

**CITY OF SANTA ANA
PLANNING COMMISSION
REGULAR MEETING AGENDA**

**JULY 13, 2020
5:30 P.M.**

VIRTUAL MEETING

MARK McLOUGHLIN
Chair, Citywide Representative

CYNTHIA CONTRERAS-LEO
Vice Chair, Ward 5 Representative

FELIX RIVERA
Ward 2 Representative

V. THAI PHAN
Ward 4 Representative



Minh Thai
Executive Director

Lisa E. Storck
Legal Counsel

Vince Fregoso, AICP
Planning Manager

NORMA GARCIA
Ward 1 Representative

KENNETH NGUYEN
Ward 3 Representative

THOMAS MORRISSEY
Ward 6 Representative

Sarah Bernal
Recording Secretary

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

Translation Services: For translation services in other languages, contact Sarah Bernal at sbernal@santa-ana.org no later than 48 hours prior to the scheduled meeting.

Special Assistance: If you need special assistance to participate in this meeting, please contact Michael Ortiz, 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].

Due to Governor Gavin Newsom's Executive Order and the City Council's Proclamation of Local Emergency, we can no longer offer an in-person meeting location for the community to attend public meetings.

To watch the open meeting.:

- Visit the City's website santa-ana.org/city-meetings and select the active link for the current Planning Commission meeting
- Visit the City's YouTube site at youtube.com/cityofsantaanavideos/live

To provide a phone comment:

- You may comment by phone while the meeting is in progress by calling 669-900-9128. Enter Meeting ID: 315 965 149# when prompted. While the item that you would like to comment on is being discussed, dial *9 to let us know that you want to speak. You will have 3 minutes to state your name, whether you are in support of or in opposition to the item, and why. *If you are calling in and watching YouTube, please turn your volume down on YouTube to limit any feedback when you speak.*

To provide a written comment:

- You may submit a comment by e-mail at ecomments@santa-ana.org (reference "Planning Commission Public Comment for Agenda Item No. #" in the subject line). Make sure to include your name, whether you are in support of or in opposition to the item and why. Comments received by 5:00 p.m. on the day of the meeting will be distributed to the Commission prior to the start of the meeting and will also be posted on our website at www.santa-ana.org/cc/city-meetings. The Clerk will provide a summary report of the comments received on each item. Comments received after 5:00 p.m. may not be distributed to the Commission but will be posted on the City's website at the earliest possible opportunity after the meeting.

Basic Planning Commission Meeting Information

The Planning Commission Agenda can be found online at

<https://www.santa-ana.org/cc/city-meetings>

Five-Year Strategic Plan (2014-2019): 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: 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

Planning Commission: The Santa Ana Planning Commission consists of seven residents of the city who are appointed by Santa Ana City Councilmembers. The Commission meets regularly on the second and fourth Monday of each month. Meetings begin at 5:30 p.m., unless otherwise noted.

The Planning Commission is responsible for providing input to the City Council on long-range planning. Santa Ana's long-range planning goals are embodied in the General Plan. The General Plan and the amendments to it are reviewed by the Planning Commission and adopted by the City Council. The General Plan is implemented through the City's development regulations.

The Planning Commission has the authority to approve or deny applications concerning development within the City. The category of applications includes Tentative Tract Maps, Conditional Use Permits, Minor Exceptions, and Variances. The Planning Commission also makes recommendations to the City Council on all applications for amendments to Zoning and the General Plan.

Agenda and Staff Reports: An agenda along with staff reports are provided for each Planning Commission meeting. The Planning Commission agenda and staff reports is posted at least 72 hours prior to the meeting on the City's website at www.santa-ana.org/cc/city-meetings, and on the posting boards outside the Civic Center entrance, Council Chamber, and Library. If you have any questions regarding any item of business on the agenda for this meeting, or any of the staff reports or other documentation relating to any agenda item, please contact the Planning and Building Agency at 714-667-2732.

The items on the agenda are arranged in four categories:

- Consent Calendar:** These are relatively minor in nature, do not have any outstanding issues or concerns, and do not require a public hearing. All consent calendar items are considered by the Commission as one item and a single vote is taken for their approval, unless an item is pulled from the consent calendar for individual discussion. There is typically no Commission discussion of consent calendar items unless requested.
- Business Items:** Items in this category are general in nature and may require Commission action. Public input may be received at the request of the Commission.
- Public Hearings:** This category is for case applications that require, by law, a hearing open to public comment because of the discretionary nature of the request. Public hearings are formally conducted and public input/testimony is requested at a specific time. This is your opportunity to speak on the item(s) that concern you.
- Work Study Session:** Items in this category are generally items requiring discussion. No action will be taken.

Public Hearing Procedure: The Planning Commission will follow the following procedure for all items listed as public hearing items:

- The Chair will ask for presentation of the staff report;
- The Commission will have the opportunity to question staff in order to clarify any specific points;
- The public hearing will be opened;
- The applicant/ project representative will be allowed to make a presentation, for a maximum of 15 minutes.
- Members of the audience will be allowed to speak, for a maximum of 3 minutes per speaker.
- The applicant will be given an opportunity to respond to comments made by the audience;
- The public hearing will be closed; and
- Discussion of the proposal will return to the Commission with formal action taken to approve, conditionally approve, deny, or continue review of the application.

Appeals: The formal action by the Planning Commission regarding Conditional Use Permits, Variances, Tentative Tract and Parcel Maps, Minor Exceptions, Site Plan Review, and Public Convenience or Necessity Determinations are final and shall become effective after the ten-day appeal period (unless the City Council in compliance with section 41-643, 41-644 or 41-645 holds a public hearing on the matter, then the formal action will become effective on the day following the hearing and decision by the City Council). An appeal from the decision or requirement of the Planning Commission may be made by any interested party, individual, or group. The appeal must be filed with the Clerk of the Council, accompanied by the required filing fee, and a copy sent to the Planning Department, within ten days of the date of the Commission's action, by 5:00 p.m. If the final day to appeal falls on a City Hall observed holiday or a day when City hall is closed, the final day to appeal shall be extended to the next day City Hall is open for public business. Please note: Under California Government Code Sec. 65009, if you challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the Planning Commission or City Council at or before the hearing.

Submittal of information for dissemination or presentation

Written Materials/Handouts: Any member of the public who desires to submit documentation in hard copy form may do so prior to the meeting or at the time he/she addresses the Planning Commission. Please provide 15 copies of the information to be submitted and file with the Recording Secretary at the time of arrival to the meeting. This information will be disseminated to the Planning Commission at the time testimony is given.

Large Displays/Maps/Renderings: Any member of the public who desires to display freestanding large displays or renderings in conjunction with their public testimony is asked to notify the Planning and Building Agency at 714-667-2732 no later than noon on the day of the scheduled meeting.

Electronic Documents/Audio-Visuals: Any member of the public who desires to display information electronically in conjunction with their public testimony is asked to submit the information to the Planning and Building Agency at 714-667-2732 no later than noon on the day of the scheduled meeting.

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

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.

**CITY OF SANTA ANA
PLANNING COMMISSION
MEETING AGENDA**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS (non-agenda items): You may submit written comments by email to ecomments@santa-ana.org (reference "Planning Commission Public Comment for non-agenda item" in the subject line). The deadline to submit comments is 5:00 p.m. on the day of the meeting. Comments will be viewable on the City Meetings web page. The Clerk will provide a summary report of the comments received. You may comment by phone while the meeting is in progress by calling 669-900-9128. Enter Meeting ID: 315 965 149# when prompted. While the item that you would like to comment on is being discussed, dial *9 to let us know that you want to speak. Please state your name and comment. You will have 3 minutes to speak.

CONSENT CALENDAR

You may submit written comments by email to ecomments@santa-ana.org (reference "Planning Commission Public Comment for Agenda Item #" in the subject line). The deadline to submit comments is 5:00 p.m. on the day of the meeting. Comments will be viewable on the City Meetings web page. The Clerk will provide a summary report of the comments received. You may comment by phone while the meeting is in progress by calling 669-900-9128. Enter Meeting ID: 315 965 149# when prompted. While the item that you would like to comment on is being discussed, dial *9 to let us know that you want to speak. Please state your name, whether you are in support or opposition to an item and why. You will have 3 minutes to speak.

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

A. MINUTES FROM THE JUNE 22, 2020 REGULAR MEETING

RECOMMENDED ACTION: ***Approve the minutes.***

B. EXCUSED ABSENCES

RECOMMENDED ACTION: ***Excuse absent commission members.***

*** * * END OF CONSENT CALENDAR * * ***

BUSINESS CALENDAR

You may submit written comments by email to ecomments@santa-ana.org (reference "Planning Commission Public Comment for Agenda Item #" in the subject line). The deadline to submit comments is 5:00 p.m. on the day of the meeting. Comments will be viewable on the City Meetings web page. The Clerk will provide a summary report of the comments received. You may comment by phone while the meeting is in progress by calling 669-900-9128. Enter Meeting ID: 315 965 149# when prompted. While the item that you would like to comment on is being discussed, dial *9 to let us know that you want to speak. Please state your name, whether you are in support or opposition to an item and why. You will have 3 minutes to speak.

PUBLIC HEARING

APPEAL OF PLANNING COMMISSION ACTIONS: The Planning Commission decision on Conditional Use Permits, Variances, Tentative Tract and Parcel Maps, Minor Exceptions, Site Plan Review, and Public Convenience or Necessity Determinations are final unless appealed within 10 days of the decision by any interested party or group (refer to the Basic Meeting Information page for more information). The Planning Commission recommendation on Zoning and General Plan amendments, Development Agreements, Specific Developments, and Specific Plans will be forwarded to the City Council for final determination. **NOTICE:** Legal notice was published in the Orange County Register on July 3, 2020 and notices were mailed at least 10 days prior.

1. GENERAL PLAN AMENDMENT NO. 2020-03 AND TENTATIVE TRACT MAP NO. 2020-01 – Jerry Guevara, Case Planner.

LOCATION: 1122 North Bewley Street located in the Two-Family Residence (R-2) zoning district.

REQUEST: The applicant is requesting approval of the following land use entitlements: (1) General Plan Amendment No. 2020-03 to redesignate the property from Low Density Residential (LR-7) to Medium Density Residential (MR-15) and to update text portions of the City's Land Use Element to reflect this change, and (2) Tentative Tract Map No. 2020-01 to subdivide the existing parcel into 10 new parcels. In conjunction with the land use entitlements, the applicant is requesting approval of Mitigated Negative Declaration and Mitigation Monitoring Reporting Program, Environmental Review No. 2017-161.

ENVIRONMENTAL DETERMINATION: In accordance with the California Quality Environmental Act (CEQA), a Mitigated Negative Declaration (MND), Environmental Review No. 2017-161, was prepared for the project to analyze the potential impacts of the project and identify measures to mitigate the environmental effects. No areas of significant and unavoidable impacts were determined from the construction or operation of the proposed project. The project requires adoption of a Mitigation Monitoring and Reporting Program (MMRP), which contains mitigation measures to address biological resources, geology and soils, noise, tribal cultural resources and cultural resources.

RECOMMENDED ACTIONS:

Recommend that the City Council:

- a) **Adopt a Resolution.** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ADOPTING MITIGATED NEGATIVE DECLARATION, ENVIRONMENTAL REVIEW NO. 2017-161 AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM RELATIVE TO GENERAL PLAN AMENDMENT NO. 2020-03 AND TENTATIVE TRACT MAP NO. 2020-01 FOR THE PROJECT LOCATED AT 1122 NORTH BEWLEY STREET;
- b) **Adopt a Resolution.** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING GENERAL PLAN AMENDMENT NO. 2020-03 FOR THE PROPERTIES LOCATED AT 1102, 1114, 1122, 1210, 1212, 1214, 1216, 1218 AND 1222

NORTH BEWLEY STREET, 3625 WEST ELEVENTH STREET, AND 3704 WEST WASHINGTON AVENUE; and

- c) **Adopt a Resolution.** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING TENTATIVE TRACT MAP NO. 2020-01 AS CONDITIONED TO CREATE A SUBDIVISION OF 10 CONDOMINIUM UNITS AT 1122 NORTH BEWLEY STREET

- 2. **CONDITIONAL USE PERMIT NO. 2020-13 AND VARIANCE NO. 2020-02** - Ali Pezeshkpour, Case Planner.

LOCATION: 515 East Dyer Road located in the Light Industrial (M-1) zoning district.

REQUEST: The applicant is requesting approval of the following land use entitlements: (1) Conditional Use Permit No. 2020-13 to allow the operation of a truck terminal and distribution center and (2) Variance No. 2020-02 to allow a reduction in required off-street parking by approximately 49 percent.

ENVIRONMENTAL DETERMINATION: The Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 – Class 1 – Existing Facilities. A Notice of Exemption, Environmental Review No. 2019-95, will be filed for this project.

RECOMMENDED ACTIONS:

- a) **Adopt a Resolution.** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2020-13 AS CONDITIONED TO ALLOW OPERATION OF A TRUCK TERMINAL AND DISTRIBUTION CENTER IN THE LIGHT INDUSTRIAL (M-1) ZONING DISTRICT FOR THE PROPERTY LOCATED AT 515 EAST DYER ROAD; and
- b) **Adopt a Resolution.** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING VARIANCE NO. 2020-02 AS CONDITIONED TO ALLOW A REDUCTION IN OFF-STREET PARKING FOR A TRUCK TERMINAL AND DISTRIBUTION CENTER AT 515 EAST DYER ROAD

*****END OF BUSINESS CALENDAR*****

WORK STUDY CALENDAR

You may submit written comments by email to ecomments@santa-ana.org (reference "Planning Commission Public Comment for Agenda Item #" in the subject line). The deadline to submit comments is 5:00 p.m. on the day of the meeting. Comments will be viewable on the City Meetings web page. The Clerk will provide a summary report of the comments received. You may comment by phone while the meeting is in progress by calling 669-900-9128. Enter Meeting ID: 315 965 149# when prompted. While the item that you would like to comment on is being discussed, dial *9 to let us know that you want to speak. Please state your name, whether you are in support or opposition to an item and why. You will have 3 minutes to speak.

3. GENERAL PLAN UPDATE – Vervy Carvajal, Principal Planner

*** * * END OF WORK STUDY CALENDAR * * ***

COMMENTS

4. STAFF COMMENTS

5. COMMISSION MEMBER COMMENTS

ADJOURNMENT – The next regular meeting will be held on Monday, July 27, 2020 at 5:30 p.m.

**ACTION MINUTES OF THE REGULAR METING
OF THE SANTA ANA PLANNING COMMISSION**

JUNE 22, 2020

CALLED TO ORDER

VIRTUAL MEETING
CITY HALL, ROSS ANNEX
20 CIVIC CENTER PLAZA, ROOM 1600
SANTA ANA, CALIFORNIA
5:32 P.M.

ATTENDANCE

COMMISSIONERS Present:
CYNTHIA CONTRERAS-LEO, *Vice Chair*
NORMA GARCIA
MARK MCLOUGHLIN, *Chair*
KENNETH NGUYEN
V. THAI PHAN
FELIX RIVERA

COMMISSIONERS Absent:
None

PLANNING & BUILDING AGENCY STAFF Present:
MINH THAI, *Executive Director*
VINCE FREGOSO, *Planning Manager*
LISA STORCK, *Assistant City Attorney*
ALI PEZESHKPOUR, *Senior Planner*
JERRY GUEVARA, *Assistant Planner I*
SARAH BERNAL, *Recording Secretary*

PLEDGE OF ALLEGIANCE

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

CONSENT CALENDAR ITEMS

**All votes were taken by roll call.*

A. MINUTES FROM THE MAY 26, 2020 REGULAR MEETING

MOTION: *Approve the minutes.*

MOTION: Rivera **SECOND:** Contreras-Leo

VOTE: **AYES:** Contreras-Leo, Garcia, McLoughlin, Nguyen, Phan, Rivera (6)
 NOES: None (0)
 ABSTAIN: None (0)

ABSENT: None (0)

WORK STUDY CALENDAR

1. REVIEW OF PROPOSED BILLBOARD ORDINANCE

Case Planners Pezeshkpour and Guevara provided a PowerPoint presentation on the following:

- Purpose and Goals
- Location of Billboards
- Potential Billboard Sites
- Review Process and Approving Body
- Exchange Ratio Requirement
- Economic and Community Benefits
- Additional Requirements
- Next Steps

Commission discussion ensued regarding annual revenue, potential location and quantity of billboards, construction of billboards, review process, proximity to residential, off-premise advertising, potential formula to generate formula, static billboards, economic benefits, exchange ratio requirement, performance measures, and traffic safety.

COMMENTS

2. STAFF COMMENTS:

- Executive Director Thai provided an updated on a meeting held on June 11 regarding the findings in the Recommendation Report for the First American project.

3. COMMISSION MEMBER COMMENTS:

- Commissioner Phan thanked staff and wished everyone a Happy 4th of July.
- Vice Chair Contreras Leo thanked staff.
- Chair McLoughlin thanked staff and hopes everyone has a safe 4th of July. Also inquired about in-person meetings.

7:22 P.M. – The next regular meeting will be held on Monday, July 13, 2020 at 5:30 p.m.

Sarah Bernal
Recording Secretary

REQUEST FOR Planning Commission Action



PLANNING COMMISSION MEETING DATE:

JULY 13, 2020

TITLE:

PUBLIC HEARING – ENVIRONMENTAL REVIEW NO. 2017-161, GENERAL PLAN AMENDMENT NO. 2020-03, AND TENTATIVE TRACT MAP NO. 2020-01 TO FACILITATE CONSTRUCTION OF A 10-UNIT CONDOMINIUM DEVELOPMENT AT 1122 NORTH BEWLEY STREET

Prepared by Jerry C. Guevara

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

Recommend that the City Council take the following actions:

1. Adopt a resolution adopting Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, Environmental Review No. 2017-161;
2. Adopt a resolution approving General Plan Amendment No. 2020-03; and
3. Adopt a resolution approving Tentative Tract Map No. 2020-01 as conditioned.

Executive Summary

Ada Rose with YNG Architects, Inc., representing Linda La, is requesting approval of General Plan Amendment (GPA) No. 2020-03 and Tentative Tract Map (TM) No. 2020-01 to facilitate the construction of a 10-unit condominium development at 1122 North Bewley Street. In accordance with the California Environmental Quality Act (CEQA), the project requires approval of a Mitigated Negative Declaration (MND) and adoption of a Mitigation Monitoring and Reporting Program (MMRP), Environmental Review (ER) No. 2017-161, for the project. It is recommended that the Planning Commission recommend approval of the request to the City Council, as the project demonstrates high-quality site planning, design, and amenities, and contributes to the City's housing stock through both production of new home-ownership opportunities and payment of in-lieu affordable housing funds.

Table 1: Project and Location Information

Item	Information
Project Address	1122 North Bewley Street
Nearest Intersection	Bewley Street and Washington Avenue
Existing General Plan Designation	Low Density Residential (LR-7)
Proposed General Plan Designation	Medium Density Residential (MR-15)

Item	Information	
Zoning Designation	Two-Family Residence (R-2)	
Surrounding Land Uses	North	Multi-Family Residential
	East	Multi-Family Residential
	South	Multi-Family Residential
	West	Commercial / Auto Sales and Services
Site Size	0.87 acres	
Existing Site Development	The site is vacant	
Applicable Zoning Code Sections	SAMC Chapter 41, Article II, Divisions 4 and 6 (SAMC Sections 41-246 to 41-256)	
Entitlements	SAMC Chapter 41, Article V, Division II and Chapter 34, Article V	

Project Description

The applicant is requesting approval of a GPA and TTM to facilitate the construction of a 10-unit condominium development consisting of four separate buildings, each with two to three units. The units range in size from 1,618 to 1,950 square feet, consisting of two to four bedrooms and contain a 400-square foot attached two-car garage.

Table 2A: Unit Mix

Unit	Building	Floor Area	Number of Bedrooms	Private Open Space	Balcony
1	A	1,618 SF	2 + Den	387 SF	59 SF
2	A	1,796 SF	3	413 SF	44 SF
3	A	1,871 SF	3	960 SF	44 SF
4	B	1,950 SF	4	250 SF	250 SF
5	B	1,950 SF	4	800 SF	30 SF
6	B1	1,950 SF	4	250 SF	250 SF
7	B1	1,950 SF	4	800 SF	30 SF
8	C	1,946 SF	3	1,000 SF	169 SF
9	C	1,943 SF	3	500 SF	160 SF
10	C	1,946 SF	3	1,000 SF	169 SF
TOTAL		18,920 SF	33 + Den	6,360 SF	1,205 SF

Table 2B: R-2 Development Standards

Standard	Required by SAMC	Provided
Minimum Lot Size	12,000 square feet	37,897 square feet; complies
Minimum Frontage	100 feet	120 feet; complies
Lot Coverage	50%	36%; complies
Building Height	27 feet	27 feet; complies
Front Yard Setback	20 feet	20 feet; complies
Side Yard Setback	10 feet	10 feet; complies
Rear Yard Setback	15 feet	15 feet; complies
Off-Street Parking	2 spaces per unit in a garage + 2 guest spaces per unit	40 spaces; complies
Open Space	Private Open Space	250 square feet per unit 250 – 1,000 square feet per unit; complies
	Common Open Space	2,500 square feet 2,500 square feet; complies

The project's buildings are designed in a cohesive manner with unifying materials, floor heights, and articulation using contemporary architecture in a craftsman style and include a variety of neutral earth tones, concrete roof tiles, metal roofing, wood siding, stucco, and stone and brick veneer.

The site will be accessed from a driveway at the southeast corner of the site. Internal drive aisles would provide access to each unit and the central surface parking area. The project provides two parking spaces in a garage per unit and a 20-space surface parking area that is located in the center of the site. In addition, a four-space bicycle rack is also provided near the surface parking area.

The project provides a 2,500-square foot central public open space area between Buildings B and B1. The public open space will include a grass play area, benches, a picnic shelter with a table barbecue grills and a sink, trash and recycle receptacles and pedestrian lighting. Additionally, a meandering five-foot-wide walkway will be constructed along the northern project boundary to provide pedestrian access to each building along the northern site perimeter. Private open space (backyard or patio) and balconies will also be provided for each unit. As detailed in Table 2, the backyards and patios range in size from 250 to 1,000 square feet and the balconies range in size from 30 to 250 square feet.

Project and Site Background

The project site was originally developed in 1964 with a single-family residence. All of the onsite structures were demolished and cleared in 2017. In October 2017, the Planning Division received the subject application and, since then, the applicant has been working with the City to refine the site plan.

In accordance with the Sunshine Ordinance, the applicant held a community meeting on March 12, 2018 to review the proposed development and receive feedback from the community and adjacent property owners and residents. The applicant provided all the required information to the City after the meeting (Exhibit 10). The community raised concerns about potential parking impacts to the neighborhood.

A Planning Commission work-study session was held on April 9, 2018 where staff presented a 12-unit project. Members of the Planning Commission provided feedback and posed questions on the density, off-street parking, open space and access. Following the work-study session, the applicant revised the project to decrease the number of units to 10 units and increased the number of parking spaces to comply with current code requirements of four parking spaces per unit.

Analysis of the Issues

General Plan Amendment

The general plan amendment is being requested to change the subject site's current land use designation as prescribed by General Plan Land Use Element from LR-7 to MR-15. The LR-7 designation applies to those areas of the City that are developed with lower-density residential land

uses and have an R-1 zoning designation. The allowable maximum development intensity is seven units per acre. Development in this category is characterized primarily by single-family homes. The (R-2) zoning for the site, however, allows for two-family dwellings and townhomes. The general plan land use designation and zoning of the property are inconsistent. To make the general plan and zoning consistent, the applicant is requesting a GPA to change the land use designation of the property to MR-15, which applies to those sections of the City that 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. This change request is consistent with Table A-3 (Correlation of Land Use Designation and Zoning Districts) of the General Plan Land Use Element.

