact of this project will not be significant as the use will be complementary with the nearby commercial uses in the area. There is no reasonable possibility that the project will have a significant effect on the environment due to the facility having the necessary infrastructure to operate the proposed use. Categorical Exemption Environmental Review No. 2017-31 will be filed for this project.

Section 2. The applicant agrees to indemnify, hold harmless, and defend the City of Santa Ana, its officials, officers, agents, and employees, from any and all liability, claims, actions or proceedings that may be brought arising out of its approval of this project, and any approvals associated with the project, including, without limitation, any environmental review or approval, except to the extent caused by the sole negligence of the City of Santa Ana.

Section 3. The Planning Commission of the City of Santa Ana after conducting the public hearing hereby approves Conditional Use Permit No. 2017-10. This decision is based upon the evidence submitted at the above-said hearing, which includes, but is not limited to: the Request for Planning Commission Action dated Ma7 22, 2017, and exhibits attached thereto; and the public testimony, all of which are incorporated herein by this reference.
ADOPTED this 22nd day of May, 2017 by the following vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTENTION: Commissioners:

_______________________________
Lynnette Verino
Chairperson

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: ____________________________
Lisa Storck
Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, SARAH BERNAL, Recording Secretary, do hereby attest to and certify the attached Resolution No. 2017-XX to be the original resolution adopted by the Planning Commission of the City of Santa Ana on May 22, 2017.

______________________________
Date: ________________________
Recording Secretary
City of Santa Ana
REQUEST FOR
Planning Commission Action

PLANNING COMMISSION MEETING DATE:
MAY 22, 2017

TITLE:
PUBLIC HEARING - CONDITIONAL USE PERMIT NO. 2017-15 TO ALLOW CONTINUED USE OF A 60-FOOT TALL WIRELESS FACILITY FOR AMERICAN TOWER LOCATED AT 2802 SOUTH FLOWER STREET – JOHN BITTERLY, APPLICANT {STRATEGIC PLAN NOS. 3, 2; 3, 5}

Prepared by Ivan Orozco

Executive Director

PLANNING COMMISSION SECRETARY

APPROVED
☐ As Recommended
☐ As Amended
☐ Set Public Hearing For ________

DENIED
☐ Applicant’s Request
☐ Staff Recommendation

CONTINUED TO ________

Planning Manager

RECOMMENDED ACTION

Adopt a resolution approving Conditional Use Permit No. 2017-15 as conditioned.

Executive Summary

John Bitterly, representing American Tower Corp., is requesting approval of a conditional use permit (CUP) to renew the entitlements of an existing 60-foot high major wireless communication facility ("mono-palm") at 2802 South Flower Street on the Saddleback High School campus. Major wireless communication facilities require approval of a CUP pursuant to § 41-198.3(b) of the Santa Ana Municipal Code (SAMC). As part of this renewal application, the applicant will install additional fronds to the existing mono-palm to enhance its appearance.

Table 1: Project and Location Information

<table>
<thead>
<tr>
<th>Item</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Address</td>
<td>2802 South Flower Street</td>
</tr>
<tr>
<td>Nearest Intersection</td>
<td>Segerstrom Avenue and Flower Street</td>
</tr>
<tr>
<td>General Plan Designation</td>
<td>Open Space (OS)</td>
</tr>
<tr>
<td>Zoning Designation</td>
<td>Open Space (O)</td>
</tr>
<tr>
<td>Surrounding Land Uses</td>
<td></td>
</tr>
<tr>
<td>North</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>East</td>
<td>Industrial</td>
</tr>
<tr>
<td>South</td>
<td>Rail Road Corridor</td>
</tr>
<tr>
<td>West</td>
<td>Single-Family Residential</td>
</tr>
<tr>
<td>Property Size</td>
<td>36.19 acres</td>
</tr>
<tr>
<td>Existing Site Development</td>
<td>The site is developed with the Saddleback High School and the subject mono-palm.</td>
</tr>
<tr>
<td>Use Permissions</td>
<td>Allowed with a conditional use permit (CUP).</td>
</tr>
<tr>
<td>Zoning Code Sections Affected</td>
<td>SAMC § 41-198.3 (b)</td>
</tr>
<tr>
<td></td>
<td>Operational Standards SAMC § 41-198 (Wireless Communication Facilities)</td>
</tr>
</tbody>
</table>
Project Description

In addition to the applicant's request for a new CUP, the existing tower will be refurbished to enhance its stealth appearance. New fronds will be installed to conceal the tower and antennas, and the antennas will be repainted to match the palm tree. Equipment for the wireless facility will continue to be contained within an enclosure of approximately 484 square feet; no changes to this component are proposed at this time. This enclosure is located to the south of the existing wireless facility, while the mono-palm itself will remain in its current location within the wrought iron enclosure and shrubbery. The facility is surrounded by two mature Mexican palm trees and three cedar trees that provide additional screening to the enclosure and the pole structure. The existing trees surrounding the cell site have been trimmed to fortify that the landscaping is regularly maintained and all trash has been removed.

Table 2: Development Standards

<table>
<thead>
<tr>
<th>Standards</th>
<th>Required by SAMC</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Screening Criteria</td>
<td>A stealth facility</td>
<td>The wireless facility is located at the south of the property near the railroad and athletic fields. Not visible from the public right-of-way.</td>
</tr>
<tr>
<td>Site Selection</td>
<td>Areas that will minimize aesthetic intrusion</td>
<td></td>
</tr>
<tr>
<td>Height Criteria</td>
<td>Not to exceed 60 feet in height from ground level as measured from the nearest street curb</td>
<td>60 feet</td>
</tr>
<tr>
<td>Landscaping</td>
<td>Groundcover at the base of the facility and one twenty-four (24) inch box tree</td>
<td>The site currently has five (5) mature trees and shrubbery</td>
</tr>
<tr>
<td>Equipment Screening</td>
<td>Decorative fencing such as wrought iron or block around the wireless facility</td>
<td>Complies; a 7 feet metal fence provided on-site</td>
</tr>
</tbody>
</table>

Project Background

In June 1999, the Planning Commission approved CUP No. 1999-10 to allow construction of the subject mono-palm and equipment enclosure. Since its construction, the facility has provided cellular coverage to the immediate area. SAMC § 41-198.13 states that major wireless communication facilities shall be approved for a period not to exceed five years, although subsequent State legislative acts have required that such facilities be approved for a period not to exceed 10 years. As the current facility has reached its 10 year mark, the applicant is required to apply for a new CUP in order to maintain the current facility.

Project Analysis

In July 1998, the City Council adopted Ordinance No. NS-2356, which established regulations for wireless communication facilities throughout the City. Major wireless communication facilities such as the American Tower facility are required to have a stealth design and be located in an area that provides the greatest amount of visual screening. Further, these major facilities require the approval of a CUP.
Staff has reviewed the applicant’s request to continue operation of major wireless communication facility at this location. In analyzing the CUP request, staff believes that the following analysis warrants staff’s recommendation of approval for the CUP.

As part of the development review of the project, staff worked closely with the applicant to identify improvements to enhance the overall appearance of the site. These improvements include maintenance of existing landscape to comply with SAMC standards. Pursuant to provisions contained within § 6409(a) of the Middle Class Tax Relief Act [47 U.S.C. § 1455(a)], local agencies are preempted from requiring additional screening or stealthiness of the facility if such screening or stealthiness was not required at the time of original construction. However, the City will condition all new communication facilities to comply with an Importance Factor of 1.5, which is the building standard for public safety facilities. This will assure telecommunication facilities are functional and provide cell coverage after a major natural disaster.

This location is optimal to provide the coverage necessary for existing and expanding service. The proposed facility will provide a benefit to Santa Ana residents, businesses and motorists who subscribe to American Tower services by expanding cellular and data coverage in the area. The proposed facility will be in compliance with Federal law that governs health related issues for wireless facilities, including safety regulations from the Federal Communications Commission (FCC) and Federal Aviation Administration (FAA).

Finally, the use will continue to comply with all provisions pertaining to the construction and installation of wireless facilities identified in Chapter 41 (Zoning Code) of the SAMC. The facility will not adversely affect the General Plan as cellular facilities that are designed to be compatible with the surrounding environment are consistent with the goals and objectives of the Land Use Element.

