

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.

You may watch the meeting live in the following ways:

- 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.

You may provide a comment in the following ways:

- Send an e-mail to 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. The deadline to submit comments is 5:00 p.m. **on the day of the meeting**. Comments received by the deadline 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. Comments received after the deadline may not be distributed to the Commission but will be posted on the City's website at the earliest possible opportunity after the meeting; or
- Call 669-900-9128 and enter Meeting ID: 315 965 149# when prompted. Callers can begin joining the speaker que by 5:00 p.m. on the day of the meeting. While the item that you would like to comment on is being discussed, dial *9 to let us know that you want to speak. After the clerk confirms the last three digits of caller's phone number and unmutes them, the caller must press *6 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.*

CITY OF SANTA ANA PLANNING COMMISSION REGULAR MEETING AGENDA

DECEMBER 14, 2020
5:30 P.M.

VIRTUAL MEETING

MARK McLOUGHLIN
Chair, Citywide Representative

CYNTHIA CONTRERAS-LEO
Vice Chair, Ward 5 Representative

MIGUEL CALDERON
Ward 2 Representative

VACANT
Ward 4 Representative



Minh Thai
Executive Director

Lisa E. Storck
Legal Counsel

Vince Fregoso, AICP
Planning Manager

Sarah Bernal
Recording Secretary

NORMA GARCIA
Ward 1 Representative

KENNETH NGUYEN
Ward 3 Representative

THOMAS MORRISSEY
Ward 6 Representative

**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: If you require translation services to participate in this meeting, please 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].

Basic Planning Commission Meeting Information

The Planning Commission Agenda can be found online at

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

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 Conditional Use Permits, Variances, Tentative Tract and Parcel Maps, Minor Exceptions, Site Plan Review, and Public Convenience or Necessity Determinations. The Planning Commission also makes recommendations to the City Council on all Zoning and General Plan amendments, Development Agreements, Specific Developments, and Specific Plans.

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:

1. **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.
2. **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.
3. **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.
4. **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:

1. The Chair will ask for presentation of the staff report;
2. The Commission will have the opportunity to question staff in order to clarify any specific points;
3. The public hearing will be opened;
4. The applicant/ project representative will be allowed to make a presentation, for a maximum of 15 minutes.
5. Members of the audience will be allowed to speak, for a maximum of 3 minutes per speaker.
6. The applicant will be given an opportunity to respond to comments made by the audience;
7. The public hearing will be closed; and
8. 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): Individuals may comment on an agenda item in the following ways: (1) 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**; or (2) 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. After you are called upon, you must press *6 to unmute yourself. Please state your name, whether you are in support or opposition to an item and why. You will have 3 minutes to speak.

CONSENT CALENDAR

Individuals may comment on an agenda item in the following ways: (1) 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**; or (2) 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. After you are called upon, you must press *6 to unmute yourself. 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 NOVEMBER 9, 2020 REGULAR MEETING.

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

B. EXCUSED ABSENCES

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

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

BUSINESS CALENDAR

Individuals may comment on an agenda item in the following ways: (1) 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; or (2) 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. After you are called upon, you must press *6 to unmute yourself. 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 for item no. 1 was published in the Orange County Reporter on October 28; notices mailed at least 10 days prior. Legal notice for item no. 2 was published in the Orange County Register on December 2, 2020; notices mailed at least 10 days prior.

1. CONDITIONAL USE PERMIT NO. 2020-19 AND VARIANCE NO. 2020-04 – Fernanda Arias, Case Planner.

Matter continued from the November 9, 2020 meeting by a unanimous vote.

LOCATION: 4111 South Main Street located in the General Commercial (C2) zoning district.

REQUEST: The applicant is requesting approval of (1) a conditional use permit to permit the construction of a new major wireless communications facility disguised as a mono-pine and (2) a variance to permit the wireless facility at a height of 80 feet in lieu of a maximum of 60 feet.

ENVIRONMENTAL DETERMINATION: The Planning Commission will consider the following determination: The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the CEQA Guidelines – New Construction. Notice of Exemption, Environmental Review No. 2018-117 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. 2020-19 AS CONDITIONED TO ALLOW THE CONSTRUCTION OF A NEW 60-FOOT TALL MAJOR WIRELESS COMMUNICATIONS FACILITY LOCATED AT 4111 SOUTH MAIN STREET
- b) **Adopt a Resolution:** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA DENYING VARIANCE NO. 2020-04 FOR THE CONSTRUCTION OF A NEW 80-FOOT TALL MAJOR WIRELESS COMMUNICATIONS FACILITY LOCATED AT 4111 SOUTH MAIN STREET

2. **ENVIRONMENTAL REVIEW NO. 2020-48, GENERAL PLAN AMENDMENT NO. 2020-07 AND AMENDMENT APPLICATION NO. 2020-05** – Selena Kelaher, Case Planner.

LOCATION: 2530 and 2534 West Westminster Avenue located in the General Commercial (C2) zoning district.

REQUEST: The applicant is requesting approval of the following land use entitlements to facilitate the construction of 85 affordable housing units: (1) general plan amendment to redesignate the property from General Commercial (GC) to Urban Neighborhood (UN) and (2) an amendment application to rezone the property from General Commercial (C2) to Specific Development No. 97 (SD-97). In conjunction with the request, the applicant is requesting approval of a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP), Environmental Review No. 2020-48.

ENVIRONMENTAL DETERMINATION: The Planning Commission will consider the following determination: Pursuant to the California Environmental Quality Act (CEQA), Mitigated Negative Declaration (MND) Environmental Review No. 2020-48, with technical studies was prepared for the project. No areas of significance or unavoidable impacts were determined to occur from the construction or operation of the proposed project with the implementation of mitigation measures. The project requires adoption of a Mitigation Monitoring and Reporting Program (MMRP), which contains mitigation measures to address biological resources, cultural resources, geology and soils, noise, and tribal cultural resources.

RECOMMENDED ACTIONS:

Recommend that the City Council:

- a) **Adopt a Resolution:** A RESOLUTION OF CITY COUNCIL OF THE CITY OF SANTA ANA ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, ENVIRONMENTAL REVIEW NO. 2020-48, RELATIVE TO GENERAL PLAN AMENDMENT NO. 2020-07 AND AMENDMENT APPLICATION NO. 2020-05 FOR THE PROJECT LOCATED AT 2530 AND 2534 WESTMINSTER AVENUE
- b) **Adopt a Resolution:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING GENERAL PLAN AMENDMENT NO. 2020-07 TO CHANGE THE GENERAL PLAN LAND USE DESIGNATIONS FOR THE PROPERTIES LOCATED AT 2530 AND 2534 WESTMINSTER AVENUE FROM GENERAL COMMERCIAL (GC) TO URBAN NEIGHBORHOOD (UN)
- c) **Adopt an Ordinance:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING AMENDMENT APPLICATION NO. 2020-05 REZONING THE PROPERTIES LOCATED AT 2530 AND 2534 WESTMINSTER AVENUE FROM GENERAL COMMERCIAL (C2) TO SPECIFIC DEVELOPMENT NO. 97 (SD-97) AND ADOPTING SD-97 FOR SAID PROPERTY

ADMINISTRATIVE MATTERS

3. ELECT A REPRESENTATIVE TO THE HISTORIC RESOURCES COMMISSION

RECOMMENDED ACTION: Elect a Representative from the Planning Commission to serve on the Historic Resources Commission for a partial term expiring July 2021.

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

COMMENTS

4. STAFF COMMENTS
5. COMMISSION MEMBER COMMENTS

ADJOURNMENT – The meetings scheduled for Monday, December 28, 2020 and Monday, January 11, 2021 are canceled. The next regular meeting will be held via teleconference on Monday, January 25, 2021 at 5:30 p.m.

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

NOVEMBER 9, 2020

CALLED TO ORDER

VIRTUAL MEETING
CITY HALL, ROSS ANNEX
20 CIVIC CENTER PLAZA, ROOM 1600
SANTA ANA, CALIFORNIA
5:35 P.M.

ATTENDANCE

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

COMMISSIONERS Absent: None.

PLANNING & BUILDING AGENCY STAFF Present:
MINH THAI, *Executive Director*
VINCE FREGOSO, *Planning Manager*
LISA STORCK, *Assistant City Attorney*
MELANIE McCANN, *Senior Planner*
ALI PEZESHKPOUR, *Senior Planner*
SELENA KELAHER, *Associate Planner*
SARAH BERNAL, *Recording Secretary*

PLEDGE OF ALLEGIANCE

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

CONSENT CALENDAR ITEMS

**All votes were taken by roll call*

1. MINUTES FROM THE OCTOBER 26, 2020 REGULAR MEETING

MOTION: Approve the minutes.

MOTION: Nguyen **SECOND:** Rivera

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

ABSTAIN: Garcia (1)

ABSENT: None (0)

BUSINESS CALENDAR

PUBLIC HEARING

Item No. 3 moved to the beginning of the calendar

1. CONDITIONAL USE PERMIT NO. 2020-19 AND VARIANCE NO. 2020-04.

LOCATION: 4111 South Main Street located in the General Commercial (C2) zoning district.

REQUEST: The applicant is requesting approval of (1) a conditional use permit to permit the construction of a new major wireless communications facility disguised as a mono-pine and (2) a variance to permit the wireless facility at a height of 80 feet in lieu of a maximum of 60 feet.

MOTION: *Continue the matter to December 14, 2020.*

MOTION: Morrissey **SECOND:** Nguyen

VOTE: **AYES:** Contreras-Leo, Garcia, Nguyen, McLoughlin, Morrissey, Phan, Rivera (7)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: None (0)

2. SITE PLAN REVIEW NO. 2020-04

LOCATION: 1801 East Fourth Street located in the Metro East Mixed-Use Overlay Zone (MEMU), Active Urban (AU) zoning district

REQUEST: The applicant is requesting approval of a site plan review to facilitate construction of Central Pointe, a mixed-use development project consisting of two buildings with a total of 644 residential units, 15,130 square feet of commercial space, 1,318 parking spaces and associated amenities and open space.

Commissioner Phan recused herself due to conflict of interest; her employer Ruttan & Tucker represents the applicant.

Case Planner Kelaher provided a staff presentation.

Commission discussion ensued regarding pollution, parking, parking management plan, and rooftop green space.

Recording Secretary provided a summary report of written communication received.

Chair McLoughlin opened the Public Hearing. Representatives of the project spoke in support of the matter and answered questions regarding rooftop green space and retail space.

The following individuals spoke on this matter:

- Peter Moreno provided a general comment regarding traffic.
- Paige Fennie spoke in opposition.
- Araceli Guillen made a general comment regarding parking.
- Dale Helvig made a general comment regarding open space.
- Elaine Arriola spoke in opposition.
- Cesar Corvarubias spoke in opposition.
- Erica Gonzalez spoke in opposition.

The applicant was provided the opportunity to address comments regarding traffic, environmental impacts, land use, and affordable housing. Further discussion ensued regarding challenges with rooftop green space. There were no other speakers and the Public Hearing was closed.

Commissioner Nguyen motioned to approve the matter as recommended by staff. Commissioner Garcia introduced a friendly amendment to add a condition to require a rooftop garden; the amendment was accepted by Commissioner Nguyen. Commissioner Garcia clarified the condition by detailing that 90% of the *entire* rooftop space should be a rooftop garden. Applicant proposed that they work directly with staff to determine the boundaries of the rooftop garden and expressed concerned with the financial impacts and feasibility of the condition. Considering the applicant's comments, Commissioner Garcia modified the condition to include "if feasible." Executive Director Thai suggested that staff work with the applicant to determine the feasibility of the rooftop green garden of up to 90% of the rooftop structure. Commissioner Garcia requested the rooftop green garden be no less than 50% and no more than 90% of the entire rooftop structure, if feasible. The applicant stressed that the proposed condition was not feasible.

Executive Director Thai recommended that the Public Hearing be re-opened to discuss the matter further. Chair McLoughlin re-opened the Public Hearing.

The applicant explained that rooftop green garden is feasible only on the amenity deck; the remaining rooftop space referred to by Commissioner Garcia will be built on a wood frame and does not have the load bearing capability for a green garden. Deliberation continued regarding the feasibility of the proposed conditioned.

Chair McLouhglin closed the Public Hearing.

Assistant City Attorney Storck read the condition into the record: The applicant shall provide a rooftop green garden of no less than 50% and no more than 90% of the entire roof

structure. The applicant reiterated that a green garden on the wood frame of the roof structure is not feasible. Assistant City Attorney Storck stated that the term "if feasible" could be added to the condition to address the concern. The applicant continued to express concern with the condition. Executive Director Thai announced that staff would work with the applicant to determine feasibility.

MOTION: Adopt a Resolution AS CONDITIONED. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING SITE PLAN REVIEW NO. 2020-04 AS CONDITIONED FOR A NEW MIXED-USE RESIDENTIAL AND COMMERCIAL DEVELOPMENT FOR THE PROPERTY LOCATED AT 1801 EAST FOURTH STREET

MOTION: Nguyen **SECOND:** Contreras-Leo

VOTE: **AYES:** Contreras-Leo, Garcia, Nguyen, McLoughlin, Morrissey, Rivera (6)
 NOES: None (0)
 ABSTAIN: Phan (1)
 ABSENT: None (0)

3. ENVIRONMENTAL IMPACT REPORT NO. 2020-03 AND GENERAL PLAN AMENDMENT NO. 2020-06 FOR THE COMPREHENSIVE UPDATE TO THE SANTA ANA GENERAL PLAN

Due to a lack of quorum, this matter was adjourned from the November 5, 2020 special meeting.

LOCATION: Citywide

REQUEST: The City is requesting approval of a general plan amendment to facilitate a comprehensive update to the City's General Plan. The General Plan goals and policies will guide the City's physical development, fiscal and environmental sustainability, and overall quality of life for the community.

Commissioner Rivera motioned to continue the matter to allow the Commission an opportunity to review the received written comments. Commissioners generally agreed that they would like to continue with the staff presentation

Case Planners Fregoso and McCann provided a staff presentation.

Commission discussion ensued regarding environmental impacts, environmental justice, open space, and density.

Recording Secretary provided a summary report of written communication received.

Chair McLoughlin opened the public hearing. The following individuals spoke on the matter:

- Luis Sarmiento, spoke in opposition; requested postponement.
- Peter Moreno, spoke in opposition; requested postponement.
- Dale Helvig, made general comment regarding general plan elements.
- Erica Gonzalez; spoke in opposition; requested postponement.
- Gil Flores, spoke in opposition; requested postponement.
- Hector Bustos, spoke in opposition; requested postponement.
- Manny Escamilla, spoke in opposition; requested postponement.
- Brett Cordy, spoke in opposition; requested postponement.
- Juan Gonzalez, spoke in opposition; requested postponement.
- Jose Rea, spoke in opposition; requested postponement.
- Ethan Licon, spoke in opposition; requested postponement.
- Sean Drexler, spoke in opposition; requested postponement.
- Kennedy Commission, spoke in opposition; requested postponement.
- Sandra Pena Sarmiento, spoke in opposition; requested postponement.
- Alex (no last name), spoke in opposition; requested postponement.
- Yezenia Marrujo, spoke in opposition; requested postponement.
- Adolfo Sierra, spoke in opposition; requested postponement.
- Victor Russo, spoke in opposition; requested postponement.
- Kelly Achee, spoke in opposition; requested postponement.
- (Name inaudible), spoke in opposition; requested postponement.
- Pamela Gonzalez, spoke in opposition; requested postponement.
- Victor Payan, spoke in opposition; requested postponement.
- Glnelle Hardy, spoke in opposition; requested postponement.
- Elaina Arriola, spoke in opposition; requested postponement.
- Cynthia Guerra, spoke in opposition, requested postponement.
- Karla Juarez, spoke in opposition; requested postponement.
- Kiela (no last name), spoke in opposition; requested postponement.
- Irma Juaraguei, spoke in opposition; requested postponement.
- Alfonso Alvarez, spoke in opposition; requested postponement.

There were no other speakers and the Public Hearing was closed.

Further discussion ensued regarding environmental justice, components of the environmental impact report, and community outreach.

Commissioner Phan motioned to continue the matter to a date uncertain; the motion was seconded by Commissioner Rivera. Vice-Chair Contreras-Leo urged the Commission to make a decision on the matter.

MOTION: Continue the matter to a date uncertain

MOTION: Phan **SECOND:** Rivera

VOTE: **AYES:** Garcia, McLoughlin, Morrissey, Phan, Rivera (5)

NOES: Contreras-Leo, Nguyen (2)

ABSTAIN: None (0)

ABSENT: None (0)

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

COMMENTS

3. STAFF COMMENTS:

- Executive Director Thai: Thanked staff for their efforts
- Planning Manager: Announced he will be retiring after 33 years of service.
- Assistant City Attorney: Announced she will be retiring.

4. COMMISSION MEMBER COMMENTS:

- All Commissioners thanked staff and congratulated the retirees and Commissioner Phan on her election to the City Council.

11: 28 P.M. – The next Regular meeting will be on Monday, December 14, 2020 at 5:30 p.m.

Sarah Bernal
Recording Secretary

REQUEST FOR Planning Commission Action



PLANNING COMMISSION MEETING DATE:
DECEMBER 14, 2020

TITLE:
PUBLIC HEARING – CONDITIONAL USE PERMIT NO. 2020-19 AND VARIANCE NO. 2020-04 TO ALLOW THE CONSTRUCTION OF AN 80-FOOT TALL MAJOR WIRELESS COMMUNICATIONS FACILITY LOCATED AT 4111 SOUTH MAIN STREET

PLANNING COMMISSION SECRETARY

APPROVED

- As Recommended
- As Amended
- Set Public Hearing For _____

DENIED

- Applicant's Request
- Staff Recommendation

CONTINUED TO _____

Prepared by Fernanda Arias

A handwritten signature in blue ink, appearing to be "Fernanda Arias".

Executive Director

A handwritten signature in black ink, appearing to be "Planning Manager".

Planning Manager

RECOMMENDED ACTION

1. Adopt a resolution approving Conditional Use Permit No. 2020-19 as conditioned.
2. Adopt a resolution denying Variance No. 2020-04.

Project Owner and Applicant Information

3. Property Owner: Southern California Edison
4. Applicant: Tyler Kent with Smartlink, representing AT&T

Executive Summary

The applicant is requesting approval of Conditional Use Permit (CUP) No. 2020-19 and Variance No. 2020-04 to allow the construction of a new 80-foot high major wireless communications facility disguised as a mono-eucalyptus at 4111 South Main Street. Pursuant to Section 41-198.3(b) of the Santa Ana Municipal Code (SAMC), major wireless communications facilities require approval of a CUP. In addition, the applicant is requesting approval of a variance to allow a maximum height of 80 feet, which exceeds the maximum height of 60 feet for a wireless communication facility pursuant to SAMC Section 41-198.9. Staff is recommending approval of CUP No. 2020-19 as conditioned in order to enhance cellular coverage in the area. However, staff is recommending denial of Variance No. 2020-04 due to aesthetic impacts and visual intrusion into surrounding neighborhoods.

Table 1: Project and Location Information

Item	Information	
Project Address	4111 South Main Street	
Nearest Intersection	Sunflower Avenue and Main Street	
General Plan Designation	Industrial (IND)	
Zoning Designation	General Commercial (C2)	
Surrounding Land Uses	North	SCE Substation
	East	55 Freeway/City of Irvine
	South	Retail/Commercial
	West	Undeveloped lot/City of Costa Mesa
Property Size	1.6 acres	
Existing Site Development	The subject site is developed with a Southern California Edison Substation.	
Use Permissions	Allowed with a conditional use permit (CUP)	
Zoning Code Sections Affected	Use	SAMC Section 41-198.3(b)
	Maximum Height	SAMC Section 41-198 .9

Project Description

The applicant is requesting approval of a CUP and a variance to allow the construction of a new 80-foot-high wireless communications facility disguised as a eucalyptus tree (“mono-eucalyptus”). The wireless facility consists of 12 panel antennas mounted at the height of 78 feet on the mono-eucalyptus and associated ground equipment. The facility is proposed to be located at the southeast corner of the subject site within a 1,722-square foot area enclosed by an eight-foot high block wall and chain link fence with wood slats (Exhibit 6). The facility will fill a gap in AT&T coverage in the area.

Table 2: Development Standards

Standards	Required by SAMC	Provided
Screening Criteria	A stealth facility	Complies: mono-eucalyptus.
Site Selection	Areas that will minimize aesthetic intrusion	Does not comply; while the facility was designed as a mono-eucalyptus to reduce the visual impact, due to the lack of trees and buildings similar in height, the facility visually intrudes into adjacent view corridors.
Height Criteria	Not to exceed 60 feet in height from ground level as measured from the nearest street curb	Does not comply; 80 feet in height.
Landscaping	Groundcover at the base of the facility and 24-inch box tree	Does not comply; no proposed landscaping.
Equipment Screening	Decorative fencing such as wrought iron or block around the wireless facility	Does not comply; the project only proposes an 8-foot tall block wall on the west and north elevations, and a chain link fence with wooden slats on the east elevation.

Project Background

The subject site is a Southern California Edison substation. The site is a 1.6-acre parcel located on the east side of Main Street southeast of Sunflower Avenue.

In October 2018, the applicant submitted a development project application to the City for the construction of the proposed major wireless communication facility. Staff provided comments in December 2018. The applicant resubmitted plans to address staff's comments in July of 2019. Staff provided comments again in August 2019. The applicant made a last submittal to address staff's comments in February of 2020. Since then, the applicant has worked with the City's Development Review Committee (DRC) in an attempt to comply with development requirements and standards.

Project Analysis

Conditional Use Permit (Proposed Mono-Eucalyptus)

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.

In July 1998, the City Council adopted Ordinance No. NS-2356, which established regulations for wireless communication facilities throughout the City. Major wireless communication facilities such as the proposed facility are required to have a stealth design and be located in an area that provides the greatest amount of visual screening. Furthermore, these major facilities require the approval of a CUP by the Planning Commission. In analyzing the request, staff believes that the following analysis warrants staff's recommendation for approval of the conditional use permit with conditions.

The proposed wireless communication facility's equipment and mono-eucalyptus are located at the rear of the subject property and away from sensitive land uses. The nearest residential community is 230 feet from the proposed project. The facility will provide coverage and call capacity to an area surrounded by commercial and office uses. The applicant has provided propagation maps (Exhibit 9) that show a gap in coverage in the area, with this proposed facility reducing this coverage gap. This location is optimal to provide the coverage necessary for existing and expanding service for the provider. The proposed facility, as conditioned, will provide a benefit to Santa Ana residents, businesses and motorists who subscribe to mobile phone services by providing cellular and data capacity in the area. It will be in compliance with Federal law that governs health related issues for wireless facilities, including safety regulations from the Federal Communications Commission (FCC) and Federal Aviation Administration (FAA). In addition, the facility will be constructed to comply with the Importance Factor of 1.5 in the Building Code to be able to sustain an earthquake and be operational during such disaster.

Variance (Proposed 80-Foot Height)

Pursuant to Section 41-632 (a) (2) of the SAMC, the Planning Commission may grant a variance from certain development standards, including height, when it can be shown that there exists a special circumstance related to the property, if it is necessary for the preservation and enjoyment of one or more substantial property rights, if it will not be materially detrimental to the public welfare or injurious to surrounding property, and if it will not adversely affect the General Plan of the City. Staff has prepared the following analysis that forms the basis for the denial recommendation of the variance.

The primary consideration when evaluating wireless communication facilities is the visual and aesthetic intrusion on the surrounding neighborhood. The project consists of a mono-eucalyptus proposed at a height of 80 feet in lieu of the maximum height of 60 feet pursuant to SAMC Section 41-198.9. Although designed as a faux eucalyptus tree to blend in with existing trees, the 80-foot high mono-eucalyptus is significantly taller than surrounding trees and commercial buildings, which will result in a higher visual impact for the view corridor of the 55 Freeway and surrounding uses (Exhibit 7). Additionally, the applicant proposes to remove multiple existing mature trees to accommodate the construction and maintenance of the facility, which would increase the visibility of the mono-eucalyptus.

Staff discussed with the applicant alternative designs and a height reduction to eliminate visual impact in the neighborhood. Planning staff has previously approved variances for 80-foot tall wireless facilities that offer co-locations. Moreover, there are antennas mounted on a transmission pole located across the 55 Freeway and there are other structures and parking garages near the proposed project that were identified for potential roof top installations and co-locations (Exhibit 8), but the designs and locations did not meet the applicant's needs. The applicant conducted a site analysis providing reasons for their site selection and height (Exhibits 9 and 10). Furthermore, propagation maps (Exhibit 9) provided by the applicant show a gap in coverage in the area, with this proposed facility reducing the coverage gap. The propagation maps show the coverage area for a wireless facility in the same location proposed at heights of 60 feet and 80 feet. Based on the information provided on the propagation maps, the facility at the height of 60 feet appears to fill the gap in the desired areas.

Based upon the proposed design of the facility and the necessity to reduce the coverage gap, staff recommends approval of the CUP with conditions to include limiting the height of the facility to 60 feet, replacing chain link fencing with landscaping and block walls, and the replacement of landscaping and mature trees at similar heights of existing trees at a 1:1 ratio.

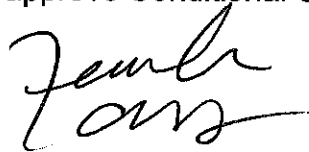
The use will comply with all provisions pertaining to the construction and installation of wireless facilities identified in Chapter 41 (Zoning Code) of the SAMC. The facility, as conditioned, will meet all height, location/zoning, and stealthing standards. The facility, as conditioned, will not adversely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

Table 3: California Environmental Quality Act (CEQA) and Public Notification & Community Outreach

CEQA and Public Notification & Community Outreach	
CEQA	
CEQA Type	Categorically Exempt per Section 15303 (Class 3 – New Construction or Conversion of Small Structures)
Document Type	Notice of Exemption, Environmental Review No. 2018-117
Reason(s) Exempt or Analysis	Class 3 exemption consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. The project consists of the construction of a new wireless communications facility and minor site improvements.
Public Notification & Community Outreach	
Required Measures	A public notice was posted on the project site on December 3, 2020.
	Notification by mail was mailed to all property owners and occupants within 500 feet of the project site on December 3, 2020.
	Newspaper posting was published in the Orange County Reporter on December 3, 2020.

Conclusion

Based on the analysis provided within this report, staff recommends that the Planning Commission approve Conditional Use Permit No. 2020-19 as conditioned and deny Variance No. 2020-04.