In addition to the applicants request and as part of this application, the City is also proposing to change the land use designation of adjacent properties from LR-7 to MR-15 (Exhibit 2) to create consistency between the Land Use Element and Zoning Code. The proposed MR-15 designation would be consistent with the existing multi-family uses to the north, south and east. The proposed amendment will clean up the general plan land use designation of the block of MR-15 properties, which will encourage a cohesive development pattern. Additionally, the amendment supports planning practices to use multi-family uses as a buffer between single-family dwellings and to focus higher intensity uses and developments along arterial roadways such as Harbor Boulevard.

Table 3: Existing and Proposed Land Use Designation

Property Address	Assessor's Parcel Number (APN)	Existing General Plan Land Use Designation	Proposed General Plan Land Use Designation
1122 North Bewley Street (project site)	198-101-07	Low Density Residential (LR-7)	Medium Family Residential (MR-15)
3704 West Washington Avenue	198-101-03	Low Density Residential (LR-7)	Medium Family Residential (MR-15)
1102, 1114, 1210, 1212, 1214, 1216, 1218 and 1222 North Bewley Street	198-101-04, 198-101-05, 198-101-08, 198-101-09 and 198-101-17	Low Density Residential (LR-7)	Medium Family Residential (MR-15)
3625 West Eleventh Street	198-101-01	Low Density Residential (LR-7)	Medium Family Residential (MR-15)

Moreover, the project would support several goals and policies of the Housing Element. First, the project would be consistent with Goal 2, which encourages 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. Second, the project would support Goal 4, to provide adequate rental and ownership housing opportunities and supportive services. Further, the project would be consistent with Policy HE-2.4 to facilitate diverse types, prices and sizes of housing. The project would also be consistent with goals of the Land Use Element, including Goal 1 to promote a balance of land uses to address basic community needs, and Goal 6 to reduce residential overcrowding to promote public health and safety. The proposed project will provide additional market rate housing in the City, thereby assisting in addressing the shortage of available housing within the region. The project will also provide additional housing options for those seeking housing within close proximity to transit as the project site will be nearby one of the future OC Streetcar stops.

Tentative Tract Map

The applicant is also requesting approval of a tentative tract map to subdivide the property for condominium purposes. Subdivision requests are governed by Chapter 34 and Chapter 41 of the SAMC. Pursuant to Section 66473.5 and 66474 of the California Subdivision Map Act (SMA), applications for tentative tract maps are approved when it can be shown that findings can be made in support of the request. Specifically, findings related to the proposal being consistent with the General Plan, the site is in conformance with all applicable City ordinances, the project site is physically suitable for the type and density of the proposed project, the proposed project will not cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat, the proposed project will not cause serious public health problems, or the proposed project will not conflict with easements necessary for public access through or use of the property must be made. Using this information staff has prepared the following analysis, which, in turn forms the basis for the recommendation contained in this report. In analyzing the applicant's request, staff believes that the following analysis warrants approval of the tentative tract map.

The applicant is seeking approval of a tentative parcel map to subdivide the property into 10 condominium lots and one common area lot. In reviewing the project, staff determined that the proposal as conditioned is consistent with the various provisions of the SAMC and General Plan, including lot size, lot frontage, and lot coverage. No adverse environmental impacts to fish or wildlife populations were identified as the project site is located in a built-out, urbanized area. In addition, conditions of approval are included requiring the applicant to enter into a property maintenance agreement and to submit the Covenant, Conditions and Restrictions (CC&Rs) to the Planning Division for review. The CC&Rs will ensure long-term maintenance of the landscaping, parking, buildings and common amenities. Finally, the tentative map is consistent with the California Subdivision Map Act and Chapters 34 and 41 of the Municipal Code.

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

CEQA, Strategic Plan Alignment, and Public Notification & Community Outreach		
CEQA		
CEQA Type	A Mitigated Negative Declaration (MND), Environmental Review No. 2017-161, with technical studies was prepared for the project. No areas of significant and unavoidable impacts were determined from the construction or operation of the proposed project (Exhibit 11). The project requires adoption of a Mitigation Monitoring and Reporting Program (MMRP), which contains mitigation measures to address biological resources, geology and soils, noise, tribal cultural resources and cultural resources.	
Public Notification	On May 6, 2020, the draft MND was circulated to interested parties and the notice of intent (NOI) was published in the Orange County Register and posted with the State's Clearinghouse. The draft MND was available for public review at the Santa Ana City Hall and on the project's webpage on the City's website.	
Public Notification & Community Outreach		
Required Measures	Site posting	A public notice was posted on the project site on July 2, 2020.
	Notification by mail	Notification by mail was mailed to all property owners and occupants within 500 feet of the project site on July 2, 2020.


CEQA, Strategic Plan Alignment, and Public Notification & Community Outreach		
	Newspaper posting	Newspaper posting was published in the Orange County Register on July 2, 2020.
Sunshine Meeting	A Sunshine Ordinance Community Meeting was held on March 12, 2018 from 6:30 p.m. to 7:30 p.m. at Hazard Elementary School (4218 West Hazard Avenue) in accordance with the provisions of the City's Sunshine Ordinance. A total of nine members of the public attended. The applicant provided all the required information to the City after the meeting.	
Additional Measures	The representatives of Riverview West and Santa Anita neighborhood associations were contacted to identify any areas of concern due to the proposed project. At the time this report was printed, no issues of concern were raised regarding the proposed project.	

Economic Development

Based on the development of the 10 townhomes, the City is expected to generate approximately \$83,000 in permit fees. The project will also increase the property tax for the property. The property is currently vacant and has a taxable value of approximately \$1.2 million. Upon completion of the project, the estimated taxable value of the property is approximately \$5.8 million. Based on the \$5.8 million valuation, the estimated annual tax revenue to the City is approximately \$6,500 (not including an expected two-percent annual increase).

Conclusion

Based on the analysis provided within this report, staff recommends that the Planning Commission recommend that the City Council adopt a resolution adopting and approving the prepared Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, Environmental Review No. 2017-161; a resolution approving General Plan Amendment No. 2020-03; and a resolution approving Tentative Tract Map No. 2020-01 as conditioned.



 Jerry C. Guevara
 Assistant Planner I

- Exhibits:
1. Resolution Approving the MND and Adopting a MMRP
 2. Resolution Approving GPA No. 2020-03
 3. Resolution Approving TM No. 2020-01 as conditioned
 4. Vicinity Zoning and Aerial Map
 5. Site Photos
 6. Site Plan
 7. Floor Plans
 8. Elevations
 9. Landscape Plans
 10. Tentative Tract Map
 11. Sunshine Ordinance Meeting Minutes
 12. Mitigate Negative Declaration and Technical Studies

EXHIBIT 1

RESOLUTION NO. 2020-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ADOPTING MITIGATED NEGATIVE DECLARATION, ENVIRONMENTAL REVIEW NO. 2017-161 AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM RELATIVE TO GENERAL PLAN AMENDMENT NO. 2020-03 AND TENTATIVE TRACT MAP NO. 2020-01 FOR THE PROJECT LOCATED AT 1122 NORTH BEWLEY STREET

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. Ada Rose with YNG Architects, Inc., representing Linda La (Applicant), is requesting approval of General Plan Amendment (GPA) No. 2020-03 and Tentative Tract Map No. 2020-01 in order to facilitate the construction of a 10-unit condominium development at 1122 West Bewley Street.
- B. The provisions of the California Environmental Quality Act of 1970 (CEQA), Public Resources Code Sections 21000 et. seq., as amended, and the CEQA Guidelines require the evaluation of environmental impacts in connection with proposals for discretionary projects.
- C. Pursuant to the Guidelines for the Implementation of the California Environmental Quality Act, an Initial Study relative to the proposed project concluded that implementation of the project could result in potentially significant effects on the environment and identified mitigation measures that would reduce the significant effects to a less-than-significant level.
- D. The City of Santa Ana prepared a Mitigated Negative Declaration (MND), Environmental Review (ER) No. 2017-161 for the proposed project which reflects the City's independent judgement and analysis as lead agency for the project. The MND concluded that the project would have a less than significant environmental impact with implementation of mitigation measures. Mitigation measures are included to address biological resources, geology and soils, noise, tribal cultural resources and cultural resources.

- E. On May 6, 2020, a Notice of Intent (NOI) to adopt the Initial Study and MND, ER No. 2017-161 was published in the Orange County Register newspaper, circulated to interested parties, and the State Clearinghouse.
- F. The documents related to the MND were made available for a 30-day public review and comment period at the Santa Ana City Hall and on the project webpage on the City's website.
- G. The mitigation measures set forth in the MND are fully enforceable and will be implemented using the Mitigation Monitoring and Reporting Program (MMRP) attached hereto as Exhibit A, and incorporated herein by reference.
- H. On July 13, 2020, the Planning Commission of the City of Santa Ana held a duly noticed public hearing and voted to recommend that the City Council approve a resolution to adopt and approve MND, ER No. 2017-161 and the related MMRP for the project.
- I. On August 18, 2020, the City Council of the City of Santa Ana held a duly noticed public hearing to consider all testimony, written and oral, related to MND, ER No. 2017-161, and the related MMRP for the project, 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.

Section 2. The City Council has independently reviewed and analyzed the information contained in the Initial Study and the MND, ER No. 2017-161, 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, the MND adequately addresses the expected environmental impacts of this project. On the basis of this review, the City Council finds that there is no substantial evidence from which it can be fairly argued that the project will have a significant adverse effect on the environment.

Section 3. The City Council hereby adopts the MND and adopts the MMRP, 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. 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 July 13, 2020, the Request for Council Action dated August 18, 2020, and exhibits attached hereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

Section 4. 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 5. The Applicant shall indemnify, protect, defend and hold the City and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, harmless from any and all claims, demands, lawsuits, writs of mandamus, referendum, and other proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to arbitrations, mediations, and such other procedures), judgments, orders, and decisions (collectively "Actions"), brought against the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or concerning the project, whether such Actions are brought under the Ralph M. Brown Act, California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure sections 1085 or 1094.5, or any other federal, state or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that Applicant shall reimburse the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the Applicant of any Action brought and City shall cooperate with Applicant in the defense of the Action.

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 ____ day of _____, 2020.

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, DAISY GOMEZ, Acting Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2020-xx to be the original resolution adopted by the City Council of the City of Santa Ana on _____, 2020.

Date: _____

Clerk of the Council
City of Santa Ana

EXHIBIT 2

RESOLUTION NO. 2020-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING GENERAL PLAN AMENDMENT NO. 2020-03 FOR THE PROPERTIES LOCATED AT 1102, 1114, 1122, 1210, 1212, 1214, 1216, 1218 AND 1222 NORTH BEWLEY STREET, 3625 WEST ELEVENTH STREET, AND 3704 WEST WASHINGTON AVENUE

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. Ada Rose with YNG Architects, Inc., representing Linda La (Applicant), is requesting approval of General Plan Amendment (GPA) No. 2020-03 to amend the General Plan land use designation of the property at 1122 North Bewley Street from Low Density Residential (LR-7) to Medium Density Residential (MR-15) and to update text portions of the City's Land Use Element to reflect this change in order to facilitate construction of a 10-unit condominium development.
- B. In addition, the City of Santa Ana is proposing to change the land use designation of adjacent properties at 1102, 1114, 1210, 1212, 1214, 1216, 1218 and 1222 North Bewley Street, 3625 West Eleventh Street, and 3704 West Washington Avenue from Low Density Residential (LR-7) to Medium Density Residential (MR-15) and to update text portions of the City's Land Use Element to reflect this change.
- C. On July 13, 2020, 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 approving GPA No. 2020-03.
- D. On August 18, 2020, the City Council of the City of Santa Ana held a duly noticed public hearing to consider all testimony, written and oral, related to GPA No. 2020-03, 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.

Section 2. The General Plan Amendment consists of amendments to the Land Use Element and text updates, as shown in Exhibit A, attached hereto and incorporated herein by reference.

Section 3. The City Council hereby finds that the proposed General Plan Amendment is compatible with the objectives, policies, and general plan land use programs specified in the General Plan for the City of Santa Ana in that:

- A. The City of Santa Ana has officially adopted a General Plan.
- B. The land uses authorized by the General Plan Amendment, and the General Plan Amendment itself, are compatible with the objectives, policies, general land uses, and programs specified in the General Plan, for the following reasons:
 - i. The existing General Plan land use designation for the project area is Low Density Residential (LR-7) which applies to lower density residential land uses characterized by single-family homes with a maximum allowable intensity of seven (7) dwelling units per acre. However, the zoning of the project area is Two-Family Residential (R-2) which allows for two-family dwellings and townhomes. The general plan land use designation and zoning of the properties are inconsistent.
 - ii. The proposed General Plan land use designation for the project area is Medium Density Residential (MR-15) which applies to multiple-family developments characterized by duplexes, apartments, and townhomes with a maximum allowable intensity of 15 dwelling units per acre. This change is consistent with Table A-3 (Correlation of Land Use Designation and Zoning Districts) of the General Plan Land Use Element.
 - iii. The general plan amendment will support several goals and policies of the General Plan, including the Land Use Element and Housing Element. In specific, General Plan Land Use Element, Goal 1 to promote a balance of land uses to address basic community needs. Specifically, Policy 1.5 states a desire maintain and foster a variety of residential land uses. The project will provide 10 for-sale condominium units. Policy 2.10 supports new development which is harmonious in scale and character with existing development in the area. The project is similar in scale and character to the adjacent multi-family uses. Policy 3.1 supports development which provides a positive contribution to neighborhood character and identity. The project will allow for redevelopment of a vacant lot with a new residential development with a contemporary design and variety of building materials. Housing Element, Goal 2 encourages a diversity of quality housing, affordability levels, and living experiences that accommodate Santa Ana's residents and workforce of all household types, income levels, and are groups to foster an inclusive community. Policy 2.5 facilitates diverse types, prices and size of housing, including single-family homes, apartments,

townhomes, mixed/multiuse housing, transit oriented housing, multi-generational housing and live work opportunities. The project will provide a for-sale condominium product with units that range in bedrooms and size.

Section 4. The GPA will not adversely affect the public health, safety, and welfare in that the GPA will not result in incompatible land uses on adjacent properties, inconsistencies with any General Plan goals or policies, or adverse impacts to the environment.

Section 5. The City Council of the City of Santa Ana after conducting the public hearing hereby approves GPA No. 2020-03. 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 Planning Commission Action dated July 13, 2020, the Request for Council Action dated August 18, 2020, and exhibits attached hereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

Section 6. The City Council approves GPA No. 2020-03 as set forth in Exhibit A, attached hereto and incorporated herein by reference, subject to compliance with the Mitigation Monitoring and Reporting Program, and upon satisfaction of the conditions set forth below:

- A. Subject to compliance with the Mitigation Monitoring and Reporting Program, the Land Use Element map and text shall be amended to read as set forth in Exhibit A, attached hereto and incorporated herein by reference.
- B. The General Plan Amendment shall not take effect unless and until Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP), Environmental Review No. 2017-161 are adopted by the City Council.

Section 7. The Applicant shall indemnify, protect, defend and hold the City and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, harmless from any and all claims, demands, lawsuits, writs of mandamus, referendum, and other proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to arbitrations, mediations, and such other procedures), judgments, orders, and decisions (collectively "Actions"), brought against the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or

concerning the project, whether such Actions are brought under the Ralph M. Brown Act, California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure sections 1085 or 1094.5, or any other federal, state or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that Applicant shall reimburse the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the Applicant of any Action brought and City shall cooperate with Applicant in the defense of the Action.

Section 8. 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 ____ day of _____, 2020.

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, DAISY GOMEZ, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2020-xx to be the original resolution adopted by the City Council of the City of Santa Ana on _____.

Date: _____

Clerk of the Council
City of Santa Ana

EXHIBIT 3

RESOLUTION NO. 2020-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING TENTATIVE TRACT MAP NO. 2020-01 AS CONDITIONED TO CREATE A SUBDIVISION OF TEN (10) CONDOMINIUM UNITS AT 1122 NORTH BEWLEY STREET

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. Ada Rose with YNG Architects, Inc., representing Linda La (Applicant), is requesting approval Tentative Tract Map (TTM) No. 2020-01 to facilitate the construction of a 10-unit condominium development at 1122 North Bewley Street.
- B. On July 13, 2020, 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 approving TTM No. 2020-01, as conditioned.
- C. On August 18, 2020, the City Council of the City of Santa Ana held a duly noticed public hearing to consider all testimony, written and oral, related to TM No. 2020-01, 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.
- D. Subdivision requests are governed by Chapter 34 and Chapter 41 of the Santa Ana Municipal Code (SAMC). Pursuant to Section 66473.5 and 66474 of the California Subdivision Map Act (SMA), applications for tentative tract maps are approved when certain findings can be established.
- E. The City Council of the City of Santa Ana determines that the following findings, which must be established in order to approve TTM No. 2020-01, have been established as required by Section 34-127 of the SAMC and the SMA:
 1. The proposed project and its design and improvements are consistent with the proposed Medium Density Residential (MR-15) land use designation of the General Plan and are otherwise consistent with all other Elements of the General Plan.

The proposed project and its design and improvements are consistent with various provisions of the City's Zoning Code

and General Plan with approval of General Plan Amendment (GPA) No. 2020-03, which amends the land use designation of the property to Medium Density Residential (MR-15) and allows a maximum development density of 15 units per acre. The proposed project is consistent with the designation at a density of 15 dwelling units per acre. In addition, the project supports several goals and policies of the General Plan. In specific, General Plan Land Use Element, Goal 1 to promote a balance of land uses to address basic community needs. Specifically, Policy 1.5 encourages the maintenance and fostering of a variety of residential land uses. The project will provide 10 for-sale condominium units. Policy 2.10 supports new development which is harmonious in scale and character with existing development in the area. The project is similar in scale and character to the adjacent multi-family uses. Policy 3.1 supports development which provides a positive contribution to neighborhood character and identity. The project will allow for redevelopment of a vacant lot with a new residential development with a contemporary design and variety of building materials. Goal 2 of the Housing Elements encourages a diversity of quality housing, affordability levels, and living experiences that accommodate Santa Ana's residents and workforce of all household types, income levels. Further, Policy 2.5 of the Housing Element encourages developments that facilitate diverse types, prices and size of housing, including single-family homes, apartments, townhomes, mixed/multi-use housing, transit oriented housing, multi-generational housing and live work opportunities. The project will provide a for-sale product with units that range in bedrooms and size.

2. The proposed project conforms to all applicable requirements of the zoning and subdivision codes as well as other applicable City ordinances.

The proposed project is consistent with the City's zoning and subdivision ordinances and all other applicable codes. The project is located within the Two-Family Residence (R-2) zoning district which allows for two family residences and townhomes. The minimum development site size is 12,000 square feet with a minimum street frontage of 100 feet. The proposed lot complies with the minimum lot size and lot frontage. In addition, Covenants, Conditions, and Restrictions (CC&Rs) will address issues such as drainage, reciprocal access, landscaping and maintenance and will be recorded prior to approval of the final map and is therefore consistent with Chapter 34 of the SAMC and the SMA.

3. The project site is physically suitable for the type and density of the proposed project.

The project site is physically suitable for the type and density of the proposed project. There are no physical constraints on the site that would preclude development. The proposed site consists of approximately 0.87 acres of land and is physically suitable for the proposed development. The lot size, density, width, and lot coverage are consistent with the existing surrounding properties in the neighborhood and with the R-2 zoning district development standards.

4. The design and improvements of the proposed project will not cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat.

The design and improvements of the proposed project will not cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat. The project is located in an urbanized area, there are no known fish or wildlife populations existing on the project site. Therefore, the proposed subdivision will not cause any substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat.

5. The design or improvements of the proposed project will not cause serious public health problems.

The design or improvements of the proposed project will not cause serious health problems. The subdivision will not have any detrimental effects upon the general public. The property will include necessary utilities and infrastructure improvements as required by the SAMC and SMA.

6. The design or improvements of the proposed project will not conflict with easements necessary for public access through or use of the property within the proposed project.

The design and improvements of the project will not conflict with easements necessary for public access or use of the property within the proposed project. In addition, the CC&Rs will ensure reciprocal access rights and maintenance agreements between properties.

Section 2. The City Council has reviewed and considered the information contained in the initial study and the Mitigated Negative Declaration (MND), Environmental Review (ER) No. 2017-161, 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, the MND adequately addresses the expected environmental impacts of this project. There is no evidence from which it can be fairly argued that the project will have a significant adverse effect on the environment.

Section 3. TTM No. 2020-01 shall not be effective until the City Council reviews, approves and adopts the MND ER No. 2017-161 and General Plan Amendment No. 2020-03. If said approvals are held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or otherwise denied, then this tract map shall be null and void and have no further force and effect.

Section 4. The Applicant shall indemnify, protect, defend and hold the City and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, harmless from any and all claims, demands, lawsuits, writs of mandamus, referendum, and other proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to arbitrations, mediations, and such other procedures), judgments, orders, and decisions (collectively "Actions"), brought against the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or concerning the project, whether such Actions are brought under the Ralph M. Brown Act, California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure sections 1085 or 1094.5, or any other federal, state or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that Applicant shall reimburse the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the Applicant of any Action brought and City shall cooperate with Applicant in the defense of the Action.

Section 5. The City Council of the City of Santa Ana, after conducting the public hearing, hereby approves Tentative Tract Map No. 2020- 01 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 hearing, which includes, but is not limited to: the Request for Planning Commission Action dated July 13, 2020, and exhibits attached thereto; and the Request for City Council Action dated August 18, 2020, and exhibits attached thereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

ADOPTED this ____ day of _____, 2020.

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, DAISY GOMEZ, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2020-xx to be the original resolution adopted by the City Council of the City of Santa Ana on _____, 2020.

Date: _____

Clerk of the Council
City of Santa Ana

EXHIBIT A

Conditions of Approval for Tentative Tract Map No. 2020-01

Tentative Tract Map No. 2020-01 is approved subject to compliance, to the reasonable satisfaction of the Planning Manager, with applicable sections of the Santa Ana Municipal Code, the California Administrative Code, the California Building Standards Code, the California Subdivision Map Act, and all other applicable regulations. In addition, the following conditions of approval are applicable:

The Applicant must comply with each and every condition listed below prior to exercising the rights conferred by this tentative tract map.

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 tentative tract map.

1. All proposed site improvements must conform to the Development Project plan approved per DP No. 2017-35.
2. Any amendment to this tentative tract map, including modifications to approved materials, finishes, architecture, site plan, landscaping, parking, and square footages, must be submitted to the Planning Division for review. At that time, staff will determine if administrative relief is available or if the site plan review must be amended.
3. Prior to the issuance of a building permit, a full landscape and irrigation plan is to be submitted for review and approval by the Planning Division. The landscape plan shall conform to the R-2 landscape standards, Citywide Design Guidelines, and the City's Water Efficient Landscape Ordinance. In addition, vines shall be planted along perimeter walls and be spaced every 10 feet.
4. Applicant must submit Covenants, Conditions, and Restrictions (CC&Rs) for the project to the Planning Division for review and approval prior to the Final Map being recorded.
5. The Final Map must be approved and recorded prior to issuance of Building permits.
6. The Final Map and all improvements required to be made or installed by the subdivider must be in accordance with the design standards and specifications of the Santa Ana Municipal Code and the requirements of the State Subdivision Map Act.

