City of Santa Ana
Planning Commission Meeting
Agenda

APRIL 27, 2015

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

JAMES R. GARTNER, Chairman
Ward 5 Representative

ALEXANDER NALLE
Citywide Representative

ERIC ALDERETE
Ward 1 Representative

LYNNETTE VERINO
Ward 2 Representative

BRUCE T. BAUER
Ward 3 Representative

PHIL BACERRA
Ward 4 Representative

SEAN H. MILL, Vice Chair
Ward 6 Representative

Lisa E. Storck
Legal Counsel

Vince Fregoso, AICP
Interim Executive Director

Karen Gerardo
Commission Secretary
(714) 667-2732

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

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]

Si tiene preguntas en español, favor de llamar a Karen Gerardo al (714) 667-2732.
Nếu cần liên lạc bằng tiếng Việt, xin điện thoại cho Tony Lai số (714) 565-2627.
**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: • Investment in youth • Safe and healthy community • 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:

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### Consent Calendar

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](http://www.santa-ana.org)
CALL TO ORDER 5:30 P.M.
ROLL CALL
PLEDGE OF ALLEGIANCE

A. PUBLIC COMMENTS (on non-agenda items)

CONSENT CALENDAR

RECOMMENDED ACTION: Approve staff recommendations on the following Consent Calendar items listed.

B. MINUTES FROM THE REGULAR MEETING OF APRIL 13, 2015

RECOMMENDED ACTION: Approve minutes.

C. MINOR EXCEPTION NO. 2015-02  
   (Hally Soboleske)

Cruz Ramirez and Macda Gabrakirstos are requesting a minor exception to allow the construction of a second dwelling unit in a Park Deficient area at 526 South Broadway in the Specific Development No. 40 (SD40) zoning district.

RECOMMENDED ACTION: Confirm the Zoning Administration’s action approving Minor Exception No. 2015-02 as conditioned.

*** END OF CONSENT CALENDAR ***
COMMUNICATION DISCLOSURE

COMMISSIONER COMMUNICATION DISCLOSURE (REGARDING AGENDIZED PROJECTS)

PUBLIC HEARINGS

1. PUBLIC HEARING – VARIANCE NOS. 2015-03 AND 2015-04 (Ali Pezeshkpour)

   Austin Evelo, representing Tustin Centre, is requesting approval of two variances to allow three (3) additional major building identification signs at an existing multi-building office development at 1551 and 1525 North Tustin Avenue located in the Professional (P) zoning district.

   Legal notice published in the Orange County Reporter on April 14, 2015 and notices mailed April 16, 2015.

   **RECOMMENDED ACTION:**
   1. Adopt a resolution approving Variance No. 2015-03 as conditioned.
   2. Adopt a resolution approving Variance No. 2015-04 as conditioned.

   *** END OF BUSINESS CALENDAR ***

ABSENCES

2. EXCUSED ABSENCES

   **RECOMMENDED ACTION:** Excuse absent Commission members.
3. STAFF MEMBER COMMENTS

4. PLANNING COMMISSION MEMBER COMMENTS

**ADJOURNMENT** - The next meeting of the Planning Commission is scheduled for Monday, May 11, 2015 at 5:30 p.m. in the Council Chamber, 22 Civic Center Plaza, Santa Ana, California.
MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION OF THE
CITY OF SANTA ANA, CALIFORNIA

APRIL 13, 2015

CALLED TO ORDER
COUNCIL CHAMBER
22 CIVIC CENTER PLAZA
SANTA ANA, CALIFORNIA
5:30 P.M.

ATTENDANCE
COMMISSIONERS Present:
JAMES R. GARTNER, Chairman
SEAN H. MILL, Vice Chairman
PHIL BACERRA
BRUCE T. BAUER
ALEXANDER NALLE (departed 6:14 p.m.)
LYNETTE VERINO

COMMISSIONERS Absent:
ERIC ALDERETE

STAFF Present:
VINCE FREGOSO, Interim Executive Director
VERNY CARVAJAL, Acting Planning Manager
RYAN HODGE, Assistant City Attorney
KAREN GERARDO, Commission Secretary

PLEDGE OF ALLEGIANCE
Chairman Gartner

A. PUBLIC COMMENTS (on non-agenda items) - None

CONSENT CALENDAR

MOTION: Approve the Consent Calendar item per staff’s recommendation.

Items removed for separate action or modified are highlighted. Separate actions show the actual vote. Items without votes are adopted as part of the consent motion.

MOTION:    Mill         SECOND:    Nalle
VOTE:  AYES:  Bacerra, Bauer, Gartner, Mill, Nalle, Verino (6)
NOES:  None (0)
ABSTAIN:  None (0)
ABSENT:  Alderete (1)

B. MINUTES

MOTION:  Approve the minutes of the regular meeting of March 23, 2015.

*** END OF CONSENT CALENDAR ***

BUSINESS CALENDAR

Commissioner Disclosure and Item No. 2 taken out of order.

COMMISSIONER COMMUNICATION DISCLOSURE (REGARDING AGENDIZED PROJECTS):

(No disclosures made.)

PUBLIC HEARINGS

2. SITE PLAN REVIEW NO. 2015-03
(Applicant: R20 Development, LLC)

Legal notice published in the Orange County Reporter and notices mailed on April 1, 2015.