Fernanda Arias
 Planning Intern

FA:\S:\Planning Commission\2020\12-14-2020\CUP No. 2020-19 - New Wireless Facility at 4111 S Main St\CUP No. 2020-19.pc.docx

- Exhibits:
- 1 – Resolution for CUP No. 2020-19
 - 2 – Resolution for VAR No. 2020-4
 - 3 – Vicinity Zoning & Aerial View
 - 4 – Site Photos
 - 5 – Site Plan & Enlarged Site Plan
 - 6 – Elevations
 - 7 – Photo Simulations
 - 8 – Colocation and Roof Mounted Examples
 - 9 – Height Justification and Propagation Maps
 - 10 – Alternative Site Analysis

EXHIBIT 1

1 - 6

RESOLUTION NO. 2020-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2020-19 AS CONDITIONED TO ALLOW THE CONSTRUCTION OF A NEW 60-FOOT TALL MAJOR WIRELESS COMMUNICATIONS FACILITY LOCATED AT 4111 SOUTH MAIN STREET

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

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

- A. Tyler Kent with Smartlink LLC, representing AT&T (“Applicant”), is requesting approval of Conditional Use Permit (“CUP”) No. 2020-19 to allow the construction of a new 80-foot tall major wireless (“mono-pine”) communications facility at 4111 South Main Street.
- B. Pursuant to Santa Ana Municipal Code (“SAMC”) Section 41-198.9, no major wireless communication facility shall exceed sixty (60) feet in height from ground level as measured from the nearest street curb.
- C. Applicant is also requesting concurrent approval of Variance No. 2020-04 to allow relief from the maximum 60-foot height requirement. However, due to aesthetic impacts and visual intrusion into surrounding neighborhoods, staff is recommending separate denial of said application.
- D. The Project has been conditioned to be constructed at the maximum height of sixty (60) feet.
- 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 CUP No. 2020-19 to allow the construction of a 60-foot tall major wireless communications facility, have been established as required per 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 the community.

The project will provide a service that will contribute to the community. The proposed mono-pine will provide a needed service to Santa Ana residents, businesses, and motorists

who subscribe to AT&T wireless services by reducing the gaps in cellular service and providing additional calling capacity for its users in Santa Ana.

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

The proposed wireless facility at this location will not be detrimental to persons residing or working in the area as the proposed facility will be in compliance with Federal laws that govern health related issues for wireless facilities, including safety regulations from the Federal Communications Commission (FCC) and Federal Aviation Administration (FAA). Moreover, the nearest residential use is located over 230 linear feet from the site, further reducing any potential for impacts.

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

The proposed mono-pine, at 60-feet tall, will be compatible with the surrounding area and will not adversely affect the economic viability in the area. The stealth appearance and site enhancements will maintain and increase the economic stability for this commercial corridor by providing an additional service for business owners, workers and residents in the area. Further, the stealth appearance and the chosen location of the facility will help blend in with existing mature trees found on adjacent properties. Finally, the facility has been designed to allow future co-location for additional carriers, which minimizes the need for additional towers in the area in the future.

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

The use will comply with all provisions pertaining to the construction and installation of wireless facilities identified in Chapter 41 (Zoning Code) of the Santa Ana Municipal Code. In addition, the proposed facility will be built with an Importance Factor of 1.5 in an effort to remain operational in the event of a large earthquake. The proposed facility will be stealthed as a pine tree, will provide an equipment enclosure and will comply with other standards outlined in the SAMC.

5. That the proposed use will not adversely affect the General Plan or any specific plan of the City.

The proposed 60-foot high mono-pine will not adversely affect the General Plan as cellular facilities that are designed to be compatible with the surrounding environment are consistent with the goals and objectives of the Land Use Element. Goal 1 promotes a balance of land uses to address community needs, which includes means of communication that will be served by the proposed mono-pine. In addition, Goals 3 and 5 require preservation of neighborhood character and integrity as well as the mitigation of impacts from developments. The proposed mono-pine is designed to minimize visual impact on the area by implementing stealth design. Further, Policy 2.2 encourages land uses that accommodate the City's needs for services. Enhancing a cell phone provider's coverage in the area enhances services that are readily available for business owners, workers and residents in the immediate vicinity.

Section 2. In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project is categorically exempt from further review per Section 15303 (Class 3 – New Construction or Conversion of Small Structures). The Class 3 exemption consists of construction and location of limited numbers of new, small facilities or structures. In urbanized areas, this exemption applies to apartments, duplexes and similar structures designed for not more than six dwelling units. In addition, this exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. The project consists of the construction of a major wireless communications facility and site improvements, all necessary public services and facilities are available, and it is not being built in an environmentally sensitive area. Based on this analysis, a Notice of Exemption for Environmental Review No. 2019-88 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. 2020-19, as conditioned in Exhibit A, attached hereto and incorporated herein. This decision is based upon the evidence submitted at the above said hearing, which includes, but is not limited to: the Request for Planning Commission Action dated December 14, 2020, and exhibits attached thereto; and the public testimony, all of which are incorporated herein by this reference.

ADOPTED this 14th day of December, 2020 by the following vote:

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

Mark McLoughlin
Chairperson

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

By: _____
Lisa E. 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 December 14, 2020.

Date: _____

Recording Secretary
City of Santa Ana

EXHIBIT A

Conditions of Approval for Conditional Use Permit No. 2020-19

Conditional Use Permit No. 2020-19 is approved subject to compliance, to the reasonable satisfaction of the Planning Manager, with all applicable sections of the Santa Ana Municipal Code, the California Administrative Code, the California Building Standards Code and all other applicable regulations.

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

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

1. The Applicant must comply with all conditions and requirements of the Development Review Committee for the Development Project No. 2018-43.
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 if the conditional use permit must be amended.
3. The facility shall not exceed sixty (60) feet in height. Any changes proposed must be submitted to the Planning Division for review.
4. Prior to the issuance of a building permit to construct the facility, a full landscape and irrigation plan shall be submitted for review and approval by the Planning Division. Plans must include:
 - a. A solid block wall surrounding the proposed facility and its related equipment on the north, west, and east sides;
 - b. Installation of additional 36-inch box trees where missing from existing planter areas along Main Street and the south property line to screen the proposed facility and its related equipment; and
 - c. A 36-inch box tree replacement at a 1:1 ratio for any removed trees and a six (6) foot tall block wall with vines to surround the facility and its related equipment on all sides.
5. The Applicant shall provide a 24-hour phone number to which interference problems may be reported. This condition will also apply to all existing facilities in the City of Santa Ana.
6. The Applicant will provide a “single point of contact” in its Engineering and Maintenance Departments to insure continuity on all interference issues. The

name, telephone number, fax number and e-mail address of that person shall be provided to the City's designated representative after approval of the CUP.

7. The Applicant shall ensure that lessee or other user(s) shall comply with the terms and conditions of this permit, and shall be responsible for the failure of any lessee or other users under the control of permit Applicant to comply.
8. The major wireless facility shall be subject to any applicable California Building Code or federal requirements for seismic safety, retrofit, and/or upgrades as deemed necessary by the Building Division and shall be constructed with an Importance Factor of 1.5.
9. Conditional Use Permit No. 2020-19 expires 10 years from the date of Planning Commission approval.

EXHIBIT 2

1 - 14

RESOLUTION NO. 2020-xx

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SANTA ANA DENYING VARIANCE NO.
2020-04 FOR THE CONSTRUCTION OF A NEW 80-FOOT
TALL MAJOR WIRELESS COMMUNICATIONS FACILITY
LOCATED AT 4111 SOUTH MAIN STREET

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

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

- A. Tyler Kent with Smartlink LLC, representing AT&T (“Applicant”), is requesting approval of Variance No. 2020-04 to allow the construction of a new 80-foot tall major wireless (“mono-pine”) communications facility at 4111 South Main Street (APN 411-121-15).
- B. The Applicant has filed a separate application, Conditional Use Permit (CUP) No. 2020-19, to allow construction of the new major wireless communication facility at the subject site. Staff has recommended approval of said CUP with the condition that the wireless facility be constructed at the maximum height of sixty (60) feet
- C. 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. 2020-04, to deny the proposed construction of an 80-foot tall major wireless communications facility, have been established as required per Santa Ana Municipal Code (“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 the community.

Although, a wireless communication facility at this location will provide a service to the community, the proposed height of the facility is eighty (80) in height which fails to comply with SAMC Section 41-198.9 and increases the project’s visibility from the surrounding community as well as the 55 freeway. The Applicant proposes to install the facility on a location that is 230 linear feet away from residential uses; but at 80 feet in height, the facility would be surrounded by one story buildings and would visually intrude into and create

visual impacts for the surrounding neighborhoods. The height would not blend in with the surroundings.

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

The AT&T lease site is located at an existing Southern California Edison substation. The subject site is located west of the Costa Mesa (SR-55) Freeway. The proposed eighty (80) foot tall wireless facility would be located approximately forty (40) feet from the eastern property line and the freeway right-of-way. Due to the proposed height of the wireless facility and the lack of trees and buildings with similar height, the facility will visually intrude on the adjacent business and the commuting public.

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

The economic viability of the surrounding commercial properties may be affected by the height of the proposed wireless facility. The adjacent Southern California Edison site is typical of a utility substation location with tall utility poles. However, AT&T is a private wireless provider and the proposed project is required to meet the City's development standards in the Santa Ana Municipal Code. The proposed project does not include options that would minimize visibility by reducing the height of the antenna or roof-mounting the equipment on an existing building. Either option would have been less intrusive to the surrounding community.

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

The proposed wireless facility does not comply with the Major Wireless Communication Facility Development standards or guidelines except for the stealth requirement. The project does not meet the requirement of the maximum height as set forth in SAMC Section 41-189.9. This standard includes minimizing the aesthetic intrusion by requiring a maximum height of 60 feet. Propagation maps provided by the Applicant demonstrate the gap in coverage will be filled if the wireless facility is constructed at 60 feet. Additionally,

alternate designs were also discussed with the Applicant to minimize visual intrusion.

5. That the proposed use will not adversely affect the General Plan or any specific plan of the City.

The proposed wireless facility is not consistent with the General Plan's Urban Design Element (UDE) and Circulation Element (CE) goals and policies. Urban Design goals include improving the physical appearance of the community (Urban Design element Goal 1.0); maintaining a pleasant travel experience (Urban Design Element Goal 3.0); and eliminating a haphazard look and visual clutter along corridors (Urban Design Element Policy 3.2) of the City. The Circulation Element promotes attractive circulation corridors to enhance the City's image (Circulation Element Goal 5.0) and support the protection and enhancement of view corridors (Circulation Element Policy 5. 6). The project would not improve the physical appearance of the community, because the height of the proposed project would be visually intrusive to the surrounding neighborhoods. Additionally, the project would not eliminate a haphazard look and it would create visual clutter along corridors of the City, specifically the SR-55 Freeway.

Section 2. 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 3. The Planning Commission of the City of Santa Ana after conducting the public hearing hereby denies Variance No. 2020-04. 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 December 14, 2020, and exhibits attached thereto; and the public testimony, all of which are incorporated herein by this reference.

ADOPTED this 14th day of December, 2020 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTENTIONS: Commissioners:

Mark McLoughlin
Chairperson

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

By: _____
Lisa E. 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 December 14, 2020.

Date: _____

Recording Secretary
City of Santa Ana

EXHIBIT 3

1 - 19

CUP No. 2020-19 and Var No. 2020-04 New AT&T Wireless Communication Facility at 4111 South Main Street

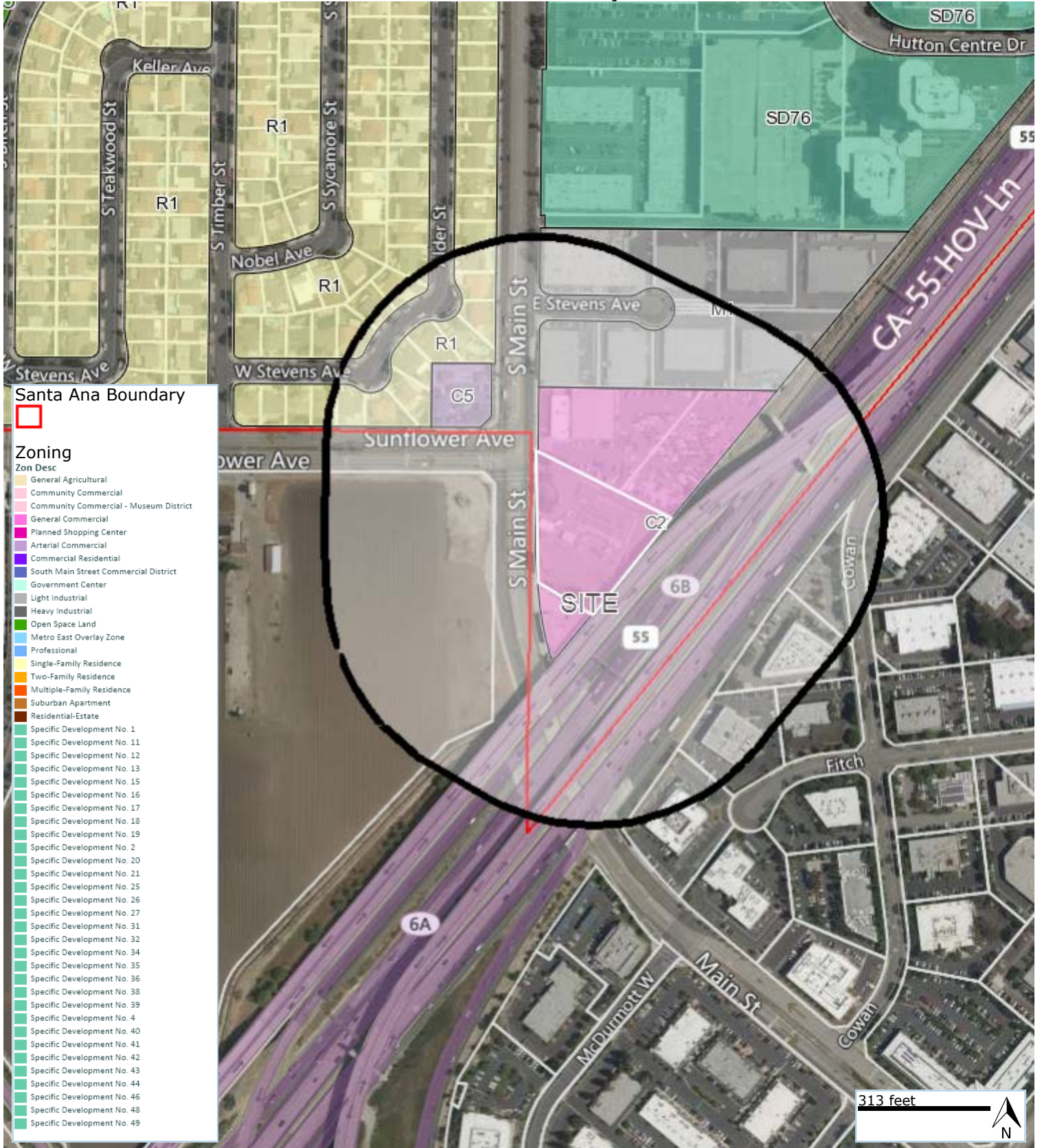


Exhibit 3 - Vicinity Zoning and Aerial View



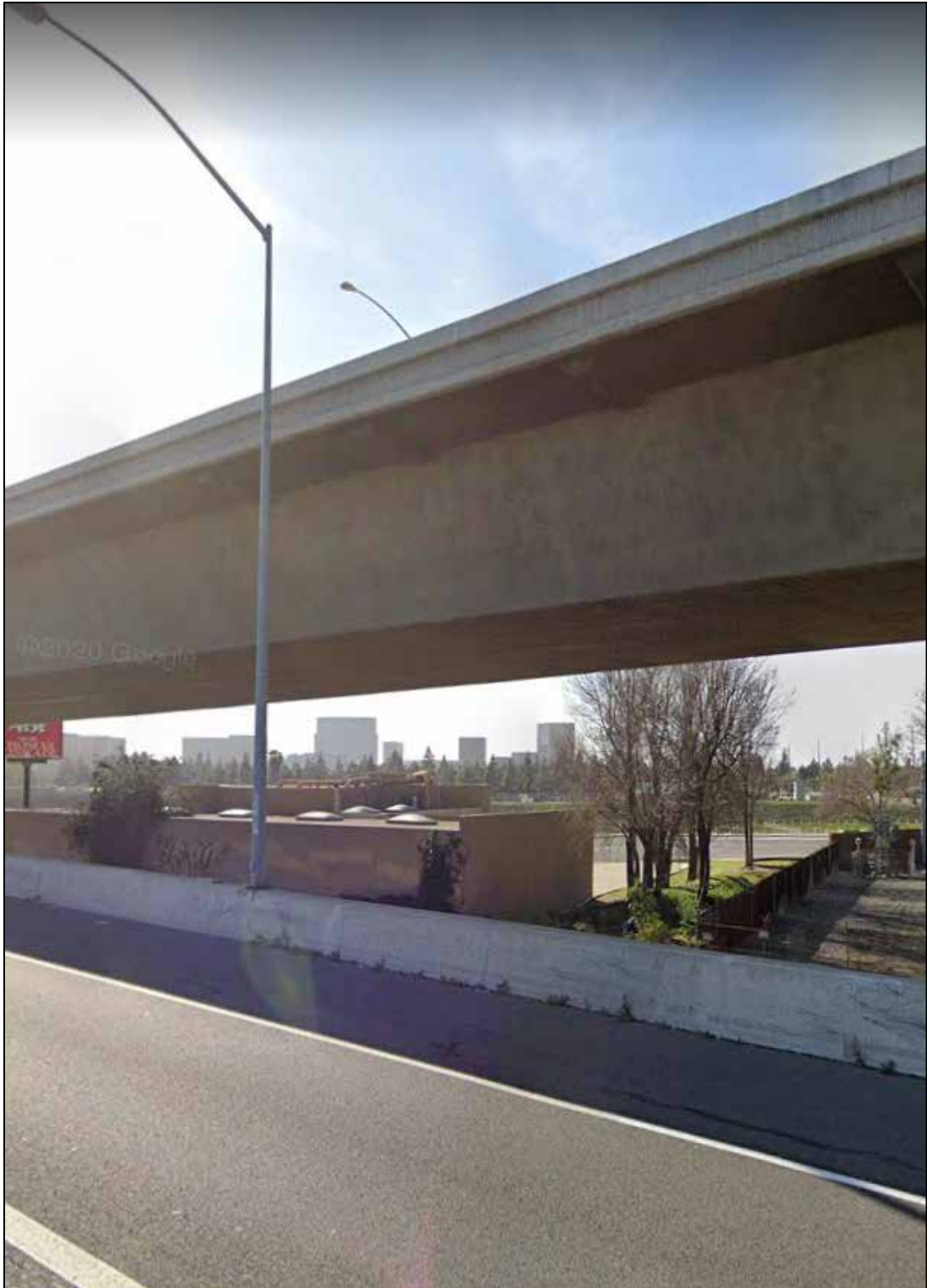
EXHIBIT 4

1 - 21

CUP No. 2020-14 & VAR No. 2020-4
4111 South Main Street (APN No. 411-121-15)
Exhibit 4 – Site Photos



East View



West View

EXHIBIT 5

1 - 24

CUP No. 2020-19 & VAR No. 2020-4
 New AT&T Wireless Facility at 4111 South Main Street
 Exhibit 5 - Site Plan & Enlarged Site Plan



THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO AT&T WIRELESS. ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO AT&T WIRELESS IS STRICTLY PROHIBITED.



3300 IRVINE AVENUE, SUITE 300
 NEWPORT BEACH, CA 92660
 TEL: (949) 387-1265
 FAX: (949) 387-1275



9926 PIONEER BLVD. #105,
 SANTA FE SPRINGS, CA 90670

REV	DATE	DESCRIPTION
1	07/08/20	100% ZONING DRAWINGS
-	01/08/20	100% ZONING DRAWINGS
-	07/24/19	95% ZD SITE RELOCATION
0	06/25/19	90% ZD SITE RELOCATION

NOT TO BE USED FOR CONSTRUCTION

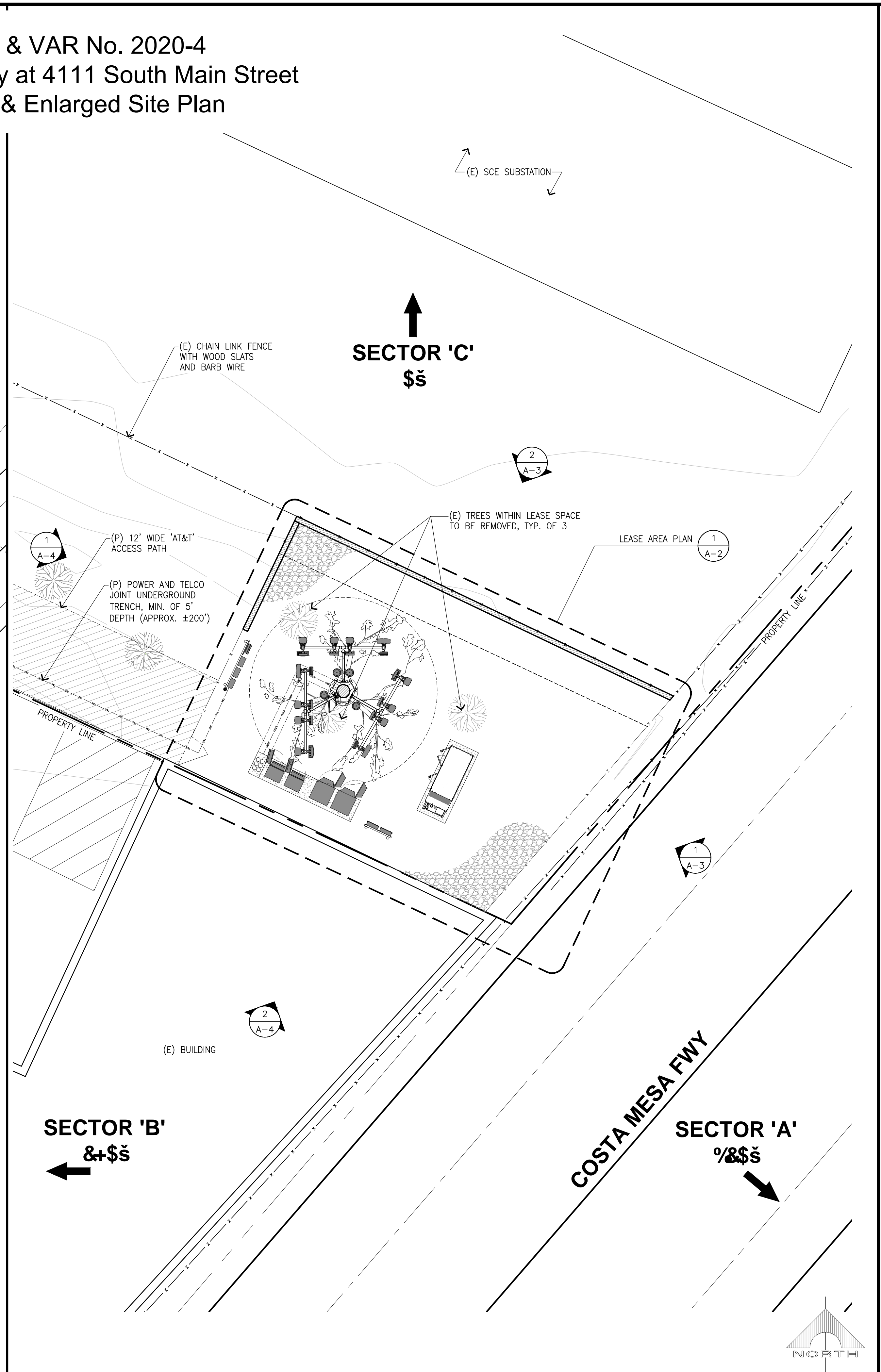
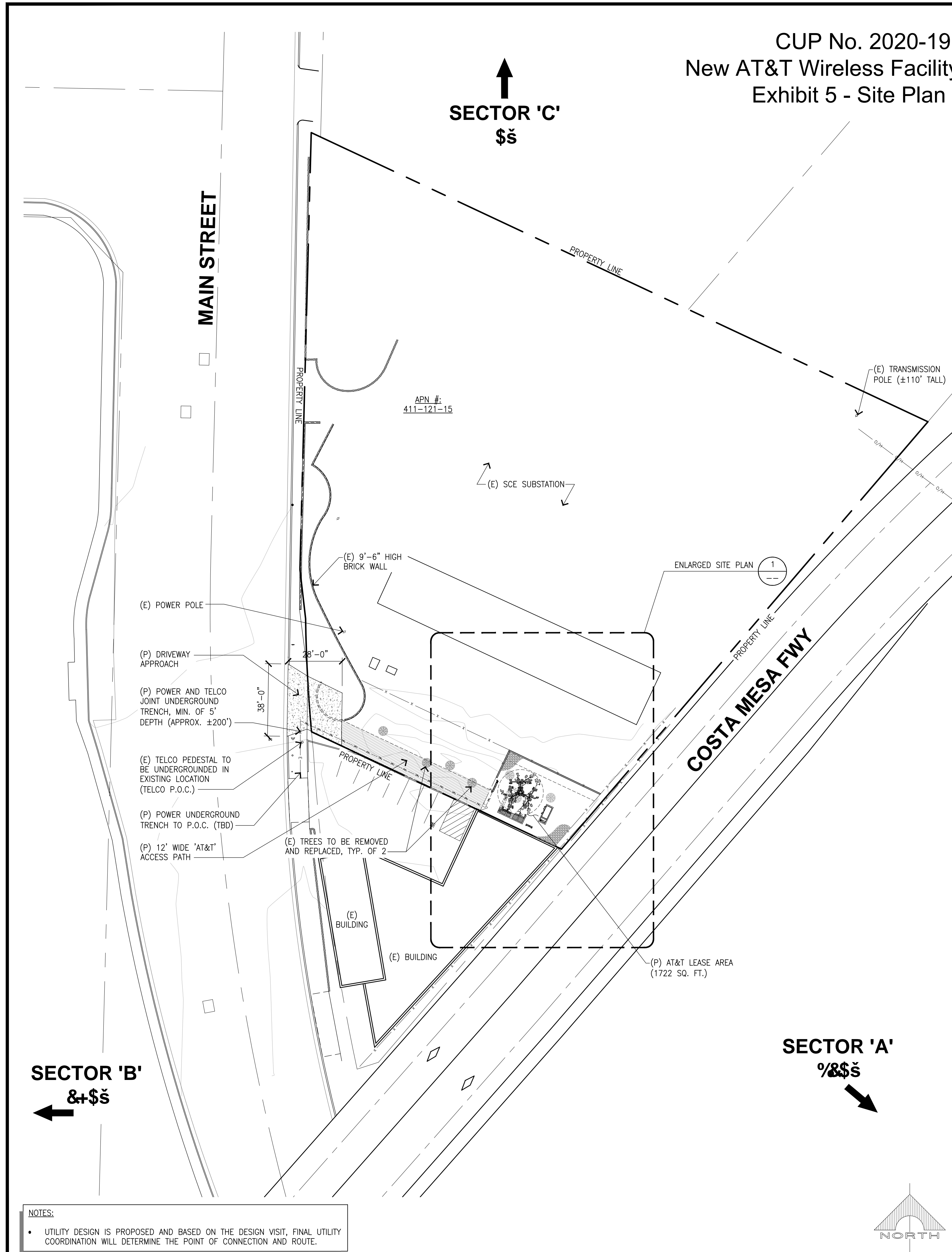
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

CLV1583 (CLL01583)
 FAIRVIEW SUBSTATION
 MAIN ST. & SUNFLOWER AVE.
 SANTA ANA, CA 92707
 MONO-EUCALYPTUS (OUTDOOR)

DRAWN BY:	CHECKED BY:
JEM	JS

SHEET TITLE:
 SITE PLAN AND ENLARGED SITE PLAN

SHEET NUMBER:
A-1



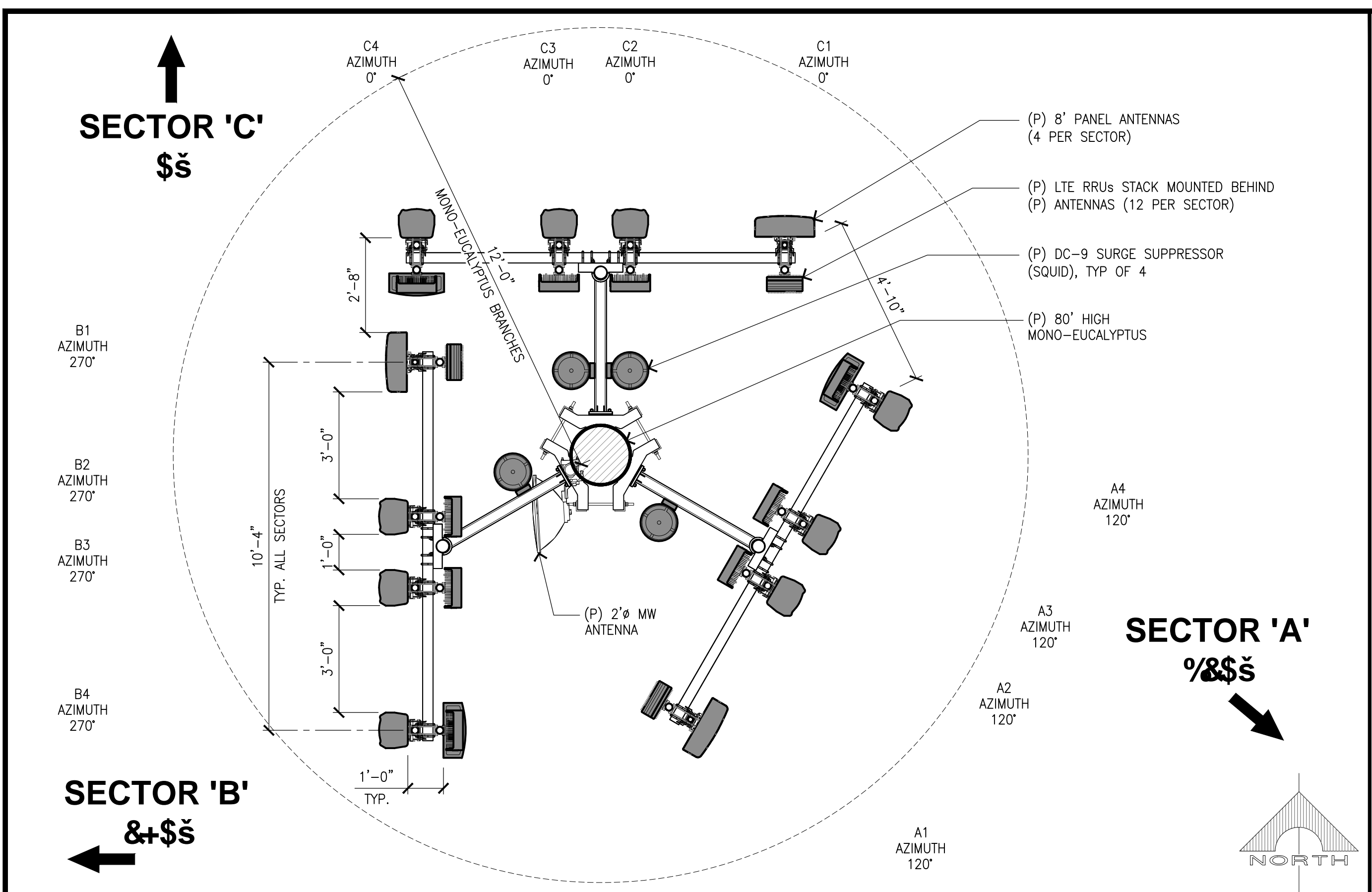
NOTES:
 • UTILITY DESIGN IS PROPOSED AND BASED ON THE DESIGN VISIT, FINAL UTILITY COORDINATION WILL DETERMINE THE POINT OF CONNECTION AND ROUTE.