**Table 3: CEQA, Strategic Plan Alignment and Public Notification & Community Outreach**

<table>
<thead>
<tr>
<th>CEQA, Strategic Plan Alignment, and Public Notification &amp; Community Outreach</th>
<th>CEQA</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CEQA Type</strong></td>
<td>General Rule [§ 15061 (b) (3)]</td>
</tr>
<tr>
<td><strong>Document Type</strong></td>
<td>General Rule Exemption (ER No. 2016-53)</td>
</tr>
<tr>
<td><strong>Reason(s) Exempt or Analysis</strong></td>
<td>This exemption applies to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. This is an existing major wireless communication facility and no expansion of square footage or physical land disturbances are proposed as part of the project.</td>
</tr>
</tbody>
</table>

**Strategic Plan Alignment**

| **Goal(s) and Policy(s)** | Approval of this item supports the City’s efforts to meet Goal #3 (Economic Development) Objective #2 of creating new opportunities for business/job growth and encourage private development through new General Plan and Zoning Ordinance policies. As well as Objective #5 that leverage private investment that results in tax base expansion and job creation citywide. |

**Public Notification & Community Outreach**

| **Required Measures** | A public notice was posted on the project site on May 12, 2017. |
| | Notification by mail was mailed to all property owners and occupants within 500 feet of the project site on May 12, 2017. |
| | Newspaper posting was published in the Orange County Reporter on May 12, 2017. |

4-3
Conclusion

Based on the analysis provided within this report, staff recommends that the Planning Commission approve Conditional Use Permit No. 2017-15 as conditioned.

Ivan Orozco
Assistant Planner II

Exhibits: 1. Vicinity Map
2. Location Map
3. Site Photo
4. Site Plan
5. Elevation
6. Resolution
CUP 2017-15-CEL
SADDLEBACK MONOPALM RENEWAL
2802 SOUTH FLOWER STREET

PLANNING AND BUILDING AGENCY

LAND USE MAP
EXHIBIT 2

4-6
RESOLUTION NO. 2017-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2017-15 AS CONDITIONED TO ALLOW A 60-FOOT TALL WIRELESS FACILITY LOCATED AT 2802 SOUTH FLOWER STREET

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The Planning Commission of the City of Santa Ana hereby finds, determines and declares as follows:

A. American Tower Corp. (Applicant) is requesting approval of Conditional Use Permit No. 2017-15 to renew the entitlements of an existing 60-foot high major wireless communications facility disguised as a palm tree (mono-palm) located at 2802 South Flower Street.

B. Pursuant to Santa Ana Municipal Code (SAMC) Section 41-198.10, a Conditional Use Permit (CUP) is required for major wireless communications facilities established in the City of Santa Ana.

C. SAMC Section 41-198.13 states that major wireless communications facilities shall be approved for a period not to exceed five (5) years, although subsequent State legislative acts have required that such facilities be approved for a period of not less than ten (10) years.

D. As the current facility has reached the end of its 10 year mark, the Applicant is required to apply for a CUP to renew the entitlements in order to maintain the current facility.

E. In June 28, 1999, the Planning Commission held a duly noticed public hearing on Conditional Use Permit No. 1999-10 to approve a new 60-foot mono-pine wireless facility. The application was approved at a 6-0 vote (Commissioner Verino absent).


Section 2. The Planning Commission determines that the following findings, which must be established in order to grant this Conditional Use Permit pursuant to SAMC Section 41-638, have been established for Conditional Use Permit No. 2017-15 to allow a 60-foot tall wireless facility:
1. That the proposed use will provide a service or facility which will contribute to the general well-being of the neighborhood or the community.

   The project will continue to provide a service which will contribute to the community. The major wireless communication facility will continue to provide a service to Santa Ana residents, businesses and motorists who subscribe to American Tower Corp. services by providing cellular service and data coverage for its users in the center city sector of Santa Ana.

2. That the proposed use under the circumstances of the particular case will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity.

   The issuance of a new conditional use permit for the facility at this location will not be detrimental to persons residing or working in the area as the proposed facility will remain in compliance with Federal law that governs health-related issues for wireless facilities, including safety regulations from the Federal Communications Commission (FCC) and Federal Aviation Administration (FAA).

3. That the proposed use will not adversely affect the present economic stability or future economic development of properties surrounding the area.

   The facility, in conjunction with the onsite improvements, will be compatible with the surrounding area and will not adversely affect the economic viability in the area. The stealththing provided by the facility's location at the rear of the site will not contribute to any potential visual blight. Moreover, the facility will maintain and increase the economic stability for this commercial and industrial area by providing an additional service for business owners, workers, and residents in the area.

4. That the proposed use shall comply with the regulations and conditions specified in Chapter 41 for such use.

   The use will continue to comply with all provisions pertaining to the continuation of existing wireless facilities identified in Chapter 41 (Zoning Code) of the Santa Ana Municipal Code. The facility is stealthed by its design and surrounding landscape and complies with other standards outlined in the SAMC. Additional improvements to the tower will screen the tower and antennas, bringing the facility into closer compliance with SAMC standards.
5. That the proposed use will not adversely affect the General Plan or any specific plan of the City.

The major wireless communication facility will not adversely affect the General Plan as cellular facilities that are designed to be compatible with the surrounding environment are consistent with the goals and objectives of the Land Use Element. Goal 1 promotes a balance of land uses to address community needs, which includes means of communication that will be served by the facility. In addition, Goals 3 and 5 require preservation of neighborhood character and integrity as well as mitigation of developments’ impacts. The mono-palm’s location minimizes visual impact on the area and assists with the stealthing of the equipment. Further, Policy 2.2 encourages land uses that accommodate the City’s needs for services. Enhancing a cell phone provider’s coverage in the area adds to the services that are readily available for business owners, workers, and residents in the immediate vicinity.

G. In accordance with the California Environmental Quality Act (CEQA) the recommended action is exempt from CEQA per Section 15061(b)(3). This exemption applies to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The project proposes to renew an existing major wireless facility through the issuance of a new CUP. No expansion of square footage or physical land disturbances are proposed as part of the project. Categorical Exemption Environmental Review No. 2016-53 will be filed for this project.

Section 3. The Applicant agrees to indemnify, hold harmless, and defend the City of Santa Ana, its officials, officers, agents, and employees, from any and all liability, claims, actions or proceedings that may be brought arising out of its approval of this project, and any approvals associated with the project, including, without limitation, any environmental review or approval, except to the extent caused by the sole negligence of the City of Santa Ana.

Section 4. The Planning Commission of the City of Santa Ana after conducting the public hearing hereby approves Conditional Use Permit No. 2017-15, as conditioned in Exhibit A, attached hereto and incorporated herein. This decision is based upon the evidence submitted at the above-said hearing, which includes, but is not limited to: the Request for Planning Commission Action dated May 22, 2017, and exhibits attached thereto; and the public testimony, all of which are incorporated herein by this reference.
ADOPTED this 22nd day of May, 2017 by the following vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTENTIONS: Commissioners:

Lynnette Verino
Chairperson

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: __________________________
Lisa Storck
Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, SARAH BERNAL, Commission Secretary, do hereby attest to and certify the attached Resolution No. 2017-xx to be the original resolution adopted by the Planning Commission of the City of Santa Ana on May 22, 2017.

Date: __________________________
Commission Secretary
City of Santa Ana
EXHIBIT A

Conditions for Approval

Conditional Use Permit No. 2017-15 is approved subject to compliance, to the reasonable satisfaction of the Planning Manager, with all applicable sections of the Santa Ana Municipal Code, the California Administrative Code, the California Building Standards Code and all other applicable regulations.

The Applicant must comply in full with each and every condition listed below prior to exercising the rights conferred by this conditional use permit.

The Applicant must remain in compliance with all conditions listed below throughout the life of the conditional use permit. Failure to comply with each and every condition may result in the revocation of the conditional use permit.

1. The Applicant must comply with all conditions and requirements of the Development Review Committee for the development project (DP No. 2016-18).

2. The Applicant shall replace all existing fronds with new stealth palm fronds similar in type to the Mexican Fan palm to the existing tower within 180 days of the effective date of this conditional use permit.

3. Any amendment to this conditional use permit must be submitted to the Planning Division for review. At that time, staff will determine if administrative relief is available or the conditional use permit must be amended.