A project overview was provided by Verny Carvajal, Acting Planning Manager and he fielded questions from the Commission. Discussion topics from the Commission included: Condition No. 8 (no-fee parking be changed to fee-based parking), transit and circulation impacts to surrounding area, water fountain/water conservation, and public art. Taig Higgins, Principal Civil Engineer, provided feedback related to the proposal of a stop sign or speed bumps.
to reduce speed of incoming/outgoing traffic and stated these options were not originally warranted as noted in a prior circulation study. Developer agreed to follow staff direction related to adding either a stop sign or speed bumps if so conditioned, relocation of public art piece and submittal of a public art plan. Chairman Gartner opened the public hearing. No written communication was received.

Desi Reyes spoke in support of the proposed development and reinvigorating the area with pedestrian traffic. However, he stated concerns with traffic impacts on First Street and Cabrillo Park Drive and suggested possibly synchronizing the traffic lights.

Laurence Hitterdale spoke in support of the proposed project; however, he echoed Desi Reyes' concern over traffic on First Street and Cabrillo Park and how the new development would impact the streets leading to the freeway onramp.

Michael Prah spoke in support of the proposed project, but also noted traffic concerns in the area. He mentioned issues he has had with transient vandalism, arson and graffiti and welcomed the idea of free parking.

Alison Sansone spoke in support of the proposed project, but addressed concerns with access and circulation between Xerox building tenants and new project tenants/residents during peak hours.

Commissioner Bacerra introduced a motion to adopt a resolution approving Site Plan Review No. 2015-03 as conditioned, but striking Condition No. 8 to allow the developer the ability to charge for parking as deemed necessary, as well as directing staff to review the developer's submittal of a public art plan for approval. The motion died on the floor due to lack of a second.

Commissioner Mill introduced a substitute motion to adopt a resolution approving Site Plan Review No. 2015-03 as conditioned adding conditions to direct staff to review the applicant's public art plan for approval and to study traffic calming measures for the entry drive.

**SUBSTITUTE MOTION:** Adopt a resolution approving Site Plan Review No. 2015-03 as conditioned, with the added conditions to direct staff to review the applicant's public art plan for approval, and to study traffic calming measures.

**MOTION:** Mill  
**SECOND:** Verino  
**VOTE:** AYES: Bacerra, Bauer, Gartner, Mill, Verino (5)
1. **DRAFT CAPITAL IMPROVEMENT PROGRAM FISCAL YEAR 2015/2016**

A PowerPoint presentation was provided by Jason Gabriel, Principal Civil Engineer and highlighted the draft Capital Improvement Program for the next fiscal year, which included infrastructure improvements to: arterial streets, park amenities and city facility improvements.

**MOTION:** Receive and file the Draft Capital Improvement Program for Fiscal Year 2015/2016.

**MOTION:** Bacerra  
**SECOND:** Verino

**VOTE:**  
**AYES:** Bacerra, Bauer, Gartner, Mill, Verino (5)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** Alderete, Nalle (2)

**END OF BUSINESS CALENDAR***

3. **AGENDA PACKET DISTRIBUTION DISCUSSION**

Verny Carvajal, Acting Planning Manager, discussed the quantity and size of plans submitted by applicants and the manner of distribution to the Planning Commission. Since some commissioners would still like to receive paper copies, packet delivery will continue at this time. One immediate change implemented will be to reduce the plans to half size, which will facilitate delivery and handling of plans.
ABSENCES

4. EXCUSED ABSENCES

MOTION: Excuse of the absence of Commissioner Alderete.

MOTION: Mill           SECOND: Bauer
VOTE: AYES: Bacerra, Bauer, Gartner, Mill, Verino (5)
      NOES: None (0)
      ABSTAIN: None (0)
      ABSENT: Alderete, Nalle (2)

COMMENTS

5. STAFF COMMENTS

Vince Fregoso
- Requested a Planning Commissioner volunteer to be included in a mobile vending machine ordinance task force. Commissioner Bauer offered to participate.

Ryan Hodge
- Mentioned that this was his last meeting as legal counsel for the Planning Commission and introduced Lisa Storck who will be taking his place.

6. PLANNING COMMISSION MEMBER COMMENTS

Commissioner Bauer
- Congratulated Ryan Hodge on his new appointment and stated he will be missed.

Commissioner Verino
- Mentioned it was a pleasure to work with Ryan Hodge and looked forward to working with Lisa Storck again.

Commissioner Bacerra
- Thanked Ryan for his service and welcomed Lisa Storck to the Commission.
Vice Chairman Gartner
- Was pleased to see new tenants and site improvements to Westfield MainPlace.

**ADJOURNED**

7:11 P.M. - The next meeting of the Planning Commission is scheduled for Monday, April 27, 2015 at 5:30 p.m. in the Council Chamber, 22 Civic Center Plaza, Santa Ana, California.

Karen Gerardo
Commission Secretary
REQUEST FOR
Planning Commission Action

PLANNING COMMISSION MEETING DATE:
APRIL 27, 2015

TITLE:
FILED BY CRUZ RAMIREZ AND MACDA
GABRAKIRSTOS FOR MINOR EXCEPTION
NO. 2015-02 TO PERMIT A SECOND DWELLING
UNIT WITHIN A PARK DEFICIENT AREA AT
526 SOUTH BROADWAY (STRATEGIC PLAN
NOS. 5, 3; 5, 4)

Prepared by Hally Soboleske

Interim Executive Director

RECOMMENDED ACTION

Confirm the Zoning Administrator’s action approving Minor Exception No. 2015-02 as conditioned.

Zoning Administrator Action

Adopted a resolution approving Minor Exception No. 2015-02 as conditioned at its April 8, 2015 meeting.