SITE PLAN

SCALE: 1"=30'-0"
 15' 30' 60' **2**

ENLARGED SITE PLAN

SCALE: 1/8"=1'-0" **1**



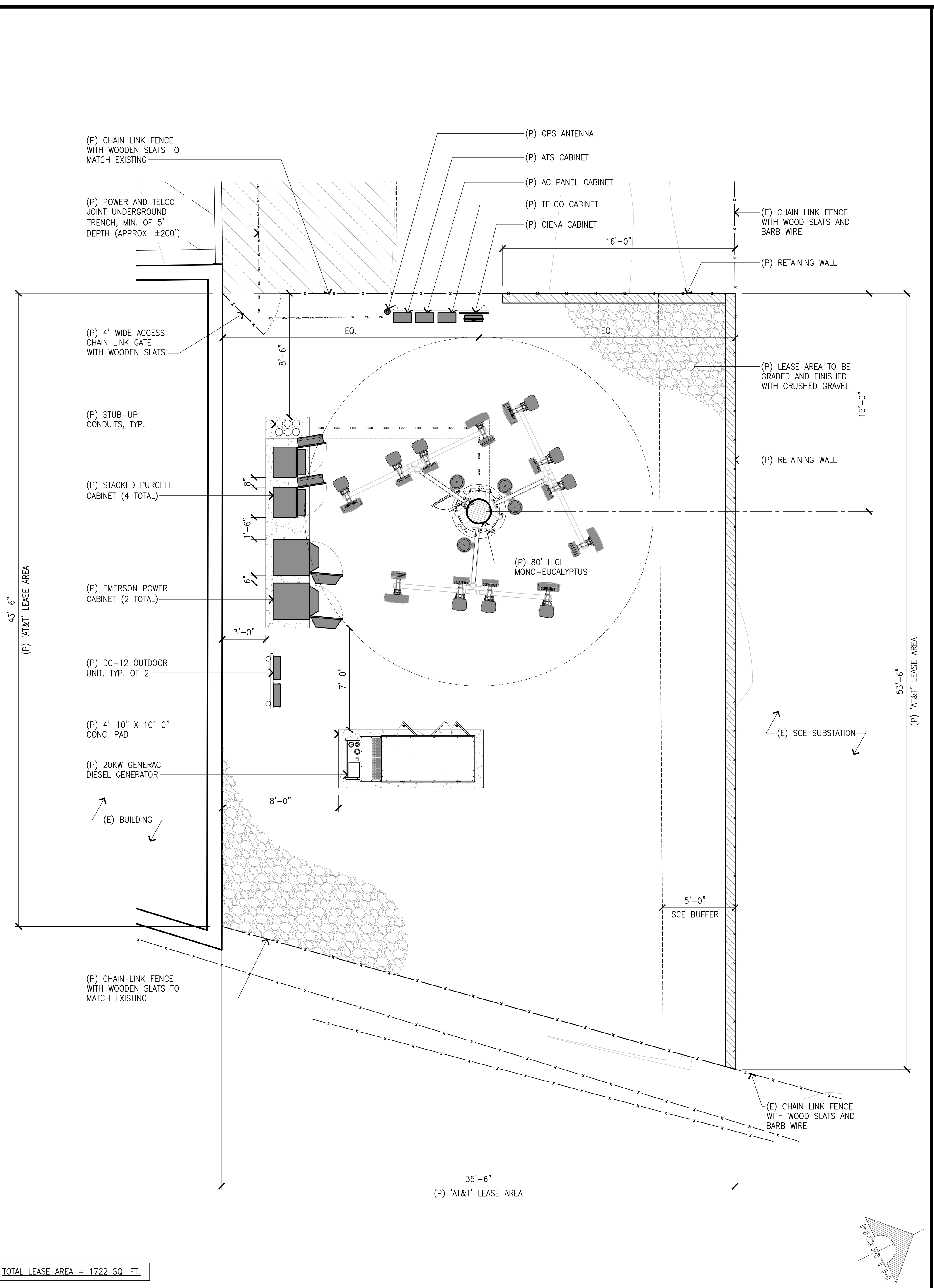
ANTENNA PLAN SCALE: 3/8"=1'-0" 2

SECTOR	PROPOSED TECHNOLOGY	PROPOSED ANTENNA AND TRANSMISSION CABLE REQUIREMENTS							
		ANTENNA			TRANSMISSION LINES (LENGTH FT +/-)				
		MODEL	AIR/HEX/8-PORT	SIZE (4', 6', 8')	ANTENNA AZIMUTH	RAD CENTER	JUMPER	DC CABLE (AWG #8)	
ALPHA SECTOR	A1	LTE	KATHREIN 800-10966K	8-PORT PANEL ANTENNA	8'	120°	74'-0"	<12'	+/- 100'
	A2	LTE	QUINTEL QS8658-3E	8-PORT PANEL ANTENNA	8'	120°	74'-0"	<12'	+/- 100'
	A3	LTE	QUINTEL QS8658-3E	8-PORT PANEL ANTENNA	8'	120°	74'-0"	<12'	+/- 100'
	A4	LTE	QUINTEL QS8658-3E	8-PORT PANEL ANTENNA	8'	120°	74'-0"	<12'	+/- 100'
BETA SECTOR	B1	LTE	KATHREIN 800-10966K	8-PORT PANEL ANTENNA	8'	270°	74'-0"	<12'	+/- 100'
	B2	LTE	QUINTEL QS8658-3E	8-PORT PANEL ANTENNA	8'	270°	74'-0"	<12'	+/- 100'
	B3	LTE	QUINTEL QS8658-3E	8-PORT PANEL ANTENNA	8'	270°	74'-0"	<12'	+/- 100'
	B4	LTE	QUINTEL QS8658-3E	8-PORT PANEL ANTENNA	8'	270°	74'-0"	<12'	+/- 100'
GAMMA SECTOR	C1	LTE	KATHREIN 800-10966K	8-PORT PANEL ANTENNA	8'	0°	74'-0"	<12'	+/- 100'
	C2	LTE	QUINTEL QS8658-3E	8-PORT PANEL ANTENNA	8'	0°	74'-0"	<12'	+/- 100'
	C3	LTE	QUINTEL QS8658-3E	8-PORT PANEL ANTENNA	8'	0°	74'-0"	<12'	+/- 100'
	C4	LTE	QUINTEL QS8658-3E	8-PORT PANEL ANTENNA	8'	0°	74'-0"	<12'	+/- 100'

SECTOR	RRU MODEL	RRU COUNT	RRU LOCATION (DISTANCE FROM ANTENNA)	MINIMUM CLEARANCES			
				ABOVE	BELOW	SIDES	
ALPHA SECTOR	A1	RRUS-4449 B71 + B12	1	<12'	18"	8"	8"
	A1	RRUS-8843 B2/B66A	1	<12'	18"	8"	8"
	A2	RRUS-4478 B14	1	<12'	18"	8"	8"
	A4	RRUS-E2 B29	1	<12'	18"	8"	8"
BETA SECTOR	B1	RRUS-4415 B30	1	<12'	18"	8"	8"
	B1	RRUS-4449 B71 + B12	1	<12'	18"	8"	8"
	B1	RRUS-8843 B2/B66A	1	<12'	18"	8"	8"
	B2	RRUS-4478 B14	1	<12'	18"	8"	8"
GAMMA SECTOR	C1	RRUS-E2 B29	1	<12'	18"	8"	8"
	C1	RRUS-4449 B71 + B12	1	<12'	18"	8"	8"
	C1	RRUS-8843 B2/B66A	1	<12'	18"	8"	8"
	C2	RRUS-4478 B14	1	<12'	18"	8"	8"

SECTOR	DC-9 MODEL	FIBER OPTIC TRANSMISSION AND DC POWER CABLE SCHEDULE								
		FIBER OPTIC TRANSMISSION CABLES			DC POWER CABLES					
		FROM LTE DUL/DUS TO DC-9			FROM DC12 TO DC-9			FROM DC-9 TO RRU		
		PART #	QTY	LENGTH	PART #	QTY	LENGTH	PART #	QTY	LENGTH
ALPHA	DC9-48-60-24-8C-EV	RFFT-36SM-001-50	1	±110'	PWRT-608-S	3	±110'	PWRT-608-S	3	≤15'
BETA	DC9-48-60-24-8C-EV	RFFT-36SM-001-50	1	±110'	PWRT-608-S	3	±110'	PWRT-608-S	3	≤15'
GAMMA	DC9-48-60-24-8C-EV	RFFT-36SM-001-50	1	±110'	PWRT-608-S	3	±110'	PWRT-608-S	3	≤15'

ANTENNA AND RRU SCHEDULE SCALE: 1/4"=1'-0" 1



LEASE AREA PLAN SCALE: 1/4"=1'-0" 1



THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO AT&T WIRELESS. ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO AT&T WIRELESS IS STRICTLY PROHIBITED.



REV	DATE	DESCRIPTION
1	07/08/20	100% ZONING DRAWINGS
-	01/08/20	100% ZONING DRAWINGS
-	07/24/19	95% 2D SITE RELOCATION
0	06/25/19	90% 2D SITE RELOCATION

NOT TO BE USED FOR CONSTRUCTION

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

CLV1583 (CLL01583)
FAIRVIEW SUBSTATION
 MAIN ST. & SUNFLOWER AVE.
 SANTA ANA, CA 92707
MONO-EUCALYPTUS (OUTDOOR)

DRAWN BY: JEM
 CHECKED BY: JS

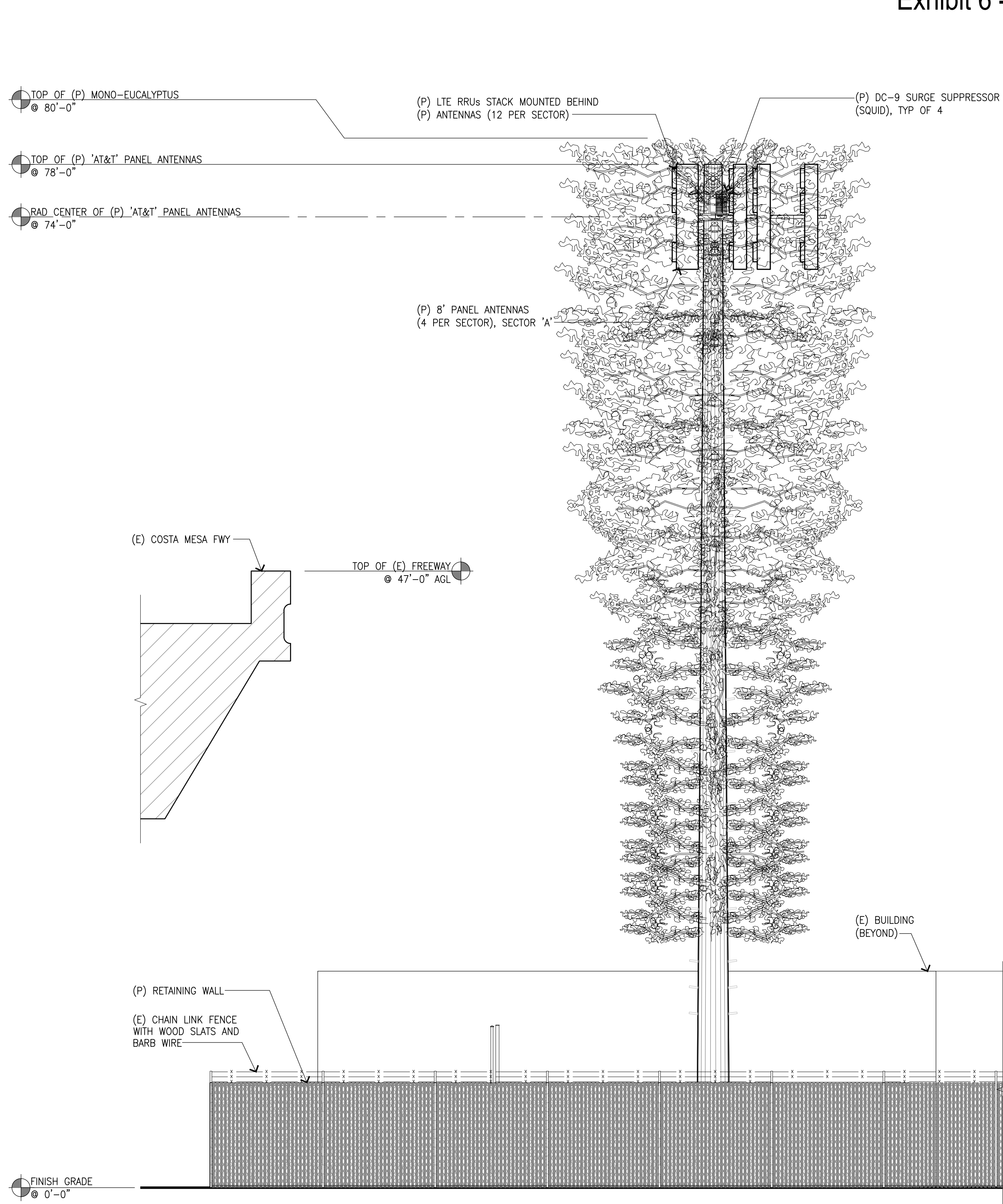
SHEET TITLE:
LEASE AREA/ANTENNA PLAN AND ANTENNA/RRU SCHEDULE

SHEET NUMBER:
A-2

EXHIBIT 6

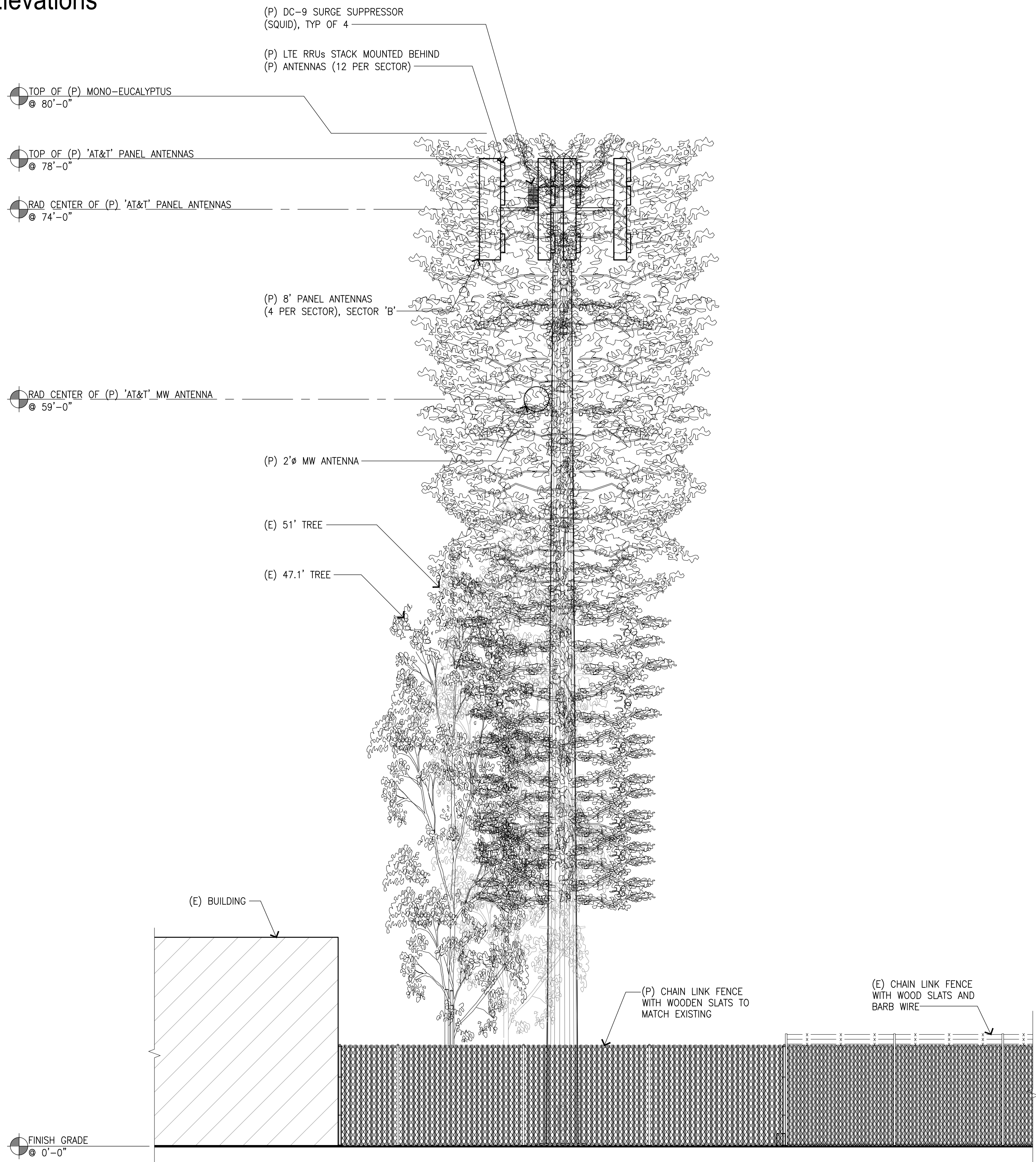
1 - 27

CUP No. 2020-19 & VAR No. 2020-4
 New AT&T Wireless Facility at 4111 South Main Street
 Exhibit 6 - Elevations



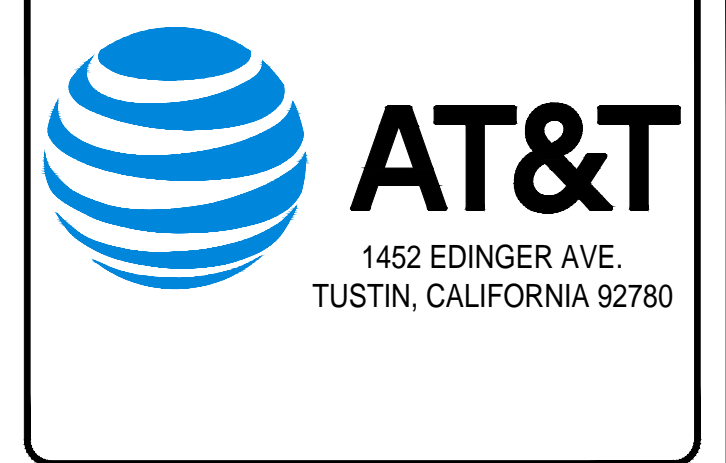
NORTH ELEVATION

SCALE:
3/16"=1'-0" **2**



EAST ELEVATION

SCALE:
3/16"=1'-0" **1**



THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO AT&T WIRELESS. ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO AT&T WIRELESS IS STRICTLY PROHIBITED.



REV	DATE	DESCRIPTION
1	07/08/20	100% ZONING DRAWINGS
-	01/08/20	100% ZONING DRAWINGS
-	07/24/19	95% ZD SITE RELOCATION
D	06/25/19	90% ZD SITE RELOCATION

NOT TO BE USED FOR CONSTRUCTION

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

CLV1583 (CLL01583)
 FAIRVIEW SUBSTATION
 MAIN ST. & SUNFLOWER AVE.
 SANTA ANA, CA 92707
 MONO-EUCALYPTUS (OUTDOOR)

DRAWN BY: JEM
 CHECKED BY: JS

SHEET TITLE:
ELEVATIONS

SHEET NUMBER:
A-3

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO AT&T WIRELESS. ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO AT&T WIRELESS IS STRICTLY PROHIBITED.



3300 IRVINE AVENUE, SUITE 300
NEWPORT BEACH, CA 92660
TEL: (949) 387-1265
FAX: (949) 387-1275



9926 PIONEER BLVD. #105,
SANTA FE SPRINGS, CA 90670

REV	DATE	DESCRIPTION
1	07/08/20	100% ZONING DRAWINGS
-	01/08/20	100% ZONING DRAWINGS
-	07/24/19	95% ZD SITE RELOCATION
D	06/25/19	90% ZD SITE RELOCATION

NOT TO BE USED FOR CONSTRUCTION

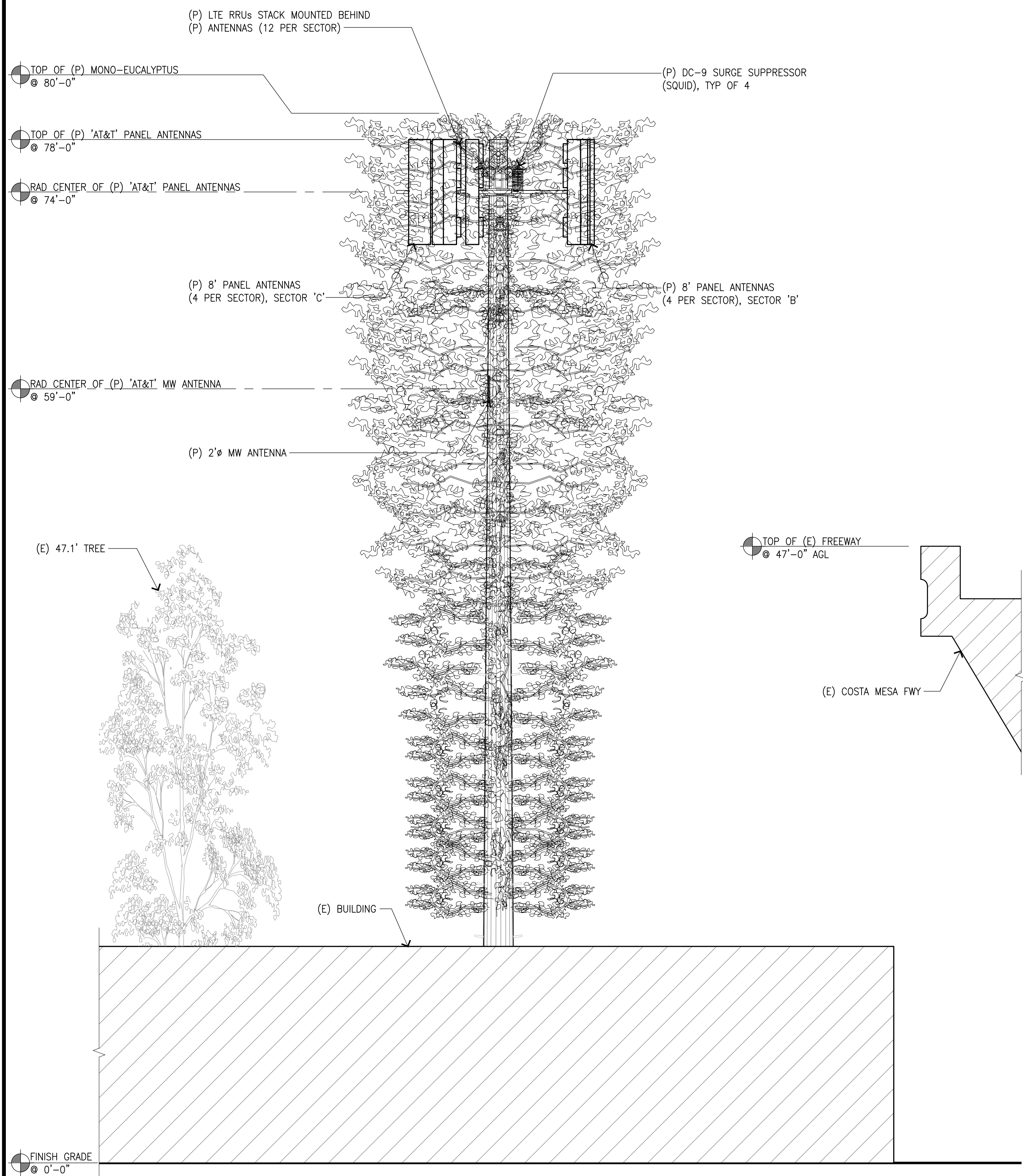
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

CLV1583 (CLL01583)
FAIRVIEW SUBSTATION
MAIN ST. & SUNFLOWER AVE.
SANTA ANA, CA 92707
MONO-EUCALYPTUS (OUTDOOR)