7. Two copies of the recorded Final Map and CC&Rs shall be submitted to the Planning Division, Building Division, Public Works Agency and Orange County Fire Authority (OCFA) within 10 days of recordation.
8. A Property Maintenance Agreement shall be recorded prior to the issuance of Building permits and shall be subject to review and approval by the Planning and Building Agency, the Community Development Agency, the Public Works Agency, and the City Attorney to ensure that the property and all improvements located thereupon are properly maintained. Applicant (and the owner of the property upon which the authorized use and/or authorized improvements are located if different from the Applicant) shall execute a maintenance agreement or incorporate the form of this condition within the Projects CC&R's with the City of Santa Ana which shall be recorded against the property and which shall be in a form reasonably satisfactory to the City Attorney. The maintenance agreement shall contain covenants, conditions and restrictions relating to the following:
 - a. Compliance with operational conditions applicable during any period(s) of construction or major repair (e.g., proper screening and securing of the construction site; implementation of proper erosion control, dust control and noise mitigation measure; adherence to approved project phasing etc.);
 - b. Compliance with ongoing operational conditions, requirements and restrictions, as applicable (including but not limited to hours of operation, security requirements, the proper storage and disposal of trash and debris, enforcement of the parking management plan, and/or restrictions on certain uses;
 - c. Ongoing compliance with approved design and construction parameters, signage parameters and restrictions as well as landscape designs, as applicable;
 - d. Ongoing maintenance, repair and upkeep of the property and all improvements located thereupon (including but not limited to controls on the proliferation of trash and debris about the property; the proper and timely removal of graffiti; the timely maintenance, repair and upkeep of damaged, vandalized and/or weathered buildings, structures and/or improvements; the timely maintenance, repair and upkeep of exterior paint, parking striping, lighting and irrigation fixtures, walls and fencing, publicly accessible bathrooms and bathroom fixtures, landscaping and related landscape improvements and the like, as applicable);

- e. If Applicant and the owner of the property are different (e.g., if the Applicant is a tenant or licensee of the property or any portion thereof), both the Applicant and the owner of the property shall be signatories to the maintenance agreement and both shall be jointly and severally liable for compliance with its terms;
 - f. The maintenance agreement shall further provide that any party responsible for complying with its terms shall not assign its ownership interest in the property or any interest in any lease, sublease, license or sublicense, unless the prospective assignee agrees in writing to assume all of the duties and obligations and responsibilities set forth under the maintenance agreement;
 - g. The maintenance agreement shall contain provisions relating to the enforcement of its conditions by the City and shall also contain provisions authorizing the City to recover costs and expenses which the City may incur arising out of any enforcement and/or remediation efforts which the City may undertake in order to cure any deficiency in maintenance, repair or upkeep or to enforce any restrictions or conditions upon the use of the property. The maintenance agreement shall further provide that any unreimbursed costs and/or expenses incurred by the City to cure a deficiency in maintenance or to enforce use restrictions shall become a lien upon the property in an amount equivalent to the actual costs and/or expense incurred by the City; and
 - h. The execution and recordation of the maintenance agreement shall be a condition precedent to the final map being recorded.
9. Prior to the issuance of building permits the Applicant shall comply with the City's Housing Opportunity Ordinance.

EXHIBIT 4

ER No. 2017-161, GPA No. 2020-03 & TM No. 2020-01
1122 N. Bewley Street

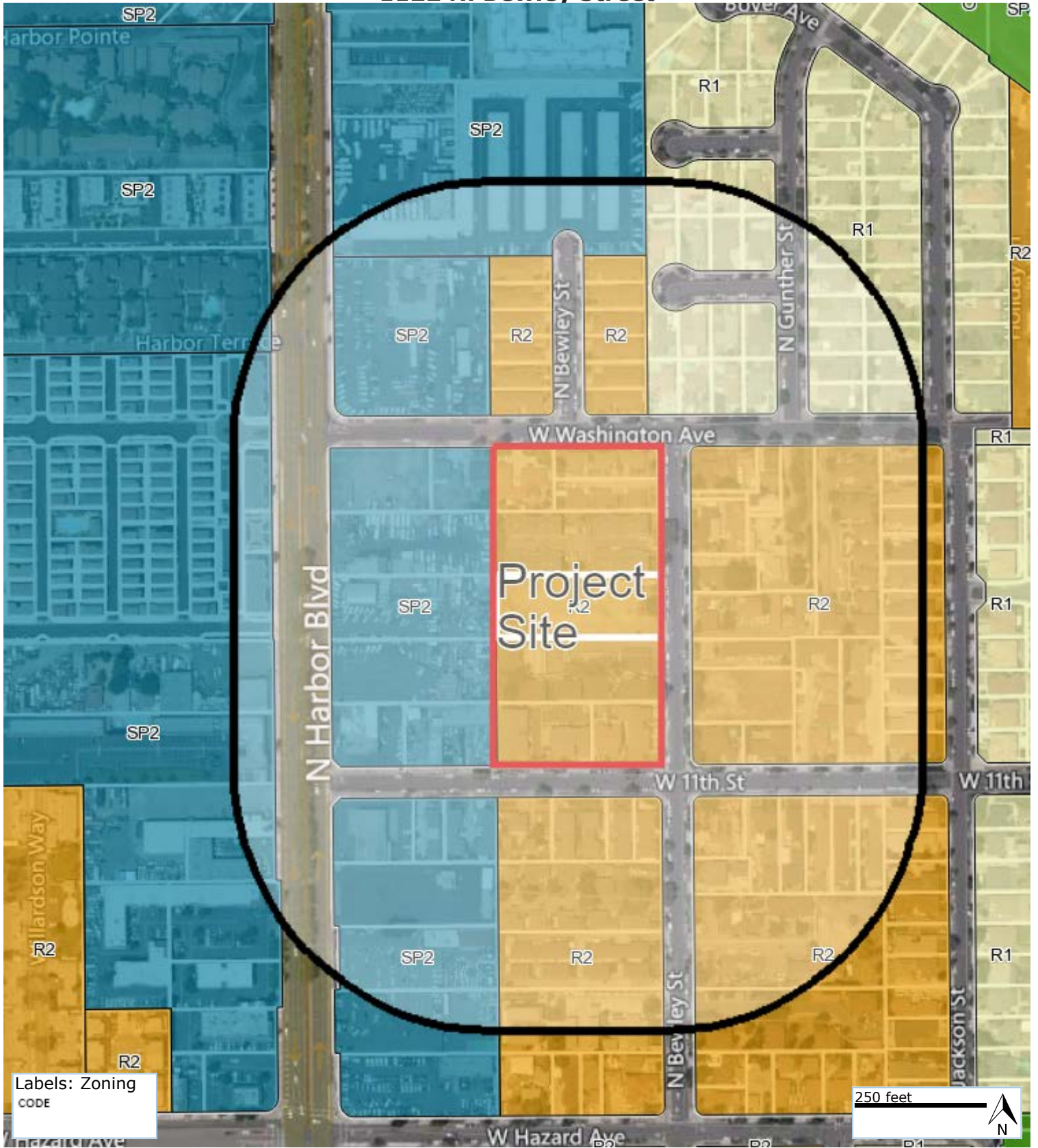


Exhibit 4 - Vicinity Zoning & Aerial Map



EXHIBIT 5

SITE PHOTOS



Exhibit 5

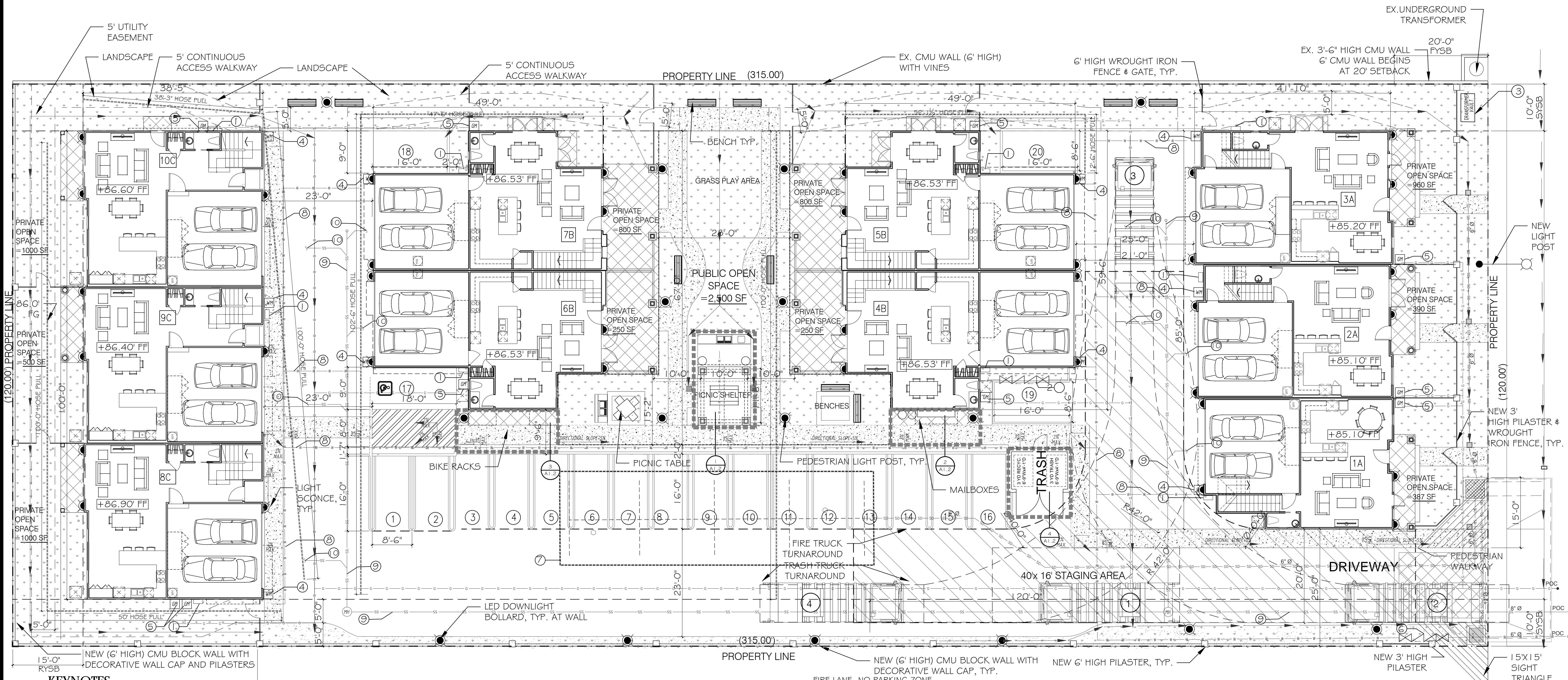
EXHIBIT 6

TRASH BIN & ACCESS REQUIREMENTS

1. A PROJECT WITH 3 OR MORE DWELLING UNITS WILL REQUIRE A MINIMUM COMBINED TRASH AND RECYCLING SERVICE LEVEL OF .5 CUBIC YARDS PER RESIDENTIAL UNIT.
2. MINIMUM 40' X 16' WIDE STAGING AREA SHALL BE AVAILABLE ON SERVICE DAYS FROM 6 A.M. TO 6 P.M.
3. MINIMUM VERTICAL CLEARANCE OF 25' AT THE STAGING AREA FOR BIN SERVICE CLEARANCE.
4. MINIMUM 13' VERTICAL CLEARANCE FOR SC OUTTRUCK (IF APPLICABLE)
5. ALL STAGING AREAS ARE TO BE ONSITE. NO STREET STAGING IS PERMITTED.
6. ALL DRIVEWAY AND STAGING AREAS MUST BE ABLE TO CARRY A MINIMUM GROSS WEIGHT OF 60,000 LBS. PER VEHICLE.
7. ENCLOSURE MUST BE BIG ENOUGH FOR ROLL OUT SERVICE THE DESIRED PATH OF TRAVEL FOR THE BIN MUST BE LEVEL WITH NO "LIPS" OR MAJOR ELEVATION CHANGES.
8. TO HOLD MINIMUM NUMBER OF REQUIRED BINS THAT ARE 7' X 4' X 4' EACH PLUS ENOUGH ROOM TO MANEUVER BIN.
9. MAX SIZE BIN 4 CUBIC YARDS.
10. MAXIMUM NUMBER OF PICK-UPS IS 2 TIMES PER WEEK FOR RESIDENTIAL PROJECTS.
11. EACH HOME WILL BE REQUIRED TO HAVE A MINIMUM OF 1 - 96 GALLON CART FOR EACH COMMODITY; TRASH, RECYCLE, AND GREEN WASTE.

NOTES

1. REMOVE DRIVEWAY APPROACH AND CURB & GUTTER, CONSTRUCT NEW SIDEWALK, PARKWAY AND CURB & GUTTER, PER CITY STANDARDS. (STANDARD PLAN NUMBERS 1101 & 1104).
2. REMOVE SIDEWALK AND CURB & GUTTER ALONG THE PROJECT FRONTAGE, AND REPLACE WITH THE CONSTRUCTION OF NEW SIDEWALK AND CURB & GUTTER ALONG THE PROJECT FRONTAGE, PER CITY STANDARDS. (STANDARD PLAN NUMBERS 1101 & 1104).
3. REMOVE EXISTING LANDSCAPE AND INSTALL SOD AND NEW TREES, PER CITY STANDARDS.
4. INSTALL A STREET LIGHT IN PARKWAY PER CITY STANDARDS, AND CONNECT TO THE POWER GRID.
5. ALL EXISTING AND PROPOSED UTILITIES SERVING THIS PROJECT SHALL BE UNDERGROUND.
6. INSTALL IRRIGATION SYSTEM IN THE PARKWAY WITH CONNECTION TO ONSITE IRRIGATION.
7. 15' X 15' SITE DISTANCE TRIANGLE AT THE DRIVEWAY ENTRANCE. NO OBSTRUCTIONS, WALLS OR LANDSCAPING ABOVE 2.5' HIGH WITHIN SITE DISTANCE TRIANGLE.
8. THE STREET PAVEMENT WILL BE TREATED WITH A 2" - 2.5" GRIND AND OVERLAY AT THE PROJECT FRONTAGE, MEASURED FROM GUTTER LIP TO GUTTER LIP.
9. THE BMPs, SHOWN ON THE APPROVED SITE PLAN/ EROSION CONTROL PLAN ARE ONLY PRELIMINARY AND WILL BE REVISED OR MODIFIED AS NECESSARY UPON COMPLETION OF THE WQMP. PRIOR TO THE ISSUANCE OF THE GRADING PERMIT, THE APPROVED GRADING/UTILITY PLAN SHALL INCORPORATE ALL REQUIRED STRUCTURAL BMPs.
10. THIS SITE WILL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD SANTA ANA REGION ORDER NO. R8-2009-0030 DISCHARGE REQUIREMENTS (MS4 PERMIT). CONTACT MINDY LY (714) 647-5665 FOR ADDITIONAL INFORMATION.
11. THE ENTIRE WIDTH OF THE PROPOSED PRIVATE DRIVEWAY WITHIN THIS SITE IS TO BE DEDICATED TO THE CITY OF SANTA ANA AS A "NON-EXCLUSIVE EASEMENT FOR VEHICULAR ACCESS, ACCESS RIGHTS IN, OVER, ACROSS, UPON, AND THROUGH SAID TRACT FOR THE PURPOSE OF MAINTAINING, SERVICING, REPAIRING, REPLACING AND READING THE PUBLIC WATER METERS WITHIN THE SAID SITE." SEE SHEET A1.0
12. APPROPRIATE BACK FLOW PREVENTER REQUIRED FOR ALL FIRE SERVICE, DOMESTIC AND LANDSCAPE WATER METER PER GRADING AND STREET IMPROVEMENT PLANS (AS APPLICABLE). SEE KEYNOTES



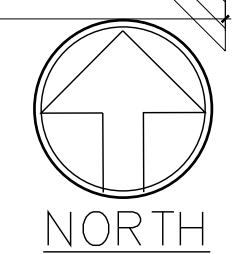
KEYNOTES

1. DOMESTIC COMBINATION BACKFLOW
2. BACKFLOW PREVENTER FOR LANDSCAPE IRRIGATION
3. TRANSFORMER VAULT
4. WATER METER/ BACKFLOW DEVICE
5. GAS METER
6. REDUCED PRESSURE BACKFLOW PREVENTER
7. INFILTRATION TRENCH WITH MONITORING WELLS
8. NEW PRIVATE WATER MAIN
9. PRIVATE SEWER MAIN
10. SEWER LATERAL

**20 GUEST PARKING SPACES
PARKING RATIO= 4 SPACES/ UNIT**

**SEE A1.0 LARGER SITE CONTEXT AND ADDITIONAL NOTES,
SEE A1.2 FOR TRASH ENCLOSURE, PICNIC SHELTER & AMENITIES DRWGS.**

SEE LANDSCAPE DRAWING FOR HARDSCAPE AND SOFTSCAPE.



REVISIONS	



**BEWLEY STREET 10 UNIT
CONDOMINIUM DEVELOPMENT
1122 N. BEWLEY ST. SANTA ANA, CA**

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**ENLARGED SITE PLAN
WALL & FENCE ELEVATION**

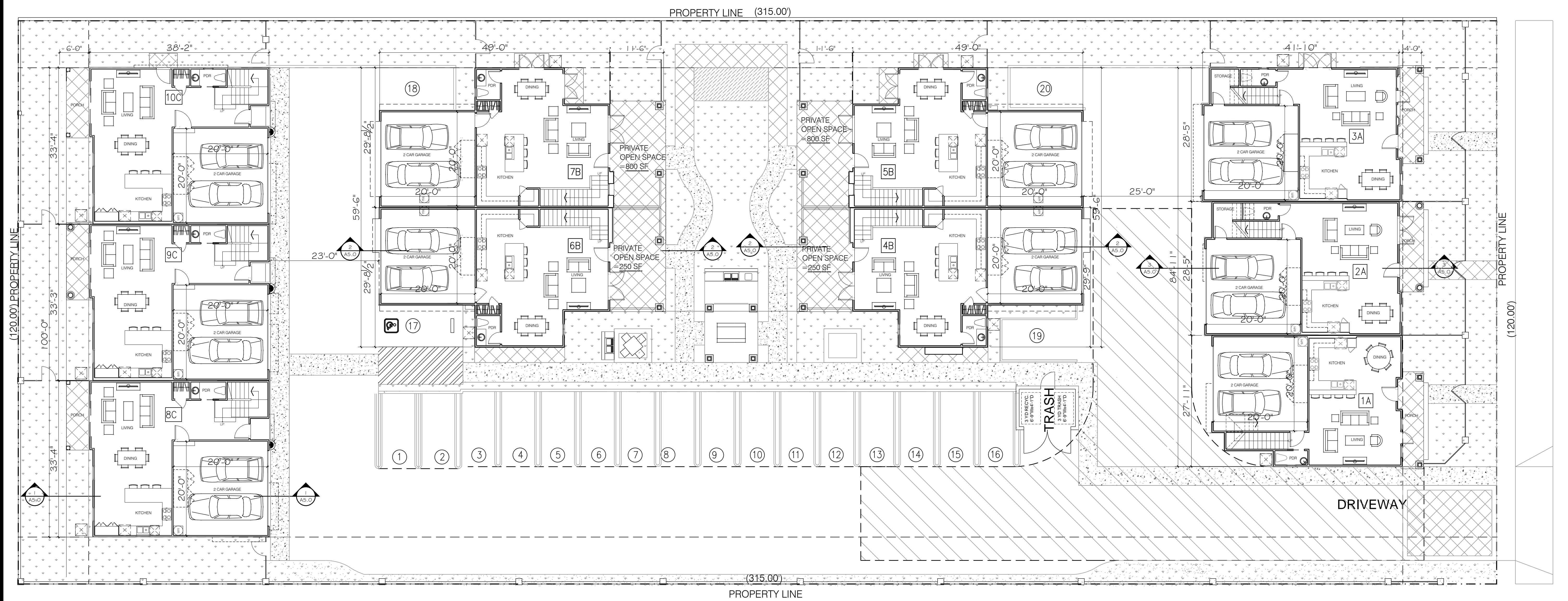
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SCALE	SEE PLAN
DRAWN	F.N.
JOB#	YR17008
SHEET#	A1.1

EXHIBIT 7

USER: ADA PLOTTED: 11/18/2019 - 3:50 PM Y:\Projects\17008-Bul Towers-1\122 N Bewley St. Santa Ana\Drawings\10 Unit site plan- 05-23-19\Bul Towers-site plan-10 units.dwg LAYOUT: A2.0 FIRST FLOOR



FRONT YARD FENCE & PILASTERS SCALE: 3/16" = 1'-0" 2



FIRST FLOOR PLAN SCALE: 3/32" = 1'-0" 1

NO.	DATE	REVISIONS

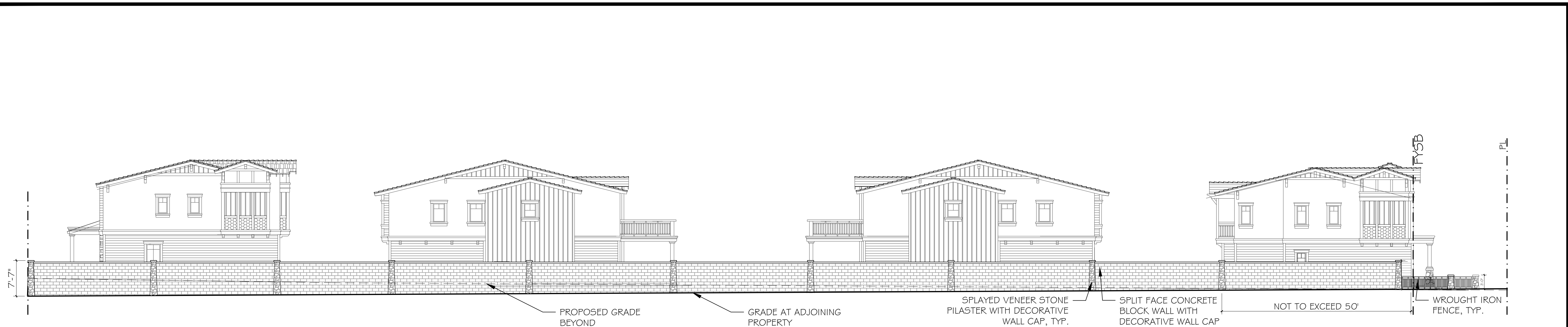


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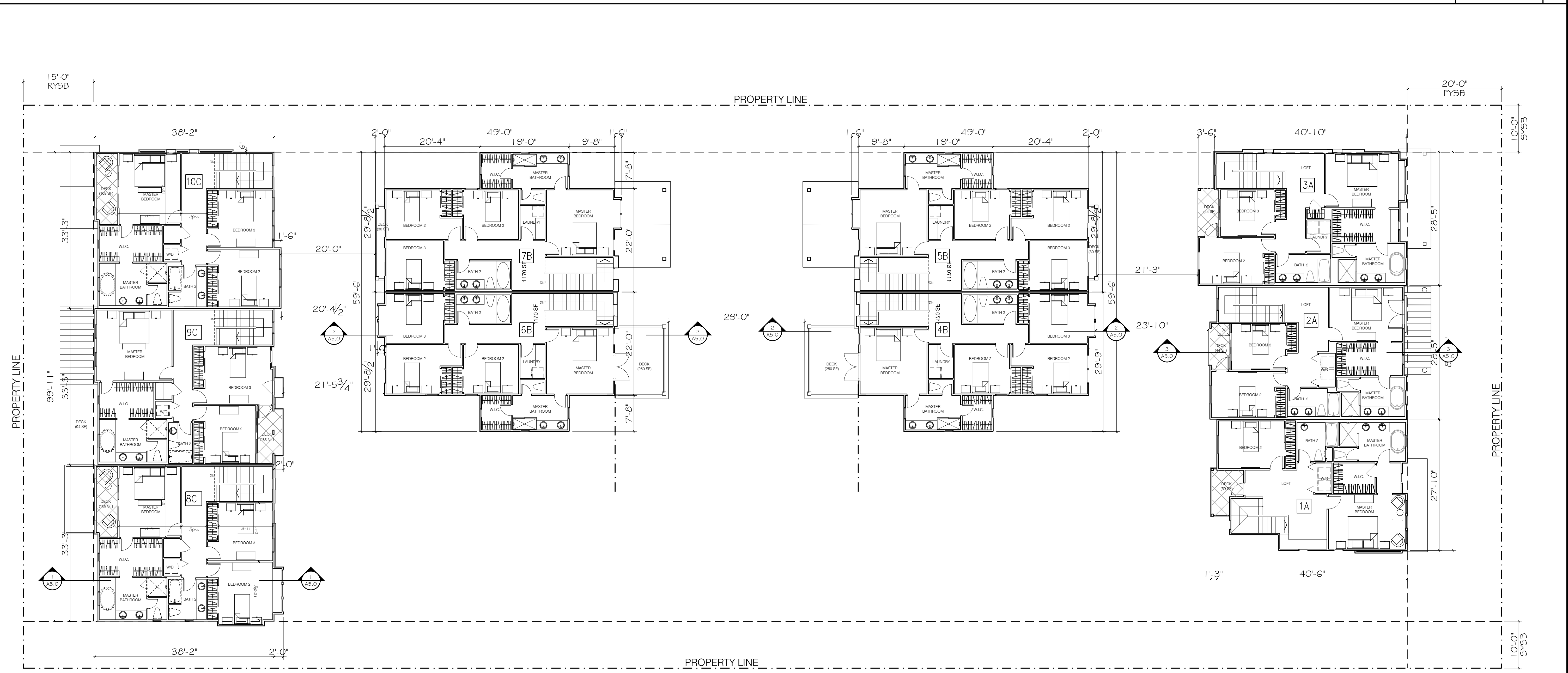
FIRST FLOOR PLAN