Request of Applicant

The applicants, Cruz Ramirez and Macda Gabrakirstos, are requesting approval of Minor Exception No. 2015-02 to allow the construction of a second unit on the property located at 526 South Broadway. The applicant is proposing a minor exception from the Second Dwelling Unit ordinance (Santa Ana Municipal Code Section 41-194) requirements to provide relief from the “Areas of Open Space Deficiency” restrictions.

Property Description and Site Location

The General Plan land use designation for this site is Low Density Residential (LR-7), with a zoning designation of Specific District 40 (SD-40). The property is located within the Heninger Park neighborhood. The 8,331 square foot property is located on the west side of Broadway between Camille and Bishop Streets. The existing two-story house was constructed in 1913 and is 1,302 square feet in size. The property does not have a garage as it was converted to allow office use on the lower floor in 1961 and the rear yard was converted to asphalt parking area. A 324 square foot, two-car garage and carport with 254 square feet of storage space is proposed to be attached to the 400 square foot second unit to meet parking requirements.

Surrounding land uses include residential to the north, south, east and west, with commercial office to the northeast (Exhibits 1, 2 and 3).
Minor Exception No. 2015-02
April 8, 2015
Page 2

Project Description

The applicant proposes to construct a 400 square foot second dwelling unit on the property along with an attached 254 square foot garage and storage area with an attached carport. The unit will be one bedroom, one bathroom that will be attached to the new garage. Pursuant to SAMC Section 41-194(a), no second dwellings shall be permitted on a lot that is within a park deficient area. The proposed garage and second unit will match the main house with Craftsman features (Exhibit 4).

Project Background

The property owner has met all applicable standards to allow for a second dwelling unit on the site other than being located in an area that is deficient in open space. The applicant wishes to have a second unit to accommodate his maturing aunt. In compliance with the second dwelling unit ordinance (SAMC 41-194.1), the property owner is required to live on-site.

General Plan and Zoning Compliance

The General Plan land use designation for the site is Low Density Residential (LR-7). Low Density residential applies to those areas of the city which are developed with lower density residential land uses. The project site is consistent with this General Plan land use designation. The Housing Element also identifies a need to provide affordable housing opportunities and encourages maximum utilization of land. A small second dwelling unit facilitates this goal.

The parcel is located within the SD-40 zoning district. The SD-40 zoning district allows for single and two-family dwelling units, as well as the conversion to office uses, thereby making the proposed use consistent with the zoning designation. Further, the proposal satisfies all provisions of the city’s Second Dwelling Unit Ordinance with the exception of the property being located in a Park Space Deficiency Area.

Project Analysis

The site is identified as deficient in public open space, as shown on the city’s park deficiency map. The open space requirement was created to ensure that areas that are deficient in open space do not increase the demand for open space by increasing the number of households in the area. However, this location is larger than the typical single-family properties at over 8,000 square feet and thereby provides more private open space than other residentially zoned lots in the area. Minimum lot size for properties in the R1/R2 zones is 6,000 square feet.

The space between units will be 20 feet and a graffiti-proof coating will be added to the portion of the garage facing the alley as well as the fencing on the alley. The proposed project will result in 31 percent lot coverage which is less than the 50 percent maximum coverage allowed by the zone. This will also result in additional open space being provided on the site. Therefore, staff recommends approval of Minor Exception No. 2015-02 as conditioned.
Minor Exception No. 2015-02
April 8, 2015
Page 3

Public Notification

The project site is located within the boundaries of the Heninger Park Neighborhood Association (SD-40). Staff contacted the president of the Heninger Park Neighborhood Association to ensure they were notified of this project and to identify any areas of concern. The president did not identify any concerns at this time. The project site itself was posted with a notice advertising this public hearing, a notice was published in the Orange County Reporter and mailed notices were sent to all property owners and tenants within 500 feet of the project site. At the time of this printing, no correspondence, either written or electronic, had been received from any members of the public.

CEQA Compliance

In accordance with the California Environmental Quality Act, the proposed project is categorically exempt per Section 15303(a) as it is a proposed second dwelling unit on a residentially zoned property. Environmental Review No. 2013-106 will be filed for this project.

Strategic Plan Alignment

Approval of this item supports the City’s efforts to meet Goal No. 5 Community Health, Livability, Engagement and Sustainability, Objective No. 3 (to provide diverse housing opportunities) and Objective No. 4 (support neighborhood vitality and livability).

Hally Soboleske
Associate Planner

HS:jm
hs://ME2015-02.5255SBroadway.pc

Attachments:
Exhibit 1 – Vicinity Map
Exhibit 2 – Location Map
Exhibit 3 – Site Photo
Exhibit 4 – Site Plan
ME 2015-2
MINOR EXCEPTION FOR SECOND DWELLING UNIT
526 SOUTH BROADWAY

PLANNING AND BUILDING AGENCY
VICINITY MAP
EXHIBIT 1
ME 2015-2
MINOR EXCEPTION FOR SECOND DWELLING UNIT
526 SOUTH BROADWAY

PLANNING AND BUILDING AGENCY

LAND USE MAP
EXHIBIT 2
RESOLUTION NO. 2015-02

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ANA ADOPTING MINOR EXCEPTION NO. 2015-02 AS CONDITIONED TO PERMIT A SECOND DWELLING UNIT WITHIN A PARK DEFICIENT AREA AT 526 SOUTH BROADWAY

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

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

A. Applicants are requesting approval of Minor Exception No. 2015-02 to allow the construction of a second unit on the property located at 526 South Broadway, which is located in an area that has been designated by the City as deficient in public open space.

B. Santa Ana Municipal Code section 41-194(a) states that, "No second dwelling unit shall be permitted on any parcel which the city has designated as deficient in public open space, as shown on the map entitled "Areas of Open Space Deficiency" on file with the clerk of the council."