4. The facility shall be maintained as per approved plans. Any damage to existing structures, walls, parking areas, or landscaping must be repaired.

5. The permit Applicant shall provide a 24-hour phone number to which interference problems may be reported. This condition will also apply to all existing facilities in the City of Santa Ana.

6. The permit Applicant will provide a "single point of contact" in its Engineering and Maintenance Departments to insure continuity on all interference issues. The name, telephone number, fax number and e-mail address of that person shall be provided to the City's designated representative upon activation of the facility.

7. The permit Applicant shall ensure that lessee or other user(s) shall comply with the terms and conditions of this permit, and shall be responsible for the failure of any lessee or other users under the control of permit Applicant to comply.
REQUEST FOR
Planning Commission Action

PLANNING COMMISSION MEETING DATE:
MAY 22, 2017

TITLE:
PUBLIC HEARING – ENVIRONMENTAL REVIEW
NO. 2017-24, GENERAL PLAN AMENDMENT
NO. 2017-01 AND AMENDMENT APPLICATION
NO. 2017-01 FOR THE AQUA SUPPORTIVE
HOUSING PROJECT AT 317 E. SEVENTEENTH
STREET – COMMUNITY DEVELOPMENT
PARTNERS, APPLICANT
{STRATEGIC PLAN NO. 5, 3}

Prepared by Selena Kelaher

Executive Director

RECOMMENDED ACTION

Recommend that the City Council:


2. Adopt a resolution approving General Plan Amendment No. 2017-01.

3. Adopt an ordinance approving Amendment Application No. 2017-01 for Specific Development No. 91.

Executive Summary

Brian Hendricks, representing Community Development Partners, is requesting approval of two entitlements for the Aqua permanent supportive housing project, a 57-unit multi-family residential development proposed at 317 E. Seventeenth Street. Specifically, the applicant is requesting approval of a General Plan Amendment (GPA) to change the property’s General Plan land use designation from General Commercial (GC) and Medium Density Residential (MR-15) to the Urban Neighborhood (UN) land use designation and approval of an Amendment Application (AA) to change the property’s zoning designation from Community Commercial (C-1) and Multiple-Family Residence (R-3) to Specific Development No. 91 (SD-91). Staff is recommending approval of the applicant’s request.

Project Background and Chronology

On December 28, 2016, the Santa Ana Housing Authority issued a Request for Proposal soliciting applications for project-based vouchers for permanent supportive housing. These
vouchers are used to reduce the number of people experiencing homelessness in the City of Santa Ana. Three proposals were submitted and a panel was established to review the proposals and interview the developer and service provider teams. Community Development Partners, in partnership with Mercy House Living Centers, was the second rated proposal. Staff recommended that the applicant be awarded 25 project-based vouchers.

In March of 2017, Community Development Partners submitted plans for a 59-unit permanent supportive housing project with 33 parking spaces. Following receipt of comments from the City's development review process the applicant reduced the number of units to 57, increased the number of parking spaces to 38 spaces and made site modifications that improved the proposed project.

On March 22, 2017, the Community Redevelopment and Housing Commission recommended that the Housing Authority award 25 project-based vouchers to Community Development Partners and Mercy Housing Living Centers to provide permanent supportive housing units with wrap-around supportive services for chronically homeless individuals.

On April 4, 2017, the City Council unanimously authorized the Housing Authority to execute an Agreement to enter into a Project-Based Housing Assistance Payments Contract with Community Development Partners for the 25 project-based vouchers for the proposed project.

Table 1: Project and Location Information

<table>
<thead>
<tr>
<th>Item</th>
<th>Information</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Address</td>
<td>317 East Seventeenth Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nearest Intersection</td>
<td>Spurgeon and Seventeenth Streets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Plan Designation</td>
<td>General Commercial (GC)</td>
<td>Urban Neighborhood (UN)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Medium Residential (MR-15)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zoning Designation</td>
<td>Community Commercial (C-1)</td>
<td>Specific Development No. 91 (SD-91)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Multiple-Family Residence (R-3)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surrounding Land Uses</td>
<td>North Santa Ana (I-5) Freeway</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>East Santa Ana (I-5) Freeway and Commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>South Commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>West Residential</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site Size (combined)</td>
<td>39,370 square feet (.90 acres)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Site Development</td>
<td>The site is developed with a 35-room motel, pool and accessory structures that would be demolished with the construction of the proposed project.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attachments</td>
<td>Exhibit 1 (Vicinity Map), Exhibit 2 (Land Use Map), Exhibit 3 (Site Photo), Exhibit 4 (Site Plan), Exhibit 5 (Floor Plans), Exhibit 6 (Elevations), Exhibit 7 (Renderings), Exhibit 8 (Landscape Plan), Exhibit 9 (Revised Land Use Element), Exhibit 10 (Revised Zoning Map), Exhibit 11 (Specific Development No. 91), Exhibit 12 (Link to Draft Negative Declaration), Exhibit 13 (Resolution), Exhibit 14 (Draft Ordinance)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Project Analysis
The applicant is requesting approval of a general plan amendment and amendment application (zone change) in order to construct a 57-unit permanent supportive housing project. Table 2 on the following page provides a detailed summary of the proposed development.

<table>
<thead>
<tr>
<th>Table 2: Project Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential Units</strong></td>
</tr>
<tr>
<td><strong>Unit Type</strong></td>
</tr>
<tr>
<td>Studio</td>
</tr>
<tr>
<td>One-Bedroom</td>
</tr>
<tr>
<td><strong>Parking</strong></td>
</tr>
<tr>
<td><strong>Parking Type</strong></td>
</tr>
<tr>
<td>Garage Spaces</td>
</tr>
<tr>
<td>Tuck-under Spaces</td>
</tr>
<tr>
<td>Total Spaces</td>
</tr>
<tr>
<td><strong>Common Space</strong></td>
</tr>
<tr>
<td><strong>Common Space Type</strong></td>
</tr>
<tr>
<td>Outdoor Landscape Area</td>
</tr>
<tr>
<td>Private Open Space</td>
</tr>
<tr>
<td>Interior Community Space</td>
</tr>
<tr>
<td>Support Services</td>
</tr>
<tr>
<td>Total Area</td>
</tr>
</tbody>
</table>

There are 56 permanent supportive housing units which will serve chronically homeless residents earning at or below 60% of the Area Median Income and one (1) additional unit to be occupied by the on-site property manager, bringing the total residential unit count to 57. The rental units will be 100 percent affordable to provide permanent housing to chronically homeless residents earning at or below 60 percent of the Area Median Income, with the exception of a single one-bedroom property manager’s unit for a minimum of 55 years. Supportive housing is housing with no limit on the length of stay, is occupied by persons or families who were homeless when approved for tenancy and is linked to onsite or offsite services that assist the resident in retaining housing, improving their health status and maximizing their ability to live and work in the community, as defined by § 50675.14 of the Health and Safety Code.

The project includes 12 studios and 45 one-bedroom units, office space for service providers, community room, dining room, computer room, gym, laundry facilities and a leasing office. The
outdoor space includes an outdoor yard, community garden, decks, and barbeques. The site plan is a unique design due to the irregular shape of the lot. There are three undulating buildings that vary from three to four stories in height and are connected by pedestrian walkways and bridges. The project has contemporary architecture with a variety of materials and colors. On-site vehicular circulation is designed to provide access to the enclosed parking garage and tuck-under parking spaces and the pedestrian pathway will have enhanced paving to lead residents from the front of the property to the residential building and open space at the rear (Exhibits 4 -8).

The project provides 36 off-street parking spaces (0.6 parking spaces per unit) within an enclosed garage and tuck-under parking spaces. On January 1, 2016 Assembly Bill (AB 744) became effective, which amended sections of the State’s Density Bonus Law (§ 65915 of the Government Code) and requires local jurisdictions to approve alternative parking ratios (at a ratio of 0.5 spaces per unit) for 100 percent affordable developments consisting solely of rental units and within one-half mile of a major transit stop. The project is utilizing the reduced parking ratio, as project will be 100 percent affordable and the intersection of Seventeenth and Main Streets is a major transit stop that is located within one-half mile of the project.

**General Plan Amendment**

The applicant is requesting approval of a General Plan Amendment to change the General Plan land use designation from General Commercial (GC) and Medium Density Residential (MR-15) to Urban Neighborhood (UN) with a floor area ratio of 1.3 (Exhibit 9).