DATE	11/14/19
SCALE	SEE PLAN
DRAWN	F.N.
JOB#	YR17008
SHEET#	A2.0





SOUTH PERIMETER WALL- REAR PERIMETER WALL SIMILAR SCALE: 3/32" = 1'-0" 2



SECOND FLOOR PLAN SCALE: 3/32" = 1'-0" 1

NO.	DATE	DESCRIPTION

YING ARCHITECTS
 1551 Boulevard Drive, Suite 8
 Santa Ana, CA 92705
 Phone: 714.428.8001
 www.yingarchitects.com



**BEWLEY STREET 10 UNIT
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 1122 N. BEWLEY ST. SANTA ANA, CA

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SECOND FLOOR PLAN

DATE	11/14/19
SCALE	SEE PLAN
DRAWN	F.N.
JOB#	YR17008
SHEET#	A2.1

USER: ADA PLOTTED: 11/18/2019 3:50 PM Y:\Projects\YR17008-Bewley Townhouses-1\122 N Bewley St. Santa Ana\Drawings\10 Unit site plan- 05-23-19\Bewley Townhouses-site plan-10 units.dwg LAYOUT: A2.1 SECOND FLOOR

EXHIBIT 8



WOOD LINTEL, PAINT FINISH DECORATIVE LIGHT FIXTURE CONCRETE LINTEL BRICK VENEER WOOD LINTEL, PAINT FINISH METAL GARAGE DOOR, PAINT FINISH HARDI PANEL SIDING, PAINT FINISH

WEST ELEVATION SCALE: 1/4"=1'-0



NORTH ELEVATION SCALE: 1/4"=1'-0



1) WOOD FASCIA, PAINT FINISH
 2) EXPOSED RAFTER TAILS, PAINT FINISH
 3) STANDING SEAM METAL ROOF
 4) STUCCO, PAINT FINISH
 5) METAL GUARDRAIL, PAINT FINISH
 6) WOOD OUTRIGGER, PAINT FINISH
 7) STUCCO, PAINT FINISH
 8) WOOD TRIM, PAINT FINISH
 9) CONCRETE ROOF TILE

27'-0"
 9'-0"
 9'-0"

DRIVEWAY

WOOD COLUMN, PAINT FINISH
 5) HARDI PANEL SIDING, PAINT FINISH
 6) WOOD TRIM, PAINT FINISH
 BRICK VENEER
 DECORATIVE LIGHT FIXTURE
 STONE VENEER
 WOOD TRIM, PAINT FINISH

WROUGHT IRON FENCE



1

2

3



4

5

6

UNIT 3 - (LEFT)
 COLORS AND MATERIALS LIST:

- 1. CONCRETE ROOF TILE:** EAGLE ROOFING- GOLDEN EAGLE 1687 BROWN GRAY RANGE
- 2. PAINTED WOOD:** DUNN EDWARDS DE6074 FRONTIER LAND
- 3. PAINTED STUCCO:** DUNN EDWARDS DE6113 ALPACA WOOL
- 4. PAINTED WOOD:** DUNN EDWARDS DE6097 MONTEREY BROWN
- 5. SIDING:** HARDIEPLANK LAP SIDING SMOOTH- AUTUMN TAN
- 6. SIDING:** HARDIEPLANK VERTICAL SIDING SMOOTH- MOUNTAIN SAGE

EAST ELEVATION

SCALE: 1/4"=1'-0"



STONE VENEER HARDI PANEL SIDING, PAINT FINISH WOOD TRIM, PAINT FINISH

WEST ELEVATION

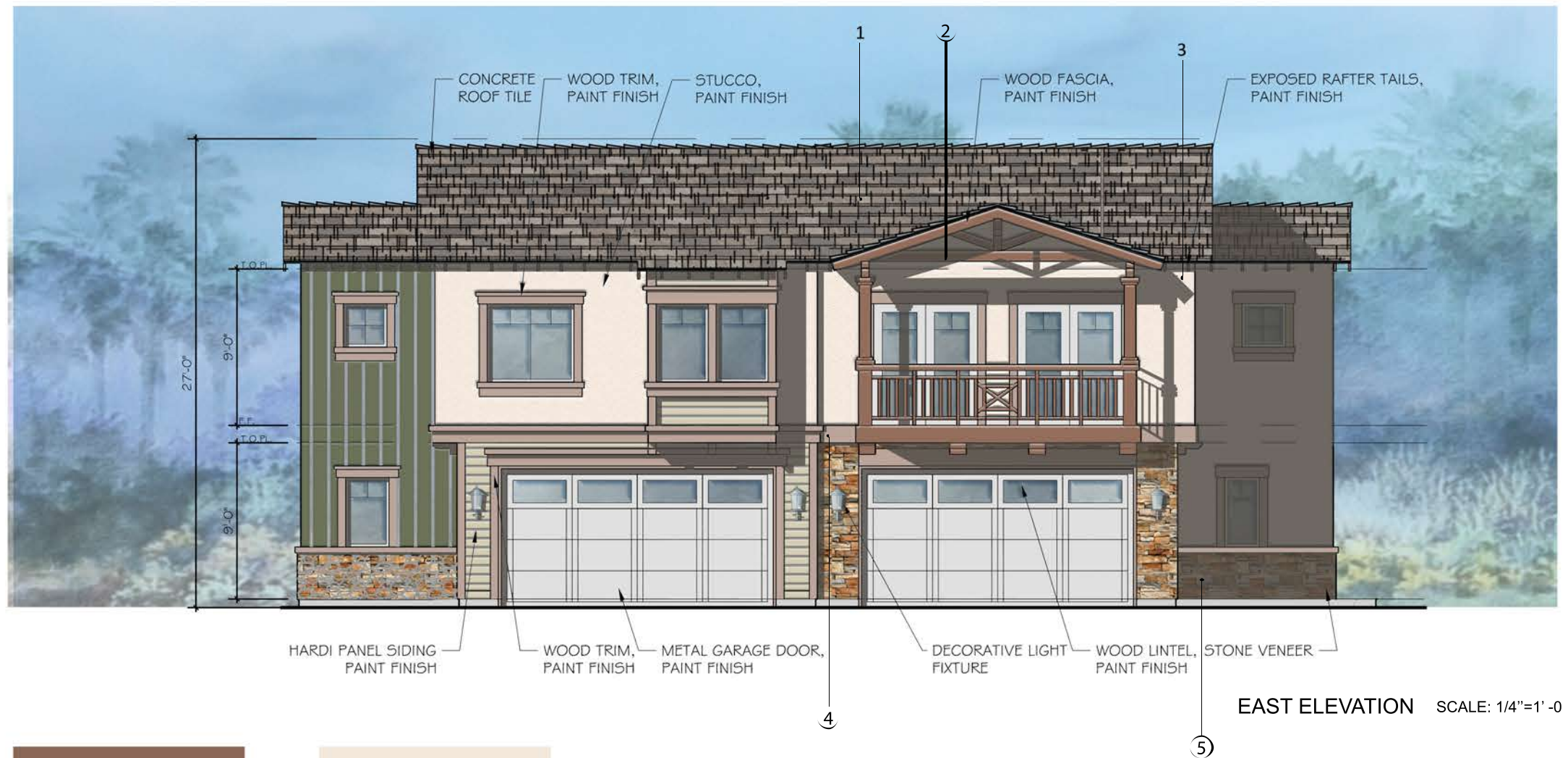
SCALE: 1/4"=1'-0"



NORTH ELEVATION

SCALE: 1/4"=1'-0"

BUILDING B
1122 N. BEWLEY ST.
SANTA ANA, CA



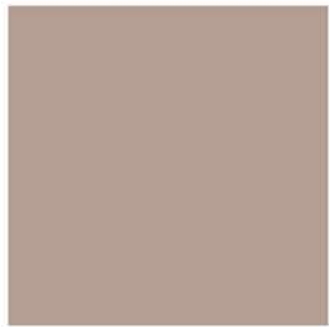
1



2



3



4



5

UNIT 5 - RIGHT
COLORS AND MATERIALS LIST:

1. CONCRETE ROOF TILE: EAGLE ROOFING- GOLDEN EAGLE
1687 BROWN GRAY RANGE

2. PAINTED WOOD: DUNN EDWARDS
DE6097 MONTEREY BROWN

3. PAINTED STUCCO: DUNN EDWARDS
DE6113 ALPACA WOOL

4. PAINTED WOOD: DUNN EDWARDS
DE6074 FRONTIER LAND

5. STONE VENEER: CORONADO STONE
COUNTRY LEDGSTONE-MOJAVE



HARDI PANEL SIDING, PAINT FINISH WOOD FASCIA, PAINT FINISH EXPOSED RAFTER TAILS, PAINT FINISH BRICK VENEER STANDING SEAM METAL ROOF STUCCO, PAINT FINISH WOOD OUTRIGGER, PAINT FINISH STUCCO, PAINT FINISH CONCRETE ROOF TILE

STONE VENEER WOOD GUARDRAIL, PAINT FINISH WOOD TRIM, PAINT FINISH TAPERED WOOD COLUMN, PAINT FINISH DECORATIVE LIGHT FIXTURE WOOD TRIM, PAINT FINISH HARDI PANEL, PAINT FINISH

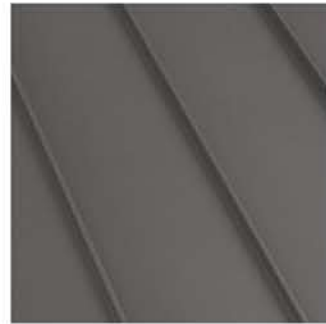
WEST ELEVATION SCALE: 1/4"=1'-0



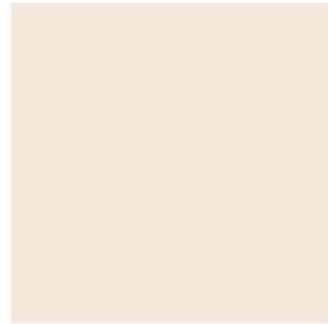
SOUTH ELEVATION SCALE: 1/4"=1'-0



EAST ELEVATION SCALE: 1/4"=1'-0



1



2



3



4



5

UNIT 9 - (MIDDLE)
COLORS AND MATERIALS LIST:

1. METAL ROOF: ACCEL STANDING COLONIAL
SEAM ROOF: SLATE GREY

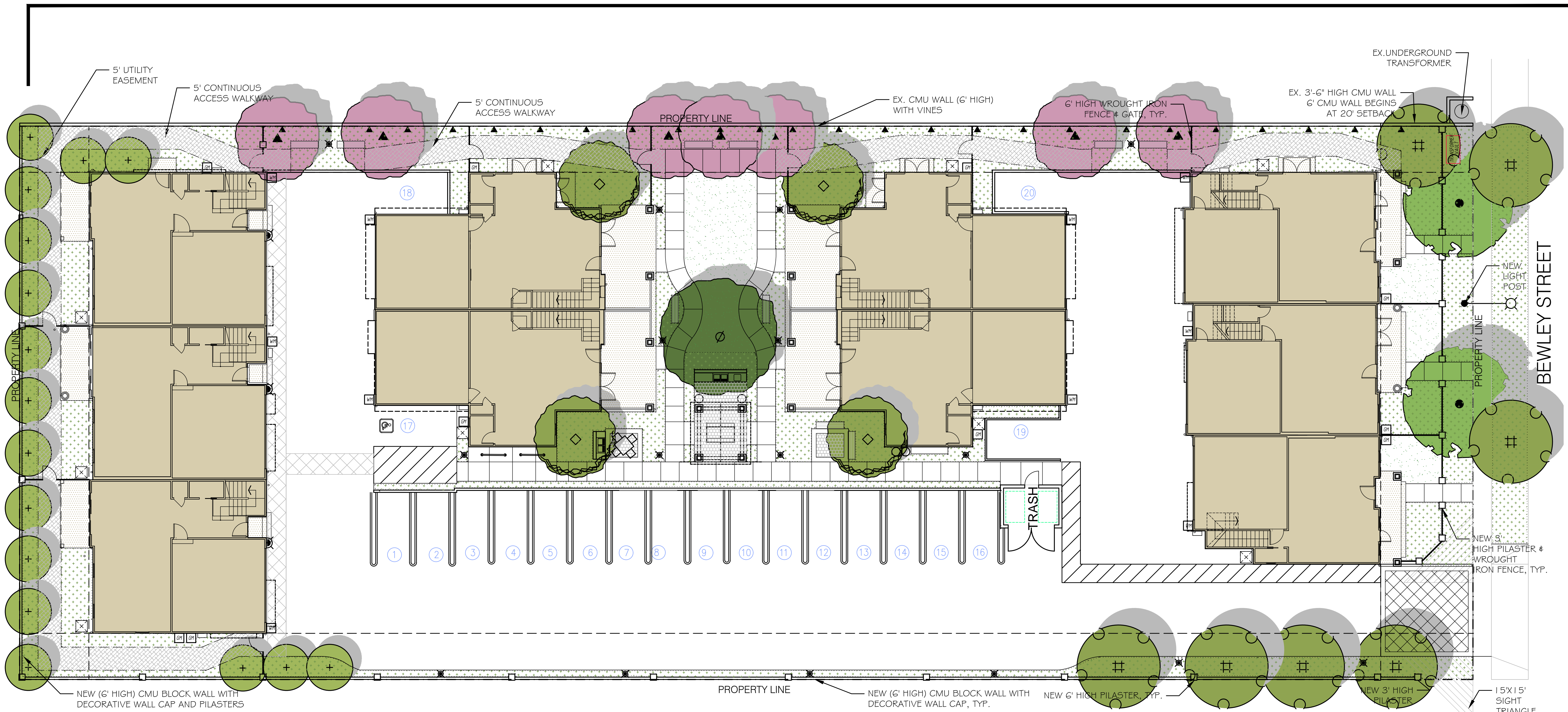
2. PAINTED STUCCO: DUNN EDWARDS
DE6113 ALPACA WOOL

3. PAINTED WOOD: SHERWIN WILLIAMS SN 7520 PLANTATION SHUTTERS.

4. PAINTED STUCCO: SHERWIN WILLIAMS SW 7030 ANEW GRAY

5. BRICK VENEER: CORONADO STONE
WIRE CUT BRICK- LA JOLLA

EXHIBIT 9



PLANTING LEGEND

SYMBOL	BOTANICAL / COMMON NAME	SIZE	REGION 3 WUCOLS
PROPOSED TREES			
	ARBUSUS MARINA' / NCN	24" BOX STANDARD FORM	LOW
	GLEDITSIA TRIACANTHOS / HONEY LOCUST	24" BOX STANDARD FORM	LOW
	MAGNOLIA 'LITTLE GEM' / DWARF MAGNOLIA	36" BOX STANDARD FORM	LOW
	QUERCUS VIRGINIANA / SOUTHERN LIVE OAK	24" BOX STANDARD FORM	LOW
	TRISTANIA CONFERTA / BRISBANE BOX	24" BOX STANDARD FORM	MOD
	PODOCARPUS GRACILIOR / FERN PINE	24" BOX COLUMN FORM	LOW

SYMBOL	BOTANICAL / COMMON NAME	SIZE	REGION 3 WUCOLS
PROPOSED SHRUBS			
	ACHILLEA 'MOONSHINE' / YARROW	1 GAL / 30" O.C.	LOW
	AGAVE ATTENUATA / FOXTAIL AGAVE	1 GAL / 42" O.C.	LOW
	ALYOGYNE HUEGELII / BLUE HIBISCUS	5 GAL / 42" O.C.	LOW
	BUDDLEIA DAVIDII 'NANHO BLUE' / NANHO BLUE BUTTERFLY BUSH	1 GAL / 42" O.C.	MOD/LOW
	DIANELLA R. 'LITTLE REV' / LITTLE REV DIANELLA	1 GAL / 30" O.C.	LOW
	DIANELLA T. 'SILVER STREAK' / SILVER STREAK FLAX LILY	5 GAL / 36" O.C.	LOW
	GAURA LINDHEIMERI 'SISKIYOU PINK' / SISKIYOU PINK GAURA	5 GAL / 36" O.C.	MOD/LOW
	HESPERALOE PARVIFLORA / RED YUCCA	1 GAL / 24" O.C.	LOW
	LEUCOPHYLLUM FRUTESCENS / TEXAS RANGER	5 GAL / 36" O.C.	LOW
	LOMANDRA CONFERTIFOLIA / SMALL MAT RUSH	1 GAL / 30" O.C.	LOW
	MUHLENBERGIA CAPILLARIS / PINK MUHLY	1 GAL / 36" O.C.	MOD/LOW
	PENNISETUM ALOPECUROIDES / BLACK PENNISETUM	1 GAL / 36" O.C.	LOW
	SALVIA GREGII 'FURHMAN'S RED' / FURHMANS RED SAGE	1 GAL / 30" O.C.	LOW

SYMBOL	BOTANICAL / COMMON NAME	SIZE	REGION 3 WUCOLS
PROPOSED SHRUBS			
	WESTRINGIA FRUTICOSA / COAST ROSEMARY	5 GAL / 42" O.C.	MOD / LOW
	HOSTA x 'MINUTEMAN' / MINUTEMAN PLANTAIN LILY	1 GAL / 30" O.C.	MOD / LOW
	BERGENIA 'BRESSINGHAM RUBY' / BERGENIA	1 GAL / 24" O.C.	LOW
	FICUS REPENS / CREEPING FIG	5 GAL / PER PLAN	LOW
PROPOSED GROUNDCOVER			
	ROSA X 'FLOWERING CARPET' / FLOWERING CARPET ROSE - PINK	1 GAL / 30" O.C.	LOW
	ROSMARINUS O. 'PROSTRATUS' / PROSTRATE ROSEMARY	1 GAL / 30" O.C.	LOW
	LANTANA CAMARA / COMMON LANTANA	5 GAL / 36" O.C.	LOW
	MYOPORUM PARVIFOLIUM / MYOPORUM	1 GAL / 36" O.C.	LOW

NOTES:
 PROPOSED IRRIGATION SYSTEM FOR THE PARKWAY LANDSCAPE SHALL BE TIED INTO THE ON-SITE SYSTEM.
 PROPOSED PARKWAY LANDSCAPE AND TREE PLANTING SHALL BE PER THE CITY OF SANTA ANA GUIDELINES.
 CONTRACTOR SHALL REMOVE EXISTING LANDSCAPE IN PARKWAY AREA AND REPLACE WITH PROPOSED STREET TREES AND SOD / GROUNDCOVER PER CITY STANDARDS.



USER: ADMIN PLOTTED: 8/22/2019 9:30 AM C:\DWG5\Yemly\Bewley Townhomes\DD\Bewley Townhomes DD.dwg LAYOUT: DD

REVISIONS

YING ARCHITECTS
 1331 Broadway Drive, Suite 8
 Santa Ana, CA 92701
 714.438.8801
 www.yingarchitects.com

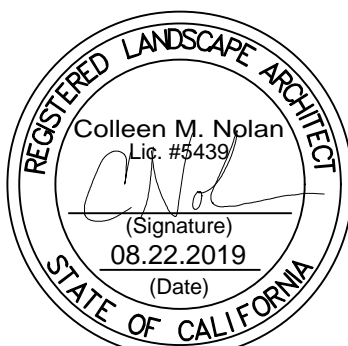
Colleen M. Nolan
 Landscape Architect, #5439
 cnolan@cox.net
 714.743.7915 cell

MULTI-FAMILY RESIDENTIAL
 1122 N. BEWLEY ST.
 SANTA ANA, CA

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PRELIMINARY LANDSCAPE PLAN

DATE	08/22/19
SCALE	C. NOLAN
DRAWN	C. NOLAN
JOB#	YR17008
SHEET#	





PICNIC SHELTER
(WITH BUILT-IN BBQ GRILLS)