C. Minor Exception No. 2015-02 came before the Zoning Administrator of the City of Santa Ana for a public hearing on March 4, 2015. At that time, the Zoning Administrator continued the hearing to March 25, 2015. On March 25, 2015, the Zoning Administrator continued the hearing to April 8, 2015.

D. Santa Ana Municipal Code Section 41-638 authorizes the Zoning Administrator to grant a minor exception upon making certain findings.

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges not otherwise at variance with the intent and purpose of the provisions of this chapter.

There are special circumstances applicable to the subject property where the strict interpretation of the zoning ordinance is found to deprive the subject property of privileges not otherwise at variance with the intent and purpose of the provisions of the zoning code. The subject site is located in an area designated as Park Deficient. However, the site is an
8,331 square foot lot in the R1/R2 area of the SD-40 zone that is larger than the code requires. The number of households is increased, but this lot still provides more private open space than the standard R1 zoned lot requires and is therefore not adding to the demand for public open space. Other similar requests have been approved where all other requirements have been satisfied, and the subject site was larger than the SAMC required.

2. That the granting of a minor exception is necessary for the preservation and enjoyment of one or more substantial property rights.

The approval of this minor exception maintains the rights of the property owners to develop their property in a manner encouraged by the State of California, i.e., providing affordable housing in single-family areas. The property owner will also reside on the site. The detached garage will be demolished and a new two-car detached garage will be constructed bringing the parking into conformance with the SAMC thereby decreasing any current parking impacts to the community.

3. That the granting of a minor exception will not be materially detrimental to the public welfare or injurious to surrounding property.

The project will not be materially detrimental to the public welfare because the proposed second unit will not exceed 400 square feet which is consistent with Santa Ana Municipal Code Section 41-194, and the entire accessory structure will not exceed 50 percent of the size of the existing single family home. Parking for the second dwelling unit will be provided so as not to impact the surrounding area.

4. That the granting of a minor exception will not adversely affect the General Plan of the City.

The requested minor exception will not adversely affect the General Plan, as it is consistent with the goals and policies of the document. Goal 2.7 of the Urban Design Element states that projects must exhibit a functional, comfortable scale in relation to the neighborhood. This proposal is in scale with existing structures in the neighborhood, and will not create off-site parking impacts due to the parking being brought into compliance with the SAMC. Goal 3.5 of the Urban Design Element Policy Plan encourages residential alterations that are consistent with the architectural character of the
neighborhood. This project also meets the Housing Element’s Goal 4, Policy No. 2.4, and Policy No. 4.1 to encourage equal housing opportunities for all economic segments of the community since this is an affordable housing opportunity.

E. In accordance with the California Environmental Quality Act, the proposed project is categorically exempt per Section 15303(a) as it is a proposed second dwelling unit on a residentially zoned property. Environmental Review No. 2013-106 will be filed for this project.

Section 2. The Zoning Administrator of the City of Santa Ana hereby approves Minor Exception No. 2015-02 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 Zoning Administrator Action dated April 8, 2015, and exhibits attached thereto; and the public testimony, all of which are incorporated herein by this reference.

ADOPTED this 8th day of April, 2015.

________________________________________
Verny Carvajal
Zoning Administrator

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

By: _______________________________
Ryan O. Hodge
Assistant City Attorney
CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, JOCELYN MAGALONA, Clerk of the Zoning Administrator, do hereby attest to and certify the attached Resolution No. 2015-02 to be the original resolution adopted by the Zoning Administrator of the City of Santa Ana on April 8, 2015.

Date: ____________________

__________________________
Clerk of the Zoning Administrator
City of Santa Ana
Conditions for Approval for Minor Exception No. 2015-02

Minor Exception No. 2015-02 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 minor exception.

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

A. Planning Division

1. All proposed site improvements, including all landscaping as shown on the site plan, must conform to the approval of RES No. 2015-117.

2. Any amendment to this minor exception must be submitted to the Planning Division for review. At such time, staff will determine if administrative relief is available or if the minor exception must be amended.

3. The project shall be submitted as a single phase as the approval of the 400 square foot second dwelling unit will be attached to a new 324 square foot detached garage and 254 square foot storage area, along with a carport.

4. Prior to the issuance of a building permit, the owner or owners of the parcel shall file a recorded covenant, in a form approved by the city attorney affirming and consenting that either the primary dwelling unit or the second dwelling unit shall be owner-occupied.

5. There shall be no more than one exterior man door on the garage/storage unit.
REQUEST FOR
Planning Commission Action

PLANNING COMMISSION MEETING DATE:
APRIL 27, 2015

TITLE:
PUBLIC HEARING – FILED BY AUSTIN EVELO FOR VARIANCE NOS. 2015-03 AND 2015-04 TO ALLOW ADDITIONAL MAJOR BUILDING IDENTIFICATION SIGNS FOR TUSTIN CENTRE LOCATED AT 1525 AND 1551 NORTH TUSTIN AVENUE (STRATEGIC PLAN NO. 3, 2)

Prepared by Ali Pezeshkpour

Interim Executive Director

PLANNING COMMISSION SECRETARY

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

DENIED
☐ Applicant’s Request
☐ Staff Recommendation

CONTINUED TO _______________

Acting Planning Manager

RECOMMENDED ACTION

1. Adopt a resolution approving Variance No. 2015-03 as conditioned.

2. Adopt a resolution approving Variance No. 2015-04 as conditioned.

Request of the Applicant

Austin Evelo, representing Tustin Centre, is requesting approval of two variances from the Santa Ana Municipal Code (SAMC) to allow additional major building identification signs at 1525 and 1551 North Tustin Avenue. Specifically, the applicant is requesting a variance from Section 41-867 of the SAMC to allow two additional major building identification signs (Variance No. 2015-03) on an existing 10-story office building at 1551 North Tustin Avenue and a second variance (Variance No. 2015-04) to allow one additional major building identification sign on an existing four-story office building at 1525 North Tustin Avenue.