Per the General Plan, the UN land use designation applies primarily to residential areas with pedestrian oriented commercial uses, schools and small parks. The UN allows for a mix of residential uses and housing types, such as mid to low-rise multiple-family, townhouses and single-family dwellings; with some opportunities for live-work, neighborhood serving retail and service, public spaces and other similar uses. Either vertical or horizontal integration of uses is permitted based on zoning standards, with an emphasis on tying together the uses with pedestrian linkages and street frontages. Street connectivity is desirable, allowing for a high degree of walkability, transit options, and other forms of transportation including pedestrian and bicycle travel. The intensity standard for the UN land use ranges from a floor area ratio of 0.5 to 3.0 with the residential density based on a combination of floor area ratio and zoning development standards. The project is consistent with the intent, character and intensity standards of the UN land use designation.

In addition, the City is in the process of updating the General Plan. A key component of the update process includes the identification of sites and corridors for future development. The Envisioning Map identifies the Seventeenth Street corridor, including the project site, as a potential area for mixed-use development up to six stories in height and at a maximum density of 100 dwelling units per acre. The future land use designation of the Seventeenth Street corridor will be studied in greater depth as the update process continues.
The subject site is split between the Community Commercial (C-1) and Multiple-Family Residence (R-3) zoning district. The development standards pertaining to the two zoning districts would render the project unfeasible. Approval of an amendment application to change the zoning district is required for the project (Exhibit 10). The Specific Development (SD) designation allows flexibility of the uses and development standards that are tailored to a unique and specific project.

If the zone change is approved, a series of site-specific objectives, policies and development standards will be used to guide the development of the proposed project such as setbacks, parking and height to allow the exclusive entitlement of the permanent supportive housing project. The SD document has been drafted to be consistent with the project and prohibits future modifications to enlarge or reduce the size of the project (Exhibit 11). The zone change needs to be approved in conjunction with the proposed General Plan Amendment in order for the project to be consistent with the General Plan.

Table 3: CEQA, Strategic Plan Alignment, and Public Notification & Community Outreach

<table>
<thead>
<tr>
<th>CEQA, Strategic Plan Alignment, and Public Notification &amp; Community Outreach</th>
<th>CEQA</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CEQA Type</strong></td>
<td>Negative Declaration (ND) Environmental Review No. 2017-24. No areas of significant impact were determined from the construction or operation of the proposed project (Exhibit 12).</td>
</tr>
<tr>
<td><strong>Public Notification</strong></td>
<td>A notice of intent and draft ND was circulated to interested parties and the State Clearing Housing on April 28, 2017 and published in the Orange County Register on April 28, 2017. The draft ND was available for public review at the Santa Ana City Hall, City of Santa Ana Main Library, and on the project webpage on the City’s website.</td>
</tr>
<tr>
<td><strong>Strategic Plan Alignment</strong></td>
<td>Approval of this item supports the City’s efforts to meet Goal #5 (Community Health, Livability, Engagement &amp; Sustainability) Objective #3 (facilitate diverse housing opportunities and support efforts to preserve and improve the livability of Santa Ana neighborhoods).</td>
</tr>
<tr>
<td><strong>Public Notification &amp; Community Outreach</strong></td>
<td>Community Meeting was held on April 6, 2017 at 5:30 p.m. at the Santa Ana Regional Transportation Center in accordance with the provisions of the City’s Sunshine Ordinance. Two members of the public and Planning Division staff attended. The applicant provided all the required information to the City after the meeting. A public notice was posted on the project site on May 12, 2017. Notification by mail was mailed to all property owners and occupants within 500 feet of the project site on May 12, 2017. Newspaper posting was published in the Orange County Register on May 12, 2017.</td>
</tr>
</tbody>
</table>
GPA No. 2017-01, AA No. 2017-01
May 22, 2017
Page 6

**Conclusion**

Based on the analysis provided within this report, staff recommends that the Planning Commission recommend that the City Council adopt a resolution approving General Plan Amendment No. 2017-01 and recommend that the City Council adopt an ordinance approving Amendment Application No. 2017-01.

\[Signature\]

Selena Kelaher, AICP
Associate Planner

SK: sb

Exhibits:  
1 – General Vicinity Map  
2 – Existing Land Use Map  
3 – Site Photo  
4 – Site Plan  
5 – Floor Plans  
6 – Elevations  
7 – Renderings  
8 – Landscape Plan  
9 – General Plan Amendment  
10 – Zoning Map  
11 – Specific Development No. 91  
12 – Link to Draft Negative Declaration  
13 – Resolution  
14 – Draft Ordinance
AQUA SUPPORTIVE HOUSING
317 EAST SEVENTEENTH STREET
LANDSCAPE PLAN
EXHIBIT 8
The following is a chronology of the approved general plan amendments that have been incorporated into this document since the comprehensive update of the General Plan Land Use Element adopted by the Santa Ana City Council February 2, 1998 (GPA 1997-05):

- GPA 2017-01 (Pending)
- GPA 2016-03 (February 21, 2017)
- GPA 2016-02 (May 17, 2016)
- GPA 2016-01 (April 19, 2016)
- GPA 2015-03 (February 2, 2016)
- GPA 2014-02 (October 21, 2014)
- GPA 2014-01 (June 3, 2014)
- GPA 2014-01-03 (March 19, 2012)
- GPA 2013-02 (June 2, 2011)
- GPA 2010-01 (June 7, 2010)
- GPA 2008-02 (July 20, 2009)
- GPA 2008-02 (July 20, 2009)
- GPA 2008-01 (May 6, 2008)
- GPA 2008-01 (May 6, 2008)
- GPA 2007-03 (February 2, 2009)
- GPA 2007-02 (June 18, 2007)
- GPA 2007-02 (June 18, 2007)
- GPA 2007-01 (March 19, 2007)
- GPA 2007-01 (March 19, 2007)
- GPA 2007-01 (March 19, 2007)
- GPA 2007-01 (December 5, 2005)
- GPA 2007-01 (October 2, 2006)
- GPA 2007-01 (November 20, 2000)
- GPA 2007-01 (May 4, 2008)
- GPA 2006-01 (October 2, 2006)
- GPA 2006-02 (October 17, 2005)
- GPA 2005-01 (December 5, 2005)
- GPA 2005-02 (August 22, 2004)
- GPA 2004-01 (April 5, 2005, as passed by the voters of Santa Ana)
- GPA 2004-03 (February 2, 2009)
- GPA 2004-02 (July 20, 2009)
- GPA 2004-01 (April 5, 2005, as passed by the voters of Santa Ana)
- GPA 2003-01 (September 3, 2002)
- GPA 2003-01 (September 3, 2002)
- GPA 2003-01 (February 18, 2003)
- GPA 2002-01 (September 3, 2002)
- GPA 2002-01 (November 20, 2000)
- GPA 2002-03 (August 19, 2002)
- GPA 2002-02 (October 17, 1999)
- GPA 2002-01 (September 3, 2002)
- GPA 2001-03 (February 19, 1999)
- GPA 2001-02 (January 7, 2002)
- GPA 2001-01 (February 19, 2001)
- GPA 2000-09 (May 7, 2001)
- GPA 2000-08 (February 5, 2001)
- GPA 2000-07 (September 21, 1998)
- GPA 2000-06 (September 6, 2000)
- GPA 2000-05 (September 6, 2000)
- GPA 2000-04 (July 19, 2004)
- GPA 2000-03 (June 16, 2003)
- GPA 2000-02 (November 20, 2000)
- GPA 2000-01 (January 7, 2002)
- GPA 2000-03 (November 20, 2000)
- GPA 2000-02 (November 20, 2000)
- GPA 2000-01 (December 4, 2000)
- GPA 2000-00 (January 7, 2002)
- GPA 2000-09 (May 7, 2001)
- GPA 2000-08 (February 5, 2001)
- GPA 2000-07 (September 21, 1998)
- GPA 2000-06 (September 6, 2000)
- GPA 2000-05 (September 6, 2000)
- GPA 2000-04 (July 19, 2004)
- GPA 2000-03 (June 16, 2003)
- GPA 2000-02 (November 20, 2000)
- GPA 2000-01 (December 4, 2000)
To encourage a dynamic mixture of residential, office and commercial uses, within these areas both building intensity and residential density is based on floor area ratio and zoning development standards. In calculating either the allowable floor area or the allowable residential density, it is the City’s policy to not allow upward rounding. The Land Use Plan is illustrated in Exhibit 2. Additional information concerning the Land Use Plan and the land use designations is provided in Table 1 (Land Use Development Intensity Standards), and in the Appendix.