GRASS PLAY AREA



PICNIC TABLES

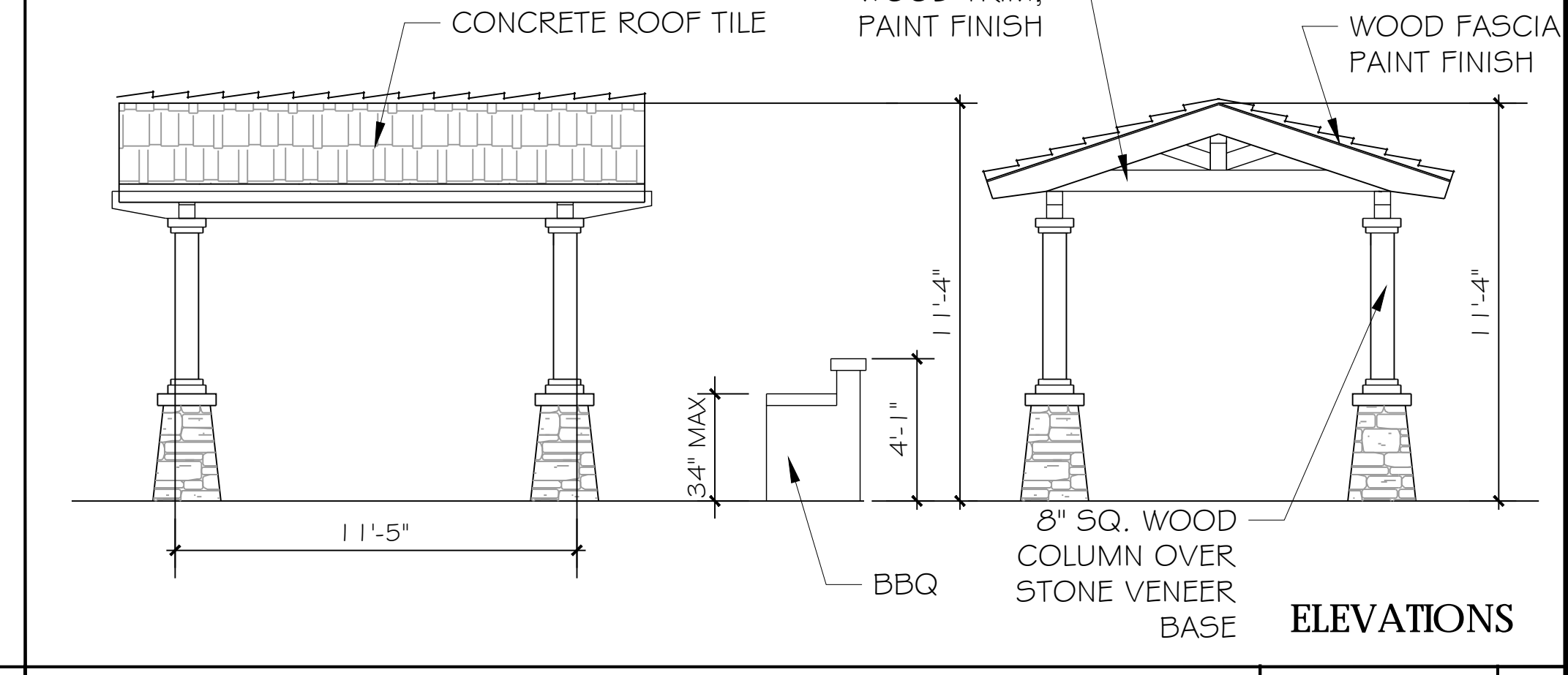
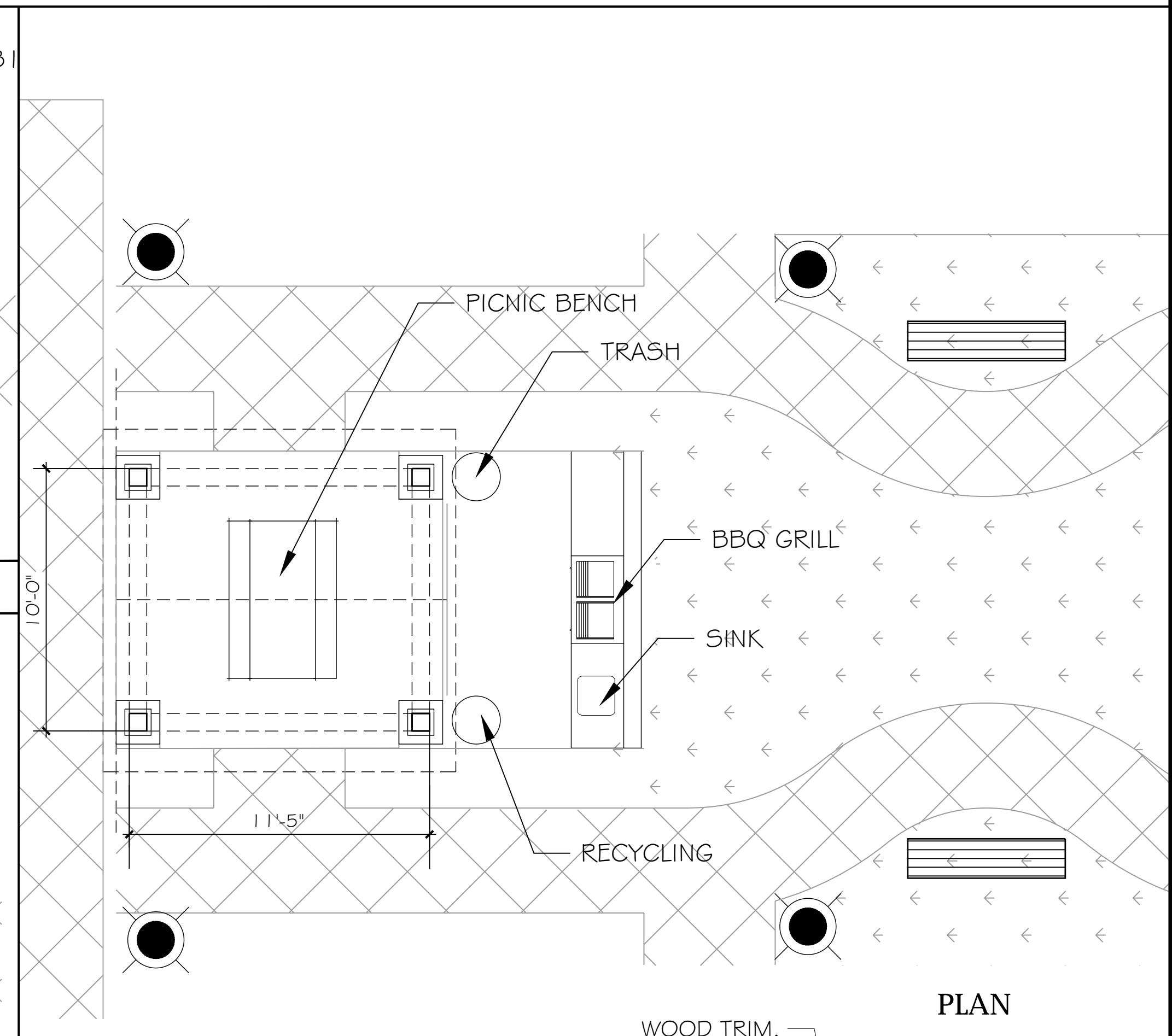
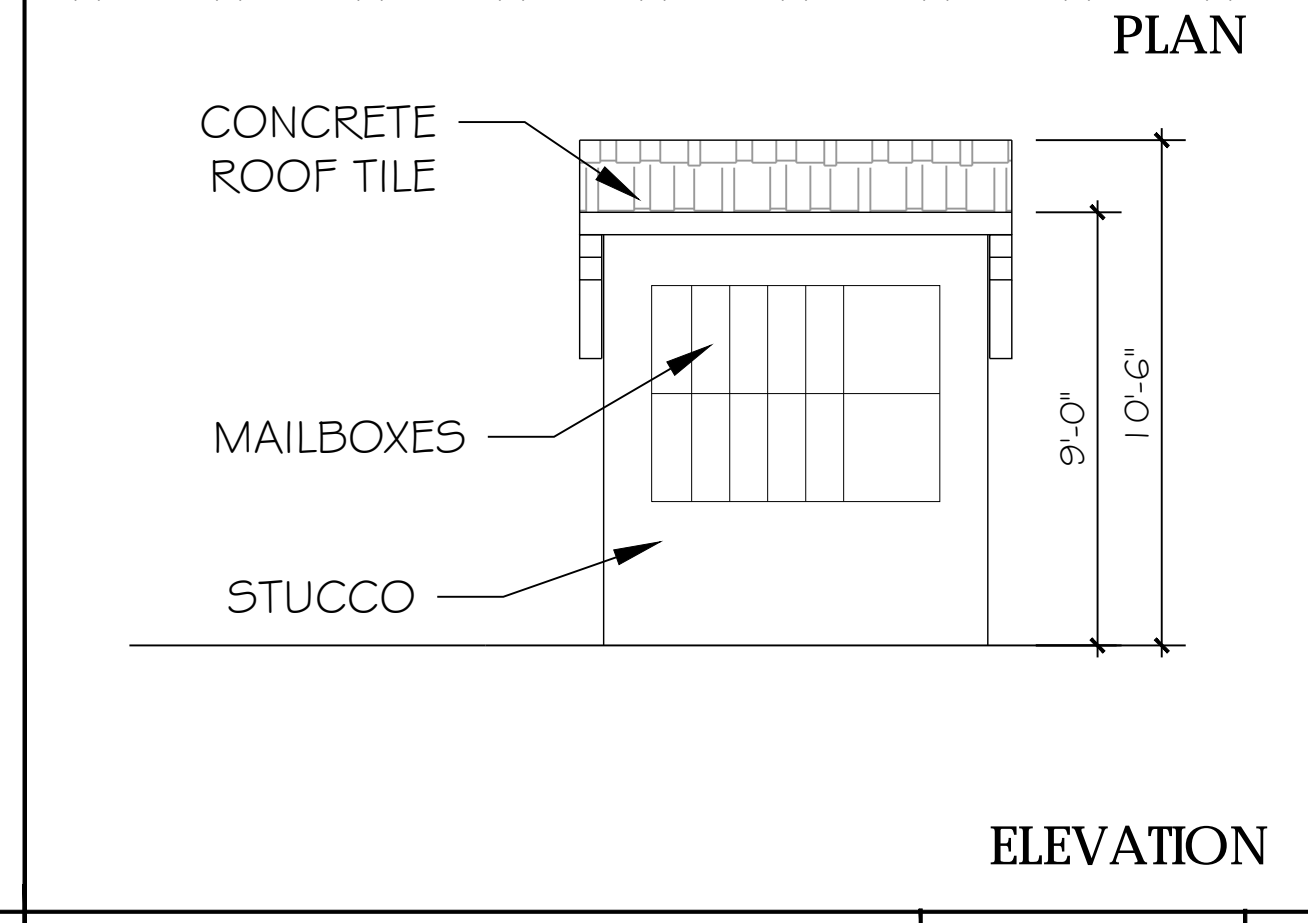
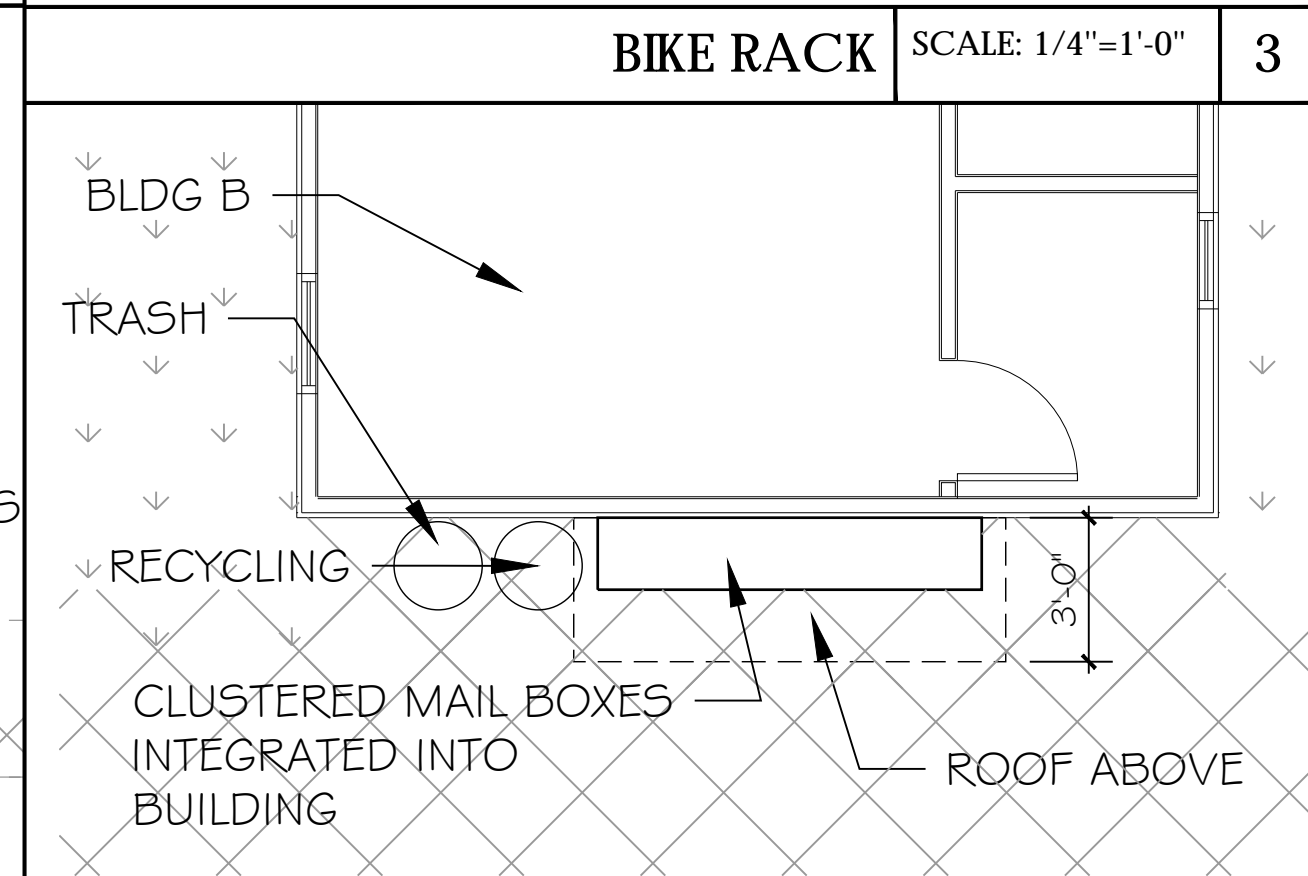
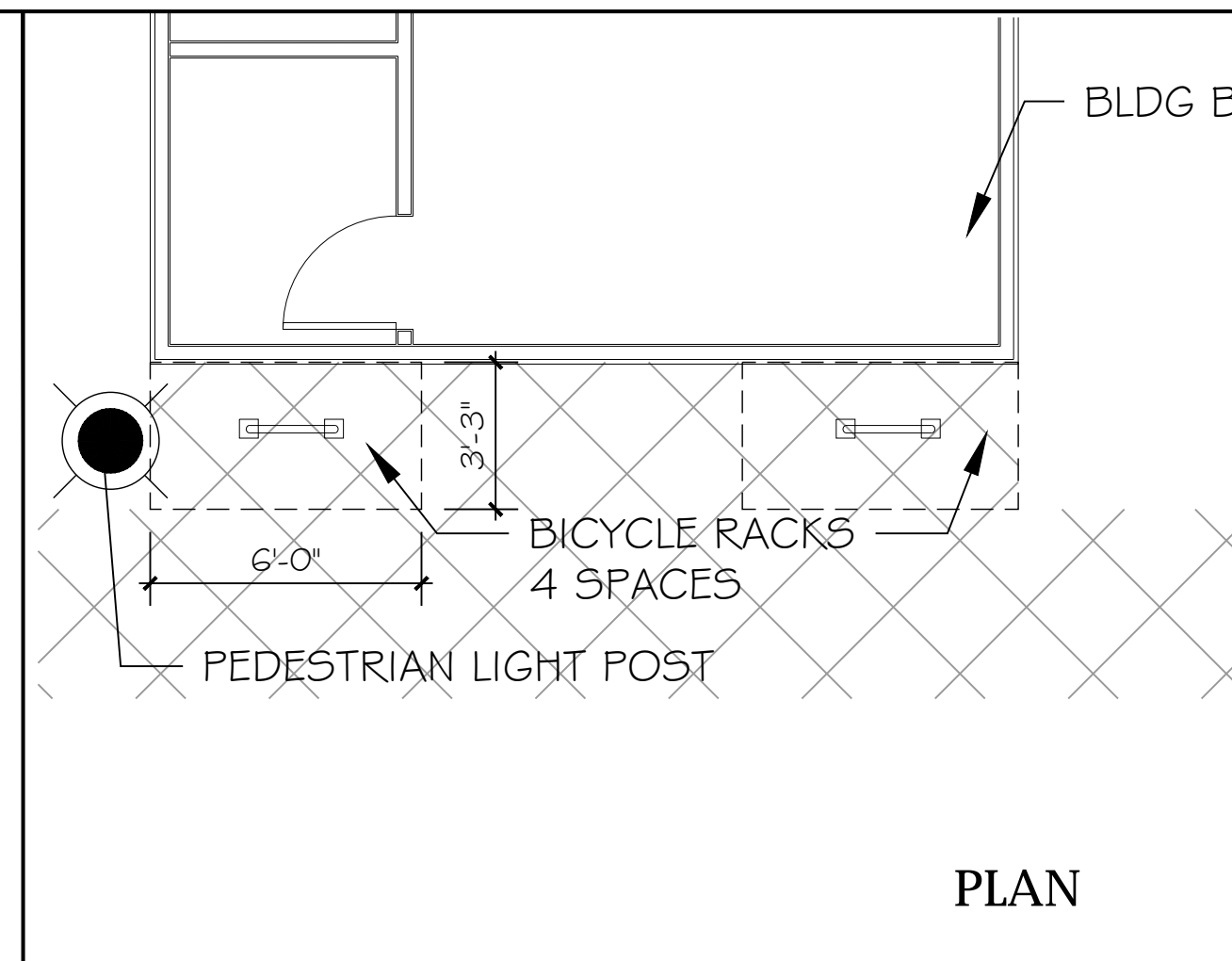


BENCHES

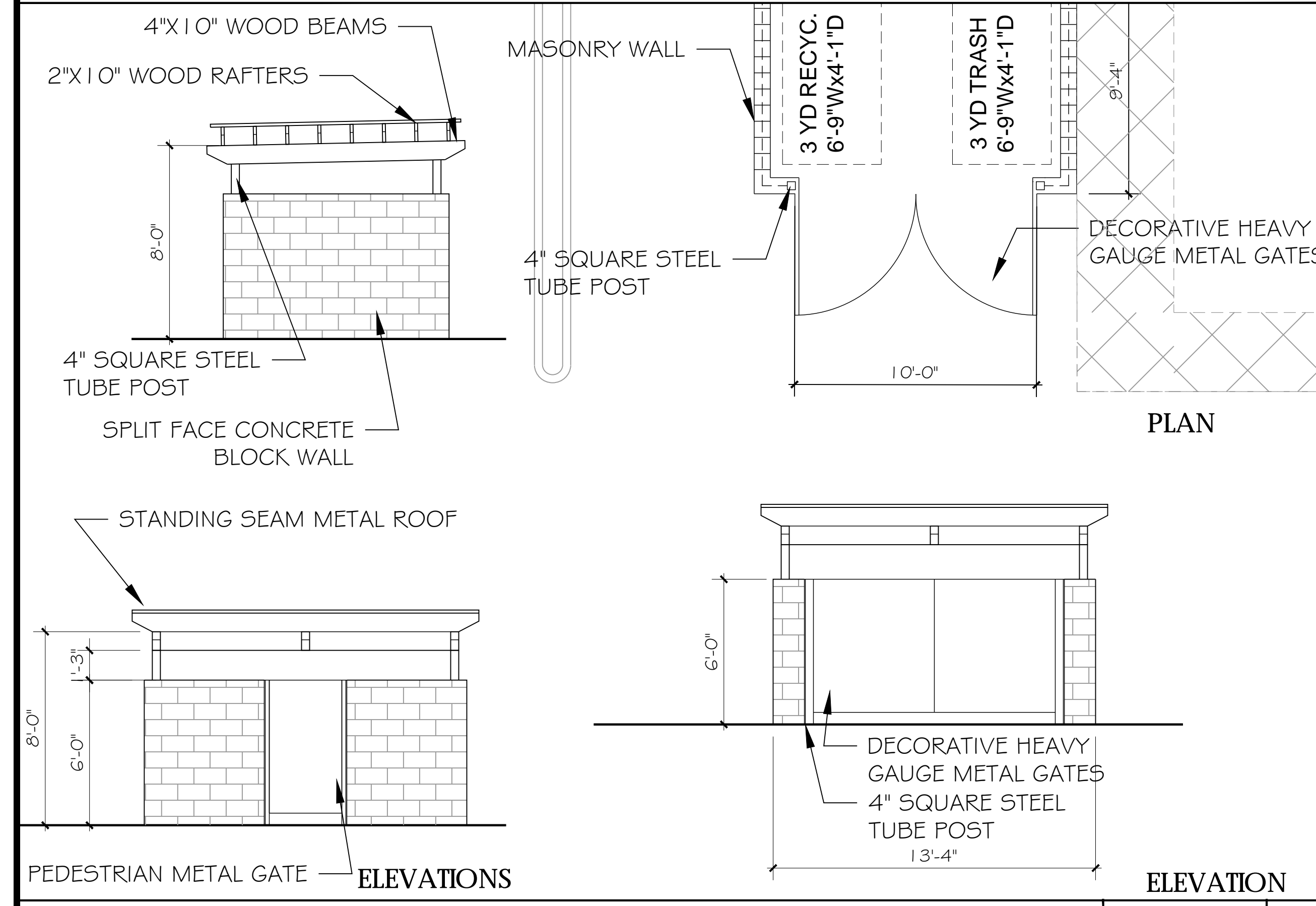
NOTES

The proposed trash enclosure shall comply with the following requirements and provide details and elevations of such requirements:

- i. A swinging double door as an access gate with locking capabilities shall be included on one (1) side of the enclosure. The enclosure shall be designed with decorative heavy gauge metal gates with cane bolts on the doors to secure the gates when in the open position. Doors or gates to the enclosure shall be self-closing.
- ii. Enclosures shall be constructed of solid masonry material with decorative exterior surface finish compatible to the main building. Split face concrete block finish is recommended.
- iii. The enclosure shall have an architecturally compatible solid roof/cover feature.
- iv. The enclosure shall incorporate a separate pedestrian gate/door entry.
- v. Flowering vines shall be included on the walls of the enclosure to reduce graffiti and soften the appearance.



USER: ADA PLOTTED: 11/18/2019 3:50 PM Y:\Projects\K17006-Bu Townhouses-1 1122 N Bewley St, Santa Ana\Drawings\10 Unit site plan- 05-23-19\Bu Townhouses-site plan-10 units.dwg LAYOUT: A1.2- AMENITIES



TRASH ENCLOSURE SCALE: 1/4"=1'-0" 4

COMMUNITY MAILBOX SCALE: 1/4"=1'-0" 2

PICNIC SHELTER SCALE: 1/4"=1'-0" 1

REVISIONS

YING ARCHITECTS
 1521 Broadway Drive, Suite 8
 Santa Ana, CA 92705
 Phone: 714.682.8001
 www.yingarchitects.com



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AMENITIES

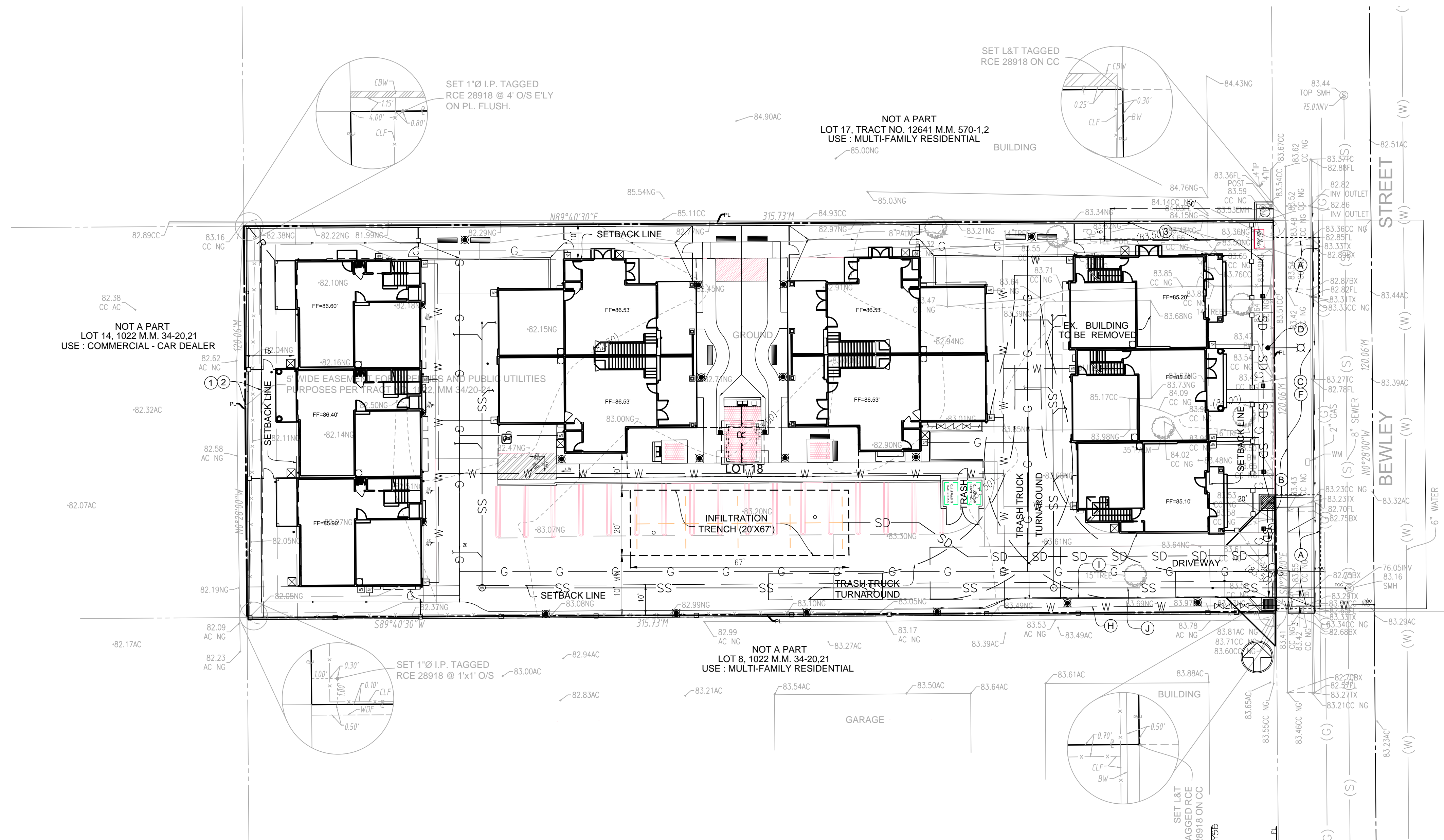
DATE	11/14/19
SCALE	SEE PLAN
DRAWN	F.N.
JOB#	YR17006
SHEET#	