Project Location and Site Description

Tustin Centre is a mixed-use 3.76-acre multi-unit office and health club complex located at 1501, 1525, and 1551 North Tustin Avenue. The complex is comprised of four distinct structures: a two-story health club currently operating as LA Fitness with a six-level parking garage, a 10-story office tower, and a four-story office building. The various structures on the site were constructed between 1990 and 2007. The site is surrounded by commercial (retail and restaurant) uses to the north, office uses to the south, office and commercial (retail and restaurant) uses to the west, and the Costa Mesa (SR-55) Freeway to the east (Exhibits 1, 2 and 3).
Project Description

Tustin Centre is requesting approval of three additional major building identification signs: two on an existing 10-story office tower and one on an existing four-story office building. Pursuant to SAMC Section 41-867, each office building is permitted a maximum of two major building identification signs, which are top-floor signs typically used to identify the primary tenant(s) of an office building. Each building that is the subject of the variance applications requires review and approval of an individual variance as the complex is an integrated development site comprised of individual parcels and separate addresses.

If approved, the first variance (Variance No. 2015-03) would allow two additional major building identification signs for a total of four major building identification signs on the 10-story office tower located at 1551 North Tustin Avenue. The signs would be placed on the top (tenth) level facing northeast toward Seventeenth Street and the Costa Mesa Freeway, southeast toward the Costa Mesa Freeway, southwest toward Tustin Avenue and the Costa Mesa Freeway, and northwest toward Seventeenth Street and Tustin Avenue.

The second variance (Variance No. 2015-04) would allow one additional major building identification sign for a total of three major building identification signs on the four-story office building at 1525 North Tustin Avenue. The signs would be placed on the top level facing north toward Seventeenth Street, west toward Tustin Avenue and Seventeenth Street, and south toward Tustin Avenue (Exhibit 4).

Project Background

Tustin Centre is a mixed-use office and health club complex with a variety of office spaces, an LA Fitness gymnasium, and a multi-level parking structure. The complex contains contemporary architecture. The 10-story, 149-foot tall office tower contains multiple facades that results in the structure having two distinct wings. The four-story, 66-foot tall office building features a traditional rectangular space. The entire complex is highly visible, situated prominently near the Seventeenth Street interchange with the Costa Mesa Freeway, and can also be seen from Tustin Avenue and stretches of the Seventeenth Street corridor through Santa Ana, unincorporated County of Orange areas, and neighboring Tustin.

Since 1990, a handful of planned sign programs have been approved at Tustin Centre. These sign programs have established uniform colors, fonts, signage types and styles, and other details for proposed or existing signage at the complex. In 2014, the applicant applied for a new sign program to refresh the existing signage at Tustin Centre. The applicants and staff worked together in the subsequent period to refine the proposed sign program and identified signage that would require approval of a variance. The applicant is requesting approval of a variance to allow additional signage for branding and tenant advertising purposes. During this time, the property owner has also completed site improvements for new disabled-access parking and pathways, landscaping, and hardscaping as part of the upgrading of the project site's aesthetics.
General Plan and Zoning Consistency

The General Plan land use designation for the site is Professional and Administrative Office (PAO), a designation that applies to those areas where professional and/or administrative offices are predominant, or where such development is being encouraged. The Professional and Administrative Office areas are intended to provide a unique environment for office development in those areas of the City where office uses are the predominant land use. The purpose for maintaining and supporting these areas exclusively for office and office-related uses is to encourage major employment centers at locations which significantly lessen the impact to the City’s local street system. The project site is consistent with this General Plan land use designation.

The site is located within the Professional (P) zoning district. The Professional zoning district allows for office buildings and related professional uses, making the proposed project consistent with the zoning designation.

Project Analysis

Variance requests are governed by Section 41-638 of the SAMC. Variance requests may be granted when it can be shown that the following can be established:

- That there exists a special circumstance related to the property, such as size, shape, topography, location or surroundings.
- That the granting of the variance is necessary for the preservation and enjoyment of substantial property rights.
- That the granting of the variance will not be detrimental to the public or surrounding property.
- That the granting of the variance will not adversely affect the General Plan.

If these findings can be made, then it is appropriate to grant the variances. Conversely, the inability to make these findings would result in a denial. Using this information, staff has prepared the following analysis, which forms the basis for the recommendation contained in this report.

Tustin Centre is a multi-building mixed-use office and health club development. The site contains several structures of varying height that are prominently placed near major arterial corridors that connect Santa Ana and Tustin. Moreover, the buildings on the complex are visible from the Costa Mesa Freeway, a heavily-traveled transportation corridor that draws commuters from central and southern Orange County, as well as the Inland Empire via the Riverside (SR-91) Freeway.
Section 41-867 of the SAMC contains provisions for major building identification signs, which are intended to brand major commercial buildings and to identify major tenants within such structures. Pursuant to this SAMC section, each office building at Tustin Centre over two stories in height would each be permitted two major building identification signs. However, special site characteristics and architectural components of the buildings have resulted in a configuration in which strict application of the SAMC would limit the site’s exposure for tenant advertising and site branding. These characteristics and components include: the location of the structures in relationship to surrounding arterial corridors, building placement both on and off-site that limit exposure and view, and the design and shape of the buildings that have resulted in multiple elevations beyond traditional square towers.