DRAWN BY: JEM	CHECKED BY: JS
------------------	-------------------

SHEET TITLE:
ELEVATIONS

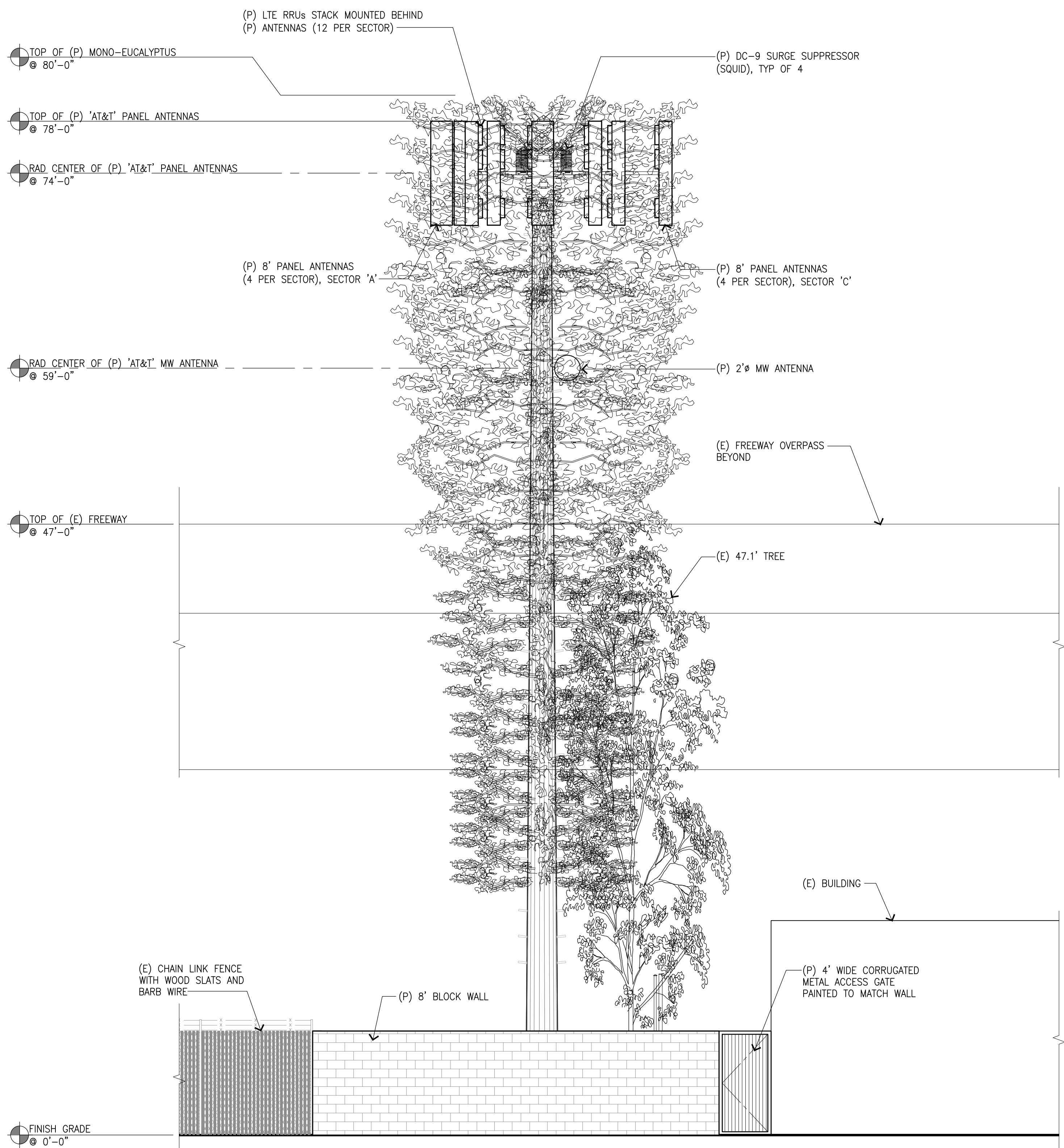
SHEET NUMBER:
A-4



SOUTH ELEVATION

SCALE:
3/16"=1'-0"

2



WEST ELEVATION

SCALE:
3/16"=1'-0"

1

EXHIBIT 7

1 - 30

CUP No. 2020-19 & VAR No. 2020-04
New AT&T Wireless Facility at 4111 South
Main Street
Exhibit 7 - Photo Simulations

PROPOSED MONO-EUCALYPTUS



PROPOSED MONO-EUCALYPTUS



PROPOSED ACCESS DRIVE





PROPOSED MOND-EUCALYPTUS

PROPOSED EQUIPMENT ENCLOSURE

PROPOSED

LOOKING SOUTHEAST FROM SUNFLOWER AVENUE

↑ - 33

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

PROPOSED MONO-EUCALYPTUS



PROPOSED EQUIPMENT ENCLOSURE





PROPOSED MONO-EUCALYPTUS

PROPOSED

LOOKING NORTH FROM NORTHBOUND 55 FREEWAY

1 - 35

ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



PROPOSED MONO-EUCALYPTUS

EXHIBIT 8

1 - 37

CUP No. 2020-19 & VAR No. 2020-04
4111 South Main Street
Exhibit 8 – Colocation and Roof Mounted Examples



1851 East First Street – antennas mounted onto the wall



3636 Westminster Avenue – Roof mounted antennas



Santa Ana Water Tower – Co-location



2120 South Bristol Street – Co-location

EXHIBIT 9

1 - 40

CUP No. 2020-19 & VAR No. 2020-04
New AT&T Wireless Facility at 4111 South Main Street
Exhibit 9 - Height Justification & Propagation Maps

Remaining Significant Coverage Gap
If Variance to Allow an 80-foot Height Monopole is Denied

Main Street & Sunflower Avenue, Santa Ana, CA
AT&T Site ID: CLV1583

Denial of AT&T's request for a variance to install an 80-foot tall wireless communications facility would unlawfully prohibit wireless services in this portion of Santa Ana. AT&T's Radio Frequency Statement explains:

Exhibit 3 is a map that that predicts high-band LTE service coverage based on signal strength in the vicinity of the Property if antennas are placed at a reduced height of 55 feet to accommodate a 60-foot tall facility. As shown by this map, reducing antenna height significantly reduces the coverage that the site can attain, which would materially inhibit AT&T from meeting its coverage objectives in this portion of the city. ***Specifically, it would fail to provide adequate service to hundreds of homes, several businesses, schools, parks and the fire station in the gap area.***

Below is a more detailed analysis of the gap area that demonstrates the significant scope of AT&T's gap area that will remain if the City approves a 60-foot tall facility but denies the height variance to allow the proposed 80-foot tall facility. If the variance is denied, the following properties in Santa Ana will be deprived of receiving improved service coverage. Denial of the variance would, therefore, violate the Telecommunications Act of 1996, 47 U.S.C. § 332(c)(7)(B)(i)(II), by effectively prohibiting AT&T from providing personal wireless service to the following properties:

North of MacArthur Blvd

- Approximately 30 multi-tenant units in the Californian Apartments property complex between Main Street, West Columbine Avenue, and West MacArthur Boulevard
- Approximately 50 townhomes at the Reserve at South Coast between Main Street and West Columbine Avenue
- Approximately 75 single family homes between South Birch Street, West Columbine Avenue, South Sycamore Street, and West Alton Avenue to the east and south of Lillie King Park and MacArthur Fundamental Intermediate School
- Approximately 40 single family homes between South Birch Street, West Columbine Avenue, and East MacArthur Boulevard to the southeast of Lillie King Park and MacArthur Fundamental Intermediate School
- Approximately 240 single family homes between South Flower Street, West Alton Avenue, East MacArthur Boulevard, and South Sycamore Street to the east and south of Lillie King Park and MacArthur Fundamental Intermediate School
- MacArthur Fundamental Intermediate School
- Lillie King Park
- Approximately 30 single family homes on South Olive Street to the east of Flower Street

South of MacArthur Blvd

- Multiple businesses in the Mac Main Plaza
- Approximately 20 townhomes in the Main Attraction gated community
- Taft Elementary School
- Sandpointe Park
- Approximately 200 single family homes to the east of South Flower Street and north of Sunflower Avenue
- Approximately 70 single family homes west of South Flower Street in between Ramona Street and South Olive Street
- Bomo Koral Park
- The Park Plaza Apartments

South of Sunflower Avenue

- Multiple units in the Enclave Apartments
- The Metro Fire Station
- Multiple units in the 3400 Avenue of the Arts apartments

South of the San Diego Freeway

- Approximately 25 single family homes on Traverse Drive

Near Red Hill Avenue

- Multiple professional business offices in the Main and Redhill Business Center
- Airport Business Center
- Other commercial businesses to the east of State Route 55

Conclusion:

AT&T has demonstrated not only that it has a significant service coverage gap in a large portion of the City, but has also demonstrated that it cannot close that gap without a height variance to authorize an 80-foot tall facility. Thus, denial of the variance request will violate federal law.

AT&T Mobility Radio Frequency Statement
Main Street & Sunflower Avenue, Santa Ana CA

AT&T has experienced an unprecedented increase in mobile data use on its network since the release of the iPhone in 2007. AT&T estimates that since introduction of the iPhone in 2007, mobile data usage has increased 470,000% on its network. AT&T forecasts its customers' growing demand for mobile data services to continue. The increased volume of data travels to and from customers' wireless devices and AT&T's wireless infrastructure over limited airwaves — radio frequency spectrum that AT&T licenses from the Federal Communications Commission.

Spectrum is a finite resource and there are a limited number of airwaves capable and available for commercial use. Wireless carriers license those airwaves from the FCC. To ensure that service quality, AT&T must knit together its spectrum assets to address customers' existing usage and forecasted demand for wireless services, and it must use its limited spectrum in an efficient manner.

AT&T uses high-band (i.e., 2300 MHz, 2100 MHz, and 1900 MHz) and low-band (i.e., 850 MHz and 700 MHz) spectrum to provide wireless service. Each spectrum band has different propagation characteristics and signal quality may vary due to noise or interference based on network characteristics at a given location. To address this dynamic environment, AT&T deploys multiple layers of its licensed spectrum and strives to bring its facilities closer to the customer. The proposed wireless communications facility near the intersection of Main Street and Sunflower Avenue, Santa Ana, CA (the "Property") is needed to close a high-band LTE service coverage gap in an area roughly bordered by Curie Avenue to the north, Sky Park Circle to the west, the San Diego Freeway/Interstate-405 to the south, and Bomo Koral Park to the east. This portion of Santa Ana includes hundreds of homes in several neighborhoods, numerous businesses, a fire station, schools, parks and other points of interest in the immediate vicinity.

The service coverage gap is caused by inadequate infrastructure in the area. AT&T currently has existing sites in the broader geographical area surrounding the Property but, as Exhibit 1 illustrates, these existing sites do not provide sufficient in-building high-band LTE service in the gap area. To meet its coverage objectives, AT&T needs to construct a new wireless communications facility. Wireless telecommunications is a line-of-sight technology, and AT&T's antennas need to be high enough propagate an effective signal throughout the gap area. To meet its coverage objectives for this gap area, AT&T proposes antennas with a centerline height of 74 feet above ground level. A reduced height of antennas is not feasible because signals to the east would be blocked by the elevated concrete and steel freeways, including the tall flyover ramp from the Costa Mesa Freeway to Interstate 405. Denial of this proposed facility or a reduction in height would materially inhibit AT&T's ability to provide and improve wireless services in this portion of the city.

The facility at the Property will help to close the gap in coverage and help address rapidly increasing data usage driven by smart phone and tablet usage. This site is part of an effort to fully deploy 4G LTE technology in the area. Specifically, the proposed facility will close this service coverage gap and provide sufficient high-band 4G LTE, in-building coverage for AT&T customers in the affected area. 4G LTE is capable of delivering speeds up to 10 times faster than industry-average 3G speeds. LTE technology also offers lower latency, or the processing time it takes to move data through a network, such as how long it takes to start downloading a webpage or file once you've sent the request. Lower latency helps to improve the quality of personal wireless services. What's more, LTE uses spectrum more efficiently than other technologies, creating more space to carry data traffic and services and to deliver a better overall network experience.

It is important to understand that service problems can and do occur for customers even in locations where the coverage maps on AT&T's "Coverage Viewer" website appear to indicate that coverage is available. As the legend to the Coverage Viewer maps indicates, these maps display approximate coverage. Actual coverage in an area may differ from the website map graphics, and it may be affected by such things as terrain, weather, network changes, foliage, buildings, construction, high-usage periods, customer equipment, and other factors.

It is also important to note that the signal losses, slow data rates, and other service problems can and do occur for customers even at times when certain other customers in the same vicinity may not experience any problems on AT&T's network. These problems can and do occur even when certain customers' wireless phones indicate coverage bars of signal strength on the handset. The bars of signal strength that individual customers can see on their wireless phones are an imprecise and slow-to-update estimate of service quality. In other words, a customer's wireless phone can show coverage bars of signal strength, but that customer will still, at times, be unable to initiate voice calls, complete calls, or download data reliably and without service interruptions due to service quality issues.

To determine where equipment needs to be located for the provisioning of reliable service in any area, AT&T's radio frequency engineers rely on far more complex tools and data sources than just signal strength from individual phones. AT&T uses industry standard propagation tools to identify the areas in its network where signal strength is too weak to provide reliable in-building service quality. This information is developed from many sources including terrain and clutter databases, which simulate the environment, and propagation models that simulate signal propagation in the presence of terrain and clutter variation. AT&T designs and builds its wireless network to ensure customers receive reliable in-building service quality. In-building service is critical as customers increasingly use their mobile phones as their primary communication device (more than 72% of American households rely primarily or

exclusively on wireless telecommunications) and rely on their mobile phones to do more (E911, GPS, web access, text, etc.). In fact, the FCC estimates that 70% of 911 calls are placed by people using wireless phones.

The proposed facility at the Property is also a part of AT&T's commitment to supporting public safety through its partnership with FirstNet, the federal First Responder Network Authority. The proposed facility will provide new service on Band 14, which is the dedicated public safety network for first responders nationwide. The proposed facility is designed to be part of FirstNet and will provide coverage and capacity for the deployment of the FirstNet platform on AT&T's LTE network. Deployment of FirstNet in the subject area will improve public safety by providing advanced communications capabilities to assist public safety agencies and first responders.

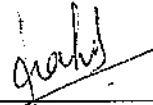
Exhibit 1 to this Statement is a map of the existing high-band LTE service coverage (without the proposed installation at the Property) in the area at issue. It includes high-band LTE service coverage provided by other existing AT&T sites. The green shading shows areas within a signal strength range that provide reliable service coverage. The yellow shaded areas depict areas within a signal strength range that provide marginally reliable service coverage. The pink and white areas depict areas in which a customer might have difficulty receiving a consistently acceptable level of service. The quality of service experienced by any individual customer can differ greatly depending on whether that customer is indoors, outdoors, stationary, or in transit. Any area in the pink or white category is considered inadequate service coverage and constitutes a service coverage gap.

Exhibit 2 is a map that predicts high-band LTE service coverage based on signal strength in the vicinity of the Property if the proposed facility is constructed as proposed in the application. As shown by this map, constructing the proposed facility at the Property closes this significant service coverage gap.

Exhibit 3 is a map that that predicts high-band LTE service coverage based on signal strength in the vicinity of the Property if antennas are placed at a reduced height of 55 feet to accommodate a 60-foot tall facility. As shown by this map, reducing antenna height significantly reduces the coverage that the site can attain, which would materially inhibit AT&T from meeting its coverage objectives in this portion of the city. Specifically, it would fail to provide adequate service to hundreds of homes, several businesses, schools, parks and the fire station in the gap area.

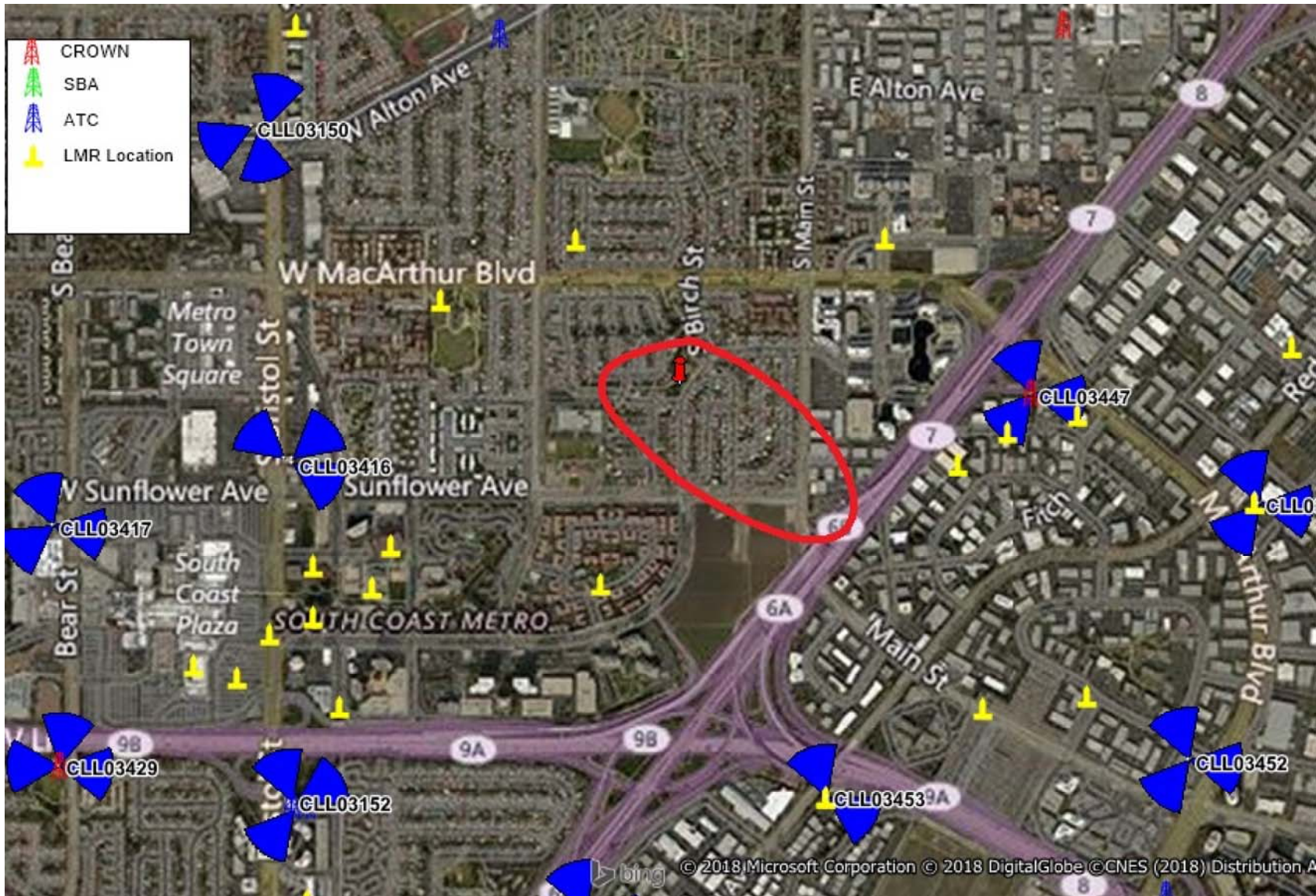
My conclusions are based on my knowledge of the Property and with AT&T's wireless network, as well as my review of AT&T's records with respect to the Property and its wireless telecommunications facilities in the surrounding area. I have a Bachelor Degree in Electronics and Communications from the

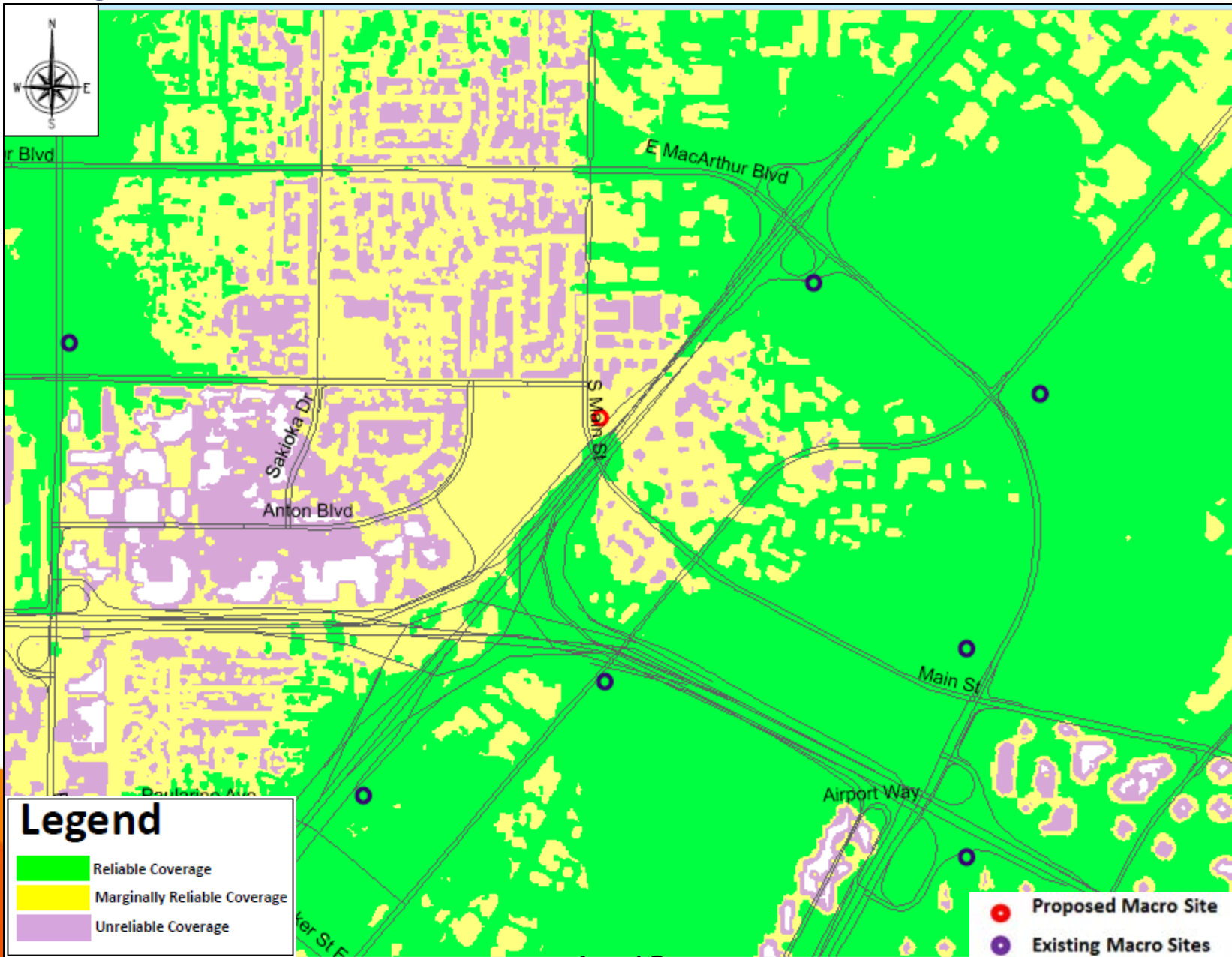
University of Mysore, India, and have worked as an engineering expert in the wireless communications industry for more than 24 years.