A1.2

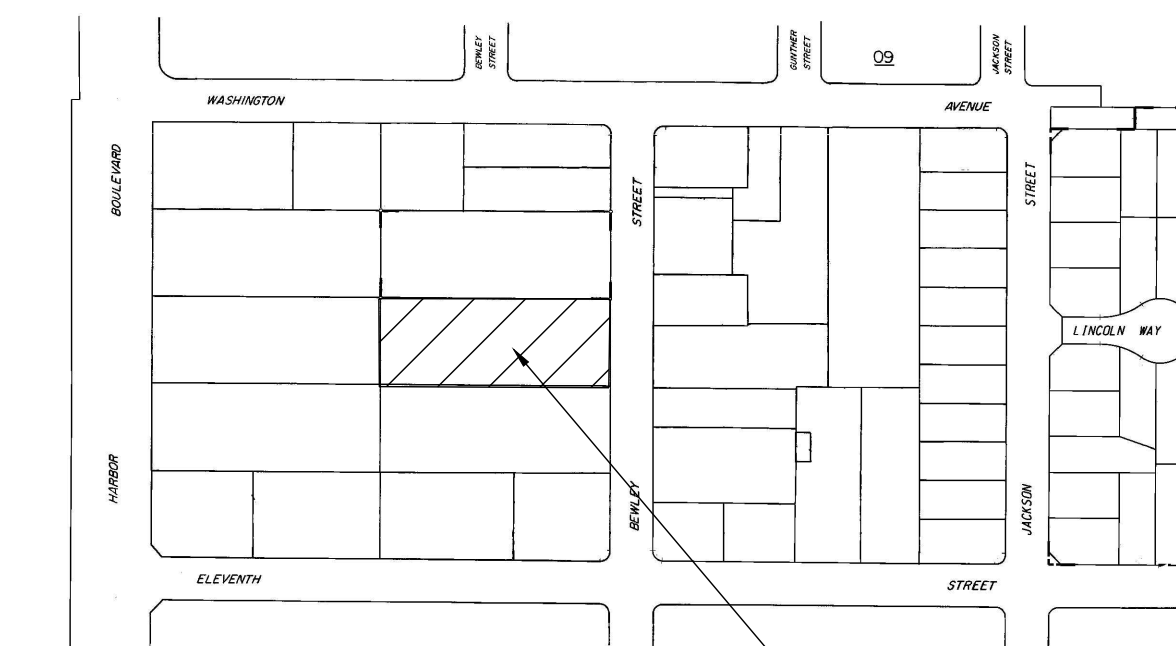
EXHIBIT 10

BEWLEY STREET TOWNHOMES TENTATIVE TRACT MAP NO. 18178 FOR RESIDENTIAL CONDOMINIUM PURPOSES IN THE CITY OF SANTA ANA, COUNTY OF ORANGE, STATE OF CALIFORNIA

DATE: 8/12/2019



VICINITY MAP
NOT TO SCALE



PROJECT SITE

OWNERS/SUBDIVIDERS:

KIMLOAN J. NGUYEN, A SINGLE WOMAN
MARY NGUYEN, A SINGLE WOMAN
ANDY LA AND ANNE THI NGUYEN, HUSBAND AND WIFE
HIEP VAN BUI AND LINDA LA, HUSBAND AND WIFE
946 S. EMERALD STREET
ANAHEIM, CA 92804
TEL (251) 888-1889

ZONING:

PRESENT - R2 (TWO-FAMILY RESIDENTIAL)
PROPOSED - R2 (TWO-FAMILY RESIDENTIAL)

USE:

PRESENT - SINGLE FAMILY RESIDENTIAL
PROPOSED - 11-UNITS RESIDENTIAL CONDOMINIUM

GENERAL LAND USE: LR 7.0

OCCUPANCY: R-2/U

AREA: 37,906 SQUARE FEET OR 0.87 ACRES

OWNERS REPRESENTATIVE:

HOANG BUI
silvertiger@usa.com
TEL : (251)-888-0749

PROJECT ADDRESS:

1122 N. BEWLEY STREET
SANTA ANA, CA 92703

APN: 198-101-07

LEGAL DESCRIPTION:

LOT 18, OF TRACT 1022, AS PER MAP RECORDED IN BOOK 34, PAGES 20 AND 21 OF MISCELLANEOUS MAPS. IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

NOTES:

- (A) REMOVE DRIVEWAY APPROACH AND CURB AND GUTTER. CONSTRUCT NEW SIDEWALK, PARKWAY AND CURB AND GUTTER, PER CITY STANDARDS.
- (B) REMOVE SIDEWALK AND CURB AND GUTTER ALONG THE PROJECT FRONTAGE. AND REPLACE WITH THE CONSTRUCTION OF NEW SIDEWALK AND CURB AND GUTTER ALONG THE PROJECT FRONTAGE, PER CITY STANDARDS.
- (C) REMOVE EXISTING LANDSCAPE AND INSTALL NEW SOD AND NEW TREES, PER CITY STANDARDS.
- (D) INSTALL A STREET LIGHT IN PARKWAY PER CITY STANDARDS, AND CONNECT TO THE POWER GRID.
- (E) ALL EXISTING AND PROPOSED UTILITIES SERVING THIS PROJECT SHALL BE UNDERGROUND.
- (F) INSTALL IRRIGATION SYSTEM IN THE PARKWAY WITH CONNECTION TO THE ON-SITE IRRIGATION.
- (G) THE STREET PAVEMENT WILL BE TREATED WITH A 2"-2.5" GRIND AND OVERLAY AT THE PROJECT FRONTAGE, MEASURED FROM GUTTER LIP TO GUTTER LIP.
- (H) CONSTRUCT NEW 6" PRIVATE WATER LINES WITHIN THE PRIVATE DRIVE. UPON DIRECT CONNECTION TO THE CITY PUBLIC WATER MAINS IN BEWLEY STREET, AND VIA A 6" REDUCED PRESSURE BACK FLOW PREVENTERS.
- (I) THE ENTIRE WIDTH OF THE PROPOSED PRIVATE DRIVE WITHIN THE SITE TO BE DEDICATED TO THE CITY OF SANTA ANA AS A "NON-EXCLUSIVE EASEMENT FOR VEHICULAR ACCESS, ACCESS RIGHTS IN, OVER, ACROSS, UPON AND THROUGH SAID TRACT FOR THE PURPOSE OF MAINTAINING, SERVICING, REPAIRING, REPLACING AND READING THE PUBLIC WATER METERS WITHIN THE SAID SITE.
- (J) CONSTRUCT NEW 8" PRIVATE SEWER MAIN AND 4" SEWER LATERALS WITHIN THE PRIVATE DRIVES, TO CONNECT THE PROPOSED PROJECT TO THE CITY PUBLIC SEWER SYSTEM IN BEWLEY STREET.
- (K) 15' X 15' SITE DISTANCE TRIANGLE AT THE DRIVEWAY ENTRANCE.

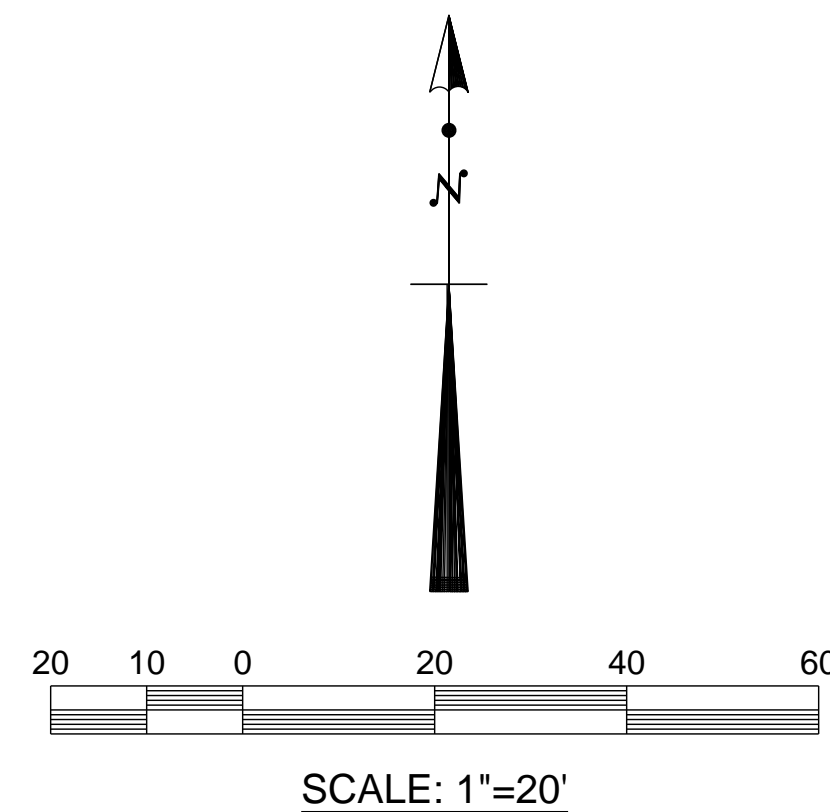
TITLE COMPANY:

FIDELITY NATIONAL TITLE
19000 MACARTHUR BLVD., SUITE 300
IRVINE, CA 92612

FILE NO. 00124952-997-OC1-TR2
DATE : OCTOBER 6, 2017

EASEMENT NOTES:

- ① 5' WIDE EASEMENT FOR PIPELINE AND PUBLIC UTILITIES PER TRACT MAP NO. 1022, M.B. 34-20/21.
- ② AN EASEMENT FOR POLE LINES, CONDUITS, UTILITY INSTALLATION, MAINTENANCE AND INCIDENTAL PURPOSES RECORDED MAY 24, 1940 IN BOOK 1046, PAGE 346, OFFICIAL RECORDS.
- ③ AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES RECORDED OCTOBER 22, 1958 IN BOOK 4456, PAGE 375, OFFICIAL RECORDS.



<p>PREPARED BY: P.A. ARCA ENGINEERING, INC. <i>Perfecto A. Arca</i> PERFECTO A. ARCA RCE #028918</p>	<p>STAMP 8/12/2019 DATE</p>
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EXHIBIT 11



Bewley St. Townhomes

1122 N. Bewley St., Santa Ana

Community Meeting Notes

Meeting Date: March 12, 2018

- 1) Will the units be condos or apartments?
The units will be condos for sale.
- 2) What is the size of the property?
37,800 SF (.87 ACRES)
- 3) Will the property be subdivided?
A Tract Map will be recorded to designate the privately owned areas. A CC&R attorney will write the CC&Rs to specify the shared ownership for the common areas.
- 4) Will the individual condo Owner own the private yard & land the unit is sitting on? Or just the air rights?
The individual Owner will own the private yard & land the unit is sitting on.
- 5) Who owns the open space?
The CC&Rs will specify the shared ownership for the common areas.
- 6) Will there be an HOA?
Yes.
- 7) There is a parking problem on Bewley St., between 11th St. & Washington St.
Each unit will have a 2 car garage. There will also be 12 guest parking spaces. CC&R will require the garages to be used for parking cars.
- 8) Can residents be restricted from parking on the street? On street parking cuts off the sight line for cars exiting the driveway.
On street parking is by right.
- 9) How long will it be until the project is completed?
Once the project is approved through the design review process, including public hearing it will then go through plan check process for construction, grading permits, etc.
- 10) What will the selling price be?
This is at the Property Owner's discretion.
- 11) The project is too tall. Because the project is a flood zone the finish floor of the building to be one foot above the highest adjacent grade for the "A zone", as required by the Building Dept., City of Santa Ana. The development standards allow for a 27 foot height limit from the curb.



12) The units will have views into adjacent properties.

The Property Owners have a right develop the property as they see fit within the development standards.

13) What infrastructure improvements are proposed? How will street widening take place?

The Property Owner/ Developer pays fee to public works based on project valuation. It is the city's responsibility to provide for infrastructure improvement. The property owner will provide a new sidewalk and landscape strip.

Sign-In Sheet

1122 N. Bewely St. Townhomes

Early Outreach Community Meeting

Monday March 12th, 2018

Time: 6:30pm

Hazard Elementary School

Name - Print	Address	Email / Phone	Signature
Ann Ni	City of Santa Ana		
Jose Aguirre	1209 N. Bewley	S. A. Ca	
Marcos Cubias	3625 W. 11th St. Apt#1	(714) 425-0508 / marcuscubias@gmail.com	Marcos
MICHAEL PHAM	1212 N. BEWLEY ST. SANTA ANA		Michael Pham
Trinh Grant	PO Box 18808, Anaheim 92817	trinhg@sbeglobal.net	Trinh Grant
Jay Hills	1010 N. Bewley St. SA		Jay Hills
Sofia Steve	Bewley / W. Washington	Sofia Steve @Gmail.com	S. Steve
Thu Huygah		Thu.huygah@yahoo.com	
Scott Kutner	CITY OF SANTA ANA	714) 667-2259	Scott Kutner
Ridy Chavon	3522 W. 11 St S. A	(714) 265-5046	Ridy Chavon

Linda La invites you to a **Community Open House** introducing the **1122 N. Bewley St. Project**
Linda La le hace una invitación a una junta abierta comunitaria para presentar el proyecto de 1122 N. Bewley St.

Monday, March 12th
Lunes, 12 de Marzo
6:30 to 7:30 PM

Hazard Elementary School
Multi-purpose room
4218 W. Hazard Ave
Santa Ana, CA 92703



1122 N. Bewley St. is a new multi-family residential development in Santa Ana.
The planned development will have 4 new buildings, each comprised of 3 attached 3 and 2- story townhouses and will include public open space. Each townhouse will have an attached 2-car garage on the first floor and 12 on site parking spaces for guests.

1122 N. Bewley St. es un nuevo desarrollo residencial multifamiliar en Santa Ana. El desarrollo previsto tendrá 4 edificios nuevos que va constar de 3 casas adosadas unidas de 3 y 2 pisos, que incluirá espacio público abierto. Cada casa adosada tendrá un garaje para dos carros unidos al primero piso y 12 espacios para visitas en el sitio.

Our development will be presented during the Open House to you, our neighborhood residents, for your input

Nuestro desarrollo será presentado durante la junta abierta a ustedes, residentes de nuestra vecindario, por su opinión

We would like to hear your views, concerns, and ideas!

¡Nos gustaría escuchar sus opiniones, preocupaciones y ideas!

If you have any questions regarding this event, the project, or if you require interpretation services in languages other than English during the Open House, please feel free to contact us:

Email: KimLoan307@gmail.com
Phone: 714-782-2757

We look forward to seeing you!

Si tiene alguna pregunta sobre este evento, el proyecto, o si necesita servicios de interpretación en otros idiomas que no sean el inglés durante la jornada de puertas abiertas, no dude en ponerse en contacto con nosotros:

Correo electronico: KimLoan307@gmail.com
Phone: 714-782-2757

¡Esperamos verte!

EXHIBIT 12

ER No. 2017-161, GPA No. 2020-03 & TM No. 20202-01

1122 N. Bewley Street

The Final MND and Technical Appendices are available online at:

<https://www.santa-ana.org/pb/planning-division/major-planning-projects-and-monthly-development-project-reports/bewley-street>

Physical copies are also available for viewing by appointment only. Please contact PlanningDepartment@santa-ana.org before visiting the Planning Division public counter located at:

20 Civic Center Plaza, Santa Ana, CA 92701

Exhibit 12 – Link to MND

REQUEST FOR Planning Commission Action



PLANNING COMMISSION MEETING DATE:

JULY 13, 2020

TITLE:

**PUBLIC HEARING – CONDITIONAL USE PERMIT
NO. 2020-13 TO ALLOW A TRUCK TERMINAL
AND DISTRIBUTION CENTER AND VARIANCE
NO. 2020-02 TO ALLOW A REDUCTION IN OFF-
STREET PARKING AT 515 EAST DYER ROAD – DOUG
HINRICHS, APPLICANT**

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

1. Adopt a resolution approving Conditional Use Permit No. 2020-13 as conditioned to allow a truck terminal within the Light Industrial (M-1) zoning district.
2. Adopt a resolution approving Variance No. 2020-02 as conditioned to allow a reduction in off-street parking.

Executive Summary

Doug Hinrichs, representing Amazon, is requesting approval of a conditional use permit (CUP) to allow the operation of a truck terminal and distribution center and a variance to allow a reduction in off-street parking for the property located at 515 East Dyer Road. Specifically, the applicant is requesting a CUP pursuant to Section 41-472.5(i) to allow a freight, bus, and truck terminal in the M-1 zoning district and a variance from Section 41-1397 of the Santa Ana Municipal Code (SAMC) requiring two parking spaces per every 1,000 square feet of building area and one additional space per fleet vehicle. Staff is recommending approval of the entitlements as the proposed project will provide additional services to residents and workers in the area. The project has been designed to minimize impacts to the nearby sensitive land uses and the use will activate the currently vacant site.

Table 1: Project and Location Information

Item	Information
Project Address	515 East Dyer Road
Nearest Intersection	Dyer Road and Halladay Street

Item	Information	
Surrounding Land Uses (Exhibit 1)	North	Industrial
	East	Industrial
	South	Industrial
	West	Industrial
General Plan Designation	Industrial (IND)	
Zoning Designation	Light Industrial (M-1)	
Property Size	769,270 SF (17.66 acres)	
Existing Conditions	370,000-Square Foot Vacant Building	
Development Standards	SAMC Sections 41-474 through 41-478 and 41-1397	
Use Permissions/CUP/Variance	SAMC Section 41-472.5(i) and Section 41-1397	

Project Description

The applicant is proposing to utilize an existing 370,000-square foot vacant industrial building and establish a distribution center and truck terminal. The existing building has been vacant for several years, but was previously utilized by similar industrial uses. The project scope includes tenant improvements involving demolition of an existing office portion of the building to create room for on-site vehicle circulation, a new warehouse/distribution area with conveyor belts and associated machinery, new employee offices and common areas, and a designated interior parking area for the employees (Exhibit 5). The building also contains loading docks and roll-up doors, canopy structures and a large truck delivery area. The improvements will also include a completely new perimeter wall throughout the Dyer Road and Halladay Street frontages, with new tiered-landscaping and signage.

As proposed, the site will provide a total of 414 on-site parking stalls located inside the building and throughout the site. There are two designated queuing lines for delivery vans to follow, located on the south and north drive aisles; delivery vans will travel eastbound and utilize the loading docks on either sides of the building. Packages will be collected and the majority of the vans will exit on Halladay Street (Exhibit 4). The landscaped area located on both frontages will meet the minimum 10-foot requirement along Halladay Street and the 20-foot requirement along Dyer Road.

The architecture of the building will be enhanced with new canopies that will serve as shade for the queuing vans and fenestration to the plain rectangular-shaped industrial building (Exhibit 6). Table 2 provides a detailed comparison of the project’s compliance with the applicable development standards.

Table 2: Development Standards

Standard	Required by Light Industrial (M-1) Zone	Provided
Front yard setback	20 feet minimum	Complies: 100 feet

Standard	Required by Light Industrial (M-1) Zone	Provided
Side yard (street) setback	10 feet minimum	Complies: 200 feet
Side yard (interior) setback	0 feet minimum	Complies; 63 feet
Rear yard setback	0 feet minimum	Complies; 60 feet to canopy overhang
Lot Size & Frontage	12,000 sq. ft. and 100 feet	Complies; approximately 769,270 sq. ft. and 2,072 feet
Building height	35 feet maximum	Complies; 27 feet
Parking	837 Spaces	Does not comply; 414 spaces
Floor Area Ratio (FAR)	0.45 FAR maximum	Complies; 0.45 FAR

Project Background and Chronology

The property has been vacant for several years. Prior to the proposed distribution center, the building was occupied by warehouse and manufacturing uses. The building was originally constructed in 1954 for the U.S. Rubber Company. In 1955, the building expanded by 90,000 square feet, and in 1965 approximately 200,000 square feet was added to the site. In order to meet the development standards and parking for the addition, a variance for a parking reduction was also requested and approved in 1965. The U.S. Rubber Company later vacated the site, with Uniroyal taking over the operation of the large industrial building. In 2006, Royalty Carpet Mills, Inc. moved into the building as the main tenant, but vacated shortly after in 2017.

A new variance for a reduction in parking is now required due to a new use being proposed and because the site was vacant for more than one year. Additionally, permits were issued in 2018 to construct speculative improvements for the new tenant. These improvements included a façade remodel, parking redesigns, and new landscaping. The proposed tenant, Amazon, is currently in plan check with several submittals that would finalize the tenant specific site and building improvements.

Project Analysis

Conditional Use Permit for Truck Terminal

CUP requests are governed by Section 41-638 of the 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 CUP. Conversely, the inability to make these findings would result in a denial.

The applicant is requesting approval of a CUP to allow the operation of a truck terminal and distribution center. The M-1 zoning district allows for a range of industrial uses complementary to the large industrial areas located along main arterial corridors, such as Dyer Road. Freight, bus,

and truck terminals in the M-1 zoning district require approval of a CUP to ensure high-quality design and site planning that will not disrupt circulation and development patterns along such arterial roadways or create traffic impacts along the same corridors that lead to freeway systems surrounding the City boundaries. The CUP also provides a means to ensure high-quality operations, site circulation, and to mitigate impacts on possible neighboring sensitive uses. Additionally, the SAMC requires specific operational standards for industrial uses, which are listed under Section 41-473. The City has reviewed the proposal to operate the site as a truck terminal and distribution center and has determined the project meets all SAMC development standards and Citywide Design Guidelines, with the exception of the required off-street parking.

The applicant's request for a CUP to allow a truck terminal and distribution center will provide an added amenity to the property, employment opportunities to residents in the City, and the activation of a vacant industrial building and site. The City's Development Review Committee has reviewed the proposed operations and traffic flow for potential impacts. The applicant has submitted a focused traffic study which describes the expected generated trips per day. Modifications to site vehicle circulation will ensure that those operational guidelines will provide for a smooth daily operation of the distribution center. Moreover, the creation of an on-site drive aisle connection from the south queuing lane to the larger truck delivery dock area will allow the flow of vans to exit onto Halladay Street for those traveling eastbound.

The proposed use complies with the regulations and conditions in Chapter 41, including building heights, yards, and landscaping. Conditions of approval have been added to ensure the operations do not negatively affect any surrounding uses and to require a property maintenance agreement for the property to ensure that the property and all improvements are properly maintained. Finally, the applicant is proposing several site improvements, including full perimeter screening and landscaping, that will bring the site into compliance with the required operational standards listed in Section 41-473 of the SAMC.

Off-Street Parking Variance

The applicant is requesting approval of a variance to allow a parking reduction for the truck terminal and distribution center. Per the off-street parking standards found in Section 41-1397 of the SAMC, a freight, bus, and truck terminal use requires two parking spaces for every 1,000 square feet of building area plus 1 parking space for every two fleet vehicles. The subject site is over 17 acres in size with the building at approximately 370,000 square feet. In order to meet the required number of stalls, the site would need to contain 837 on-site parking spaces, with the tenant only providing 414, requiring a variance of approximately 49 percent. Constructing the full amount of on-site parking would render the project infeasible. Options would include having to demolish a large portion of the building or dedicating the majority of the property to parking.