The applicant is requesting approval of Variance No. 2015-03 to allow two additional major building identification signs on the 10-story office tower located at 1551 North Tustin Avenue. This tower is prominently situated near the Costa Mesa Freeway but is set back nearly 400 feet from Tustin Avenue. Moreover, the building’s architecture, while unique in shape, has resulted in an appearance of two conjoined buildings and seven distinct elevations on which signage could reasonably be installed. The applicant’s request for two additional top-floor signs, for a total of four major building identification signs, would create an opportunity to effectively brand and market the building in a manner that is also consistent with the intent of the SAMC to balance signage installation and site aesthetics.

In addition, the applicant is requesting approval of Variance No. 2015-04 to allow one additional major building identification sign on the four-story office building at 1525 North Tustin Avenue. Although situated near Tustin Avenue, visibility of the building is limited by the placement of the health club building. Moreover, the four-story building is over 350 feet south of Seventeenth Street; several structures of varying heights further obscure the building’s visibility from this view corridor. The applicant’s request for one additional top-floor sign, for a total of three major building identification signs, would create an additional opportunity to brand the building and advertise its tenants to passers-by. Approval of this variance would, like Variance No. 2015-03, also balance signage installation and site aesthetics.

In analyzing the applicant’s requests for Variance Nos. 2015-03 and 2015-04, staff believes that the following findings of fact warrant approval of the variances:

- The project site has a special circumstance related to its location and surroundings. As detailed in the analysis above, the location of the existing buildings near major arterial corridors and the Costa Mesa Freeway, the placement of the site’s buildings, and the shape of the structures create a situation in which strict application of Section 41-867 of the SAMC limits branding and marketing opportunities of the structures on the project site. Approval of the variances would create opportunities on the project site to brand and market the buildings while also balancing site aesthetics and avoiding visual clutter.
• The granting of the variances is necessary for the preservation and enjoyment of substantial property rights. Additional major building identification signs would assist with branding and marketing efforts of the buildings, reducing vacancy rates, increasing commercial activity, and allowing the property owner the ability to maximize the existing structures to their fullest potential. The placement of these signs has been carefully analyzed and is intended to reduce visual clutter while also increasing each building's visibility and the overall project site's branding efforts.

• The granting of the variances will not be detrimental to the public or surrounding properties. The signs are intended to be visible from heavily-traveled commercial corridors and the adjacent Costa Mesa Freeway. The site location and building placements minimize any possibility of visual intrusion onto surrounding commercial properties. Moreover, the nearest residential communities are located almost 500 feet away to the southwest and the northeast.

• Finally, the project will not adversely affect the General Plan as the proposed signage is consistent with several goals of the General Plan. Approval of the variances supports Policies 4.3, 4.4, and 4.5 of Goal 4 of the Land Use Element (to protect and enhance development sites that are unique community assets). In addition, approval of the variances is consistent with the intent and purpose of Goals 1, 2, and 3 of the Scenic Corridors Element (to improve and provide identity, form, and public image to the City's linear transportation corridors) and Goals 1 and 2 of the Urban Design Element (to improve the physical appearance of the City through creating a sense of place, positive community image, and quality environment, and to improve the physical appearance of the City through development that is proportional and aesthetically related to its district setting).

Public Notification

The project site is not located within the boundaries of an established Neighborhood Association. However, staff contacted representatives of the City of Tustin, and the project site was posted with a notice advertising this public hearing, a notice was published in the Orange County Reporter, and mailed notices were sent to all property owners and tenants within 500 feet of the project site. At the time of this printing, no correspondence, by phone, written, or electronic, had been received from any members of the public.

CEQA Compliance

In accordance with the California Environmental Quality Act the recommended action is exempt for further review per Section 15301. The Class 1 exemption allows the operation, repair, maintenance, permitting, or leasing of existing structures.
The project consists of two variances to allow three additional top-floor major building identification signs. No expansion of square footage or interior reconfigurations of square footages are proposed as part of the project. In addition, the structure is already served by municipal services, such as roadways, utilities, and parking in a variety of forms. Categorical Exemption Environmental Review No. 2014-84 will be filed for this project.

**Strategic Plan Alignment**

Approval of this item supports the City’s efforts to meet Goal No. 3 Economic Development, Objective No. 2 (create new opportunities for business/job growth and encourage private development through new General Plan and Zoning Ordinance policies).

**Conclusion**

Based on the analysis provided within this report, staff recommends that the Planning Commission adopt a resolution approving Variance Nos. 2015-03 and 2015-04 as conditioned.

[Signature]
Ali Pezeshkpour
Assistant Planner I

AP:jm
ap/W:Report/Staff Reports for PW/15-03&04 Tustin Centre Signs.ppc

Attachments:
Exhibit 1 – Vicinity Map
Exhibit 2 – Land Use Map
Exhibit 3 – Site Photo
Exhibit 4 – Architectural Site Plans, Elevations, and Photographs
VA NOS. 2015-3 & 2015-4
TUSTIN CENTRE BUILDING SIGNAGE
1551 & 1525 NORTH TUSTIN AVENUE

PLANNING AND BUILDING AGENCY

LAND USE MAP
EXHIBIT 2
VA NOS. 2015-03 & 2015-04
TUSTIN CENTRE BUILDING SIGNAGE
1551 & 1525 NORTH TUSTIN AVENUE

SITE PHOTO
EXHIBIT 3
NOTES:
NO TENANT WILL BE ALLOWED TO HAVE MORE THAN ONE SIGN PER FRONTAGE.
ALL SIGNS MUST BE APPROVED BY THE BUILDING OWNER/ASSOCIATION PRIOR TO APPLYING FOR CITY PERMIT.
ALL SIGNS MUST BE PERMITTED BY THE CITY OF SANTA ANA PRIOR TO INSTALLATION.