### Table 1

<table>
<thead>
<tr>
<th>Land Use Designation</th>
<th>Density/Intensity Standards (dulacre - FAR)¹</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential Land Use Designations</strong></td>
<td></td>
</tr>
<tr>
<td>Low Density Residential (LR-7)</td>
<td>7 du/acre</td>
</tr>
<tr>
<td>Low-Medium Density Residential (LMR-11)</td>
<td>11 du/acre</td>
</tr>
<tr>
<td>Medium Density Residential (MR-15)</td>
<td>15 du/acre</td>
</tr>
<tr>
<td><strong>Mixed Use Land Use Designations</strong></td>
<td></td>
</tr>
<tr>
<td>District Center²(DC)</td>
<td></td>
</tr>
<tr>
<td>Other District Center (Midtown, MacArthur Place, etc.)</td>
<td>90 du/acre and FAR 1.0-2.0</td>
</tr>
<tr>
<td>Heritage District Center</td>
<td>FAR 1.7</td>
</tr>
<tr>
<td>Downtown District Center</td>
<td>FAR 3.0</td>
</tr>
<tr>
<td>Metro East District Center</td>
<td>FAR 3.0</td>
</tr>
<tr>
<td>Transit Village District Center</td>
<td>FAR 5.0</td>
</tr>
<tr>
<td>Harbor Corridor District Center</td>
<td>FAR 5.0</td>
</tr>
<tr>
<td><strong>Urban Neighborhood</strong></td>
<td></td>
</tr>
<tr>
<td>Transit Zoning Code Area/ First &amp; 17th Street Corridor</td>
<td>FAR 0.5-1.5</td>
</tr>
<tr>
<td>Harbor Corridor</td>
<td>FAR 3.0</td>
</tr>
<tr>
<td><strong>Commercial Land Use Designations</strong>³</td>
<td></td>
</tr>
<tr>
<td>Professional and Administrative Office (PAO)</td>
<td>FAR 0.5-1.0</td>
</tr>
<tr>
<td>General Commercial (GC)</td>
<td>FAR 0.5-1.0</td>
</tr>
<tr>
<td>One Broadway Plaza District Center (OBPDC)⁴</td>
<td>FAR 2.9</td>
</tr>
<tr>
<td><strong>Industrial Land Use Designations</strong></td>
<td></td>
</tr>
<tr>
<td>Industrial (IND)</td>
<td>FAR 0.45</td>
</tr>
<tr>
<td><strong>Other Land use Designations</strong></td>
<td></td>
</tr>
<tr>
<td>Institutional (INS)</td>
<td>FAR 0.5</td>
</tr>
<tr>
<td>Open Space (O)</td>
<td>FAR 0.2</td>
</tr>
</tbody>
</table>

Notes:

1. The intensity standards shown refer to the theoretical maximum amount of development permitted for each land use designation (du-dwelling units; FAR-floor area ratio). Development must also adhere to zoning regulations, and/or specific plan requirements.

2. The District Center and Urban Neighborhood land use designations permit both residential and non-residential development.

3. Commercial intensities may vary. Baseline FAR is 0.5. Specific areas allowing greater intensities are indicated in Exhibit A-3.

4. One Broadway Plaza District Center land use designation permits office, restaurant and ancillary retail for a master planned development.

*Refer to Appendix for description of Land Use designations.
Exhibit 2 Land Use Plan
LAND USE PLAN IMPLEMENTATION

To effectively achieve the broad range of goals outlined for the City’s future growth and development, a variety of plans, programs, and regulations must be relied upon. This section of the Element discusses these tools, and how they correlate with implementation of the City’s land use goals.

DEVELOPMENT INTENSITY STANDARDS

Table A-1 summarizes the development intensity standard for each of the General Plan designations, and provides land use distribution by acreage for the land use. The intensity standards for the categories permitting residential development are expressed in density, measured in “units per acre,” or floor area ratio and zoning development standards in the case of certain Mixed Use land use designations. The intensity standards for non-residential development are expressed as “floor area ratio” or FAR. The FAR concept is illustrated in Exhibit A-3. The intensity standards in concert with the zoning and development standards regulate the massing, form and building size.

<table>
<thead>
<tr>
<th>Table A-1</th>
<th>Development Intensity Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land Use</strong></td>
<td><strong>Density/Intensity Standards</strong></td>
</tr>
<tr>
<td><strong>Residential Land Use Designations</strong></td>
<td></td>
</tr>
<tr>
<td>Low Density</td>
<td>7 du/acre</td>
</tr>
<tr>
<td>Low-Medium Density</td>
<td>11 du/acre</td>
</tr>
<tr>
<td>Medium Density</td>
<td>15 du/acre</td>
</tr>
<tr>
<td><strong>Mixed Use Land Use Designations</strong></td>
<td></td>
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<td>District Center</td>
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<td>Other District Centers (Midtown, etc.)</td>
<td>90 du/acre and FAR 1.0-2.0</td>
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<td>Heritage District Center</td>
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</tr>
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<td>Downtown District Center</td>
<td>FAR 3.0</td>
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<tr>
<td>Metro East District Center</td>
<td>FAR 3.0</td>
</tr>
<tr>
<td>Transit Village District Center</td>
<td>FAR 5.0</td>
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<td>Harbor Corridor District Center</td>
<td>FAR 5.0</td>
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<tr>
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<td>One Broadway Plaza District Center*</td>
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</table>

Notes:
- du - dwelling unit, FAR - floor area ratio
- * Residential development is not a permitted use.
Residential

The Land Use Plan provides for three distinct residential land use designations. Residential development is also permitted in two other designations: District Center and Urban Neighborhood. The Santa Ana Land Use Plan includes the following residential land use designations:

- **Low Density Residential (LR-7)** designation applies to those areas of the City which are developed with lower density residential land uses. The allowable maximum development intensity is 7 units per acre. Development in this category is characterized primarily by single-family homes. This designation applies to a large proportion of the City (6,458.3 acres) representing 47 percent of the City’s total land area.

- **Low-Medium Density Residential (LMR-11)** designation applies to those sections of the City which are developed with permitted densities of up to 11 units per acre. The land area included in this designation is approximately 420.6 acres. The great majority of the land designated as Low-Medium Density Residential is located in the westerly portion of the City, north and south of First Street. Properties with this designation are typically characterized by mobile home parks, a mixture of duplexes and single-family residences, or small lot subdivisions.

- **Medium Density Residential (MR-15)** designation applies to those sections of the City which are developed with residential uses at densities of up to 15 units per acre. Development in this designation is characterized by duplexes, apartments, or a combination of both. A total of 1470.8 acres is designated as Medium Density Residential. The designation applies to areas located in the vicinity of downtown, areas north and south of MacArthur Boulevard, and in other areas where there are established multiple-family development projects.
The **General Commercial (GC)** district applies to commercial corridors in Santa Ana including those located along Main Street, Seventeenth Street, Harbor Boulevard, and other major arterial roadways in the City. The intensity standard applicable to this designation is a floor area ratio of 0.5 - 1.0, though most General Commercial districts have a FAR of 0.5. A total of 883.2 acres of land is included in this designation.

General Commercial districts are key components in the economic development of the City. They provide highly visible and accessible commercial development along the City’s arterial transportation corridors. In addition, General Commercial land uses provide important neighborhood facilities and services, including shopping, recreation, cultural and entertainment activities, employment, and education. The districts also provide support facilities and services for industrial areas including office and retail, restaurants and various other services.

The General Commercial development standards are based upon the character and intensity of development, as well as the degree of access and market demand for these properties. The relationships to adjacent land uses, are also considered. Uses typically located in this district are:

- Business and professional offices;
- Retail and service establishments;
- Recreational, cultural, and entertainment uses; and
- Vocational schools.

General Commercial Districts have a floor area ratio of 0.5 with the exception of the Mid-town area which has a floor area ratio of up to 1.0.