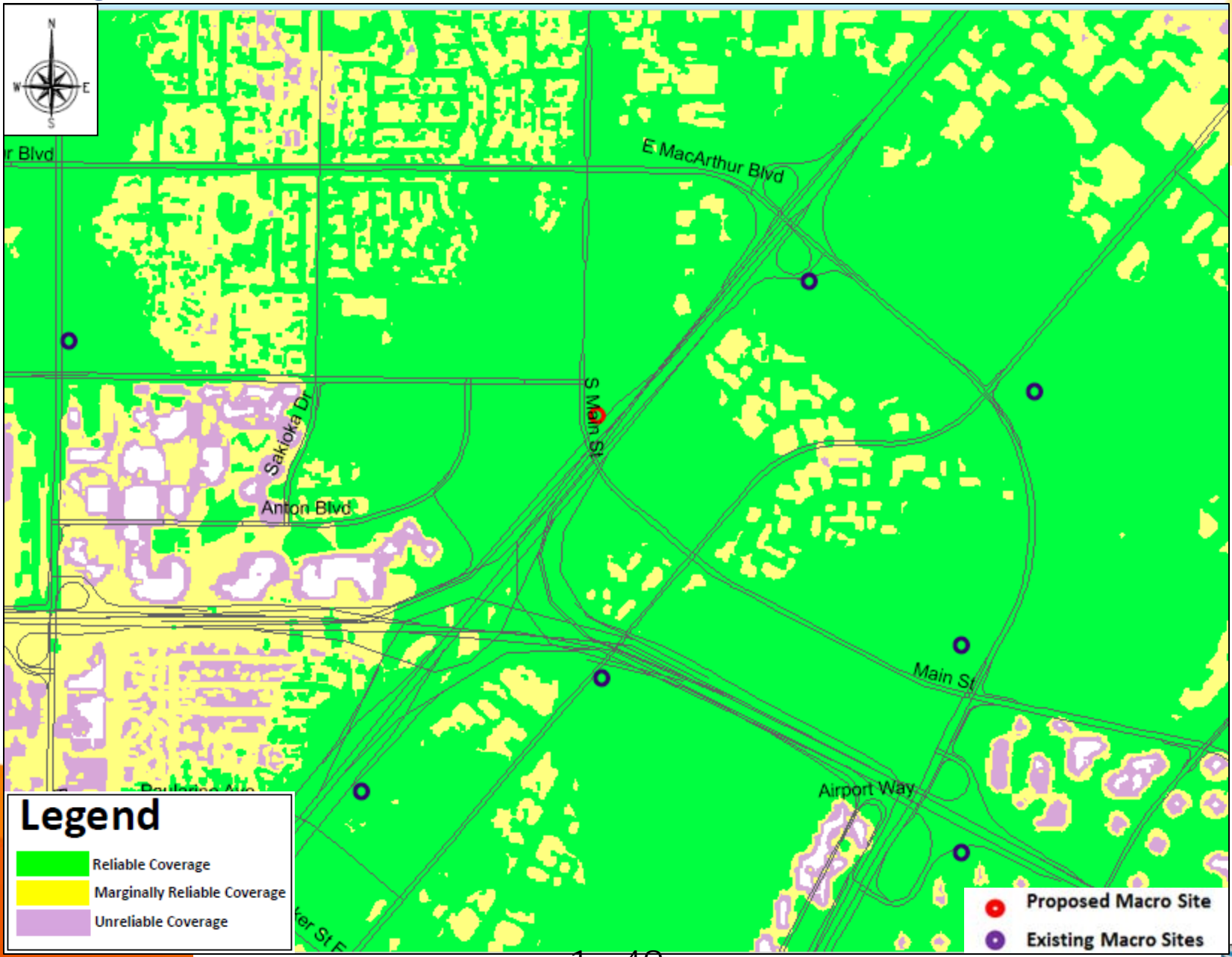


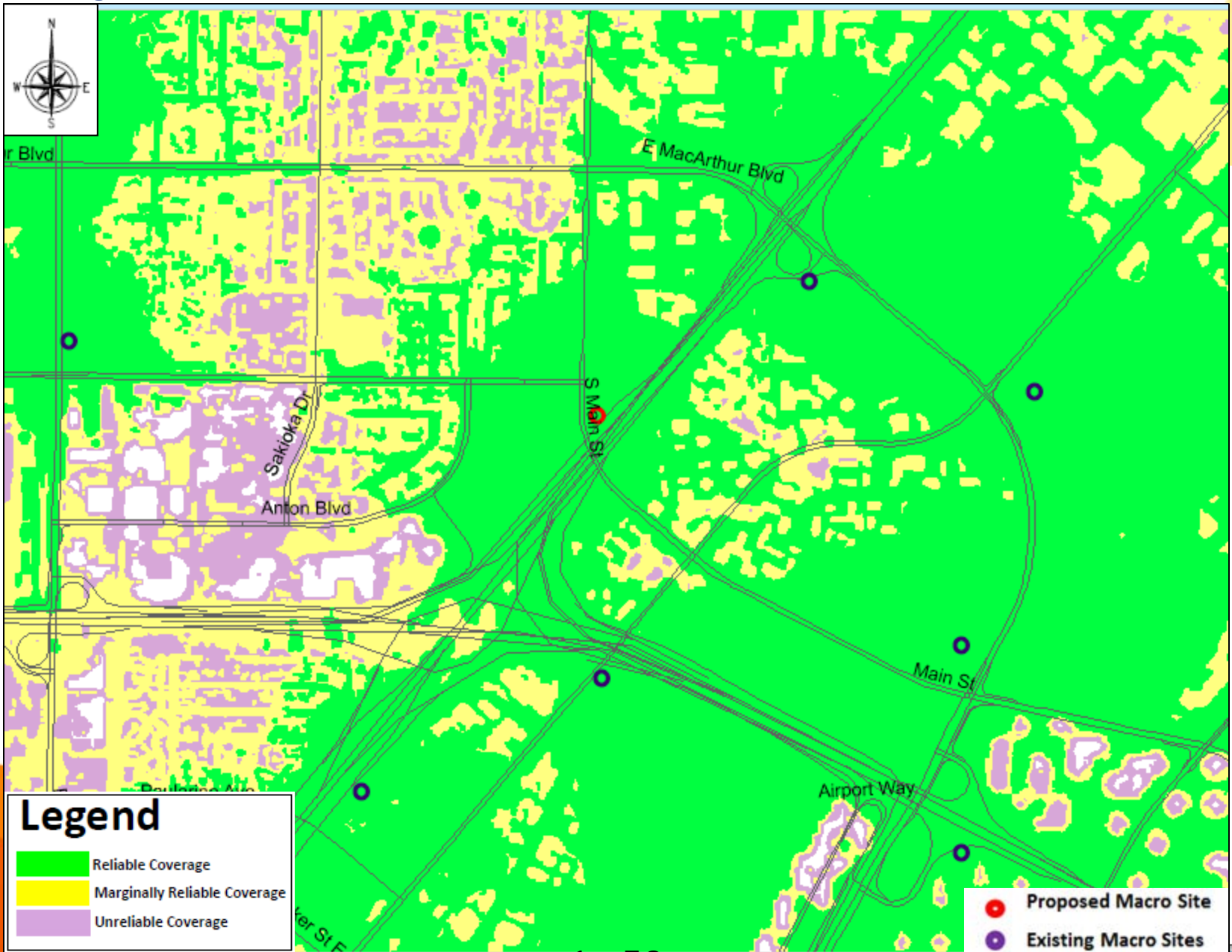
Mahesh Kolar
AT&T Mobility Services LLC
Network, Planning & Engineering
RAN Design & RF Engineering
August 2019

Towers and Colocations









Legend

- Reliable Coverage
- Marginally Reliable Coverage
- Unreliable Coverage

- Proposed Macro Site
- Existing Macro Sites



EXHIBIT 10

1 - 51



AT&T Mobility

Wireless Telecommunications Facility

at

APN: 411-121-15, Main Street and Sunflower Avenue
Santa Ana, CA

DP No: 2018-43

Introduction

New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (“AT&T”) has a significant gap in its service coverage in Santa Ana. AT&T proposes to install a new stealth 80-foot tall wireless communications facility (“WCF”) disguised as a mono-broadleaf tree next to two existing tall trees and near the intersection of Main Street and Sunflower Avenue, Santa Ana, CA, Latitude/Longitude approximately 33.693211, -117.867847, APN: 411-121- 15 (“Proposed Facility”) as a means to fill this gap in coverage. AT&T proposes to install a three (3) sector array with four (4) panel antennas per sector, mounted on a faux mono-broadleaf tree (“mono-broadleaf”), with the related equipment to be within an equipment enclosure adjacent to the existing building and entirely screened by an 8-foot concrete block retaining wall on one side and an 8-foot tall chain link and wood slat fence on two sides to match the existing fencing at the property. The Proposed Facility is designed to improve the quality of life of Santa Ana citizens while also minimizing aesthetic intrusion by utilizing stealth design and locating in an area where existing topography, vegetation, buildings, and other structures provide the greatest amount of screening. The Proposed Facility is the least intrusive means to fill the significant gap of the alternatives investigated by AT&T as explained below.

Objective

AT&T Mobility has identified a significant gap in its service coverage in Santa Ana, in an area roughly bordered by Curie Avenue to the north, Sky Park Circle to the west, the San Diego Freeway/Interstate-405 to the south, and Bomo Koral Park to the east. This portion of Santa Ana includes hundreds of homes in several neighborhoods, numerous businesses, a fire station, schools, parks and other points of interest in the immediate vicinity. The service coverage in this portion of Santa Ana is described in the Radio Frequency Statement previously submitted to the City.

Methodology and Zoning Criteria

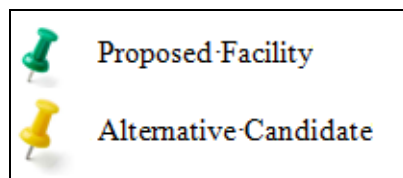
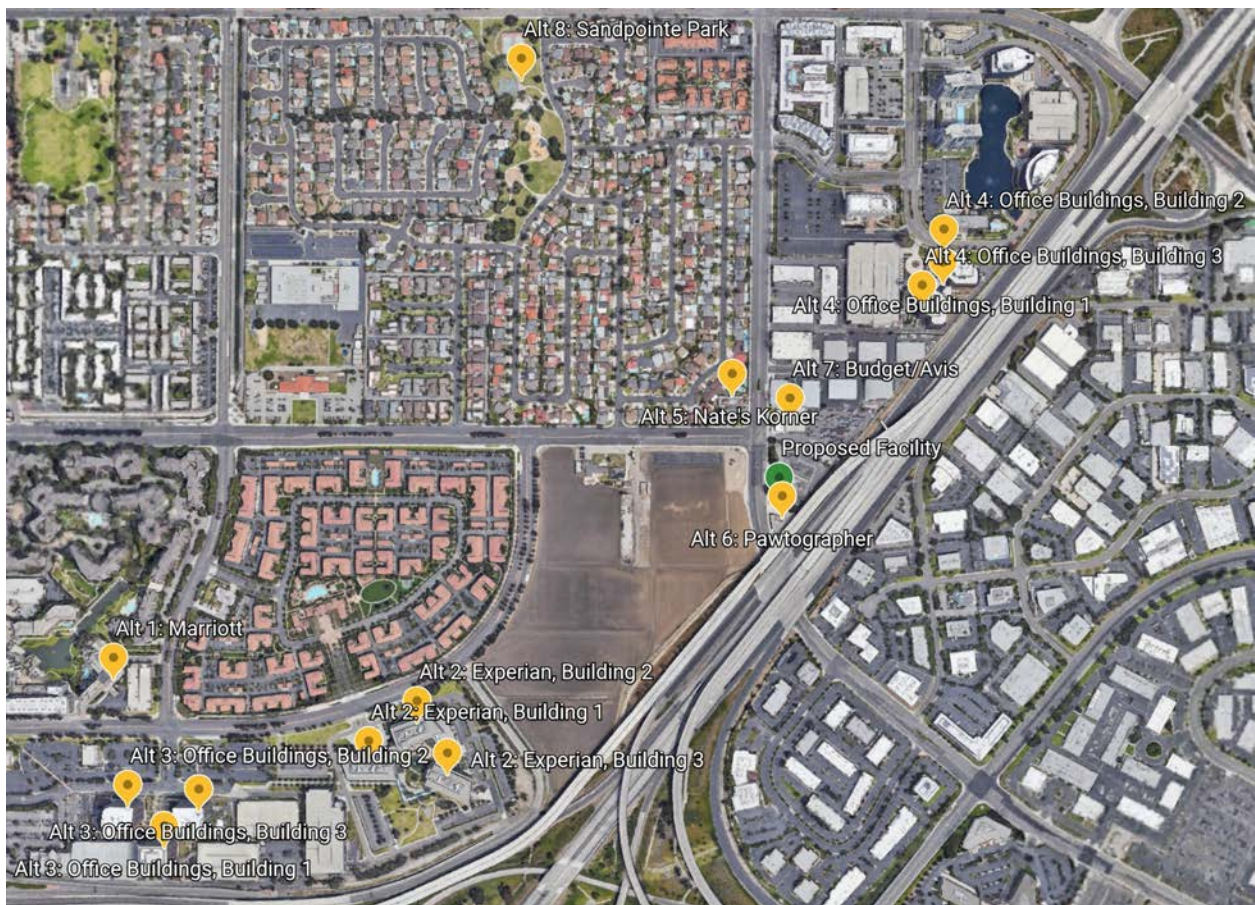
The location of a WCF to fill a significant gap in coverage is dependent upon topography, zoning, existing structures, collocation opportunities, available utilities, access and a willing landlord. Wireless communication is line-of-sight technology that requires WCFs to be in relatively close proximity to the wireless handsets to be served. AT&T proposes antennas with a centerline height of 74 feet above ground level, which is the minimum height feasible to meet coverage objectives because signals to the east would be blocked by the elevated concrete and steel freeways, including the tall flyover ramp from the Costa Mesa Freeway to Interstate 405.

AT&T seeks to fill a significant gap in service coverage using the least intrusive means under the values expressed in the Santa Ana Municipal Code (“Code”). Thus, AT&T is guided by Section 41-198 of the Code, and in particular, subsection 41-198.3(b) regarding major wireless facilities, subsection 41-198.5 regarding development criteria, and subsection 41-198.9 regarding locational guidelines. In addition, Section 41-198.8 prohibits major wireless communications facilities within 140 feet of a residential zone or legal residential use. The Proposed Facility will be a stealth installation away from residences and in a commercial zoning district (C-2) adjacent to the freeway where it will be minimally intrusive.

Analysis

In compliance with Code Section Sec. 41-198.5(b)(2), AT&T is providing the following results of its thorough investigation of potential alternative sites for facilities to fill the identified coverage gap in this portion of Santa Ana. AT&T searched for, but did not find, feasible collocation opportunities in and around the coverage objective that would be effective to fill AT&T's gap in coverage. The following map shows the locations of the Proposed Facility and the alternative sites that AT&T investigated. The alternatives are discussed in the analysis which follows.

Location of Candidate Sites



Proposed Facility – Mono-broadleaf at APN: 411-121- 15, Main Street and Sunflower Avenue



Conclusion: Based upon location, willing landlord, and the superior coverage as shown in the proposed coverage map included in AT&T’s Radio Frequency Statement, the Proposed Facility is the least intrusive means for AT&T to meet its service coverage objective.

This property is located on South Main Street near the intersection of Main Street and Sunflower Avenue. AT&T proposes to install a three (3) sector array with four (4) panel antennas per sector, mounted on a faux eucalyptus tree (“mono-eucalyptus”), with the related equipment to be within an equipment enclosure adjacent to the existing building and entirely screened by an 8-foot concrete block retaining wall on one side and an 8-foot tall chain link and wood slat fence on two sides to match the existing fencing at the property. AT&T’s antennas will have a top height of 74 feet, and the mono-eucalyptus will have six additional feet of concealment branches at the top. The Proposed Facility is designed to improve the quality of life of Santa Ana citizens by providing critical wireless communications, including FirstNet service, while also minimizing aesthetic intrusion by utilizing stealth design and locating in an area where existing topography, vegetation, buildings, and other structures provide the greatest amount of screening. The Proposed Facility is the least intrusive means to AT&T’s significant service coverage gap in this portion of Santa Ana.

Alternative Site 1 – 500 Anton Blvd, Costa Mesa, CA - Costa Mesa Marriot (Roof-Top)



Conclusion: Not available

Locating at this hotel is not an available option because the landlord backed out of extensive negotiations with AT&T and has refused to allow AT&T to locate a wireless communications facility at this site.

Alternative Site 2 – 475 Anton Blvd, Costa Mesa, CA - Experian (Roof-Top) – Buildings 1, 2, and 3



Conclusion: Not available

Locating at this commercial property is not an available option because the landlord concluded, after extensive negotiations with AT&T, that a wireless facility at the property would not be possible due to company policies. The landlord also concluded that it would not allow AT&T to locate at the parking structure associated with these buildings.

Alternative Site 3 – 555 Anton Blvd., Costa Mesa, CA –Office Buildings (Roof-Top) – Buildings 1, 2, and 3



Conclusion: Not feasible

AT&T has an existing site near this location, and an additional facility here would be ineffective to close AT&T's coverage gap.

Alternative Site 4 – 5 Hutton Center Dr., Santa Ana, CA Office Buildings (Roof-Top) – Buildings 1, 2, and 3



Conclusion: Not feasible and no less intrusive

AT&T has an existing wireless communications facility near this location across the Costa Mesa freeway to the east, thus a site at this location would be ineffective to fill AT&T's gap in coverage.

Alternative Site 5 – 3960 South Main Street, Suite D, Santa Ana – Nate’s Korner



Conclusion: Not available

Locating at this site, which backs up to a residential zoning district, is not an available option because the residential setback requirements as set forth in Code Section 41-198.8 prohibit installation of a facility at this location.

Alternative Site 6 - 4131 S Main St, Santa Ana, CA - Pawtographer



Conclusion: Not feasible

Locating at this site, Pawtography, is not feasible because there is not adequate ground space to develop a wireless facility. Furthermore, because this is a one story facility, it is not feasible to build a rooftop facility at the necessary height to close the gap in coverage.

Alternative Site 7 – 4101 S Main St, Santa Ana, CA – Budget/Avis Car Rental



Conclusion: Not feasible

Locating at this site, a Budget/Avis car rental location, is not feasible because there is not adequate space to develop a wireless facility that would not interfere with the property owners' regular business operations.

Alternative Site 8 – 3700 S Birch St, Santa Ana, CA - Sandpointe Park



Conclusion: Not available and no less intrusive

Locating at Sandpointe Park is not an available option. The park immediately abuts residential neighborhoods; therefore, there are no locations in this park where a major wireless communications facility can comply with the residential setback under Santa Ana Municipal Code Section 41-198.8.

Conclusion

The Proposed Facility is the best available and least intrusive means by which AT&T can close its significant service coverage gap in this portion of Santa Ana. Denial of this proposed facility or a reduction in height would materially inhibit AT&T's ability to provide and improve wireless services in this portion of the City.

13199659v3

From: [Kris Sanders](#)
To: [Ryan Tyson](#)
Cc: [Alexis Hadley](#); [Tyler Kent](#)
Subject: Re: CLV1583 - Backups
Date: Thursday, November 9, 2017 1:28:49 PM

Thanks for the recon information.

Regarding the Marriott - Kristi has not given an explanation but stated they were not interested and there was nothing AT&T could do to change their minds.... Did you interact with her much? I was wondering if I should circle back with the GM? Do you have his contact information? My sense is that she didn't want to deal with this so I kind of want to hear from the GM on this before completely shutting the door on this.

Kris

From: Kris Sanders [<mailto:kris.sanders@hannahconsulting.com>]
Sent: Thursday, November 9, 2017 1:19 PM

To: Ryan Tyson
Cc: Alexis Hadley; Tyler Kent
Subject: CLV1583 - Backups

Hi Ryan

It looks like the Marriott is no longer interested in AT&T going on their property. It looks like you did a pretty thorough recon of the area. Based on that, what do you think are the best viable backup options for this ring?

Thanks.

Respectfully,

Kris Sanders,
Site Acquisition/Leasing On Behalf of AT&T
Phone: 760-218-4847
kris.sanders@hannahconsulting.com

<CLV1583.kmz>

From: [Tyler Kent](#)
To: [Alexis Hadley](#); [Kris Sanders](#)
Subject: RE: CLV1583 - Other Potential Site (4131 S MAIN ST) APN: 411-121-11
Date: Wednesday, January 17, 2018 3:49:00 PM
Attachments: [SA Main Properties LLC CLV1538.pdf](#)
[SA Main Properties Owned by SunCal Development Planning.png](#)
[SunCal Main.png](#)
[Trustor SA Main SunCal.png](#)
[image002.png](#)

Kris/Alexis, I went down to the Santa Ana Planning Department today with the hope of convincing them to let us go in the park in the middle of the search ring... Unfortunately, they did not change their status and Wireless Facilities continue to be exempt in City Parks. (No matter how much money is offered in leasing terms for park renovation or even building an entire new park)
****(The only other idea that would keep us in the SR would be to have EA speak to the City Council and suggest a one-time exemption in exchange for substantial contribution to the park or project)

However, I did review other potential locations and one may be suitable for us to pursue. The site is very close to Avis, a location previously okayed by RF (all be it the third option). Kris, please see the below and attached information about this site and make contact with the owners. I'll help in anyway. The planner confirmed for me that we can go up to 60' as long as the Tower is stealth. I am verifying any additional setbacks with Planning but per my conversation earlier today I believe we should be in good shape.
***there may be other candidates in this industrial area now that Planning has confirmed the Wireless Ordinance supersedes the other zoning as long as we are not attempting to go in a residential zoned location.

The site I am suggesting we pursue is owned by a local real estate development company, SunCal. They purchased the property in late December 2015 (OCT-DEC). Previously it was an art gallery and the new owners have not done anything with it since...as far as I can tell.

Contact Info:

SunCal Management, LLC
Irvine – Corporate Office

2392 Morse Avenue

Irvine, CA 92614

T: (949) 777-4000

<http://suncal.com/>

Snapshot People

Company Overview

SunCal Management, LLC operates as a real estate development company in the United States. The company acquires, entitles, and develops major residential properties and commercial developments. It specializes in mixed-use and master-planned communities from coast to coast, including California, New York, and various regions in between. The company's portfolio includes large commercial and retail projects. Its communities feature parks and trails, and recreation centers. The company serves landowners, city officials, financial partners, homebuilders, and potential homeowners. SunCal Management, LLC was incorporated in 2003 and is based in Irvine, California. It has additional offices in north...

Detailed Description

2392 Morse Avenue
 Irvine, CA 92614
 United States

Phone: 949-777-4000
 Fax: 949-777-4050
suncal.com

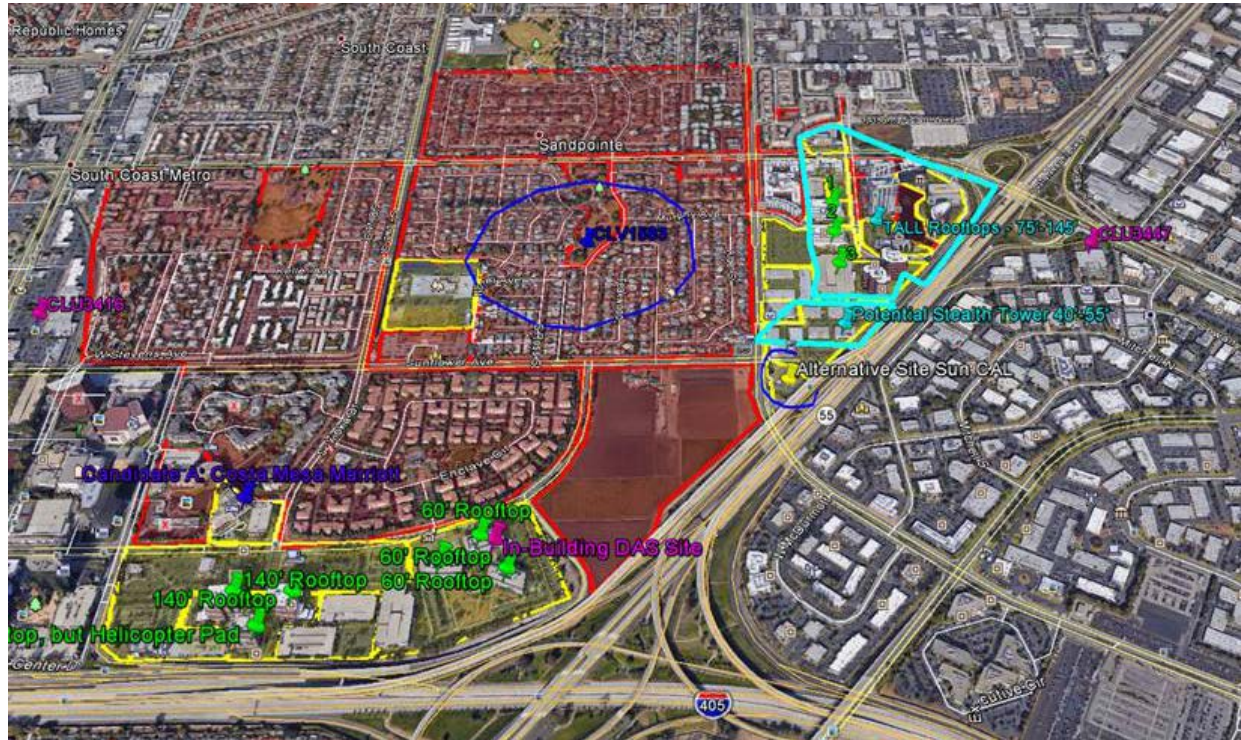
Founded in 2003

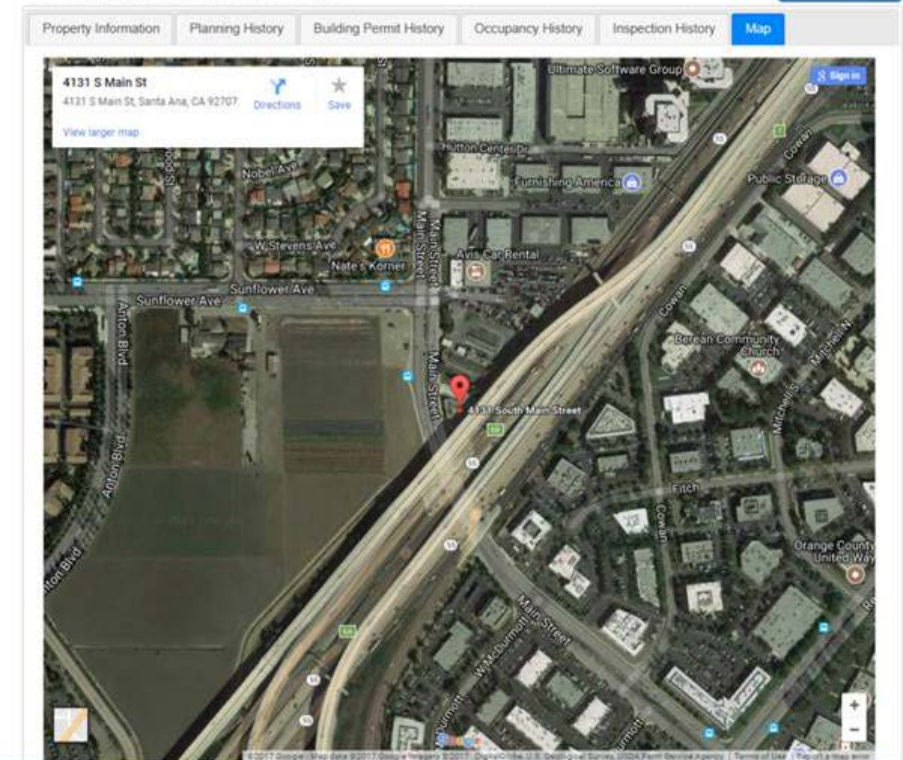
Key Executives For SunCal Management, LLC

- Mr. Bruce Elieff**
 President
 Age: 60
- Mr. Boris Elieff**
 Founder
- Mr. Edward Nolan**
 Chief Financial Officer
- Mr. Frank Faye**
 Chief Operating Officer
- Mr. Bill Myers**
 President of Northern California Division

Compensation as of Fiscal Year 2017.

Proposed site is labeled "Alternative Site Sun Cal" and circled in blue.





Tyler Kent | Real Estate Specialist
Smartlink
 (m) 949.701.2444
 (f) 949.468.0931
 18401 Von Karman Ave, Ste 400
 Irvine, CA 92612
smartlinkllc.com

[Like Us on Facebook](#)
[Follow Us on Twitter](#)
[Connect with Us on LinkedIn](#)

Proud Sponsor of the Chesapeake Bayhawks, 5-Time Major League Lacrosse Champions! www.thebayhawks.com

This electronic mail (including any attachments) may contain information that is privileged, confidential, and/or otherwise protected from disclosure to anyone other than its intended recipient(s). Any dissemination or use of this electronic mail or its contents (including any attachments) by persons other than the intended recipient(s) is strictly prohibited. If you have received this message in error, please notify us immediately by reply email that we may correct our internal records. Please then delete the original message (including any attachments) in its entirety. Thank you.

From: Alexis Hadley
Sent: Wednesday, January 10, 2018 2:23 PM
To: Kris Sanders
Cc: Tyler Kent
Subject: RE: CLV1583 - Experian

Lol. Now its busy. Got through without a hiccup last time.



Alexis Hadley | Project Manager
Smartlink
 (m) 949.838.7313
 (f) 949.419.3471
 18401 Von Karman Ave, Ste 400
 Irvine, CA 92612
smartlinkllc.com

[Like Us on Facebook](#)
[Follow Us on Twitter](#)
[Connect with Us on LinkedIn](#)

Proud Sponsor of the Chesapeake Bayhawks, 5-Time Major League Lacrosse Champions! www.thebayhawks.com

This electronic mail (including any attachments) may contain information that is privileged, confidential, and/or otherwise protected from disclosure to anyone other than its intended recipient(s). Any dissemination or use of this electronic email or its contents (including any attachments) by persons other than the intended recipient(s) is strictly prohibited. If you have received this message in error, please notify us immediately by reply email that we may correct our internal records. Please then delete the original message (including any attachments) in its entirety. Thank you.

From: Kris Sanders [<mailto:kris.sanders@hannahconsulting.com>]
Sent: Wednesday, January 10, 2018 2:21 PM
To: Alexis Hadley
Cc: Tyler Kent
Subject: Re: CLV1583 - Experian

OMG. Please tell me your secret.

I call this number and actually got through to the automated system, but now I press 1- and get stuck because it won't let me do anything w/out a SS #, thinking I'm a customer and Pressing 2 gets me no where also. I tried waiting them out hoping to get to a rep and tried hitting "0". No luck.

What's the magic trick ?

Kris

On Jan 4, 2018, at 11:04 AM, Alexis Hadley <AHadley@smartlinkllc.com> wrote:

I just called the Experian number for Costa Mesa, asked for facilities director, a gentleman named Mike answered the phone. I asked him if we could place antennas on the roof for AT&T wireless. He said they already had AT&T at the building and after a little probing determined that they have AT&T fiber. He obviously didn't understand what I was saying so I asked him if we could place additional antennas on his roof for wireless services. He quickly said "No on my roof" and hung up on me. Maybe we need someone in legal, or maybe we can email Mike a proposal so he knows we want to pay him. Or Kris – maybe you can try again and quickly tell him that we want to pay him to put antennas on the roof. I can't find an email address.