11 PRIMARY TENANT ID & T2 SECONDARY TENANT ID
INTERIOR ILLUMINATED CHANNEL LETTERS & LOGO TO BE MOUNTED TO CONCRETE WALL
TENANT MAY USE OWN GRAPHICS AND COLORS; STANDARD TYPEFACE IS CALIFORNIA GROTESK.

A (NORTH ELEVATION)
B (EAST ELEVATION)
NOTES:
NO TENANT WILL BE ALLOWED TO HAVE MORE THAN ONE SIGN PER FRONTAGE.
ALL SIGNS MUST BE APPROVED BY THE BUILDING OWNER/ASSOCIATION PRIOR TO APPLYING FOR CITY PERMIT.
ALL SIGNS MUST BE PERMITTED BY THE CITY OF SANTA ANA PRIOR TO INSTALLATION.

D (WEST ELEVATION)

T1 PRIMARY TENANT ID & T2 SECONDARY TENANT ID
INTERIOR ILLUMINATED CHANNEL LETTERS & LOGO TO BE MOUNTED TO CONCRETE WALL.
TENANT MAY USE OWN GRAPHICS AND COLORS. STANDARD TYPEFACE IS CALIFORNIA GEOTESK.

E (SOUTH ELEVATION)
No tenant will be allowed to have more than one sign per frontage.

All signs must be approved by the Building Owner / Association prior to applying for permit with the City of Santa Ana.

All signs must be permitted by the City of Santa Ana prior to installation.

3 major building ID signs may be used on top floor

2 major tenant signs may be used on first floor
RESOLUTION NO. 2015-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING VARIANCE NO. 2015-03 AND VARIANCE NO. 2015-04, AS CONDITIONED, TO ALLOW THREE ADDITIONAL MAJOR BUILDING IDENTIFICATION SIGNS AT TUSTIN CENTRE ON THE PROPERTY LOCATED AT 1525 AND 1551 NORTH TUSTIN AVENUE

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 Variance 2015-03 and Variance 2015-04, to allow three (3) additional major building identification signs at Tustin Centre located at 1551 and 1525 North Tustin Avenue.

B. Tustin Centre is a mixed-use office and health club complex with a variety of office spaces, an LA Fitness gymnasium, and a multi-level parking structure. It includes a 10-story office tower and another 4-story office building and is located within the Professional zoning district.

C. Section 41-867 of the Santa Ana Municipal Code (SAMC) allows two major building identification signs on buildings over two stories and is intended to brand major commercial buildings and to identify major tenants within such structures.

D. Variance Nos. 2015-03 and 2015-04 came before the Planning Commission on April 27, 2015, for a duly noticed public hearing. Variance 2015-03 would allow two (2) additional major building identification signs for a total of four major building identification signs on the ten-story office tower at 1551 N. Tustin Avenue. Variance 2015-04 would allow one (1) additional major building identification sign for a total of three major building identification signs on the four-story office tower at 1525 N. Tustin Avenue.

E. The Planning Commission determines that for Variance No. 2015-03 for the ten story building, the following findings, which must be established pursuant to Santa Ana Municipal Code Section 41-638 in order to grant a variance from the provisions of the Santa Ana Municipal Code, have been established:

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location, or
The project site at 1551 North Tustin Avenue has a special circumstance related to its location and surroundings. The location of the existing buildings near major arterial corridors and the Costa Mesa Freeway, the placement of buildings both on and off-site, and the shape of the structures create a situation in which strict application of Section 41-867 of the SAMC limits branding and marketing opportunities of the structures on the project site. Approval of the variance would create opportunities on the project site to brand and market the buildings while also balancing site aesthetics and avoiding visual clutter.

2. That the granting of a variance is necessary for the preservation and enjoyment of one or more substantial property rights.

   The granting of the variance is necessary for the preservation and enjoyment of substantial property rights. Additional major building identification signs would assist with branding and marketing efforts of the buildings, reducing vacancy rates, increasing commercial activity, and allowing the property owner the ability to maximize the existing structures to their fullest potential. The placement of these signs has been carefully analyzed and is intended to reduce visual clutter while also increasing each building’s visibility and the overall project site’s branding efforts.

3. That the granting of a variance will not be materially detrimental to the public welfare or injurious to surrounding property.

   The granting of the variance will not be detrimental to the public or surrounding properties. The signs are intended to be visible from heavily-traveled commercial corridors and the adjacent Costa Mesa Freeway. The site location and building placement minimize any possibility of visual intrusion onto surrounding commercial properties. Moreover, the nearest residential communities are located almost 500 feet away to the southwest and the northeast.

4. That the granting of a variance will not adversely affect the General Plan of the City.
The project will not adversely affect the General Plan as the proposed signage is consistent with several goals of the General Plan. Approval of the variance supports Policies 4.3, 4.4, and 4.5 of Goal 4 of the Land Use Element (to protect and enhance development sites that are unique community assets). In addition, approval of the variances is consistent with the intent and purpose of Goals 1, 2, and 3 of the Scenic Corridors Element (to improve and provide identity, form, and public image to the City’s linear transportation corridors) and Goals 1 and 2 of the Urban Design Element (to improve the physical appearance of the City through creating a sense of place, positive community image, and quality environment, and to improve the physical appearance of the City through development that is proportional and aesthetically related to its district setting).