One Broadway Plaza District Center is a separate land use designation as it has an F.A.R. of 2.9, which exceeds the typical District Center intensity limit. Additionally, it does not include a residential component. One Broadway Plaza is envisioned as a landmark professional office complex that will be a focal point in the Downtown Redevelopment area serving the Civic Center complex, Downtown, and Midtown urban areas. The City’s District Centers and major development areas are shown in Exhibit A-5.
The intensity standard for the Urban Neighborhood ranges from a floor area ratio of 0.5 to 3.0; with residential density based on a combination of floor area ratio and zoning development standards. A total of 276.9 acres of land in the City are designated Urban Neighborhood.

Industrial
The Industrial designation applies to those areas developed with manufacturing and industrial uses. The designation applies to areas which are predominantly industrial in character, and includes those industrial districts in the southwestern, south central and southeastern sections of the City. A total of 2,152.8 acres of land in the City is designated as Industrial. The maximum floor area ratio for this designation is 0.45.

The Industrial districts of the City are vital to its economic health. These areas provide employment opportunities for local residents, and generate municipal revenues for continued economic development. As one of the County’s oldest cities, Santa Ana has long been an industrial center for the region. The City’s goal is to maintain this strong industrial base by setting land use policies which preclude the intrusion of less intensive commercial or residential uses. Typical uses found in this district include the following:

- Light and heavy product manufacturing and assembly.
- Commercial uses which are ancillary to industrial uses in the district.

Institutional
The Institutional designation includes the Civic Center, other governmental facilities, City facilities and public institutions such as schools, etc. Only public properties of approximately five acres or more are designated as Institutional. The maximum applicable floor area ratio standard for this designation is 0.5. The 0.5 FAR is used as a guideline since most development in this designation are State, federal, and local governmental facilities that are not subject to local development regulations. A total of 796.3 acres of land is included in this designation.

Open Space
The Open Space designation is applied to parks, water channels, cemeteries and other open space uses. A total of 1,015.8 acres are included in this land use designation. Of this total, 358 acres of public park land is included in this land use designation.
interagency Development Review Committee (DRC) to ensure consistent and comprehensive application of City regulations and policies for all projects.

- **Redevelopment Plans.** The City will apply redevelopment tools associated with the implementation of the adopted redevelopment plans, as appropriate. The City will encourage the further development of industrial, commercial, and residential projects in suitable locations to strengthen the City’s tax and employment base.

- **Special Studies.** In certain instances, a special study may be required to address a particular issue. In these cases, a specific effort to identify staff resources needed to conduct the appropriate investigation and analysis will be identified.

- **Zoning Code Review.** The zoning code serves as a primary tool used by the City to regulate development. The City will develop a program to revise the Zoning Ordinance to ensure that development regulations and standards are consistent with community needs and high quality development. The City will initiate appropriate changes to the ordinance to ensure, where appropriate, conformity between the Land Use Element and Zoning Map.

**LAND USE PLAN BUILDOUT**

As indicated previously, the City of Santa Ana has been almost completely developed for many years. As a result, any new development will necessarily consist of redevelopment and infill development on the remaining vacant and underutilized parcels. Many parcels with nonresidential land use designations will never be developed to the maximum intensity permitted under the General Plan.

Table A-4 indicates the development possible under the build-out of the Land Use Plan. The build-out for residential land uses considered two scenarios. Effective build-out for residential development is calculated by adding the 21,205 units possible in the areas designated as District Center and Urban Neighborhood to the existing 74,588 units presently found in the City per Census 2000. Theoretical build-out for residential development considered the development possible if all of the areas designated as residential were developed according to the permitted Land Use Plan intensities. Since the Land Use Element does not contemplate the elimination of existing housing in the City, the effective build-out figure represents a more realistic estimate of future residential development.

As indicated in Table A-4, three of the non-residential land use designations have a range in FAR intensities. For the non-residential land use designations, effective build-out considered the development possible under the lower range of FAR intensities while theoretical build-out considered the upper FAR range. Typically, parking and landscaping requirements will result in significantly less floor area
for commercial and industrial developments than that which is permitted under the General Plan.

As indicated in Table A-4, between 55,391 to 95,736 housing units are allowed by the Land Use Plan. The additional units which presently exist in the City beyond the maximum number permitted under the theoretical buildout scenario are a reflection of the higher density multiple-family developments constructed in the 1970’s and 1980’s. However, the purpose of the Land Use Plan as it applies to the residential areas is to preserve and maintain the stability of existing neighborhoods, regardless of the character of development. The intent of the Plan is not to create any displacement, nor decrease existing development densities. Rather, it is to ensure a safe, healthy, and livable environment for City residents. Existing residential development entitlements are protected through this Land Use Element, applicable Zoning regulations, and sections of the City code pertaining to legal nonconforming uses.

The Land Use Element’s implementation may result in an increase in the amount of commercial, office, and industrial development in the City. As indicated in Table A-4, up to 33,156,565 square feet of commercial and office development, and 42,199,991 square feet of industrial development are possible under the effective capacity parameters of Land Use Plan.
<table>
<thead>
<tr>
<th>Land Use Element</th>
<th>Land Use</th>
<th>Acres</th>
<th>Intensity/ Density</th>
<th>Effective Buildout</th>
<th>Theoretical Buildout</th>
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<td>1,812.1</td>
<td>15,787,407 sq</td>
<td>26,194,044 sq</td>
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</tbody>
</table>

FAR = floor area ratio; d.u. = dwelling unit; s.f. = square feet (of floor area). Acreage shown in table does not include roads in right-of-way.

1. Effective capacity for non-residential development assumes development possible under the lower range of FAR intensity standards with the exception of the Metro East District Center, Transit Village District Center, Downtown District Center, Heritage District Center, and Urban Neighborhood areas. The Harbor Corridor District Center, Metro East District Center, Transit Village District Center, Downtown District Center, and Urban Neighborhood areas allow a range of intensity for mixture of residential and non-residential development based on the zoning development standards. Residential effective capacity was calculated by adding the 21,205 units possible in the District Center and Urban Neighborhood with the existing 74,588 (Census 2000) housing units.

2. Land use designation permits both residential and non-residential development. Build-out assumes 90% of land area will be developed as commercial and 10% will be developed as residential; with the exception of Town and Country Manor project intended for continuum of care and housing seniors.

3. Land use designation permits high intensity office development with ancillary retail use.

This table has been revised to correspond with the GIS Land Use Map illustrated in Exhibit 2.
SECTION 1 – APPLICABILITY OF ORDINANCE

The Specific Development zoning district No. 91 (SD-91) for the Aqua permanent supportive housing project site is authorized by Chapter 41, Division 26 Section 41-593 et seq. of the Santa Ana Municipal Code. SD No. 91 contains the specific standards and regulations contained in the residential district, as herein amended, for the purpose of establishing land use regulations and standards. All other applicable chapters, articles, and sections of the Santa Ana Municipal Code are in effect unless expressly superseded by regulations contained in this ordinance.

SECTION 2 – PURPOSE

The Specific Development Plan No. 91 for the Aqua permanent supportive housing project consists of standards and regulations established for the purpose of protecting the health, safety, and general welfare of the people of the City of Santa Ana by promoting and enhancing the value of property and encouraging the orderly development of the property.

Objectives

The objectives of the Aqua permanent supportive housing project specific development plan include provision of the following:

1. Development of a residential project in an area identified by the 2014-2021 Housing Element as an opportunity area for infill residential projects.

2. Promotion of the City’s image as providing high-quality residential projects for individuals and families of all income groups.

3. A clean and safe environment for the City’s residents, workers, and visitors.

4. A visually harmonious development as viewed both internally and externally.

5. Flexibility in development in response to market conditions while achieving overall City and community goals.

SECTION 3 – Uses permitted in Specific Development No. 91

The following uses are permitted in the SD-91 district:
(a) Fifty-six (56) multiple-family dwelling units for supportive housing and one (1) onsite manager’s unit.

(b) Ancillary onsite community-serving or social service uses. The lobby will be accessible 24-hour a day to residents and staff.

(c) Home occupations, pursuant to section 41-192.1 of the Santa Ana Municipal Code.

SECTION 4 – Uses subject to a conditional use permit in Specific Development No. 91

(a) Childcare facilities caring for more than eight (8), but no more than fourteen (14) children.