Experian
475 Anton Blvd.
Costa Mesa, CA 92626
[1 714 830 7000](tel:17148307000)

<image003.jpg>
Alexis Hadley | Project Manager
Smartlink
(m) 949.838.7313
(f) 949.419.3471
18401 Von Karman Ave, Ste 400
Irvine, CA 92612
smartlinkllc.com

[Like Us on Facebook](#)
[Follow Us on Twitter](#)
[Connect with Us on LinkedIn](#)

Proud Sponsor of the Chesapeake Bayhawks, 5-Time Major League Lacrosse Champions! www.thebayhawks.com

This electronic mail (including any attachments) may contain information that is privileged, confidential, and/or otherwise protected from disclosure to anyone other than its intended recipient(s). Any dissemination or use of this electronic email or its contents (including any attachments) by persons other than the intended recipient(s) is strictly prohibited. If you have received this message in error, please notify us immediately by reply email that we may correct our internal records. Please then delete the original message (including any attachments) in its entirety. Thank you.

REQUEST FOR Planning Commission Action



PLANNING COMMISSION MEETING DATE:

DECEMBER, 14, 2020

TITLE:

PUBLIC HEARING – ENVIRONMENTAL REVIEW NO. 2020-48, GENERAL PLAN AMENDMENT NO. 2020-07 AND AMENDMENT APPLICATION NO. 2020-05 FOR THE WESTVIEW HOUSING RESIDENTIAL COMMUNITY AT 2530 AND 2534 WESTMINSTER AVENUE

Prepared by Selena Kelaher, AICP

A blue ink signature of Selena Kelaher.

Executive Director

PLANNING COMMISSION SECRETARY

APPROVED

- As Recommended
- As Amended
- Set Public Hearing For _____

DENIED

- Applicant's Request
- Staff Recommendation

CONTINUED TO _____

A blue ink signature of the Planning Manager.

Planning Manager

RECOMMENDED ACTION

Recommend that the City Council:

1. Approve and adopt Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, Environmental Review No. 2020-48.
2. Adopt a resolution approving General Plan Amendment No. 2020-07.
3. Adopt an ordinance approving Amendment Application No. 2020-05 to establish Specific Development No. 97.

Property Owner and Applicant Information

1. Owner: Westminster & Fairview, LLC
2. Applicant: Community Development Partners
3. Project Representative: Brian Hendricks

Executive Summary

Brian Hendricks, representing Community Development Partners, is requesting approval of two entitlements for Westview Housing, an 85-unit multi-family affordable housing development proposed at 2530 and 2534 Westminster Avenue. Specifically, the applicant is requesting approval of a General Plan Amendment (GPA) to change the property's General Plan land use designation from General Commercial (GC) to Urban Neighborhood (UN) and approval of an Amendment Application (AA) to change the property's zoning district from General Commercial (C2) to Specific Development No. 97 (SD-97). Staff is recommending approval of the applicant's request as the project provides quality affordable housing along a major transit corridor, as well as high quality site planning and architecture that will bring new investment to the area.

Project Background and Chronology

On July 2, 2019, the Community Development Agency issued a Request for Proposals (RFP) soliciting applications to develop affordable housing projects in the City with funds available from the HOME Investments Partnership Program, Community Development Block Grant Program, Rental Rehabilitation Program and Inclusionary Housing Fund. Four proposals were submitted in response to the RFP and a panel consisting of City staff and a consultant reviewed the proposals and interviewed the developer and service provider teams. Community Development Partners, in partnership with Mercy House Living Centers, was the top rated proposal. As such, on April 7, 2020 the City Council approved a pre-commitment of \$3,904,341 of affordable housing funds to Community Development Partners and Mercy House for the proposed development.

In June of 2020, the applicant submitted an application to the City’s development review committee. Following the submittal, on July 20, 2020 the applicant held a virtual Sunshine Meeting. At the meeting, community members raised concerns about parking and traffic. The Public Works Agency conducted a follow-up meeting on November 12, 2020 to overview the traffic impacts related to the project and future capital improvement projects. A total of five residents participated in the meeting.

Community Development Partners has a portfolio of 22 projects, including three projects in Santa Ana (Tiny Tim/La Placita Cinco, The Aqua, and The Orchard), comprising over 1,600 units.

Table 1: Project and Location Information

Item	Information	
Project Address	2530 and 2534 Westminster Avenue	
Nearest Intersection	Fairview Street and Westminster Avenue	
General Plan Designation	Existing	Proposed
	General Commercial (GC)	Urban Neighborhood (UN)
Zoning Designation	General Commercial (C2)	Specific Development No. 97 (SD-97)
Surrounding Land Uses	North	Commercial
	East	Commercial
	South	Single-family residential
	West	Single-family residential and Commercial
Site Size (combined)	89,559 square feet (2.056 net acres)	
Existing Site Development	Vacant	

Project Analysis

The applicant is requesting approval of the subject entitlements in order to construct an 85-unit affordable housing project. The site is located along Westminster Avenue just west of Fairview Street and has access to Orange County Transportation Authority bus service via Route 560 along Westminster Avenue and Route 47 along Fairview Street. Table 2 provides a detailed summary of the proposed development.

Table 2: Project Summary

	Building A
Units	85 units
Total Building SF	98,169 SF
Unit Mix/Room	23 one-bedrooms (27%) 4 two-bedrooms (5%) 34 three-bedrooms (40%) 24 four-bedrooms (28%)
Unit SF	489 to 523 SF one-bedrooms 756 SF two-bedrooms 933 to 1,101 SF three-bedrooms 1,178 to 1,187 SF four-bedrooms
Height & Stories	3-stories, 35 feet 4-stories, 47 feet
Parking	136 spaces (1.60 spaces per unit)
Open Space/ Amenities	10,655 SF (12%) Common Open Space 4,725 SF Private Open Space (balconies/patios)

The project includes 85 units, office space for service providers, a community room, a meeting room, and laundry rooms. Of the units, 58 will be set aside for extremely low-income households at 30 percent of the Area Median Income, 26 units will be for permanent supportive housing for persons experiencing chronic homelessness, and one will be maintained as a manager's unit. In particular, 10 of the 26 permanent supportive housing units will be for transitional aged youth (i.e. emancipated foster youth). The three- and four-bedroom units will be designated for large families, while the one- and two- bedroom units will be designated for permanent supportive housing.

Common open space includes a 5,000-square foot playground and picnic area, two residential rooftop patios, internal courtyards, and community rooms. The playground, lawn and picnic area along Huron Drive will be accessible to the public, but maintained by the property owner and managed by the on-site property manager. The development consists of two buildings that vary from three- to four-stories in height. The portions of the buildings that are closest to the single-family residential homes will tier-down to three-stories in height. In addition, the playground and parking lot will serve as a buffer between the multi-family buildings and the single-family homes with setbacks of 50 and 185 feet. The perimeter of the property will be planted with trees to screen the project.

The project has contemporary architecture with a variety of materials including glass tile arches, wood veneer, batten board siding, art graphics, plaster and a mix of warm and cool colors. On-site vehicular circulation is designed to provide access from Westminster Avenue (with right-turn in and right-turn out access) to the parking lot that is located behind the buildings (Exhibits 6 -11). There are no driveways along Huron, a local residential street.

Additionally, the Public Works Agency obtained input from the neighborhood to the south regarding future street improvements. This included construction of a median on northbound Fairview Street which would remove the ability for a left-hand turn movement onto 16th Street. The neighborhood opted to have the median at Fairview and 16th Streets constructed in the future at a date uncertain and after the completion of Phase I of the Fairview Widening project.

Parking

Table 3: Parking Data

Standard	Rate	Demand	Project Spaces Provided	Difference
State Law	0.5/unit	44 spaces	136 spaces	+92 spaces
The Orchard	0.4/bedroom	91 spaces	136 spaces	+45 space
LADOT Parking Study	0.85/family unit 0.29/permanent supportive housing	57 spaces	136 spaces	+79 spaces

The project provides 136 off-street parking spaces (1.6 parking spaces per unit) with 42 of the spaces in a tandem configuration. The State's Housing Laws requires cities to approve reduced parking ratios at a rate of 0.5 spaces per unit for 100 percent affordable developments within one-half mile of a major transit stop. The project will be 100 percent affordable with major transit stops located at the intersection of Westminster Avenue and Fairview Street. Therefore, per State law, the project requires only 44 parking spaces, but an excess of 92 parking spaces are provided.

In addition, the applicant's traffic and parking consultant Fehr & Peers prepared a parking study which documents that 136 parking spaces are adequate for the 85-unit family and supportive housing project. Fehr & Peers collected parking counts at The Orchard, another affordable housing project in Santa Ana managed by Mercy House and redeveloped by Community Development Partners. A parking rate of 0.40 spaces per bedroom was factored. When applying the parking demand of 0.40 spaces per bedroom to this project the analysis concluded that 91 parking spaces would be adequate for the project. The study also notes the Los Angeles Department of Transportation's (LADOT) conducted an affordable housing parking study. LADOT collected parking data from affordable housing projects across Los Angeles County and developed rates of 0.85 parking spaces per family unit and 0.29 parking spaces per permanent supportive housing unit. When applying the LADOT rates to the project, the parking demand would result in a higher parking demand of only 57 spaces, which is still less than the 136 spaces provided for the project.

In addition, the project will be managed by an on-site property manager and includes a parking management plan to allocate parking per unit, implement use of stickers/placard identification system and will allocate and manage the tandem stalls which are intended for use by the three and four-bedroom units. In addition, Huron Drive immediately adjacent to the project site is permit-only parking (1510 to 1606 N. Huron Drive and 1605 N. Huron Drive to 2605 W. 16th Street), which will minimize parking intrusion in the neighborhood.

General Plan Amendment

The applicant is requesting approval of a General Plan Amendment to change the General Plan land use designation from General Commercial (GC) to Urban Neighborhood (UN) with a floor area ratio of 1.09 and 42 dwelling units per acre (Exhibit 2).

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

The project is consistent with the intent, character and intensity standards of the UN land use designation. In addition, the Westminster Avenue/Seventeenth Street corridor has a variety of existing land use designations which includes Urban Neighborhood, Medium Density Residential, General Commercial, Professional and Administrative Office, District Center and Institutional. Moreover, the project supports and furthers several goals and policies of the General Plan. Specifically, the project supports Land Use Element Goal 1 to promote a balance of land uses to address basic community needs; Housing Element Goal 2 to provide 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 age groups to foster an inclusive community; and Housing Element Goal 3 to increase opportunities for low and moderate income individuals and families to find quality housing opportunities and afford a greater choice of rental or homeownership opportunities.

Amendment Application

The subject site is zoned General Commercial (C2). The development standards pertaining to the commercial zoning district would render the project unfeasible. Approval of an amendment application to change the zoning district is required for the project (Exhibit 3). The Specific Development (SD) designation allows flexibility of the uses and development standards that are tailored to a unique and specific project. There are two nearby Specific Developments along Westminster Avenue/17th Street: SD No. 36 (Solare Apartment Homes) and, SD No. 41 (San Tropez Apartment Homes). In addition, the proposed project is similar in scale and density with several existing multi-family apartment projects including Solare Apartment Homes, San Tropez Apartment Homes and Villa Portofino which are three-stories and range from 29 to 38 dwelling units per acre. Additionally, the density is similar to the density permitted within the Harbor Mixed-Use Transit Corridor Specific Plan - Transit Node North, which is west of the project site and permits a range of 30 to 50 dwelling units per acre and permits heights between four and ten stories.

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

California Environmental Quality Act (CEQA)

A Mitigated Negative Declaration (MND) including several technical studies (Air Quality, Green House Gas, and Energy modeling, Cultural Resource Assessment, Preliminary Geotechnical and Infiltration study, Phase I Environmental Site Assessment, Traffic Impact Analysis, Preliminary WQMP, Noise and Vibration) was prepared for the project. No areas of significance or unavoidable impacts were determined to occur from the construction or operation of the proposed project with the implementation of mitigation measures (Exhibit 1). The MND was available for public review and comment for 20-days as required by CEQA. A total of two comments were received: one from the Orange County Fire Authority and the second from a resident. Written responses to the comments were prepared and incorporated into the environmental document.

As part of the MND and in response to comments received at the Sunshine meeting, a Traffic Impact Analysis prepared by Fehr & Peers and reviewed by the Public Works Agency. The study concludes that the project would generate 462 daily trips (31 a.m. peak trips and 37 p.m. peak trips). The study also analyzed if the project would substantially increase traffic on the adjacent residential streets (16th Street and Huron Drive). Although there is no direct vehicular access or egress to Huron Drive, the project is anticipated to increase the number of average daily trips on 16th Street and Huron Drive by 83 trips per day. These additional trips would not substantially increase the total number of average daily trips on the neighborhood streets. Therefore, the project is not anticipated to result in a substantial increase to the neighborhood traffic conditions. The project will be required to pay it's fair share contribution to improvements at the intersections of Westminster Avenue and Fairview Street, Mar Les Drive and Westminster Avenue, and 16th Street and Fairview Street.

In addition, a Noise and Vibration study was prepared to analyze the potential noise and vibration impacts of the construction and operation of the project including traffic. Construction noise from the project would not exceed 90 dBA Leq during daytime activities and would comply with the SAMC construction hours of 7:00 a.m. to 8:00 p.m. Per the SAMC, the maximum exterior noise standard is 50 dBA and interior is 45 dBA for residential properties. The project would generate noise from rooftop heating, ventilation, and air conditioning equipment, delivery- and trash-hauling trucks, on-site vehicle circulation and parking, and light outdoor recreation. To mitigate these impacts a 6-foot high block wall will be around the project perimeter with an 8-foot high CMU wall constructed between the playground area and adjacent single-family residence. Mitigation Measures N-1 and N-2 require that the project incorporates exterior building materials (windows, walls, and doors) with sufficient Sound Transmission Class ratings to reduce interior noise levels below 45 dBA and sound attenuation features (i.e. double-paned or laminated glass,

plexiglass, or wood) to reduce exterior noise levels for all private balconies/patios fronting Westminster Avenue and Fairview Street. Regarding traffic noise, a fifty percent increase is required for an audible 3 dBA increase in traffic noise levels. However, the increase in traffic generated by the proposed project would only be approximately 1.5 percent, which would increase traffic noise by less than 0.5 CNEL (less than 3 dBA). Therefore, operational noise generated by the project would not exceed the SAMC noise standards and impacts would be less than significant with implementation of the mitigation measures.

The project requires adoption of a Mitigation Monitoring and Reporting Program (MMRP), which contains mitigation measures to address biological resources, cultural resources, geology and soils, noise, and tribal cultural resources.

Community Outreach

The applicant held two outreach meetings. At the Sunshine meeting comments/concerns were raised related to cut-through traffic on 16th Street and Huron Drive, parking intrusion, building heights/setback, the location of trash enclosures and overall management of the project. The site has been designed so that there are no vehicular driveways along Huron Drive therefore, reducing the number of vehicles that may travel through the local residential streets to the project. An excess of 92 parking spaces (per State Housing law) are provided on site and parking counts at another affordable housing development were obtained and substantiate that the project provides adequate parking. The site has been designed to place the buildings along the northwest portion of the site away from the existing single-family dwellings and the buildings tier down to three-stories as the buildings get closer to the adjacent single-family dwellings. As shown on the landscape plan the south and west lot lines will be planted with a minimum of a 36-inch box tree every 25 feet to screen the project. These site specific designs and standards are codified within the Specific Development No. 97 plan. In addition, a detailed Traffic Impact Analysis was prepared and the Public Works Agency and planning staff conducted an outreach meeting to overview the results of the study.

Table 4: CEQA and Public Notification & Community Outreach

CEQA and Public Notification & Community Outreach	
CEQA	
CEQA Type	Mitigated Negative Declaration (MND) Environmental Review No. 2020-48, with technical studies was prepared for the project. No areas of significance or unavoidable impacts were determined to occur from the construction or operation of the proposed project with the implementation of mitigation measures (Exhibit 1). The project requires adoption of a Mitigation Monitoring and Reporting Program (MMRP), which contains mitigation measures to address biological resources, cultural resources, geology and soils, noise, and tribal cultural resources.
Public Notification	A notice of intent and MND was circulated to interested parties and published in the Orange County Register on November 6, 2020. The draft MND was available for a 20-day public review at City Hall and on the project webpage on the City's website.

CEQA and Public Notification & Community Outreach	
Public Notification & Community Outreach	
Required Measures	<p>A virtual community meeting was held on July 20, 2020 at 6:00 p.m. in accordance with the provisions of the City's Sunshine Ordinance and in light of the COVID-19 pandemic. Invitations/notices were mailed to property owners and occupants/tenants in a 500-foot radius from the project site. There were approximately 19 Zoom participants. The applicant provided all the required information to the City after the meeting. Details from the community meeting were posted to the project's webpage at https://www.santa-ana.org/pb/planning-division/major-planning-projects-and-monthly-development-project-reports/Westview-Housing (Exhibit 13)</p> <p>A public noticed was posted on the project site on December 2, 2020.</p> <p>Notification by mail was mailed to all property owners and occupants within 500 feet of the project site on December 2, 2020.</p> <p>Newspaper posting was published in the Orange County Register on December 2, 2020.</p>
Additional Measures	<p>On November 12, 2020 the Public Works Agency and Planning Division staff held a neighborhood meeting to discuss the Traffic Impact Analysis for the project and future capital improvements. Five residents participated.</p> <p>On December 3, 2020, the applicant held a virtual meeting with the neighborhood to provide a status update on the project.</p>

Conclusion

Based on the analysis provided within this report, staff recommends that the Planning Commission recommend that the City Council adopt Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, Environmental Review No. 2020-48, adopt a resolution approving General Plan Amendment No. 2020-07 and recommend that the City Council adopt an ordinance approving Amendment Application No. 2020-05.

Selena Kelaher, AICP
 Associate Planner

SK: sb

M:\Development Projects\DP 2020-15_2534 W Westminster Ave_Westview Affordable Housing\PC Staff Report - Westview House.Doc

- Exhibits:
1. Mitigated Negative Declaration Resolution
 2. General Plan Amendment Resolution
 3. Amendment Application Resolution and Specific Development No. 97
 4. Existing Zoning and Aerial View
 5. Site Photos
 6. Site Plan
 7. Open Space Plan

8. Landscape Plan
9. Unit Floor Plans
10. Elevations
11. Renderings
12. Parking Study
13. Sunshine Meeting Minutes

EXHIBIT 1

2 - 10

RESOLUTION NO. 2021-xx

A RESOLUTION OF CITY COUNCIL OF THE CITY OF SANTA ANA ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, ENVIRONMENTAL REVIEW NO. 2020-48, RELATIVE TO GENERAL PLAN AMENDMENT NO. 2020-07 AND AMENDMENT APPLICATION NO. 2020-05 FOR THE PROJECT LOCATED AT 2530 AND 2534 WESTMINSTER 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. Brian Hendricks, representing Community Development Partners (“Applicant”), is requesting approval of General Plan Amendment (GPA) No. 2020-07 to amend the General Plan land use designation of the project site from General Commercial (GC) to Urban Neighborhood (UN) and Amendment Application (AA) No. 2020-05 to change the zoning designation of the project site from General Commercial (C2) to Specific Development No. 97 (SD-97) in order to facilitate the construction of an 85-unit affordable housing development at 2530 and 2534 Westminster Avenue.
- 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 CEQA, 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 for the development site (2530 and 2534 Westminster Avenue) 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. 2020-48 for the proposed project, attached hereto as Exhibit A and incorporated herein by reference. The MND reflects the City’s independent judgement and analysis as lead agency for the

project. The MND concluded that the project site would have a less than significant environmental impact with implementation of mitigation measures. Mitigation measures are included to address biological resources, cultural resources, geology and soils, noise, and tribal cultural resources.

- E. On November 6, 2020, a Notice of Intent (NOI) to adopt the Initial Study and MND, ER No. 2020-48, was published in the Orange County Register, a newspaper of general circulation, and was circulated to interested parties.
- F. The documents related to the MND were made available for a 20-day public review and comment period at the Santa Ana City Hall and on the project's webpage on the City's website. At the completion of the comment period, comments from Orange County Fire Authority (OCFA) and one resident were incorporated into the Final MND.
- 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 B and incorporated herein by reference.
- H. On December 14, 2020, the Planning Commission of the City of Santa Ana held a duly noticed public hearing and recommended that the City Council adopt MND, ER No. 2020-48, and the related MMRP for the project.
- I. On January 19, 2021, the City Council of the City of Santa Ana held a duly noticed public hearing and voted to approve a resolution to adopt MND, ER No. 2020-48, and the related MMRP for the project.

Section 2. The City Council has independently reviewed and analyzed the information contained in the Initial Study and the MND, ER No. 2020-48, 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 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, attached hereto as Exhibit A, and the MMRP, attached hereto as Exhibit B, and directs that a 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 City Council Action dated January 19, 2021 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 _____, 2021.

Vicente Sarmiento
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. 2021-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 A
MITIGATED NEGATIVE DECLARATION

The Mitigated Negative Declaration for the Project and Technical Studies are available
online at:

[https://www.santa-ana.org/pb/planning-division/major-planning-projects-and-monthly-
development-project-reports/Westview-Housing](https://www.santa-ana.org/pb/planning-division/major-planning-projects-and-monthly-development-project-reports/Westview-Housing)

Or by visiting:

Planning and Building Agency – Planning Division Public Counter
20 Civic Center Plaza
Santa Ana, CA 92701

EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code [PRC] 21081.6). PRC Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to final certification of the Final Initial Study-Mitigated Negative Declaration (IS-MND).

This Mitigation Monitoring and Reporting Program (MMRP) is intended to track and ensure compliance with adopted mitigation measures during the project implementation phase. For each mitigation measure recommended in the Final IS-MND, specifications are made herein that identify the action required, the monitoring that must occur, and the agency or department responsible for oversight.

The table below, lists mitigation measures that reduce the potentially significant effects of the proposed project. These measures correspond to those discussed in in the IS-MND. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised that identifies the timing and entity/agency responsible for monitoring each measure. The City of Santa Ana will have the responsibility for implementing the measures, and various public agencies will have the primary responsibility for enforcing, monitoring, and reporting the implementation of the mitigation measures.

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
Biological Resources							
BIO-1 Nesting Bird Avoidance							
<p>To avoid disturbance of nesting birds, including raptorial species protected by the MBTA and CFGC, activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird nesting season (February 1 through August 31, but variable based on seasonal and annual climatic conditions). If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than seven days prior to initiation of construction activities. The nesting bird pre-construction survey shall be conducted on foot inside the project site, including a 100-foot buffer, and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practical. The survey shall be conducted by a qualified biologist familiar with the identification of avian species known to occur in southern California.</p> <p>If nests are found, an avoidance buffer shall be demarcated by a qualified biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction activities shall occur within this buffer until the biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall only occur at the discretion of the qualified biologist.</p> <p>A survey report by the qualified biologist documenting and verifying compliance with this measure and with applicable state and federal regulations protecting nesting birds shall be submitted to the City. The qualified biologist shall serve as a construction monitor during those periods when construction activities occur near active nests to ensure that no inadvertent impacts on the nests occur.</p>	<p>Verify completion of pre-construction nesting bird survey (if construction begins during the breeding season) prior to initiation of construction activities</p> <p>Verify implementation of avoidance buffer, if nest are found</p> <p>Verify completion of survey report documenting compliance</p>	<p>Survey verification prior to issuance of grading permits</p> <p>Field verification as needed during construction activities</p> <p>Survey report verification following compliance with measure</p>	<p>Once for bird survey</p> <p>Field verification periodically throughout construction</p> <p>Once for survey report</p>	<p>City of Santa Ana Planning and Building Agency</p>			
Cultural Resources							

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
CR-1 Archeological Resource Construction Monitoring							
Prior to the issuance of a grading permit, the property owner/developer shall retain a qualified archeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (National Park Service 1983) to be present during all initial subsurface ground-disturbing construction activities. At the commencement of construction activities, an orientation meeting shall be conducted by the qualified archeologist, construction manager, general contractor, subcontractor, and construction workers associated with ground-disturbing activities. The orientation meeting shall describe the potential of exposing archeological resources, the types of resources that may be encountered, and directions on the steps that shall be taken if such a find is encountered.	Verify project has retained qualified archeologist to be present during all initial subsurface ground-disturbing construction activities Verify completion of orientation meeting at commencement of construction activities and review documentation demonstrating worker attendance	Prior to issuance of any grading permits At the commencement of ground-disturbing activities, thereafter, every eight weeks unless there are no new construction personnel	Once for archeologist retention Continuous throughout grading and ground disturbing activities	City of Santa Ana Planning and Building Agency			
CR-2 Unanticipated Discovery of Archeological Resources							
If archeological resources are encountered during ground-disturbing activities, the construction manager shall immediately halt all work activities within 100 feet of the discovery and a qualified archeologist meeting the Secretary of the Interior's Professional Qualification Standards for archeology (National Park Service 1983) shall immediately evaluate the find. After cessation of ground-disturbing activities, the construction manager shall immediately contact the City's Planning and Building Agency. Work shall not resume until authorized by the Director/Manager (or his/her designee), and the qualified archeologist. If the qualified archeologist determines that the discovery constitutes a significant resource under CEQA, preservation in place is the preferred manner of mitigation. In the event preservation in place is demonstrated infeasible, and data recovery is determined to be the only feasible mitigation option, a detailed Cultural Resources Treatment Plan shall be prepared and implemented by a qualified archeologist in	Field verify ground-disturbing construction activities have ceased, if archeological resources are found Consult with qualified archeologist for appropriate treatment of find Consult with Native American representatives for appropriate treatment of find, as needed	On an as-needed basis if archeological resources are found	Once for ceased construction activities As needed for consultation efforts	City of Santa Ana Planning and Building Agency			

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
consultation with the City. The City shall consult with appropriate Native American representatives in determining appropriate treatment for unearthed cultural resources if the resources are prehistoric or Native American in origin. Archeological materials recovered during any investigation shall be put into curation at an accredited facility.							
Geology and Soils							
GEO-1 Paleontological Resources Management Program							
The following mitigation measures shall only be implemented during ground construction activities (i.e., grading, trenching, foundation work, excavations) where ground disturbance exceeds nine feet below ground surface within project areas underlain by Quaternary young alluvial fan deposits.	If ground disturbance exceeds nine feet below ground surface within project areas underlain by Quaternary young alluvial fan deposits:	On an as-needed basis if described ground-disturbing activities occur	Once each for paleontologist retention, training, ceased construction activities, and monitoring report	City of Santa Ana Planning and Building Agency			
1. Mitigation and Monitoring Program. The Paleontological Mitigation and Monitoring Program shall be supervised by a qualified paleontologist. A qualified paleontologist is an individual who meets the education and professional experience standards as set forth by the SVP (2010), which recommends the paleontologist shall have at least a Master's Degree or equivalent work experience in paleontology, shall have knowledge of California geology and local paleontology, shall be familiar with paleontological procedures and techniques, and who has worked as a paleontological mitigation project supervisor for at least one year. Monitoring shall be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources.	Verify retention of qualified paleontological monitor	Training verification prior to the start of construction					
	Verify completion of training at commencement of construction activities	Mitigation and monitoring report verification following compliance with measure					
	Field verify ground-disturbing construction activities have ceased, if paleontological resources are found						
2. Paleontological Worker Environmental Awareness Program (WEAP). Prior to the start of construction, the Qualified Paleontologist or his or her designee, shall conduct training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should	Consult with qualified archaeologist and verify completion of final mitigation and monitoring report						