The applicant has prepared a traffic assessment for the project that was reviewed and approved by the City's Development Review Committee. The traffic assessment also contains a breakdown of the site's employee shifts, which indicate that at no point during the shifts will more than 414 workers be on site. This employee shift system is designed to prevent overwhelming

the site’s capacity for parking and logistical operations, such as delivery van loading and unloading, as well as nearby roadways. Therefore, the 414 on-site parking spaces will be sufficient to meet the on-site employees’ parking needs.

The site is completely built out to the maximum floor area ratio (FAR) possible for the Industrial General Plan land use designation, which is 0.45 FAR. Because of the substantially large building and the current parking demand for the industrial uses, substantial modifications would need to be made in order to meet the minimum required parking. In addition, all other uses in the M-1 zoning district besides a warehouse use, would require a variance for parking reduction, as those uses require more parking than what is currently provided on site. The applicant has devoted approximately one-third of the building to on-site parking, leaving the remaining square footage of the building for distribution equipment in order to reduce the amount of parking being requested.

Recent site improvements have been completed in an effort to provide additional parking on the project site. By providing more on-site parking, the percentage of the on-site parking variance is less. The new parking areas are located along the eastern side of the property adjacent Halladay Street (61 parking spaces), and a large portion of the building area on the west side of the property now provides for a total of 263 parking spaces. Finally, conditions of approval have been added, along with a property maintenance agreement, to guarantee that the proposed use will not become a nuisance to the adjacent industrial uses, any nearby sensitive residential properties or other commercial uses in the area.

Table 3: CEQA and Public Notification & Community Outreach

Strategic Plan Alignment, and Public Notification & Community Outreach		
California Environmental Quality Act (CEQA)		
CEQA Type	Section 15301 – Class 1 – Existing Facilities	
Reason(s) Exempt or Analysis	<p>This exemption applies to the operation, licensing or minor alterations of private structures, involving negligible or no expansion of the existing building. The existing building is approximately 370,000 square feet in floor area within the Light Industrial zone which generally allows for manufacturing, warehouse, and truck terminals.</p> <p>The proposed truck terminal and distribution center is a permitted use within the Light Industrial zoning district. Only tenant improvements are proposed in order to facilitate the conversion of space. There are public services available through the City of Santa Ana and the Orange County Fire Authority and the surrounding area is not environmentally sensitive. As a result, Categorical Exemption, Environmental Review No. 2019-95 will be filed for this project.</p>	
Public Notification & Community Outreach		
Public Hearing	Site posting	A public notice was posted on the project site on July 3, 2020.
	Notification by mail	Notices were mailed to all property owners and occupants within 500 feet of the project site on July 3, 2020.

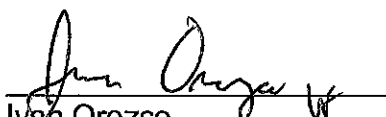
Strategic Plan Alignment, and Public Notification & Community Outreach		
	Newspaper posting	Newspaper posting was published in the Orange County Reporter on July 3, 2020.
Additional Measures	The Delhi Neighborhood Association was contacted. At the time this report was printed, no issues of concern were raised regarding this application.	

Economic Development Benefits

The project will generate a combination of temporary jobs, permanent jobs and services for the community, as well as permit fees paid to the City for the proposed improvements. Amazon estimates a total of 235 new full-time jobs with benefits will be created. In addition to the number of full-time employees, additional part-time employees will also be expected, as well as over 200 employees working for third party delivery services. The construction of the project will require that permit fees are paid to the City and there will be a creation of temporary construction employment opportunities. According to the current plan check submittal, a total of \$33,500 was collected for permit fees for all the improvements being proposed, with the total cost of improvements estimated at over \$1.4 million.

Conclusion

Based on the analysis provided within this report, staff recommends that the Planning Commission approve Conditional Use Permit No. 2020-13 as conditioned and Variance No. 2020-02 as conditioned.


Ivan Orozco
Assistant Planner II

IO:sb

S:\Planning Commission\2020\07-13-20\515 E. Dyer Road Amazon SR_07.13.20 PC

- Exhibits:
1. Conditional Use Permit Resolution
 2. Variance Resolution
 3. Vicinity Zoning & Aerial View
 4. Site Plan
 5. Floor Plan
 6. Elevations

EXHIBIT 1

RESOLUTION NO. 2020-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2020-13 AS CONDITIONED TO ALLOW OPERATION OF A TRUCK TERMINAL AND DISTRIBUTION CENTER IN THE LIGHT INDUSTRIAL (M-1) ZONING DISTRICT FOR THE PROPERTY LOCATED AT 515 EAST DYER ROAD

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. Doug Hinrichs, representing Amazon ("Applicant"), is requesting approval of Conditional Use Permit No. 2020-13 as conditioned, to allow operation of a truck terminal and distribution center in the Light Industrial (M-1) zoning district at 515 East Dyer Road.
- B. Santa Ana Municipal Code (SAMC) Section 41-472.5(i) requires approval of a conditional use permit for freight, bus, and truck terminals in the Light Industrial (M-1) zoning district.
- C. Pursuant to SAMC Section 41-638, the Planning Commission is authorized to review and approve the conditional use permit for this project as set forth by the Santa Ana Municipal Code.
- D. On July 13, 2020, the Planning Commission held a duly noticed public hearing for Conditional Use Permit No. 2020-13.
- E. The Planning Commission of the City of Santa Ana has considered the information and determines that the following findings, which must be established in order to grant Conditional Use Permit No. 2020-13, for a truck terminal and distribution center, have been established as required by SAMC Section 41-638:
 1. That the proposed use will provide a service or facility which will contribute to the general well being of the neighborhood or community.

The proposed truck terminal and distribution center will activate a site and building that is currently vacant. The proposed use will increase productivity and delivery times for

Amazon. The online retailer is known worldwide to be a desirable and necessary business for the community. The new operation will generate temporary and permanent jobs as well as permit fees for the City. The project will redevelop a vacant building with a new use, while enhancing the overall landscaping, thereby contributing to the aesthetics of the area. This will benefit the community by allowing the rehabilitation of an industrial building, promoting an additional service use and providing an additional convenience to residents and potential employees in the vicinity.

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

The proposed truck terminal and distribution center will not be detrimental to the health, safety, and general welfare of those residing or working in the vicinity. The site is located on a corner lot, developed with an industrial building requiring minimal alterations. The site is accessible from two street frontages, with driveways accessible to large delivery vehicles that enter and exit. The operation and circulation of delivery vans has been designed to minimize any potential traffic congestions. The building is large enough to meet the basic needs of a distribution center, providing numerous truck loading docks and access to major arterial roads and highways. Although the operation of the distribution center is a 24-hour, seven days a week operation, the large delivery vehicles will be received during non-high peak traffic hours. Finally, the applicant is proposing to construct several on-site improvements such as perimeter screening and landscaping in order to mitigate the visual impacts of the loading docks and the overnight parking of vehicles.

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

The proposed truck terminal and distribution center will not affect the economic stability of the area. The new tenant will be moving into a currently vacant building and investing into the site through several tenant improvement submittals. The on-site and building improvements will generate permit costs paid to the city at approximately \$33,500 and temporary employment opportunities during the construction phase. The total estimated costs of such improvements will be over 1.4 million dollars. Ultimately, the operation of the distribution

center will generate approximately 235 full-time jobs, additional part-time jobs, and over 200 jobs to those third party delivery persons. The distribution center will provide an additional service and employment opportunity for the area.

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

The proposed use complies with the majority of the regulations and conditions in Chapter 41 including building heights, yards, and landscaping. A separate variance application is also being requested as part of this request to allow a reduction in on-site parking. Conditions of approval have been added to the CUP that require a property maintenance agreement to be recorded against the property which will ensure that the property and all improvements are properly maintained. Additionally, the tenant will be making alterations and improvements to the site in effort to meet the remaining development standards and operation conditions in the Light Industrial zoning district.

5. That the proposed use will not adversely affect the General Plan of the city or any specific plan applicable to the area of the proposed use.

The proposed truck terminal and distribution center will not adversely affect the General Plan. The project is located in an Industrial (IND) General Plan land use designation, which allows for industrial uses such as warehousing, manufacturing and distribution centers. The project is consistent with several goals and policies of the General Plan, including the Economic Development Element, Land Use Element, and Urban Design Element. Land Use Element Goal 1 promotes a balance of land uses to address basic community needs. The project will provide for a new use to an existing vacant industrial building on two arterial roadways. Land Use Element Goal 2 promotes land uses that enhance the City's economic and fiscal viability. Policy 2.8, promotes rehabilitation of commercial properties, and encourages increased levels of capital investment. The truck terminal and distribution center will contribute to the viability of the adjacent industrial developments and other similar uses nearby. Policy 2.9, supports developments that create a business environment that is safe and attractive. The conditions of approval and the property maintenance agreement will maintain a safe and attractive environment in the community. Economic Development Element Goal 2 maintains and enhances the diversity of the City's economic base. Policy 2.3 encourages the development of mutually

beneficial and supportive business clusters within the community. The truck terminal and distribution center will be consistent with other uses in the vicinity, thereby promoting the continuation of industrial uses and keeping that market viable within the City. Urban Design Element Goal 1 encourages improvement of the physical appearance of the City through development of districts that project a sense of place, positive community image and quality environment. Specifically, Policy 1.5 encourages enhancement of architectural forms, textures, colors, and materials for all projects. The proposed site and building improvements will transform a plain and generic industrial site and enhance it aesthetically, promoting further investment for the existing underutilized industrial buildings.

Section 2. In accordance with the California Environmental Quality Act, the project is exempt from further review per Section 15301 of the Guidelines for the California Environmental Quality Act. The Class 1 exemption allows for the operation, repair, maintenance, or minor alteration of existing public or private structures and facilities, involving negligible or no expansion of the use beyond that existing at the time the lead agency's determination.

The proposed truck terminal and distribution center use is comprised of utilizing an existing 370,000 square foot industrial building within the Light Industrial zone which allows for warehousing, manufacturing and distribution centers. There are public services available through the City of Santa Ana and the Orange County Fire Authority, and the surrounding area is not environmentally sensitive. As a result, Categorical Exemption, Environmental Review No. 2019-95 will be filed for this project.

Section 3. The Applicant shall indemnify, protect, defend and hold the City and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, harmless from any and all claims, demands, lawsuits, writs of mandamus, referendum, and other proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to arbitrations, mediations, and such other procedures), judgments, orders, and decisions (collectively "Actions"), brought against the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or concerning the project, whether such Actions are brought under the Ralph M. Brown Act, California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure sections 1085 or 1094.5, or any other federal, state or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to

approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that Applicant shall reimburse the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the Applicant of any Action brought and City shall cooperate with Applicant in the defense of the Action.

Section 4. The Planning Commission of the City of Santa Ana after conducting the public hearing hereby approves Conditional Use Permit No. 2020-13, as conditioned in Exhibit A, attached hereto and incorporated herein for the project located at 515 East Dyer Road. This decision is based upon the evidence submitted at the abovesaid hearing, which includes, but is not limited to: the Request for Planning Commission Action dated July 13, 2020, and exhibits attached thereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

ADOPTED this 13th day of July, 2020.

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

Mark McLoughlin
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. 2020-xx to be the original resolution adopted by the Planning Commission of the City of Santa Ana on July 13, 2020.

Date: _____

Recording Secretary
City of Santa Ana

EXHIBIT A

Conditions of Approval for Conditional Use Permit No. 2020-13

Conditional Use Permit No. 2020-13 for a truck terminal and distribution center is approved subject to compliance, to the reasonable satisfaction of the Planning Manager, with applicable sections of the Santa Ana Municipal Code, the California Administrative Code, the California Building Standards Code, and all other applicable regulations. In addition, the following conditions of approval must be met:

The Applicant must comply 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. All proposed site improvements must conform to the Site Plan Review (DP No. 2019-36) and the staff report exhibits.
2. 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.
3. Prior to the issuance of a building permit, a landscape and irrigation plan is to be submitted for review and approval. The landscape plan shall conform to the commercial landscape standards, Citywide Design Guidelines and the City's Water Efficient Landscape Ordinance. The landscape plans shall note construction of a minimum eight (8) foot tall perimeter wall along the east and southern property lines, except where prohibited by driveways and required landscape setbacks, and shall be coated with anti-graffiti coating. The plan shall include the installation of vines along the entire perimeter wall, where feasible.
4. The delivery of goods by large freight trucks shall be in conformance with the analysis and recommendations of the approved traffic assessment prepared for the project dated May 22, 2020.
5. No vehicle repair is permitted at this facility
6. No barbed wire shall be allowed or used at this facility
7. The site shall be maintained litter free and kept in a clean and safe condition. The boxes shall be broken down flat before they are put in the trash containers. All trash containers shall be emptied on a regular basis so that the site remains litter free and trash does not accumulate and overflow from the bins.

8. The sizes of the trucks parked at the facility are limited in size to those that fit in the designated parking spaces shown on the approved site plan. Trucks are not permitted to be parked in designated drive aisles or fire lanes.
9. The Applicant shall be responsible for maintaining the premises free of graffiti. All graffiti shall be removed within 24 hours of occurrence.
10. A Property Maintenance Agreement must be recorded against the property. The agreement will be subject to review and applicability by the Planning and Building Agency, the Community Development Agency, the Public Works Agency, and the City Attorney to ensure that the property and all improvements located thereupon are properly maintained, Developer (and the owner of the property upon which the authorized use and/or authorized improvements are located if different from the Applicant) shall execute a maintenance agreement with the City of Santa Ana which shall be recorded against the property and which shall be in a form reasonably satisfactory to the City Attorney. The maintenance agreement shall contain covenants, conditions and restrictions relating to the following:
 - (a) Compliance with operational conditions applicable during any period(s) of construction or major repair (e.g., proper screening and securing of the construction site; implementation of proper erosion control, dust control and noise mitigation measure; adherence to approved project phasing etc.);
 - (b) Compliance with ongoing operational conditions, requirements and restrictions, as applicable (including but not limited to hours of operation, security requirements, the proper storage and disposal of trash and debris, enforcement of the parking management plan, and/or restrictions on certain uses,
 - (c) Ongoing compliance with approved design and construction parameters, signage parameters and restrictions as well as landscape designs, as applicable;
 - (d) Ongoing maintenance, repair and upkeep of the property and all improvements located thereupon (including but not limited to controls on the proliferation of trash and debris about the property; the proper and timely removal of graffiti; the timely maintenance, repair and upkeep of damaged, vandalized and/or weathered buildings, structures and/or improvements; the timely maintenance, repair and upkeep of exterior paint, parking striping, lighting and irrigation fixtures, walls and fencing, publicly accessible bathrooms and bathroom fixtures, landscaping and related landscape improvements and the like, as applicable);
 - (e) If Developer and the owner of the property are different (e.g., if the Applicant is a tenant or licensee of the property or any portion thereof), both the Applicant and the owner of the property shall be signatories to the maintenance agreement and both shall be jointly and severally liable for compliance with its terms.

(f) The maintenance agreement shall further provide that any party responsible for complying with its terms shall not assign its ownership interest in the property or any interest in any lease, sublease, license or sublicense, unless the prospective assignee agrees in writing to assume all of the duties, obligations and responsibilities set forth under the maintenance agreement.

(g) The maintenance agreement shall contain provisions relating to the enforcement of its conditions by the City and shall also contain provisions authorizing the City to recover costs and expenses which the City may incur arising out of any enforcement and/or remediation efforts which the City may undertake in order to cure any deficiency in maintenance, repair or upkeep or to enforce any restrictions or conditions upon the use of the property. The maintenance agreement shall further provide that any unreimbursed costs and/or expenses incurred by the City to cure a deficiency in maintenance or to enforce use restrictions shall become a lien upon the property in an amount equivalent to the actual costs and/or expense incurred by the City.

(h) The execution and recordation of the maintenance agreement shall be a condition precedent to the issuance of final approval for any construction permit related to this entitlement.

EXHIBIT 2

RESOLUTION NO. 2020-xx

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SANTA ANA APPROVING VARIANCE NO.
2020-02 AS CONDITIONED TO ALLOW A REDUCTION IN
OFF-STREET PARKING FOR A TRUCK TERMINAL AND
DISTRIBUTION CENTER AT 515 EAST DYER ROAD

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. Doug Hinrichs, representing Amazon (“Applicant”), is requesting approval of Variance No. 2020-02 as conditioned, to allow a 49-percent reduction in off-street parking for a truck terminal and distribution center in the Light Industrial (M-1) zoning district at 515 East Dyer Road.
- B. Pursuant to Santa Ana Municipal Code Section 41-638, the Planning Commission is authorized to review and approve a variance for a reduction in off-street parking for the subject property and project.
- C. On July 13, 2020, the Planning Commission held a duly noticed public hearing for Variance No. 2020-02.
- D. The Planning Commission of the City of Santa Ana has considered the information and determines that the following findings, which must be established in order to grant Variance No. 2020-02, for a reduction in off-street parking as required by SAMC Section 41-638 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.

There are special circumstances related to the existing conditions of the property. In 1954, the building and site improvements were constructed which included over 250,000 square feet of gross building area and associated parking. Through the years several improvements were constructed on-site with an addition to the building in 1955 of approximately 90,000 square feet. In order to meet the City’s current off-street parking requirements for a truck terminal and distribution center, significant modifications to the building and site, such as demolishing portions of the

building, would be required. In addition, the property is a corner lot which requires landscaped setbacks on two sides (versus one side for an interior lot), thereby reducing the buildable area. The required circulation patterns for large vehicles would hinder proper site design and limit the location of a potential warehouse building. Strict application of the off-street parking regulations would not allow the property owner to lease to or operate most of the permitted or conditionally permitted uses within the Light Industrial (M-1) zoning district other than strictly a warehouse/storage operation.

2. That the granting of a variance is necessary for the preservation and enjoyment of one (1) or more substantial property rights.

Granting this variance is necessary for the preservation and enjoyment of substantial property rights. Granting this variance will allow use of the property with a truck terminal and distribution center, a use that is compatible with the M-1 zoning district and nearby uses. Granting the variance will allow the property owner to utilize the existing building to its full potential with a business that provides employment opportunities and services to the community.

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

Granting this variance will not be detrimental to the public or surrounding properties. The site is fully developed, no building expansion is proposed part of the project, and the site's parking areas have recently been improved to provide the maximum number of on-site parking spaced possible. As part of the design review, a focused traffic assessment has been reviewed and approved by the City. The focused traffic assessment identified possible vehicle congestions for delivery vehicles entering and exiting the site. Additional site improvements will be completed to create drive aisles to provide adequate vehicle circulation once the cargo vans are loaded and ready for delivery. Moreover, the Applicant has prepared a traffic assessment for the project that was reviewed and approved by the City's Development Review Committee. The traffic assessment also contains a breakdown of the site's employee shifts, which indicate that at no point during the shifts will more than 414 workers be on site. This employee shift system is designed to prevent overwhelming the site's capacity for parking and logistical operations, such as delivery van loading and unloading, as well as nearby roadways. Therefore, the 414 on-site parking spaces will be sufficient to meet the on-site employees'

parking needs. Lastly, conditions of approval and a property maintenance agreement have been added to the variance guaranteeing a safe and smooth operation of the site.

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

The variance for a reduction in required off-street parking will not adversely affect the General Plan. The project is located within the Industrial (IND) General Plan land use designation which serves as an anchor to the City's industrial uses and limited industrial zones in the City. The project is consistent with several goals and policies of the General Plan, including the Land Use Element and Public Facilities Element. For example, Land Use Element Goal 1 to promote a balance of land uses to address basic community needs. The variance will allow the truck terminal and distribution center use to operate at the site which provides a service to families, residents and workers in the area. Policy 2.9, supports developments that create a business environment that is safe and attractive. The condition of approval for property maintenance will help maintain a safe and attractive environment for the community. Economic Development Element Goal 2 maintains and enhances the diversity of the City's economic base. Policy 2.3 encourages the development of mutually beneficial and supportive business clusters within the community. The truck terminal and distribution center will provide a service to residents and workers in the city.

Section 2. In accordance with the California Environmental Quality Act, the project is exempt from further review per Section 15301 of the Guidelines for the California Environmental Quality Act. The Class 1 exemption allows for the operation, repair, maintenance, or minor alteration of existing public or private structures and facilities, involving negligible or no expansion of the use beyond that existing at the time the lead agency's determination.

The proposed truck terminal and distribution center use is comprised of utilizing an existing 370,000 square foot industrial building within the Light Industrial zone which allows for warehousing, manufacturing and distribution centers. There are public services available through the City of Santa Ana and the Orange County Fire Authority, and the surrounding area is not environmentally sensitive. As a result, Categorical Exemption, Environmental Review No. 2019-95 will be filed for this project.

Section 3. The Applicant shall indemnify, protect, defend and hold the City and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, harmless from any and all claims, demands, lawsuits, writs of mandamus, referendum, and other proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative

dispute resolution procedures (including, but not limited to arbitrations, mediations, and such other procedures), judgments, orders, and decisions (collectively "Actions"), brought against the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or concerning the project, whether such Actions are brought under the Ralph M. Brown Act, California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure sections 1085 or 1094.5, or any other federal, state or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve, which approval will not be unreasonably withheld, the legal counsel providing the City's defense, and that Applicant shall reimburse the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the Applicant of any Action brought and City shall cooperate with Applicant in the defense of the Action.

Section 4. The Planning Commission of the City of Santa Ana, after conducting the public hearing, hereby approves Variance No. 2020-02 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 hearing, which includes, but is not limited to: the Request for Planning Commission Action dated July 13, 2020, and exhibits attached thereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

ADOPTED this 13th day of July, 2020.

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

Mark McLoughlin
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. 2020-xx to be the original resolution adopted by the Planning Commission of the City of Santa Ana on July 13, 2020.

Date: _____

Recording Secretary
City of Santa Ana

EXHIBIT A

Conditions of Approval for Variance No. 2020-02

Variance No. 2020-02 to allow a reduction in off-street parking is approved subject to compliance, to the reasonable satisfaction of the Planning Manager, with applicable sections of the Santa Ana Municipal Code, the California Administrative Code, the California Building Standards Code, and all other applicable regulations. In addition, the following conditions of approval shall be met:

The Applicant must comply 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.

1. All proposed site improvements must conform to the Site Plan Review (DP No. 2019-36) 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. Prior to the issuance of a building permit, a landscape and irrigation plan is to be submitted for review and approval. The landscape plan shall conform to the commercial landscape standards, Citywide Design Guidelines and the City's Water Efficient Landscape Ordinance. The landscape plans shall note construction of a minimum eight (8) foot tall perimeter wall along the east and southern property lines, except where prohibited by driveways and required landscape setbacks, and shall be coated with anti-graffiti coating. The plan shall include the installation of vines along the entire perimeter wall, where feasible.
4. The delivery of goods by large freight trucks shall be in conformance with the analysis and recommendations of the approved traffic assessment prepared for the project dated May 22, 2020.
5. No vehicle repair is permitted at this facility
6. No barbed wire shall be allowed or used at this facility
7. The site shall be maintained litter free and kept in a clean and safe condition. The boxes shall be broken down flat before they are put in the trash containers. All trash containers shall be emptied on a regular basis so that the site remains litter free and trash does not accumulate and overflow from the bins.