SECTION 5 – Maximum permitted floor area ratio (FAR)

The maximum authorized building intensity for the Aqua permanent supportive housing project is a floor area ratio (FAR) of 1.3, including residential areas, community-serving areas (e.g., laundry room, office, gym and community room), parking garage and interior corridors.

SECTION 6 – Minimum lot area in Specific Development No. 91

The developable lot for the project shall have a minimum lot area of .90 acres.

SECTION 7 – Minimum street frontage in Specific Development No. 91

Developable lots shall have a minimum street frontage of at least 58 feet.

SECTION 8 – Building height in Specific Development No. 91

No structure shall exceed 45 feet in height, as measured from the lowest adjacent grade of a structure to the top of the structure.

SECTION 9 – Development standards in Specific Development No. 91

The Aqua permanent supportive housing project shall be built as shown on the approved project plans included as attachments to the SD. The plans shall govern in the event there is a conflict between the SD with the project plans. In addition, the following standards are applicable to the project:

(a) Setbacks.

(1) A minimum setback of twelve (12) feet three (3) inches shall be provided between the property line and buildings on Seventeenth Street.
(2) A minimum setback of ten (10) feet shall be provided between the west side property lines and buildings

(3) A minimum setback of zero (0) feet shall be provided between the east side property lines and buildings

(4) A minimum setback of ten (10) feet nine (9) inches shall be provided between the rear property line and buildings

(b) Parking. The minimum off-street parking requirements for the project are as follows:

(1) 36 total parking spaces, of which:
   a. 8 parking spaces shall be tuck-under parking
   b. 28 parking spaces shall be provided in an enclosed garage

(2) A minimum of ten (10) bicycle spaces shall be provided onsite. The design and materials shall comply with the approved materials board submitted for the project during building plan check.

(3) Prior to occupancy a parking management plan shall be submitted to the Planning Division for review, identifying parking per unit, services provider parking and guest parking. The plan is subject to approval of the Planning Manager.

(c) Pedestrian Walkways and Open Space. The project will provide a minimum of 15% open space in the form of common, landscaped open space areas, deck, courtyard and lobby, mailroom, interior community room, dining room, gym, computer room, laundry rooms, service provider offices and onsite resident services office.

(d) Walls/Fences.
A solid block wall with a minimum height of six feet shall be constructed along the east, north, and west property lines. The block wall shall be designed to contain a decorative cap, regularly-spaced decorative pilasters, and a decorative finish in accordance to the design provisions contained within the most recent version of the City’s design guidelines.

(e) Landscaping
Detailed landscaping plans shall be submitted to and be approved by the City of Santa Ana Planning Division prior to issuance of a building permit and installed as required in the approved plans.

(1) Project Landscaping:
   a. Landscaping shall be compliant with the City of Santa Ana’s Landscape Water Conservation Ordinance.
b. All landscape areas shall have a fully automatic irrigation system (including spray or drip) as required by the City of Santa Landscape Water Conservation Ordinance.

(2) All meters shall be appropriately screened from public view with trellis work and vines or hedge-type shrub, or be incorporated into the residential structure.

(3) The building wall along the easterly property line shall be planted with vines.

(4) Maintenance: All plant material shall be maintained per Section 41-609 of the Santa Ana Municipal Code.

(f) Architectural and Design Features
   (1) Exterior materials. Exterior materials and finishes for the project shall comply with the approved materials board submitted for the project during building plan check. All trash enclosures and similar ancillary structures shall match the texture, material and color of the building.

   (2) Hardscape materials. Enhanced paving materials shall be installed at the driveway entrance and the pedestrian walkway along the main driveway. The actual paving materials shall be approved by the Planning Division.

   (3) Lighting standards/fixtures. The light fixtures are to integrate design elements of the building and landscape architecture. Lighting is to be designed to confine the direct rays of the artificial lighting within the boundaries of the development. Specifications of light standards/fixtures and photometrics plan shall be submitted to Planning Division for approval.

(g) Mechanical Equipment, Appurtenances, and Conduits
   All mechanical equipment and all supporting appurtenances and conduits shall be screened from view within designated rooms, inside walls, behind parapets, or through a combination of landscape and hardscape materials.

(h) Trash Enclosures
   Trash bins shall be stored in designated trash enclosures. There shall be an onsite designated trash staging areas only be used on service days and the staging area and bins shall not disrupt vehicular use of the driveway. The minimum requirements needed to service the location shall be clearly indicated on the plans and subject to the approval of the Public Works Agency.
(i) **Easements**
Prior to the issuance of building permits all easements shall be relocated or quitclaim within the boundary of the project and building footprints.

(j) **Maintenance**
The property shall be maintained free for trash, debris and graffiti. Graffiti shall be removed within ten (10) days after its appearance in accordance with Section 10-227 of the Santa Ana Municipal Code.
NEGATIVE DECLARATION

The Negative Declaration document can be accessed here:


EXHIBIT 12
RESOLUTION NO. 2017-XX


BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The City Council of the City of Santa Ana hereby finds, determines and declares as follows:

A. Community Development Partners (Applicant) is requesting approval of General Plan Amendment No. 2017-01 to amend the General Plan land use designation of the property located at 317 East Seventeenth Street from General Commercial (GC) and Medium Density Residential (MR-15) to Urban Neighborhood (UN) and to update text portions of the City’s Land Use Element to reflect this change in order to facilitate the construction of a 57-unit supportive housing project on the .90-acre property.

B. On May 1, 2017, pursuant to Senate Bill 18, the City mailed consultation letters to all tribes listed on the Native American Heritage Commission (NAHC) Tribal Consultation List. The City is in the process of consulting with the tribes.

C. On May 22, 2017, the Planning Commission of the City of Santa Ana held a duly noticed public hearing and voted to recommend that the City Council adopt a resolution adopting Negative Declaration, Environmental Review No. 2017-24 and approving General Plan Amendment No. 2017-01.

D. On June 20, 2017, the City Council of the City of Santa Ana held a duly noticed public hearing to consider all testimony, written and oral, related to General Plan Amendment No. 2017-01, at which time all persons wishing to testify were heard, the project was fully considered, and all other legal prerequisites to the adoption of this Resolution occurred.

E. General Plan Amendment No. 2017-01 has been filed to amend the General Plan to change the land use designation of the property at 317 East Seventeenth Street from General Commercial (GC) and Medium Density Residential (MR-15) to Urban Neighborhood (UN).

1. The existing General Plan land use designations for the project area are General Commercial (GC), which allows business and
professional offices; retail and service establishments; recreational, cultural, and entertainment uses and vocational schools with a floor area ratio of 0.5 to 1.0 and Medium Density Residential (MR-15) Low Density Residential (LR-7), which allows for residential uses at densities of up to 15 units per acre. In order to facilitate the construction of a 57-unit supportive housing project with a floor area ratio of 1.3, the land use designation needs to be changed to Urban Neighborhood (UN), which allows for a mix of residential uses and housing types, such as mid to low rise multiple family, townhouses, single family dwellings; with some opportunities for live-work, neighborhood serving retail and service, public space and use, and other amenities with a floor area ratio of 0.5 to 3.0.

2. The proposed project will support several goals and policies of the General Plan. First, the project is consistent with Housing Element Goal 2, to create diversity of quality housing, affordability levels, and living experiences that accommodate Santa Ana’s residents and workforce of all household types, income levels, and age groups to foster an inclusive community. The project will provide 56-affordable rental housing units and one (1) onsite property manager’s unit which supports Housing Element Goal 3, increased opportunities for low and moderate income individuals and families to find quality housing opportunities and afford a greater choice of rental or homeownership opportunities. The supportive housing project is in line with Housing Element Goal 4, to provide adequate rental and ownership housing opportunities and supportive services for seniors, people with disabilities, families with children, and people needing emergency, transitional, or supportive housing. Further, the project is consistent with several Housing Element policies; Policy HE-2.3 to encourage construction of rental housing for the city’s residents and workforce; Policy HE-3.4 to support the provision of employment training, childcare services, rental assistance, youth services, and other community services that enable households to attain the greatest level of self-sufficiency and independence; Policy HE-4.4 to support the provision of supportive services and service-enriched housing for persons with special needs, such as seniors, disabled people, homeless people, families, veterans and people with medical conditions; Policy HE-4.6 to partner with community service organizations that address the needs of homeless people, including housing linked with case management, employment, physical, mental health, substance abuse, and other services.