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<p>fossils be discovered by construction staff. The WEAP shall be fulfilled at the time of a preconstruction meeting. In the event a fossil is discovered by construction personnel anywhere in the project area, all work in the immediate vicinity of the find shall cease and a qualified paleontologist shall be contacted to evaluate the find before restarting work in the area. If it is determined that the fossil(s) is (are) scientifically significant, the qualified paleontologist shall complete the mitigation outlined below to mitigate impacts to significant fossil resources.</p> <p>3. Resource Recovery and Management Plan. Ground-disturbing activity that does not exceed nine feet in depth in areas of low paleontological sensitivity shall not require paleontological monitoring. Any excavations within undisturbed bedrock in areas of high paleontological sensitivity (i.e., Pleistocene-aged deposits), and excavations that exceed nine feet in depth in those areas potentially underlain by Pleistocene-aged deposits (i.e., Holocene-aged alluvial sediments) shall be monitored on a full-time basis by a qualified paleontological monitor. If no fossils are observed during the first 50 percent of excavations in Holocene-aged sediments exceeding nine feet in depth, or if the qualified paleontologists can determine that excavations below nine feet are not disturbing Pleistocene-aged (or other potentially fossil-containing) sediments, then paleontological monitoring can be discontinued or reduced to spot-checking under the discretion of the qualified paleontologist, subject to approval from Orange County.</p> <p>If fossils are discovered, the qualified paleontologist (or paleontological monitor) shall recover them. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage</p>							

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<p>periods. Should larger fossils be discovered, the qualified paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.</p> <p>Once salvaged, fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the University of California Museum of Paleontology or other institution determined by the City of Santa Ana or Orange County), along with all pertinent field notes, photos, data, and maps.</p> <p>Upon completion of ground-disturbing activities (and curation of fossils if necessary), the qualified paleontologist shall prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall include discussion of the location, duration and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.</p>							
Noise							
N-1 Interior Noise Reduction							
<p>To comply with Title 24, Part 2, Section 1206.4 (Allowable Interior Noise Levels) of the California Code of Regulations, the applicant shall install exterior building materials with sufficient Sound Transmission Class (STC) ratings to reduce interior noise levels in habitable rooms to below 45 CNEL. To reduce potential noise impacts to future project residents, residential units with line-of-sight to Westminster Avenue shall incorporate design measures for windows, walls, and doors that achieve a composite STC rating of at least 30 and all exterior doors and windows shall be installed such that there are no air gaps or perforations. This requirement shall be incorporated into the plans to be submitted by the</p>	<p>Review and verify final construction plans for implementation of interior noise reduction measures</p> <p>Review and verify completion of acoustical analysis</p>	<p>Plan verification prior to the issuance of building permits</p> <p>Acoustical analysis verification prior to issuance of occupancy permit</p>	<p>Once each for construction plans and acoustical analysis</p>	<p>City of Santa Ana Planning and Building Agency</p>			

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
applicant to the City of Santa Ana for review and approval prior to the issuance of building permits. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels in the interior livable spaces do not exceed the interior noise standard of 45 CNEL in any habitable room as set forth by the City of California Code of Regulations, Title 24, Section 1206.4							
N-2 Exterior Noise Reduction							
The applicant shall implement sound attenuation features to reduce noise levels at all private outdoor livable spaces (i.e., balconies) on residential units and patios fronting Westminster Avenue and North Fairview Street. Such features may include the use of solid material for balcony or parapet construction such as double-paned or laminated glass, Plexiglass, or wood. This requirement shall be incorporated into the plans to be submitted by the applicant to the City of Santa Ana for review and approval prior to the issuance of building permits. Acoustical analysis shall be performed prior to the issuance of an occupancy permit to demonstrate that noise levels at the exterior livable spaces do not exceed the City's exterior noise standard of 65 CNEL.	Review and verify final construction plans for implementation of exterior noise reduction measures Review and verify completion of acoustical analysis	Plan verification prior to the issuance of building permits Acoustical analysis verification prior to issuance of occupancy permit	Once each for construction plans and acoustical analysis	City of Santa Ana Planning and Building Agency			
N-3 Outdoor Noise Attenuation							
The applicant shall implement sound attenuation features to reduce recreation noise from the playground area on the adjacent single-family residence south of the playground. Such features may include a CMU wall, or other wall constructed of solid material, at least eight feet in height along the southern boundary of the playground area. This requirement shall be incorporated into the plans to be submitted by the applicant to the City of Santa Ana for review and approval prior to the issuance of building permits.	Review and verify final construction plans for implementation of sound attenuation features	Plan verification prior to the issuance of building permits	Once for construction plans	City of Santa Ana Planning and Building Agency			
Tribal Cultural Resources							
TCR-1 Tribal Cultural Resource Construction Monitoring							

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
<p>Prior to the issuance of any permits for initial site clearing (such as pavement removal, grubbing, tree removals) or issuance of permits allowing ground-disturbing activities that cause excavation to depths greater than artificial fill (including boring, grading, excavation, drilling, potholing or auguring, and trenching), the City of Santa Ana shall ensure that the project applicant/developer retain a qualified Native American Monitor(s) with ancestral ties to the project area and approved by the tribe(s) that consulted on this project pursuant to AB 52 (the "Tribe(s)" or "Consulting Tribe(s)"). A copy of the executed contract shall be submitted to the City of Santa Ana Planning and Building Department. The Monitor(s) will only be present on-site during initial site clearing and construction that involves ground disturbing activities. Ground-disturbing activities are defined as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Monitor(s) will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground disturbing activities on the project site are completed, or when the archeologist and Native American Monitor(s) have indicated that all upcoming ground-disturbing activities at the project site have little to no potential for impacting tribal cultural resources.</p>	<p>Verify project has retained qualified Native American Monitor(s)</p> <p>Review and verify executed contract</p>	<p>Prior to the issuance of initial site clearing permits or ground-disturbing activity permits</p>	<p>Once each for monitor retention and contract review</p>	<p>City of Santa Ana Planning and Building Agency</p>			
TCR-2 Unanticipated Discovery of Tribal Cultural Resources							
<p>In the event that tribal cultural resources are inadvertently discovered during ground-disturbing activities, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding feet) until the find can be assessed by the qualified archeologist and Native American Monitor(s) approved by the Consulting Tribe(s). If the resources are Native American in origin, the Consulting Tribe(s) will retain it/them in the form and/or manner the Tribe</p>	<p>Field verify ground-disturbing construction activities have ceased, if cultural resources are found</p> <p>Consult with Native American</p>	<p>On an as-needed basis if cultural resources are found</p>	<p>Once for ceased construction activities</p> <p>As needed for consultation efforts</p>	<p>City of Santa Ana Planning and Building Agency</p>			

Mitigation Measure/ Condition of Approval	Action Required	Monitoring Timing	Monitoring Frequency	Responsible Agency	Compliance Verification		
					Initial	Date	Comments
deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or reorganized at the project site and are determined to be Native American in origin, the NAHC shall be notified and a MLD shall be designated. The MLD shall work with the developer and the City to determine the treatment of the human remains and any grave/burial goods. Human remains and grave/burial goods shall be treated alike per PRC Section 5097.98(d)(1) and (2). Work may continue on other parts of the project site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]).	representatives for appropriate treatment of find, as needed						

City of Santa Ana General Plan Land Use Element 1998

City of Santa Ana Planning Division



Adopted

February 2, 1998
(Reformatted January 2010)

The following is a chronology of the approved general plan amendments that have been incorporated into this document since the comprehensive update of the General Plan Land Use Element adopted by the Santa Ana City Council February 2, 1998 (GPA 1997-05):

[GPA 2020-07 \(Pending\)](#)

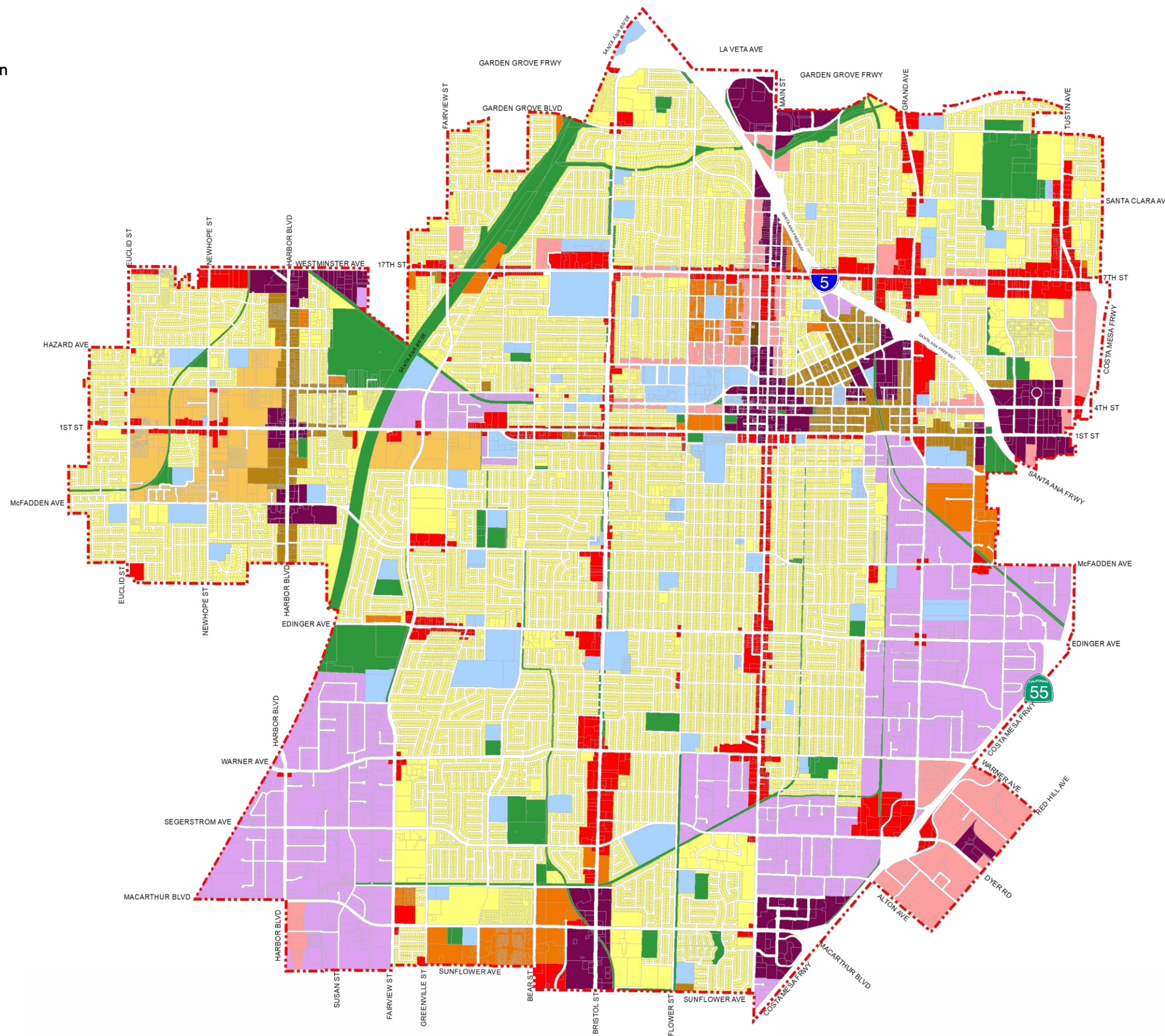
GPA 2020-03 (September 1, 2020)
GPA 2020-01 (April 21, 2020)
GPA 2018-04 (December 31, 2019)
GPA 2019-02 (October 1, 2019)
GPA 2019-01 (June 4, 2019)
GPA 2017-03 (June 4, 2019)
GPA 2018-05 (December 4, 2018)
GPA 2018-03 (September 18, 2018)
GPA 2018-02 (May 15, 2018)
GPA 2015-01 (May 15, 2018)


GPA 2017-02 (December 19, 2017)
GPA 2017-01 (June 20, 2017)
GPA 2016-03 (February 21, 2017)
GPA 2016-02 (May 17, 2016)
GPA 2016-01 (April 19, 2016)
GPA 2015-03 (February 2, 2016)
GPA 2014-02 (October 21, 2014)
GPA 2014-01 (June 3, 2014)
GPA 2011-03 (March 19, 2012)
GPA 2011-02 (June 6, 2011)
GPA 2010-01 (June 7, 2010)
GPA 2008-02 (July 20, 2009)
GPA 2007-03 (May 18, 2009)

GPA 2004-03 (February 2, 2009)
GPA 2008-01 (May 5, 2008)
GPA 2007-02 (June 18, 2007)
GPA 2007-01 (March 19, 2007)
GPA 2006-01 (October 2, 2006)
GPA 2005-01 (December 5, 2005)
GPA 2005-02 (October 17, 2005)
GPA 2004-01 (April 5, 2005, as passed by the voters of Santa Ana)
GPA 2004-04 (July 19, 2004)
GPA 2004-06 (July 6, 2004)
GPA 2003-02 (June 16, 2003)
GPA 2003-01 (February 18, 2003)

GPA 2002-01 (September 3, 2002)
GPA 2002-03 (August 19, 2002)
GPA 2001-03 (February 19, 2002)
GPA 2001-02 (January 7, 2002)
GPA 2000-09 (May 7, 2001)
GPA 2000-08 (February 5, 2001)
GPA 2000-03 (December 4, 2000)
GPA 2000-02 (November 20, 2000)
GPA 1999-02 (October 18, 1999)
GPA 1999-01 (August 16, 1999)
GPA 1998-04 (October 5, 1998)
GPA 1998-05 (September 21, 1998)
GPA 1998-01 (May 4, 1998)

Exhibit 2 Land Use Plan





Land Use Designations

- LR-7 (Low Density Residential)
- LMR-11 (Low-Medium Density Residential)
- MR-15 (Medium Density Residential)
- UN (Urban Neighborhood)
- GC (General Commercial)
- IND (Industrial)
- INS (Institutional)
- O (Open Space)
- DC (District Center)
- PAO (Professional & Administration Office)
- OBPD (One Broadway Plaza District Ctr.)

Land Use Plan





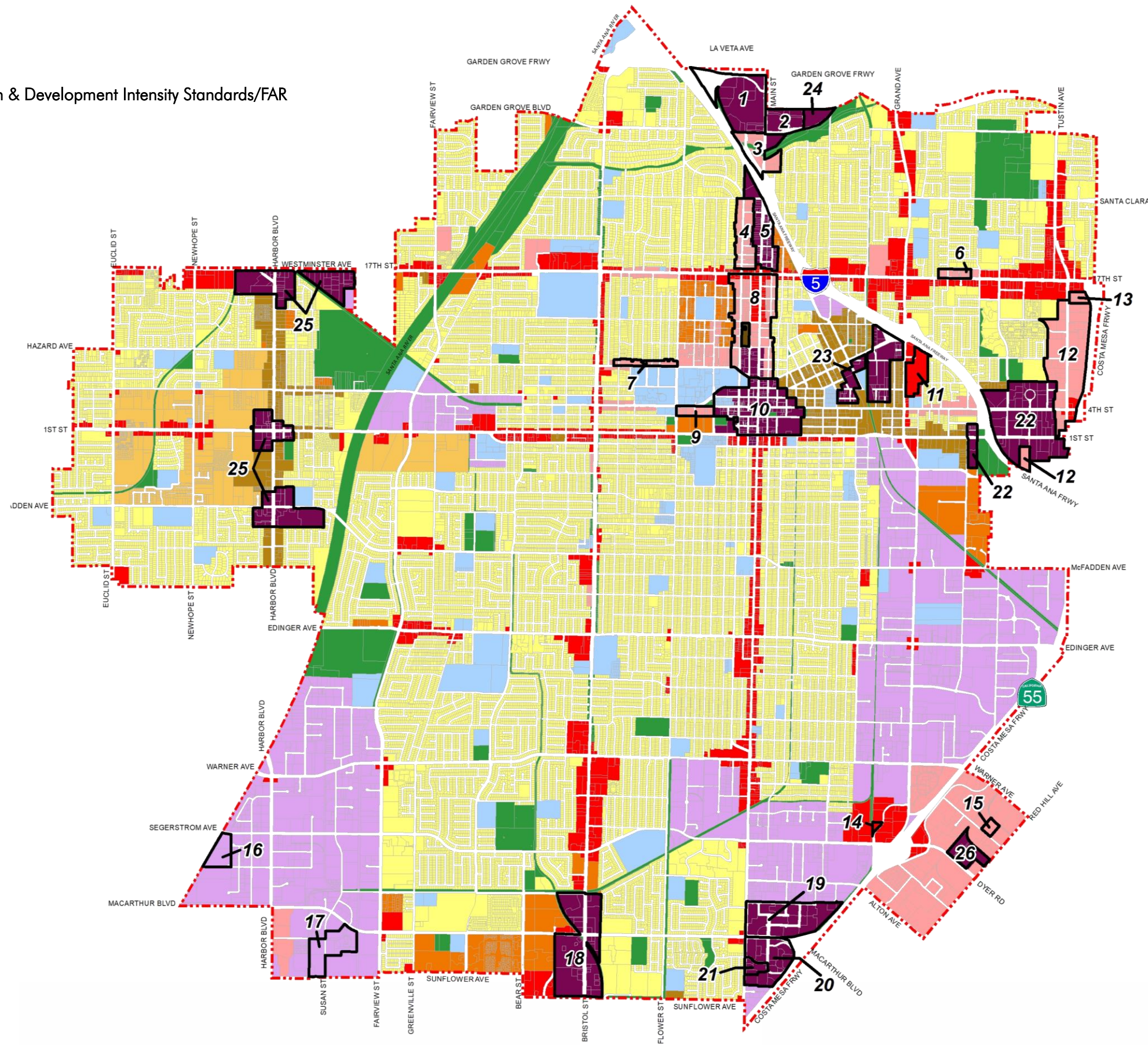
Exhibit 2

Pending - January 2021

Land Use Element



Exhibit A-4 Land Use Plan & Development Intensity Standards/FAR



These land use designations have a floor area ratio as noted below unless otherwise indicated in the table below.

DC (District Center)	1.0
UN (Urban Neighborhood)	0.5 - 1.5
PAO (Professional & Administration Office)	0.5
OBPDC (One Broadway Plaza District Ctr.)	2.9
GC (General Commercial)	0.5
IND (Industrial)	0.45
INS (Institutional)	0.5
O (Open Space)	0.2

Project / Area	Floor Area Ratio
1- MainPlace	2.1
2- City Place	2.54
3- North Main St	1.5
4- North Broadway	1.0
5- Museum District	1.5
6- Hutton Development	1.0
7- Civic Center Specific Dev Plan	1.0
8- Midtown Specific Plan	0.5-1.0
9- Civic Center	1.0
10- Downtown	3.0
11- Orange County Register	1.15
12- First St / Tustin Ave	1.0
13- Bentall Center Dev	1.5
14- 2720 Hotel Terrace Dr	1.0
15- 1951 E Carnegie Ave	0.55
16- 4040 W Carriage Ave	0.47
17- Lake Center Dev	0.72
18- South Coast Metro	1.0
19- Mac Arthur Place	2.0
20- Mac Arthur Place South	1.0
21- Pac Tel Office	1.5
22- Metro East	3.0
23- Transit Village	5.0
24- Town and Country Manor	1.27
25- Harbor Mixed Use Specific Plan	0.5-5.0
26- The Heritage	1.7

LR-7 (Low Density Residential)
LMR-11 (Low-Medium Density Residential)
MR-15 (Medium Density Residential)

Land Use Plan & Development Intensity Standards/FAR Areas



Exhibit A-4

Pending - January 2021

Land Use Element



Harbor Boulevard, and other major arterial roadways in the City. The intensity standard applicable to this designation is a floor area ratio of 0.5 - 1.0, though most General Commercial districts have a FAR of 0.5. A total of ~~859.6~~ 857.6 acres of land is included in this designation.



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

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

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

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

Mixed Use

The Land Use Plan provides for two distinct mixed use land use designations. These designations allow for both vertical and horizontal mixed use developments, with an emphasis on linkages to a range of transportation options:

- The **District Center (DC)** land use designation includes the major activity areas in the City. Seven areas of the City, totaling 685.4 acres, are designated as District Center. The intensity standard for the District Center designation ranges from a floor ratio of 1.0 to 5.0.

District Centers are designed to serve as anchors to the City’s commercial corridors, and to accommodate major development activity. District Centers are to be developed with an urban character that includes a mixture of high-rise office, commercial, and residential uses which provide shopping, business, cultural, education, recreation, entertainment, and housing opportunities. Residential developments within some District Centers are allowed at a density of up to 90 units per acre when developed as an integral component of a master planned mixed use project. In Harbor Corridor, Metro East, Downtown, and Transit Village District Centers residential



District Centers are considered to be the City’s “major development areas.” The most intense development in the City is targeted to these areas. The Tustin Avenue corridor is a major development area even though it is not a designated District Center. This area has developed over the years as a prime office corridor and employment area. The PAO designation facilitates the continued development of this area with high intensity, high quality regional office projects.

- The **One Broadway Plaza District Center (OBPDC)** is a distinct land use that is envisioned as a major activity center with a landmark mixed-use tower, which will include residential, professional office, and commercial uses. The district will be a focal point in the downtown area serving the Civic Center complex, Downtown, and Midtown urban areas.
- The **Urban Neighborhood (UN)** land use designation applies to primarily residential areas with pedestrian oriented commercial uses, schools and small parks. The Urban Neighborhood allows for a mix of residential uses and housing types, such as mid to low rise multiple family, townhouses and single family dwellings; with some opportunities for live-work, neighborhood serving retail and service, public spaces and use, and other amenities. Either vertical or horizontal integration of uses is permitted based on zoning standards, with an emphasis on tying together the uses with pedestrian linkages and street frontages. Street connectivity is desirable, allowing for a high degree of walkability, transit options, and other forms of transportation including pedestrian and bicycle travel.

The intensity standard for the Urban Neighborhood ranges from a floor area ratio of 0.5 to 3.0; with residential density based on a combination of floor area ratio and zoning development standards. A total of ~~317.0~~319.1 acres of land in the City are designated Urban Neighborhood.

Industrial

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

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

- Light and heavy product manufacturing and assembly.



- **Redevelopment Plans.** The City will apply redevelopment tools associated with the implementation of the adopted redevelopment plans, as appropriate. The City will encourage the further development of industrial, commercial, and residential projects in suitable locations to strengthen the City’s tax and employment base.
- **Special Studies.** In certain instances, a special study may be required to address a particular issue. In these cases, a specific effort to identify staff resources needed to conduct the appropriate investigation and analysis will be identified.
- **Zoning Code Review.** The zoning code serves as a primary tool used by the City to regulate development. The City will develop a program to revise the Zoning Ordinance to ensure that development regulations and standards are consistent with community needs and high quality development. The City will initiate appropriate changes to the ordinance to ensure, where appropriate, conformity between the Land Use Element and Zoning Map.

LAND USE PLAN BUILDOUT

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

Table A-4 indicates the development possible under the build-out of the Land Use Plan. The build-out for residential land uses considered two scenarios. Effective build-out for residential development is calculated by adding the ~~21,896~~21,981 units possible in the areas designated as District Center and Urban Neighborhood to the existing 74,669 units presently found in the City per Census 2000. Theoretical build-out for residential development considered the development possible if all of the areas designated as residential were developed according to the permitted Land Use Plan intensities. Since the Land Use Element does not contemplate the elimination of existing housing in the City, the effective build-out figure represents a more realistic estimate of future residential development.

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

As indicated in Table A-4, between ~~77,315~~77,400 to ~~96,565~~96,650 housing units are allowed by the Land Use Plan. The additional units which presently exist in



LAND USE ELEMENT

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

The Land Use Element's implementation may result in an increase in the amount of commercial, office, and industrial development in the City. As indicated in Table A-4, up to ~~31,808,407~~31,763,628 square feet of commercial and office, and 42,199,991 square feet of industrial development are possible under the effective capacity parameters of Land Use Plan.



**Table A-4
Land Use Plan Build-out Capacities**

<i>Land Use</i>		<i>Acres</i>	<i>Intensity/ Density</i>	<i>Effective Buildout¹</i>		<i>Theoretical Buildout</i>	
Residential							
Low Density Residential	LR-7	6,463.7	7 du/ac				45,246 du
Low Medium Density Residential	LMR-11	421.6	11 du/ac				4,638 du
Medium Density Residential	MR-15	369.1	15 du/ac				5,536 du
Subtotal		7,254.4			96,565 96,650 du¹		55,419 du
Mixed Use							
				Non Res.	Res.	Non-Res.	Res.
District Center							
Other ²	DC	309.5	90 du /ac FAR 1.0-2.0	11,955,583 sf	3,017 du	23,764,534 sf	3,017 du
Heritage	DC	18.8	FAR 1.7	54,090 sf	1,221 du	54,090 sf	1,221 du
Downtown	DC	62.5	FAR 3.0	2,057,824 sf	1,661 du	2,057,824 sf	1,661 du
Metro East	DC	113.9	FAR 0.75- 3.0	2,464,776 sf	5,037 du	2,464,776 sf	5,037 du
Transit Village	DC	51.4	FAR 5.0	402,864 sf	2,761 du	402,864 sf	2,761 du
Harbor Corridor	DC	125.0	FAR 5.0	1,836,155 sf	2,029 du	1,836,155 sf	2,029 du
One Broadway Plaza District Ctr ³	OBPDC	4.3	FAR 2.9	310,000 sf	415 du	310,000 sf	415 du
Urban Neighborhood	UN	317.0 319.1	FAR 0.5-3.0	1,656,955 1,661,356 sf	5,755 5,840 du	1,656,955 1,661,356 sf	5,755 5,840 du
Subtotal		1,002.4 1,004.5		20,738,247 20,742,648 sf	21,896 21,981 du	32,547,198 32,551,599 sf	21,896 21,981 du
Commercial							
Professional & Admin. Office	PAO	600.8	FAR 0.5-1.0	13,085,424 sf		26,170,848 sf	
General Commercial	GC	859.6 857.6	FAR 0.5-1.0	18,722,983 18,678,204 sf		37,445,967 37,356,408 sf	
Subtotal		1,460.4 1,458.4		31,808,407 31,763,628 sf		63,616,815 63,527,256 sf	
Industrial							
Industrial	IND	2,152.8	FAR 0.45	42,199,991 sf		42,199,991 sf	
Other							
Institutional	INS	800.6	FAR 0.2-0.5	6,974,740 sf		17,436,850 sf	
Open Space	OS	1,010.9	FAR 0.2	8,806,961 sf		8,806,961 sf	
Subtotal		1,811.5		15,781,701 sf		26,243,811 sf	

FAR=floor area ratio; d.u.=dwelling unit; s.f.=square feet (of floor area). Acreage shown in table does not include roads in right-of-way.
¹ Effective capacity for non-residential development assumes development possible under the lower range of FAR intensity standards with the exception of the Metro East District Center, Transit Village District Center, Downtown District Center, Heritage District Center, and Urban Neighborhood areas. The Harbor Corridor District Center, Metro East District Center, Transit Village District Center, Downtown District Center, and Urban Neighborhood areas allow a range of intensity for mixture of residential and non-residential development based on the zoning development standards. Residential effective capacity was calculated by adding the ~~21,896~~21,981 units possible in the District Center and Urban Neighborhood with the existing 74,699 (Census 2000) housing units.
² Land use designation permits both residential and non-residential development. Build-out assumes 90% of land area will be developed as commercial and 10% will be developed as residential; with the exception of Town and Country Manor project intended for continuum of care and housing seniors.
³ Land use designation permits high intensity office development with ancillary retail use.