8. The sizes of the trucks parked at the facility are limited in size to those that fit in the designated parking spaces shown on the approved site plan. Trucks are not permitted to be parked in designated drive aisles or fire lanes.
9. The Applicant shall be responsible for maintaining the premises free of graffiti. All graffiti shall be removed within 24 hours of occurrence.
10. Any modifications to allow for any use(s) that intensifies parking shall be subject to Planning Commission review at a public hearing and modifications to Conditional Use Permit No. 2020-13 and Variance No. 2020-02.
11. A Property Maintenance Agreement must be recorded against the property. The agreement will be subject to review and applicability by the Planning and Building Agency, the Community Development Agency, the Public Works Agency, and the City Attorney to ensure that the property and all improvements located thereupon are properly maintained, Developer (and the owner of the property upon which the authorized use and/or authorized improvements are located if different from the Applicant) shall execute a maintenance agreement with the City of Santa Ana which shall be recorded against the property and which shall be in a form reasonably satisfactory to the City Attorney. The maintenance agreement shall contain covenants, conditions and restrictions relating to the following:
 - (a) Compliance with operational conditions applicable during any period(s) of construction or major repair (e.g., proper screening and securing of the construction site; implementation of proper erosion control, dust control and noise mitigation measure; adherence to approved project phasing etc.);
 - (b) Compliance with ongoing operational conditions, requirements and restrictions, as applicable (including but not limited to hours of operation, security requirements, the proper storage and disposal of trash and debris, enforcement of the parking management plan, and/or restrictions on certain uses,
 - (c) Ongoing compliance with approved design and construction parameters, signage parameters and restrictions as well as landscape designs, as applicable;
 - (d) Ongoing maintenance, repair and upkeep of the property and all improvements located thereupon (including but not limited to controls on the proliferation of trash and debris about the property; the proper and timely removal of graffiti; the timely maintenance, repair and upkeep of damaged, vandalized and/or weathered buildings, structures and/or improvements; the timely maintenance, repair and upkeep of exterior paint, parking striping, lighting and irrigation fixtures, walls and fencing, publicly accessible bathrooms and bathroom fixtures, landscaping and related landscape improvements and the like, as applicable);
 - (e) If Developer and the owner of the property are different (e.g., if the Applicant is a tenant or licensee of the property or any portion thereof), both the Applicant and the owner of the property shall be signatories to the maintenance agreement and both shall be jointly and severally liable for compliance with its terms.

(f) The maintenance agreement shall further provide that any party responsible for complying with its terms shall not assign its ownership interest in the property or any interest in any lease, sublease, license or sublicense, unless the prospective assignee agrees in writing to assume all of the duties, obligations and responsibilities set forth under the maintenance agreement.

(g) The maintenance agreement shall contain provisions relating to the enforcement of its conditions by the City and shall also contain provisions authorizing the City to recover costs and expenses which the City may incur arising out of any enforcement and/or remediation efforts which the City may undertake in order to cure any deficiency in maintenance, repair or upkeep or to enforce any restrictions or conditions upon the use of the property. The maintenance agreement shall further provide that any unreimbursed costs and/or expenses incurred by the City to cure a deficiency in maintenance or to enforce use restrictions shall become a lien upon the property in an amount equivalent to the actual costs and/or expense incurred by the City.

(h) The execution and recordation of the maintenance agreement shall be a condition precedent to the issuance of final approval for any construction permit related to this entitlement.

EXHIBIT 3

CUP 2020-13 VAR 2020-02, AMAZON TRUCK TERMINAL AND DISTRIBUTION CENTER 515 EAST DYER ROAD

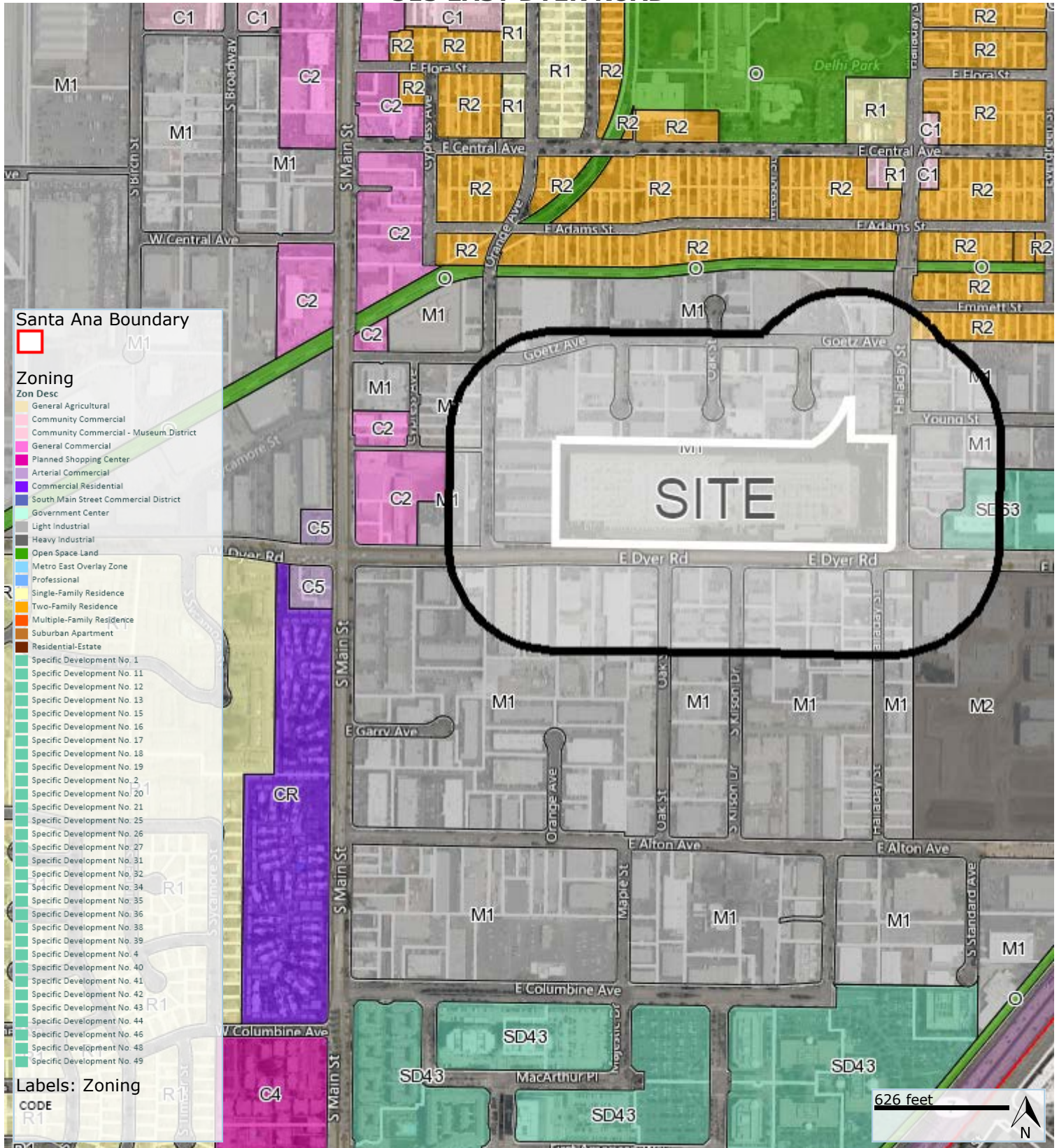
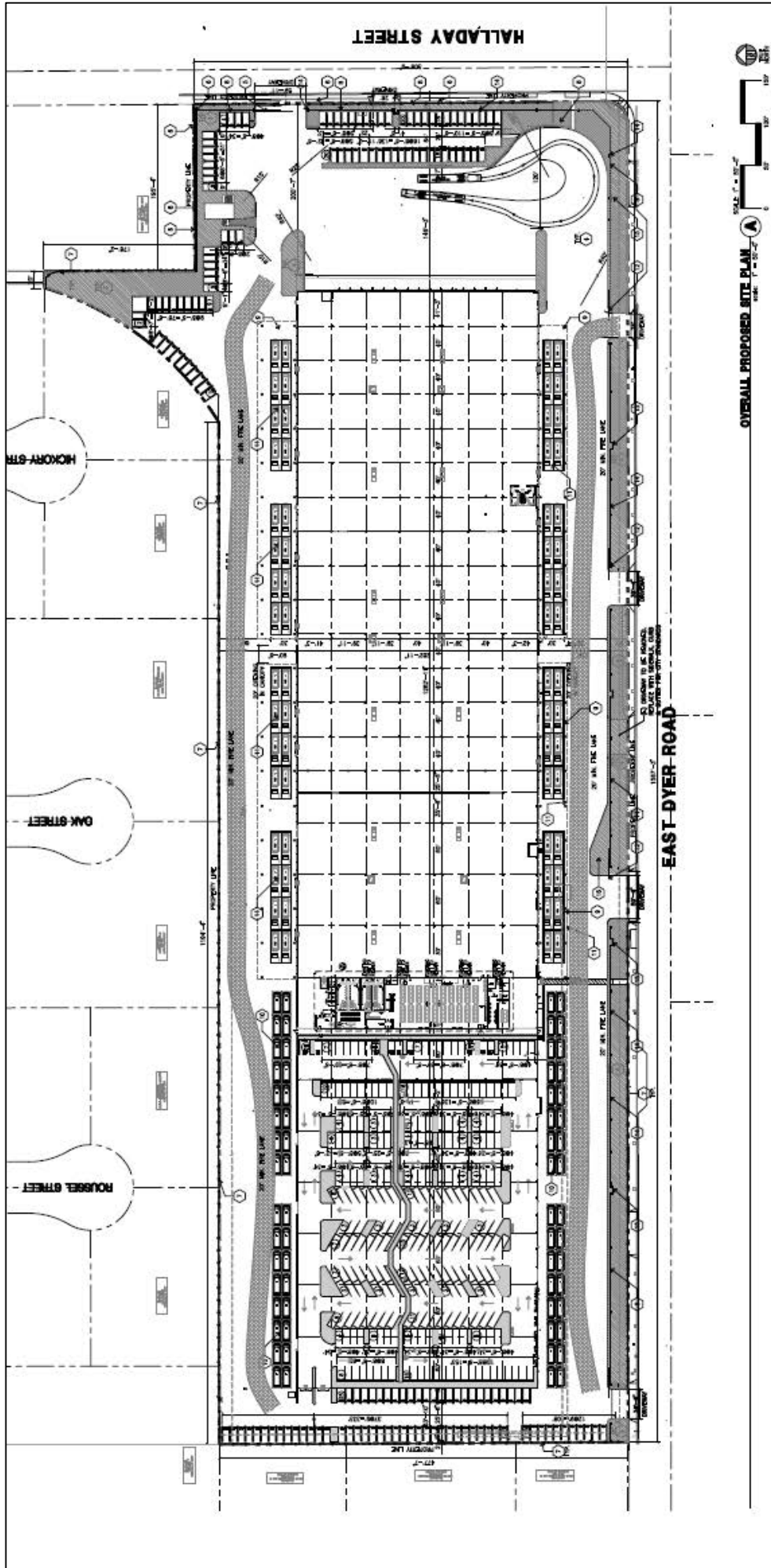


EXHIBIT 3 - VICINITY ZONING AND AERIAL VIEW

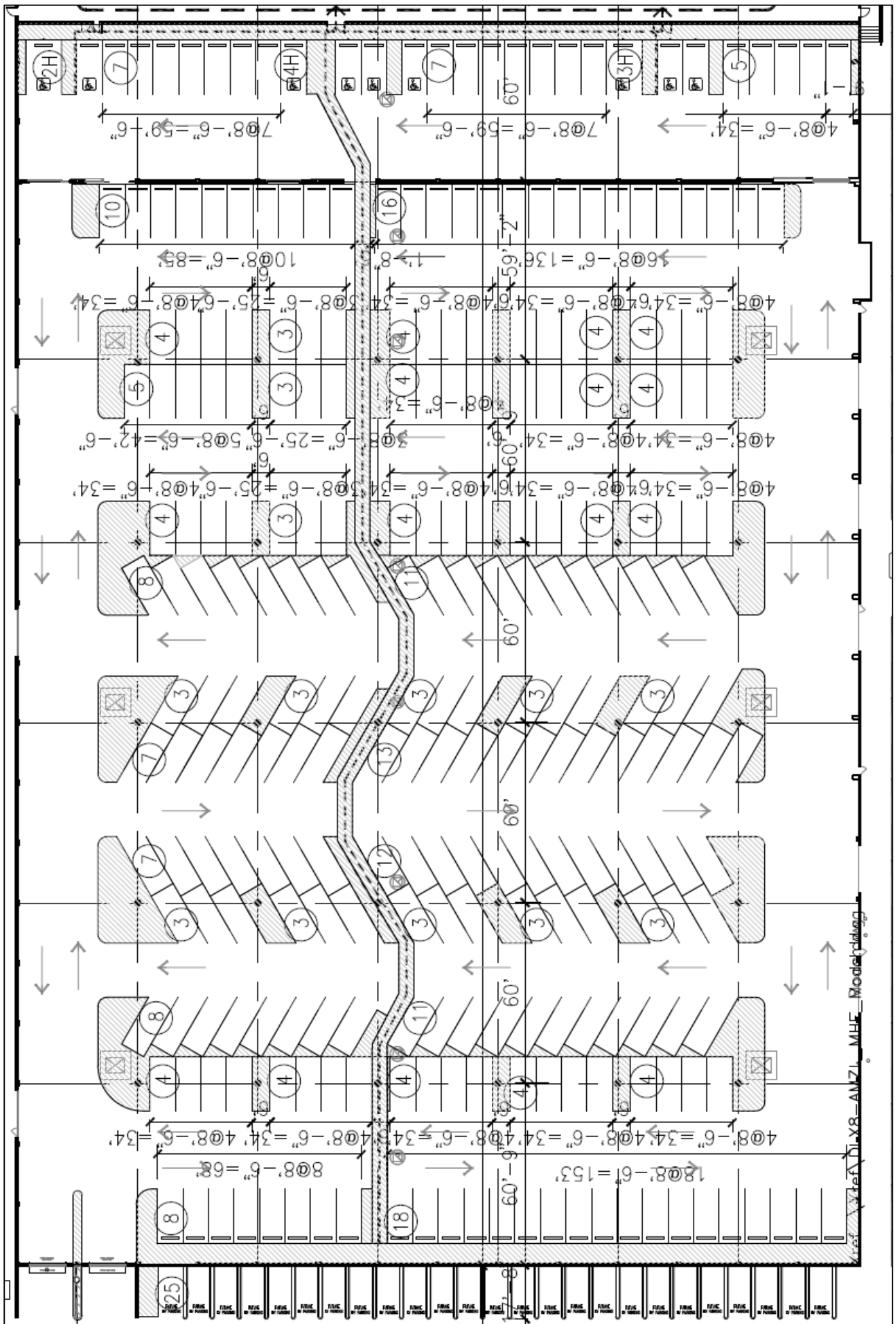


EXHIBIT 4



OVERALL PROPOSED SITE PLAN
 SCALE: 1" = 20'
 SHEET 1 OF 2

EXHIBIT 5



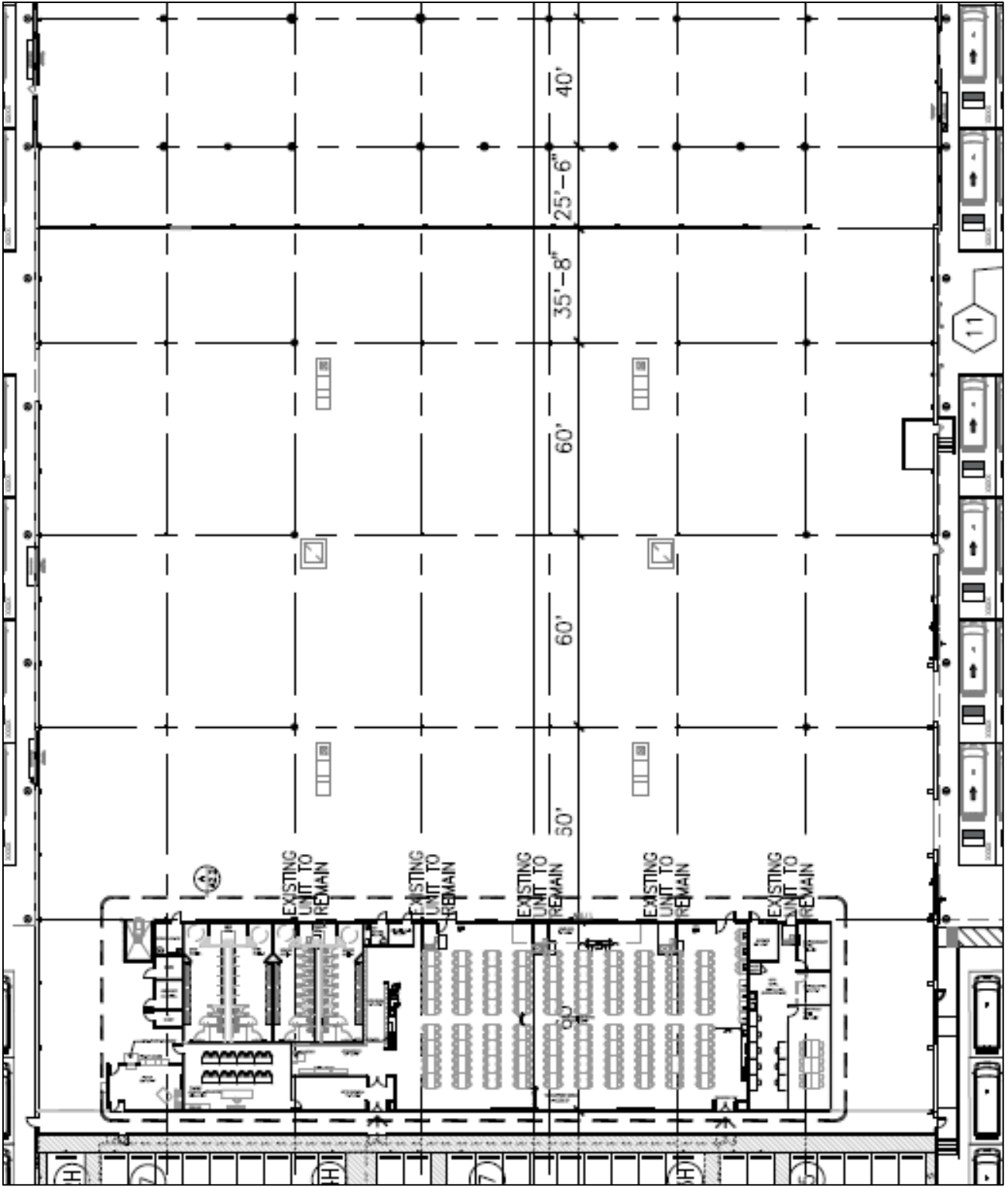
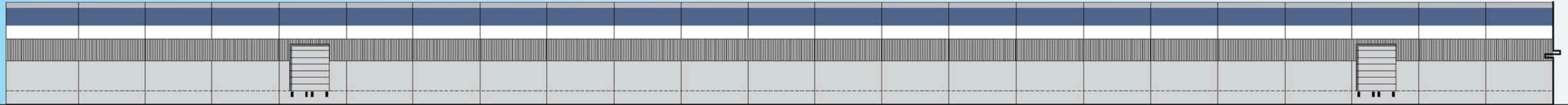
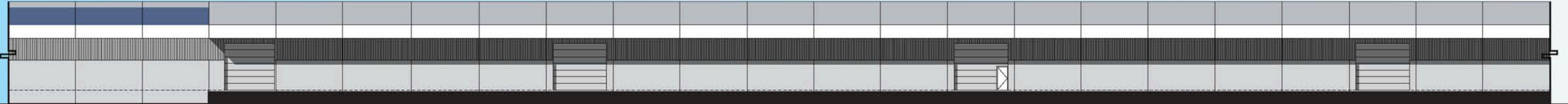


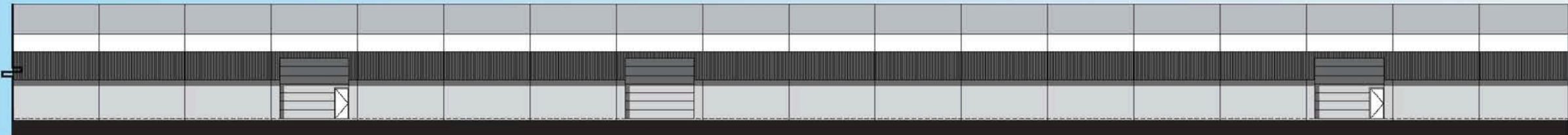
EXHIBIT 6



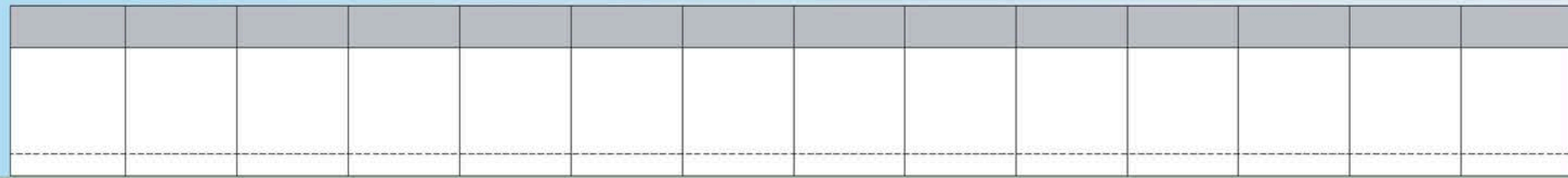
North Elevation



North Elevation (Cont.)



North Elevation (Cont.)

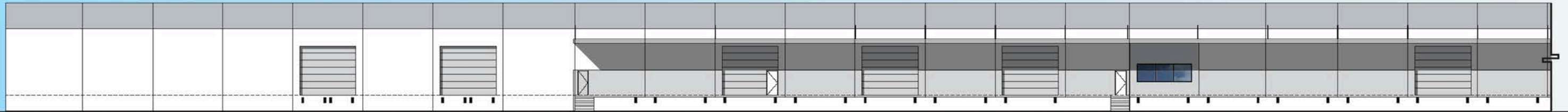


West Elevation

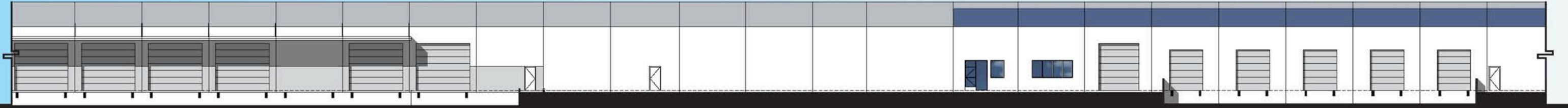


EAST DYER ROAD

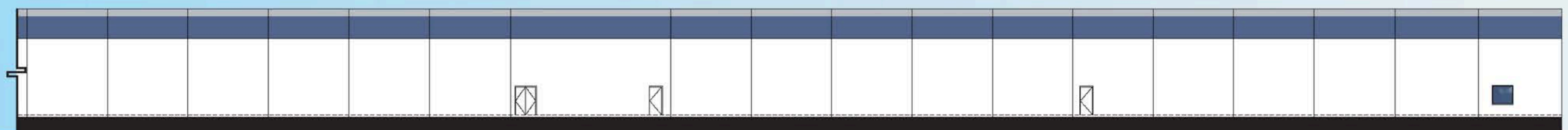
STA ANA, CALIFORNIA



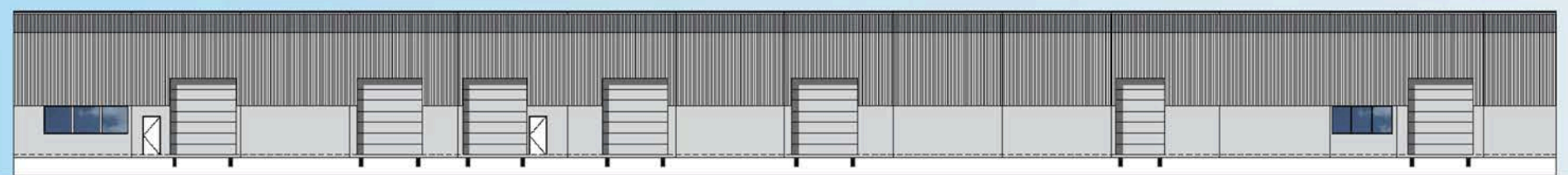
South Elevation



South Elevation (Cont.)



South Elevation (Cont.)



East Elevation



EAST DYER ROAD

STA ANA, CALIFORNIA