F. The City Council has weighed and balanced the General Plan’s policies, both new and old, and has determined that based upon this balancing that General Plan Amendment No. 2017-01 is consistent with the purpose of the general plan.

Section 2. The City Council has reviewed and considered the information contained in the initial study and the negative declaration (ND), Environmental Review
No. 2017-24, prepared with respect to this project. The City Council has, as a result of its consideration and the evidence presented at the hearings on this matter, determined that, as required pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, an ND adequately addresses the expected environmental impacts of this project. On the basis of this review, the City Council finds that there is no evidence from which it can be fairly argued that the project will have a significant adverse effect on the environment. The City Council hereby certifies and approves the ND and directs that the Notice of Determination be prepared and filed with the County Clerk of the County of Orange in the manner required by law.

Pursuant to Title XIV, California Code of Regulations (CCR) § 735.5(c)(1), the City Council has determined that, after considering the record as a whole, there is no evidence that the proposed Project will have the potential for any significant adverse effect on wildlife resources or the ecological habitat upon which wildlife resources depend. The proposed Project exists in an urban environment characterized by paved concrete, roadways, surrounding buildings and human activity. However, pursuant to Fish and Game Code § 711.2 and Title XIV, CCR § 735.5, the payment of Fish and Game Department filing fees in conjunction with this project is at the discretion of the State of California Department of Fish and Wildlife.

Section 3. The City Council of the City of Santa Ana after conducting the public hearing hereby approves General Plan Amendment No. 2017-01. The amendments to the Land Use Element are attached hereto as Exhibit “A” and incorporated herein by this reference as though fully set forth herein. This decision is based upon the evidence submitted at the above said hearing, which includes, but is not limited to: the Request for Council Action dated June 20, 2017, and exhibits attached hereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

Section 4. This Resolution shall not be effective unless and until Ordinance No. NS-______ (AA No. 2017-01) becomes effective. If said ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or otherwise do not go into effect for any reason, then this resolution shall be null and void and have no further force and effect.

Section 5. The applicant agrees to indemnify, hold harmless, and defend the City of Santa Ana, its officials, officers, agents, and employees, from any and all liability, claims, actions or proceedings that may be brought arising out of its approval of this project, and any approvals associated with the project, including, without limitation, any environmental review or approval, except to the extent caused by the sole negligence of the City of Santa Ana.

Section 6. This decision rendered by the City Council of the City of Santa Ana is final and is subject to judicial review pursuant to California Code of Civil Procedure section 1094.6. The Planning and Building Agency shall give direct notice to the Applicant of the City Council’s decisions and these findings.
ADOPTED this 20th day of June, 2017.

_______________________
Miguel A. Pulido
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: __________________________
Lisa Storck
Assistant City Attorney

AYES: Councilmembers ________________________________
NOES: Councilmembers ________________________________
ABSTAIN: Councilmembers ________________________________
NOT PRESENT: Councilmembers ________________________________

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, MARIA D. HUIZAR, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2017-XXX to be the original resolution adopted by the City Council of the City of Santa Ana on _____________, 2017.

Date: ______________
Clerk of the Council
City of Santa Ana
ORDINANCE NO. NS-XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING AMENDMENT APPLICATION NO. 2017-01 REZONING THE PROPERTY LOCATED AT 317 EAST SEVENTEENTH STREET FROM COMMUNITY COMMERCIAL (C-1) AND MULTIPLE-FAMILY RESIDENCE (R-3) TO SPECIFIC DEVELOPMENT NO. 91 (SD-91) (AA NO. 2017-01) AND ADOPTING SPECIFIC DEVELOPMENT NO. 91 (SD-91) FOR SAID PROPERTY

THE CITY COUNCIL OF THE CITY OF SANTA ANA DOES ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Santa Ana hereby finds, determines and declares as follows:

A. Amendment Application No. 2017-01 has been filed with the City of Santa Ana to change the zoning designation of the parcel located at 317 East Seventeenth Street from Community Commercial Height District II (C1-HDII) and Multiple-Family Residence (R-3) to Specific Development No. 91 (SD-91) zoning designation.

B. The zoning designation of the Specific Development No. 91 (SD-91) would allow the development of a 57-unit supportive housing project with private community space and supportive service offices bring the rezoned property into consistency with the General Plan land use designation of Urban Neighborhood (UN).

C. On May 22, 2017, the Planning Commission held a duly noticed public hearing and voted to recommend that the City Council adopt an ordinance approving Amendment Application No. 2017-01 which is consistent with the General Plan, as amended by General Plan Amendment No. 2017-01.

D. The City Council has reviewed applicable general plan policies and has determined that this proposed rezoning is consistent with the purpose of the general plan.

E. The City Council, prior to taking action on this ordinance, held a duly noticed public hearing on June 20, 2017.

F. The City Council also adopts as findings all facts presented in the Request for Council Action dated June 20, 2017 accompanying this matter.
For these reasons, and each of them, Amendment Application No. 2017-01 is hereby found and determined to be consistent with the intent and purpose of Chapter 41 of the Santa Ana Municipal Code, thus changing the zoning district is found to be consistent with the General Plan of the City of Santa Ana and otherwise justified by the public necessity, convenience, and general welfare.

Section 2. The Planning Commission of the City of Santa Ana recommends that the City Council adopt an ordinance rezoning the real property located at 317 East Seventeenth Street from Community Commercial (C1-HDII) and Multiple-Family Residence (R-3) to Specific Development No. 91(SD-91), (AA No. 2017-01) Amended Sectional District Map number 6-5-9 showing the above described change in use district designation, is hereby attached hereto as Exhibit A and incorporated by this reference as though fully set forth herein. This recommendation is based upon the evidence submitted at the above said hearing, which includes, but is not limited to: the Request for Council Action dated June 20, 2017, and exhibits attached thereto; and the public testimony, all of which are incorporated herein by this reference.

Section 3. The City Council has reviewed and considered the information contained in the Negative Declaration (Environmental Review No. 2017-24) prepared with respect to this project. The City Council has, as a result of its consideration of the record as a whole and the evidence presented at the hearings on this matter, determined that, as required pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, Environmental Review No. 2017-24 meets all the requirements of CEQA.

Section 4. The real property located at 317 East Seventeenth Street in Santa Ana is hereby reclassified from Community Commercial (C1-HDII) and Multiple-Family Residence (R-3) to Specific Development No. 91(SD-91). An amended Sectional District Map, showing the above described changes in use district designation, is hereby approved and attached hereto as Exhibit A and incorporated by this reference as though fully set forth herein.

Section 5. Specific Development No. 91 (SD-91) attached hereto as Exhibit B and incorporated by this reference as though fully set forth herein is approved and adopted in its entirety.

Section 6. This ordinance shall not be effective unless and until Resolution No. 2017-___________ (Environmental Review No. 2017-24 and General Plan Amendment No. 2017-01) and Ordinance No. 2017-___________(Amendment Application No. 2017-01) are adopted and become effective. If said resolution and ordinance are for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or otherwise does not go into effect for any reason, then this ordinance shall be null and void and have no further force and effect.

Section 7. If any section, subsection, sentence, clause, phrase 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 the ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

Section 8. The Applicant agrees to indemnify, hold harmless, and defend the City of Santa Ana, its officials, officers, agents, and employees, from any and all liability, claims, actions or proceedings that may be brought arising out of its approval of this project, and any approvals associated with the project, including, without limitation, any environmental review or approval, except to the extent caused by the sole negligence of the City of Santa Ana.

ADOPTED this ____ day of ________, 2017.

Miguel A. Pulido
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho
City Attorney

By: ______________________
Lisa Storck
Assistant City Attorney

AYES: Councilmembers ____________________________
NOES: Councilmembers ____________________________
ABSTAIN: Councilmembers __________________________
NOT PRESENT: Councilmembers ______________________
CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, MARIA D. HUIZAR, Clerk of the Council, do hereby attest to and certify that the attached Ordinance No. NS-_____ to be the original ordinance adopted by the City Council of the City of Santa Ana on __________, 2017 and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: ________________

Clerk of the Council
City of Santa Ana