F. The Planning Commission determines that for Variance No. 2015-04 for the four story building, the following findings, which must be established pursuant to Santa Ana Municipal Code Section 41-638 in order to grant a variance from the provisions of the Santa Ana Municipal Code, have been established:

1. That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges not otherwise at variance with the intent and purpose of the provisions of this Chapter.

The project site at 1525 North Tustin Avenue has a special circumstance related to its location and surroundings. The location of the existing buildings near major arterial corridors and the Costa Mesa Freeway, the placement of buildings both on and off-site, and the shape of the structures create a situation in which strict application of Section 41-867 of the SAMC limits branding and marketing opportunities of the structures on the project site. Approval of the variance would create opportunities on the project site to brand and market the buildings while also balancing site aesthetics and avoiding visual clutter.

2. That the granting of a variance is necessary for the preservation and enjoyment of one or more substantial property rights.

The granting of the variance is necessary for the preservation and enjoyment of substantial property rights. Additional major building identification signs would assist with branding and
marketing efforts of the buildings, reducing vacancy rates, increasing commercial activity, and allowing the property owner the ability to maximize the existing structures to their fullest potential. The placement of these signs has been carefully analyzed and is intended to reduce visual clutter while also increasing each building’s visibility and the overall project site’s branding efforts.

3. That the granting of a variance will not be materially detrimental to the public welfare or injurious to surrounding property.

The granting of the variance will not be detrimental to the public or surrounding properties. The signs are intended to be visible from heavily-traveled commercial corridors and the adjacent Costa Mesa Freeway. The site location and building placement minimize any possibility of visual intrusion onto surrounding commercial properties. Moreover, the nearest residential communities are located almost 500 feet away to the southwest and the northeast.

4. That the granting of a variance will not adversely affect the General Plan of the City.

The project will not adversely affect the General Plan as the proposed signage is consistent with several goals of the General Plan. Approval of the variance supports Policies 4.3, 4.4, and 4.5 of Goal 4 of the Land Use Element (to protect and enhance development sites that are unique community assets). In addition, approval of the variances is consistent with the intent and purpose of Goals 1, 2, and 3 of the Scenic Corridors Element (to improve and provide identity, form, and public image to the City’s linear transportation corridors) and Goals 1 and 2 of the Urban Design Element (to improve the physical appearance of the City through creating a sense of place, positive community image, and quality environment, and to improve the physical appearance of the City through development that is proportional and aesthetically related to its district setting).

G. In accordance with the California Environmental Quality Act the recommended action is exempt for further review per Section 15061(b)(3), which is a general rule exemption applying to projects that have no possibility of having a significant effect on the environment. Categorical Exemption Environmental Review No. 2014-84 will be filed for this project.

Section 2. The Planning Commission of the City of Santa Ana, after conducting the public hearing, hereby approves Variance No. 2014-03 for 1551 North
Section 3. The Planning Commission of the City of Santa Ana, after conducting the public hearing, hereby approves Variance No. 2014-04 for 1525 North Tustin Avenue as conditioned in Exhibit B attached hereto and incorporated herein as though fully set forth. This decision is based upon the evidence submitted at the abovesaid hearing, which includes, but is not limited to: the Staff reports and exhibits attached thereto; and, the public testimony, all of which are incorporated herein by this reference.

ADOPTED this 27th day of April, 2015, by the following vote:

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

_______________________
James Gartner
Chairperson

APPROVED AS TO FORM:
Sonia Carvalho, City Attorney

By: ______________________
Lisa Storck
Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Karen Gerardo, Planning Commission Secretary, do hereby attest to and certify the attached Resolution No. 2015-xx to be the original resolution adopted by the Planning Commission of the City of Santa Ana on April 27, 2015.

Date: _____________________
Planning Commission Secretary
City of Santa Ana
Conditions of Approval

Variance No. 2015-03 (1551 North Tustin Avenue) is approved subject to compliance, to the reasonable satisfaction of the Planning Commission, 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 variance.

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

A. Planning Division

1. All proposed improvements must conform to the Site Plan Review approval of DP No. 2014-37 and the staff report exhibits.

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

3. Any amendment to the locations of the proposed top-floor major building identification signs must be submitted to the Planning Division for review. At that time, staff will determine if administrative relief is available or if the variance must be amended.

B. Police Department

1. The existing tenant space and required parking must conform to the provisions of Chapter 8, Article II, Division 3 of the Santa Ana Municipal Code (Building Security Ordinance). These code conditions will require that the existing project's lighting, door/window locking devices and addressing be upgraded to current code standards. Lighting standards cannot be located in required landscape planters.
Conditions of Approval

Variance No. 2015-04 (1525 North Tustin Avenue) is approved subject to compliance, to the reasonable satisfaction of the Planning Commission, 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 variance.

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

A. Planning Division

1. All proposed improvements must conform to the Site Plan Review approval of DP No. 2014-37 and the staff report exhibits.

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

3. Any amendment to the locations of the proposed top-floor major building identification signs must be submitted to the Planning Division for review. At that time, staff will determine if administrative relief is available or if the variance must be amended.

B. Police Department

1. The existing tenant space and required parking must conform to the provisions of Chapter 8, Article II, Division 3 of the Santa Ana Municipal Code (Building Security Ordinance). These code conditions will require that the existing project's lighting, door/window locking devices and addressing be upgraded to current code standards. Lighting standards cannot be located in required landscape planters.