This table has been revised to correspond with the GIS Land Use Map illustrated in Exhibit 2.

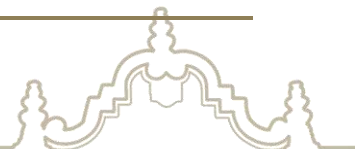


EXHIBIT 2

RESOLUTION NO. 2021-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING GENERAL PLAN AMENDMENT NO. 2020-07 TO CHANGE THE GENERAL PLAN LAND USE DESIGNATIONS FOR THE PROPERTIES LOCATED AT 2530 AND 2534 WESTMINSTER AVENUE FROM GENERAL COMMERCIAL (GC) TO URBAN NEIGHBORHOOD (UN)

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. Brian Hendricks, representing Community Development Partners (“Applicant”) is requesting approval of General Plan Amendment (“GPA”) No. 2020-07 to amend the General Plan land use designation of the properties located at 2530 and 2534 Westminster Avenue from General Commercial (GC) to Urban Neighborhood (UN) and to update text portions of the City’s Land Use Element to reflect this change in order to facilitate construction of an 85-unit affordable housing development.
- B. On December 14, 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. 2020-07.
- C. On January 19, 2021, 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. 2020-07, 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 proposed General Plan land use designation for the project area is Urban Neighborhood, which applies to residential areas with pedestrian oriented commercial uses. The project is an 85-unit multi-family affordable housing project for very-low income households and permanent supportive housing units for persons experiencing chronic homelessness. The project will include on-site service providers and has access to Orange County Transportation Authority bus routes at Westminster Avenue and Fairview Street. The ground floor along Westminster Avenue has been designed to incorporate a lobby at the corner of Westminster Avenue and Huron Drive, service provider offices at the northeast corner of the development and residential patios with direct street access. In addition, this amendment is consistent with Table A-3 (Correlation of Land Use Designation and Zoning Districts) of the General Plan Land Use Element.
- ii. The Westminster Avenue/Seventeenth Street corridor has a variety of existing land use designations that include Urban Neighborhood, Medium Density Residential, General Commercial, Professional and Administrative Office, District Center, and Institutional. The Urban Neighborhood Designation will allow for use residential use of the property. In addition, multi-family uses are often used in planning and zoning practice to buffer higher intensity uses like commercial uses from single-family residential uses as multi-family and single-family uses are more compatible in nature to each other. The project is similar in scale and density to several nearby multi-family developments to the east and west along Seventeenth Street such as Solare Apartment Homes, San Tropez Apartment Homes and Villa Portofino which are three-stories in height and range from 29 to 38 dwelling units per acre. Additionally, the project's density and height is similar to those permitted within the Harbor Mixed-Use Transit Corridor Specific Plan - Transit Node North which is west of the project site and permits a range of 30 to 50 dwelling units per acre.
- iii. The General Plan Amendment will support several goals and policies of the General Plan, including the Land Use Element and Housing Element. Specifically, the project will be consistent with Land Use Element Goal 1 to promote a balance of land uses to address basic community needs. Policy 1.5 states a desire maintain and foster a variety of residential land uses. 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 age groups to

foster an inclusive community. Policy 2.3 encourages the construction of rental housing for Santa Ana's residents and workforce, including a commitment to very low, low, and moderate income residents and moderate income Santa Ana workers. Housing Element Goal 3 is to increase opportunities for low and moderate income individuals and families to find quality housing opportunities and afford a greater choice of rental or homeownership opportunities. Policy 3.1 supports the provision of rental assistance for individuals and families earning extremely low, very low, and low income with funding from the federal government. Policy 3.4 supports the provision of employment training, childcare services, rental assistance, youth services, and other community services that enable households to attain the greatest level of self-sufficiency and independence. The general plan amendment will allow the construction 85 multi-family affordable housing units (very-low income and permanent supportive housing) with on-site supportive services. The project will allow for redevelopment of an underutilized lot with a new residential development with a contemporary design and variety of building materials.

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. 2020-07. 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 December 14, 2020, the Request for Council Action dated January 19, 2021, 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. 2020-07 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. 2020-48 and

Amendment Application (AA) No. 2020-05 are adopted and approved 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 _____, 2021.

Vicente Sarmiento
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. 2021-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

2 - 39

ORDINANCE NO. NS-XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING AMENDMENT APPLICATION NO. 2020-05 REZONING THE PROPERTIES LOCATED AT 2530 AND 2534 WESTMINSTER AVENUE FROM GENERAL COMMERCIAL (C2) TO SPECIFIC DEVELOPMENT NO. 97 (SD-97) AND ADOPTING SD-97 FOR SAID PROPERTY

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

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

- A. Brian Hendricks, representing Community Development Partners (“Applicant”), is requesting approval of Amendment Application (AA) No. 2020-05 to change the zoning designation of the properties located at 2530 and 2534 Westminster Avenue from General Commercial (C2) to Specific Development No. 97 (SD-97) and to adopt Specific Development No. 97 in order to facilitate construction of an 85-unit affordable housing development.
- B. Chapter 41, Article 1, Division 1, Section 41-1 of the Santa Ana Municipal Code establishes the necessity of segregating the location of residences, businesses, trades and industries; regulating the use of buildings, structures, and land regulation; the location, height, bulk and size of buildings and structures, the size of yards and open space; the City is divided into land-use districts of such number, shape and area as may be considered best suited to carry out these regulations and provide for their enforcement. The regulations are considered necessary in order to: encourage the most appropriate use of land, conserve and stabilize property value, provide adequate open spaces for light and air and to prevent and fight fires, prevent undue concentration of population, lessen congestion on streets and highways, and promote the health, safety and general welfare of the people, all as part of the general plan of the City. The City of Santa Ana has adopted a zoning map which has since been amended from time to time.
- C. On December 14, 2020, the Planning Commission held a duly noticed public hearing and voted to recommend that the City Council adopt an ordinance approving Amendment Application No. 2020-05.
- D. The City Council has reviewed applicable general plan policies and has determined that this proposed rezoning is consistent with the purpose of

the general plan and Santa Ana Municipal Code Section 41-593.1.

- E. The City Council, prior to taking action on this ordinance, held a duly noticed public hearing on January 19, 2021.
- F. The City Council also adopts as findings all facts presented in the Request for Council Action dated January 19, 2021, accompanying this matter.
- G. For these reasons, and each of them, Amendment Application No. 2020-05 is hereby found and determined to be consistent with the intent and purpose of Chapter 41 of the Santa Ana Municipal Code, thus changing the zoning district is found to be consistent with the General Plan of the City of Santa Ana and otherwise justified by the public necessity, convenience, and general welfare.

Section 2. The Amendment Application consists of amendments to the Zoning Map (SDM 10-5-10), as shown in Exhibit A and adoption of Specific Development No. 97 as shown in Exhibit B, attached hereto and incorporated herein by reference. The amendment application to change the zoning designation from General Commercial (C2) to Specific Development No. 97 (SD-97) is consistent with Santa Ana Municipal Code section 41-593.1 for the following reasons:

- (1) Protecting and enhancing the value of properties by encouraging the use of good design principles and concepts, as related to the division of property, site planning and individual improvements with full recognition of the significance and effect they have on the proper planning and development of adjacent and nearby properties.

The project's site plan has been designed to integrate the project site into the surrounding community. The site plan has been designed to place the buildings along Westminster Avenue, furthest away from the existing single-family dwellings. The height of the buildings tiers down from four- to three-stories closer to the single-family dwellings. In addition, the parking lot and playground have been sited to serve as a buffer between the multi-family buildings and single-family dwelling. The south and west property lines will be planted with trees every 25 feet to provide additional privacy. The development's primary access points will be from a right-in, right-out driveway on Westminster Avenue. The community room, meeting room and service provider offices are located along Westminster Avenue to activate the street.

- (2) Encouraging, securing and maintaining the orderly and harmonious appearance, attractiveness and aesthetic development of structures and grounds in order that the most appropriate use and value thereof be determined and protected.

The project's buildings are designed in a cohesive manner with unifying materials, floor heights, and articulation using contemporary architecture. High-quality building materials will ensure long-term durability including glass tile arches, wood veneer, batten board siding, art graphics, plaster and a mix of warm and cool colors. In addition, the project will be landscaped with a minimum of 24-inch and 36-inch box trees and include enhanced hardscape materials at the driveway entrance and pedestrian walkways in the parking lot. These finishes and designs are consistent with the design guidelines found in the Citywide Design Guidelines. Open space and amenities will be provided on the site including private unit balconies and patios, two residential rooftop patios, ground-level courtyard, arcade walkways, playground and picnic area. The playground and picnic area along Huron Drive will be accessible to the public, but maintained by the property owner and managed by the on-site property manager.

- (3) Providing a method whereby specific development plans are to be based on the general plan as well as other regulations, programs, and legislation as may, in the judgment of the city, be required for the systematic execution of the general plan.

With approval of General Plan Amendment No. 2020-07, the Project will be consistent with the General Plan Land Use Element and Housing Element. Although the Project requires an amendment to the Land Use Element to allow for residential use of the property, the Project still supports and is consistent with several other overarching goals and policies of the General Plan. For example, as described in the associated General Plan Amendment No. 2020-07: Housing Element Goal 2 to encourage 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 2.3 encourages the construction of rental housing for Santa Ana's residents and workforce, including a commitment to very low, low, and moderate income residents and moderate income Santa Ana workers. Housing Element Goal 3 is to increase opportunities for low and moderate income individuals and families to find quality housing opportunities and afford a greater choice of rental or homeownership opportunities. Policy 3.1 supports the provision of rental assistance for individuals and families earning extremely low, very low, and low income with funding from the federal government. Policy 3.4 supports the provision of employment training, childcare services, rental assistance, youth services, and other community services that enable households to attain the greatest level of self-sufficiency and independence.

(4) Recognizing the interdependence of land values and aesthetics and providing a method to implement this interdependence in order to maintain the values of surrounding properties and improvements and encouraging excellence of property development, compatible with the general plan for, and character of, the city, with due regard for the public and private interests involved.

The project will provide a high quality affordable housing project along a major transit corridor. The project will provide for greater setbacks than those permitted under the existing commercial zoning and the site has been designed to integrate the development with the existing nearby uses. The project will have an on-site property manager and a property maintenance agreement which will ensure that the project is maintained in a first-class condition.

(5) Ensuring that the public benefits derived from expenditures of public funds for improvements and beautification of streets and public facilities shall be protected by exercise of reasonable controls over the character and design of private buildings, structures and open spaces.

The residential development will utilize existing water, sewer, and drainage infrastructure and will not result in the expansion of infrastructure. In addition, the Project will not result in the expansion of new or altered police or fire facilities. The Project will be subject to utility user tax, property taxes based on the valuation of the new construction and management company business taxes. The sidewalk along Huron Drive will be reconstructed to include a parkway consistent with the residential neighborhood, street trees will be planted and new street lights will be installed and the City's Building Security Ordinance will be implemented which includes security and crime preventing measures to help reduce City expenditures on public services and maintenance. In addition, the development will be subject to all required development impact fees and contribute to its fair share towards improvements at Westminster Avenue and Fairview Street, Mar Les Drive and Westminster Avenue, and 16th Street and Fairview Street as described in the Traffic Impact Analysis.

Section 3. The City Council has reviewed and considered the information contained in the Mitigated Negative Declaration (Environmental Review No. 2020-48) prepared with respect to this project. The City Council has, as a result of its consideration of the record as a whole and the evidence presented at the hearings on this matter, determined that, as required pursuant to the California Environmental

Quality Act (CEQA) and the State CEQA Guidelines, Environmental Review No. 2020-48 meets all the requirements of CEQA.

Section 4. An amended Sectional District Map 10-5-10, showing the above described changes in use district designation, is hereby approved and attached hereto as Exhibit A, and incorporated by this reference as though fully set forth herein.

Section 5. The City Council of the City of Santa Ana after conducting the public hearing hereby approves AA No. 2020-05. 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 December 14, 2020, the Request for Council Action dated January 19, 2021, 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 AA No. 2020-05 as set forth in Exhibit A and Exhibit B, 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 Zoning Map shall be amended to read as set forth in Exhibit A, attached hereto and incorporated herein by reference.
- B. The Amendment Application shall not take effect unless and until Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP), Environmental Review No. 2018-48 and General Plan Amendment (GPA) No. 2020-07 are adopted and approved 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 _____, 2021.

Vicente Sarmiento
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 Ordinance No. NS-_____ to be the original ordinance adopted by the City Council of the City of Santa Ana on _____, 2021 and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: _____

Clerk of the Council
City of Santa Ana

EXHIBIT A



ZONING DISTRICTS

A1	GENERAL AGRICULTURAL	CSM	SOUTH MAIN STREET COMMERCIAL DIST.	R2	TWO-FAMILY RESIDENCE	-B	PARKING MODIFICATION
C1	COMMUNITY COMMERCIAL	GC	GOVERNMENT CENTER	R3	MULTIPLE-FAMILY RESIDENCE	-OZ	OVERLAY ZONE
C1-MD	COMMUNITY COMMERCIAL - MUSEUM DIST.	M1	LIGHT INDUSTRIAL	R4	SUBURBAN APARTMENT	-PRD	PLANNED RESIDENTIAL DEVELOPMENT
C2	GENERAL COMMERCIAL	M2	HEAVY INDUSTRIAL	RE	RESIDENTIAL ESTATE	-HD2	HEIGHT DISTRICT II
C4	PLANNED SHOPPING CENTER	O	OPEN SPACE	SD	SPECIFIC DEVELOPMENT		
C5	ARTERIAL COMMERCIAL	P	PROFESSIONAL	SP	SPECIFIC PLAN		
CR	COMMERCIAL RESIDENTIAL	R1	SINGLE-FAMILY RESIDENCE	OZ1	METRO EAST OVERLAY ZONE		



SECTIONAL DISTRICT MAP: 10-5-10 CITY OF SANTA ANA, CALIFORNIA



EXHIBIT B

SPECIFIC DEVELOPMENT NO. 97 Westview Housing Multi-Family Housing Project

SECTION 1 – APPLICABILITY OF ORDINANCE

The Specific Development Zoning District No. 97 (SD-97) for Westview Housing a multi-family residential project is authorized by Chapter 41, Division 26 Section 41-597 et seq. of the Santa Ana Municipal Code. SD-97 contains specific standards and regulations for the purpose of establishing land use regulations and development and operational standards for the project site. All other applicable chapters, articles, and sections of the Santa Ana Municipal Code are in effect unless expressly superseded by regulations contained in this ordinance.

SECTION 2 – PURPOSE

The Specific Development Plan No. 97 for the Westview Housing project consists of standards and regulations established for the purpose of protecting the health, safety, and general welfare of the people of the City of Santa Ana by promoting and enhancing the value of property and encouraging the orderly development of the property.

Objectives

The objectives of the Westview Housing multi-family project specific development plan include provisions of the following:

1. Promote the City's image as providing high-quality residential projects for individuals and families of all income levels.
2. Create a clean and safe environment for the City's residents, workers, and visitors.

SECTION 3 – Uses permitted in Specific Development No. 97

The following uses are permitted in the SD-97 district:

- (a) A maximum of 85 multiple-family dwelling units not exceeding a density of 42 dwelling units/acre.
 - (1) The unit mix shall be comprised of:
 - a. 23 one-bedroom units
 - b. 4 two-bedroom units
 - c. 34 three-bedroom units
 - d. 24 four-bedroom units
 - (2) Unit square footage ranging from:
 - a. 489 to 523 square foot one-bedroom units
 - b. 756 square foot two-bedroom units
 - c. 933 to 1,101 square foot three-bedroom units
 - d. 1,178 to 1,187 square foot four-bedroom units

- (b) Home occupations, pursuant to section 41-192.1 of the Santa Ana Municipal Code.
- (c) Ancillary meeting room, community room, bike rooms, and laundry rooms.
- (d) Accessory office space for the property manager and service providers related to the affordable and permanent housing use. Offices not to be used for commercial tenants.

SECTION 4 – Maximum permitted floor area ratio (FAR)

The maximum authorized building intensity for the Westview Housing multi-family project is a floor area ratio (FAR) of 1.09, including residential areas, community-serving areas (e.g., laundry room, office, and community room) and interior corridors.

SECTION 5 – Minimum lot size in Specific Development No. 97

The minimum lot size shall be 2.1 acres.

SECTION 6 – Minimum street frontage in Specific Development No. 97

The lot shall have a minimum street frontage of at least 250 feet.

SECTION 7 – Building height in Specific Development No. 97

- (a) No residential structure shall exceed 47 feet, four stories in height, as measured from the adjacent grade of the structure to the top of the parapet.
- (b) Along the south property line portions of the residential building shall tier down to three stories and shall not exceed 35 feet in height, as shown on the approved site plan.
- (c) Accessory building elements (stairwells and elevator shafts) shall not exceed 51 feet, as measured from adjacent grade of the structure to the top of the structure.

SECTION 8 – Setback standards in Specific Development No. 97

- (a) North setback. A minimum setback of seven (7) feet shall be provided.
- (b) South setback. A minimum setback of sixty (60) feet shall be provided.
- (c) West setback. A minimum setback of nine (9) feet shall be provided.
- (d) East setback. A minimum setback of twelve (12) feet shall be provided.

SECTION 9 – Off-street parking standard in Specific Development No. 97

- (a) The minimum off-street parking requirements for the project are as follows:
 - (1) A minimum of 136 parking spaces shall be provided.

- (2) 42 tandem parking spaces shall be permitted.
- (3) Parking stalls shall not be less than eight (8) feet six (6) inches wide and eighteen (18) feet long, except as noted in subsections 41-1320(c) and (d). Where double-striping is required, the width of stalls shall be measured from lines midway between each pair of stripes. Structural, mechanical, utility or similar appurtenances are only permitted adjacent to required stall areas if the required width of the stall is increased at least six (6) inches and if the appurtenance is not located so as to interfere with safe and free parking movement, car door opening, or of visibility.
- (4) Aisles to and from parking stalls shall not be less than: Twenty-three (23) feet wide for 90-degree parking.
- (5) A minimum of ten (10) bicycle spaces shall be provided onsite. The design and materials shall comply with the approved materials board submitted for the project during building plan check.
- (6) Prior to occupancy of the first unit, the parking management plan shall be implemented, identifying parking per unit, guest parking, service provider parking and a designated ride share drop-off/pick-up area. Onsite parking shall be provided for residents and visitors of the Project and the parking demand of the Project site shall be actively monitored. Property owner "Owner" shall continually monitor and take appropriate measures to manage the parking demand of the Project site to mitigate the use of offsite parking spaces on private or public properties and/or right-of-way.

SECTION 10 – Vehicular Access in Specific Development No. 97

- (a) There shall be one driveway for vehicular entry along Westminster Avenue. No vehicular access or driveway approach openings will be approved on North Huron Drive for the project.

SECTION 11 – Open Space standard in Specific Development No. 97

- (a) Common Open Space. The project shall provide a minimum of 15% of the total lot size shall be open space in the form of common areas (lobby, interior community room, meeting room, etc.), landscaped open space areas, rooftop decks, and courtyards these areas shall be easily accessible to all residents within the building, and face the public rights-of-way where possible.
- (b) Playground. The playground, lawn and picnic area along North Huron Drive shall be publically accessible during the day. This area shall be maintained and managed by the property owner and on-site property manager.
- (c) Private Open Space. Each residential unit shall have a patio or balcony a minimum of 50 square feet in size.

SECTION 12 – Walls/Fences standard in Specific Development No. 97

- (a) Permitted Material and Design: wood; wrought iron; tubular steel, stone; brick; stucco; or decorative block such as slump stone or split-faced block. New perimeter walls shall be broken by up by pillars or staggered setbacks every 100 feet.
- (b) North property line. Walls and fences shall not exceed four (4) feet in height built from permitted materials and designed and constructed so as to permit visibility between or through fence elements over eighteen (18) inches in height. Those portions of the front yard fence eighteen (18) inches in height and lower may be constructed of opaque or solid materials. Elements over eighteen (18) inches in height shall be spaced no closer than four (4) inches apart, with each member no wider than four (4) inches across. Elements wider than four (4) inches across shall be considered pilasters. Pilasters may be no wider than sixteen (16) inches across, and may be no closer than eight (8) feet on center. except for pilasters supporting a four-foot wide maximum entry gate.
- (c) West property line. Walls and fences shall not exceed three (3) feet in height built from permitted materials and designed and constructed so as to permit visibility between or through fence elements over eighteen (18) inches in height. Those portions of the front yard fence eighteen (18) inches in height and lower may be constructed of opaque or solid materials. Elements over eighteen (18) inches in height shall be spaced no closer than four (4) inches apart, with each member no wider than four (4) inches across. Elements wider than four (4) inches across shall be considered pilasters. Pilasters may be no wider than sixteen (16) inches across, and may be no closer than eight (8) feet on center. except for pilasters supporting a four-foot wide maximum entry gate.
- (d) South and East property lines. All other walls and fences shall not exceed eight (8) feet in height, measured from the top of the curb or established grade upward.
- (e) Gates: Vehicular entrance gates shall meet setback and height requirements and shall require Public Works Agency and Orange County Fire Authority approval.

SECTION 13 – Landscape standard in Specific Development No. 97

- (a) A Landscape Plan prepared by a licensed landscape architect shall be submitted to the Planning Division for review and approval prior to the issuance of building permits. The Irrigation Plan shall include an irrigation system layout with the location of controllers and points of connection with data on valve sizes and gallons per minute (G.P.M.), the size and location of sleeves and all spray heads, including the location of conventional systems and drip systems; an irrigation legend with complete specifications; irrigation notes and construction details of all assemblies and components; a recommended irrigation schedule, preferably on an annual basis; and a summary block on the initial page of submitted plans that will present the above information clearly and accurately. The landscape plan shall include a Plant Legend containing: plant symbol, scientific name of plant material, common name of plant material, plant container size, and plant spacing. Very low, low and medium water

usage plant materials are encouraged.

- (b) A minimum size of 36-inch box trees shall be planted along street setbacks and open space areas.
- (c) A minimum size of 36-inch box tree shall be planted along the south and west property lines every 25-feet.
- (d) Parking lot planters shall require a minimum size of one 15-gallon size tree, eleven (11) five-gallon size shrubs and ground cover or annual color to serve as filler material.
- (e) Project Landscaping: Landscaping shall be compliant with the City of Santa Ana's Landscape Water Conservation Ordinance Chapter 41, Article XVI of the Santa Ana Municipal Code. All landscape areas shall have a fully automatic irrigation system (including spray or drip) as required by the City of Santa Ana Landscape Water Conservation Ordinance.
- (f) All meters shall be appropriately screened from public view with trellis work and vines or hedge-type shrubs, or be incorporated into the residential structure.
- (g) Maintenance: All plant material shall be maintained per Section 41-609 of the Santa Ana Municipal Code. The Owner shall be responsible for maintaining all common area landscaping within the development.

SECTION 14 – Residential Signage in Specific Development No. 97

- (a) Signage for the project shall be consistent with Section 41-868 of the Santa Ana Municipal Code.

SECTION 15 – Architectural Design in Specific Development No. 97

- (a) Exterior materials. Prior to building plan check the Owner shall submit revised architectural elevations subject to the review and approval of the Executive Director of the Planning and Building Agency. Exterior materials and finishes for the project shall comply with the approved materials board submitted for the project including ceramic glass tile, composite wood, board and batten siding, stacked burnished CMU block, metal canopies. All trash enclosures and similar ancillary structures shall match the texture, material and color of the building.
- (b) Public Art. Public Art shall be installed, and maintained with a value equivalent to one-half of one percent (0.5%) of the total construction cost of the Project. Total construction cost shall mean all design, engineering and construction costs. A public art plan shall be prepared and submitted to the City no later than one hundred eighty (180) days before final approval for occupancy or the issuance of a certificate of occupancy and the approved art shall be installed prior to final approval for occupancy of the issuance of a Certificate of Occupancy for the Project.

- (c) Storage. A minimum of 250 cubic feet of storage, in addition to interior bedroom closets, shall be provided with minimum dimensions of 4 feet by 8 feet per unit.
- (d) Hardscape materials. Enhanced paving materials shall be installed at the Westminster Avenue driveway entrance and at main pedestrian crossings in the parking lot. The actual paving materials shall be approved by the Planning Division.
- (e) Lighting standards/fixtures. The light fixtures are to integrate design elements of the building and landscape architecture. Lighting is to be designed to confine the direct rays of the artificial lighting within the boundaries of the development. Specifications of light standards/fixtures and photometrics plan shall be submitted to Planning Division for review and approval by the Planning Division prior to the issuance of building permits.
- (f) Composite Utility Plan. Composite utilities shall not be allowed within required parking, turnaround and landscape areas or on any façade facing a public street.
- (g) Mechanical Equipment, Appurtenances, and Conduits. All mechanical equipment, heating, ventilation, air conditioning (HVAC) units, satellite dish systems, solar panels, thermal solar heaters, utility meters, above ground utility and fire safety connections will be, screened, located out of public view or be architecturally integrated into the project design within designated rooms, inside walls, behind parapets, or through a combination of landscape and hardscape materials.
- (h) Trash Enclosures. Trash bins shall be stored in designated trash enclosures. There shall be an onsite designated trash staging area only to be used on service days and the staging area and bins shall not disrupt vehicular use of the driveway or parking. The minimum requirements needed to service the location shall be clearly indicated on the plans and subject to the approval of the Public Works Agency.

SECTION 16 – Property Maintenance in Specific Development No. 97

- (a) Onsite Property Manager. The Project shall include 24-hour on-site Property Management services and personnel. Up-to-date 24-hour contact information for the on-site personnel shall be provided to the following City Agencies on an ongoing basis:
 - (1) Police Department
 - (2) Fire Department
 - (3) Planning and Building Agency
 - (4) Community Development Agency
- (b) Maintenance. The property shall be maintained free of trash, debris and graffiti. Graffiti shall be removed within ten (10) days after its appearance in accordance with Section 10-227 of the Santa Ana Municipal Code.
- (c) Building Security. All structures and parking lots shall comply with the provisions of Chapter 8, Article II, Division 3 of the Santa Ana Municipal Code (Building Security

Ordinance).

- (d) On Going Property Maintenance. Prior to the issuance of the first certificate of occupancy, a property maintenance agreement shall be recorded against the property, the agreement must conform to city standards, with the City of Santa Ana a party to Agreement with rights to compel owner to cure. Including provisions that the property and all improvements located thereupon are properly maintained, Owner (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:
- (1) 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.);
 - (2) 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,
 - (3) Ongoing compliance with approved design and construction parameters, signage parameters and restrictions as well as landscape designs, as applicable;
 - (4) Ongoing maintenance, repair and upkeep of the property and all improvements located thereupon at all times (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);
 - (5) 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.
 - (6) 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.

- (7) 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.
- (8) The execution and recordation of the maintenance agreement shall be a condition precedent to the issuance of final approval for any certificate of occupancy related to this entitlement.

SPECIFIC DEVELOPMENT NO. 97
Westview Housing Multi-Family Housing Project

Project Site



Project Site Plan

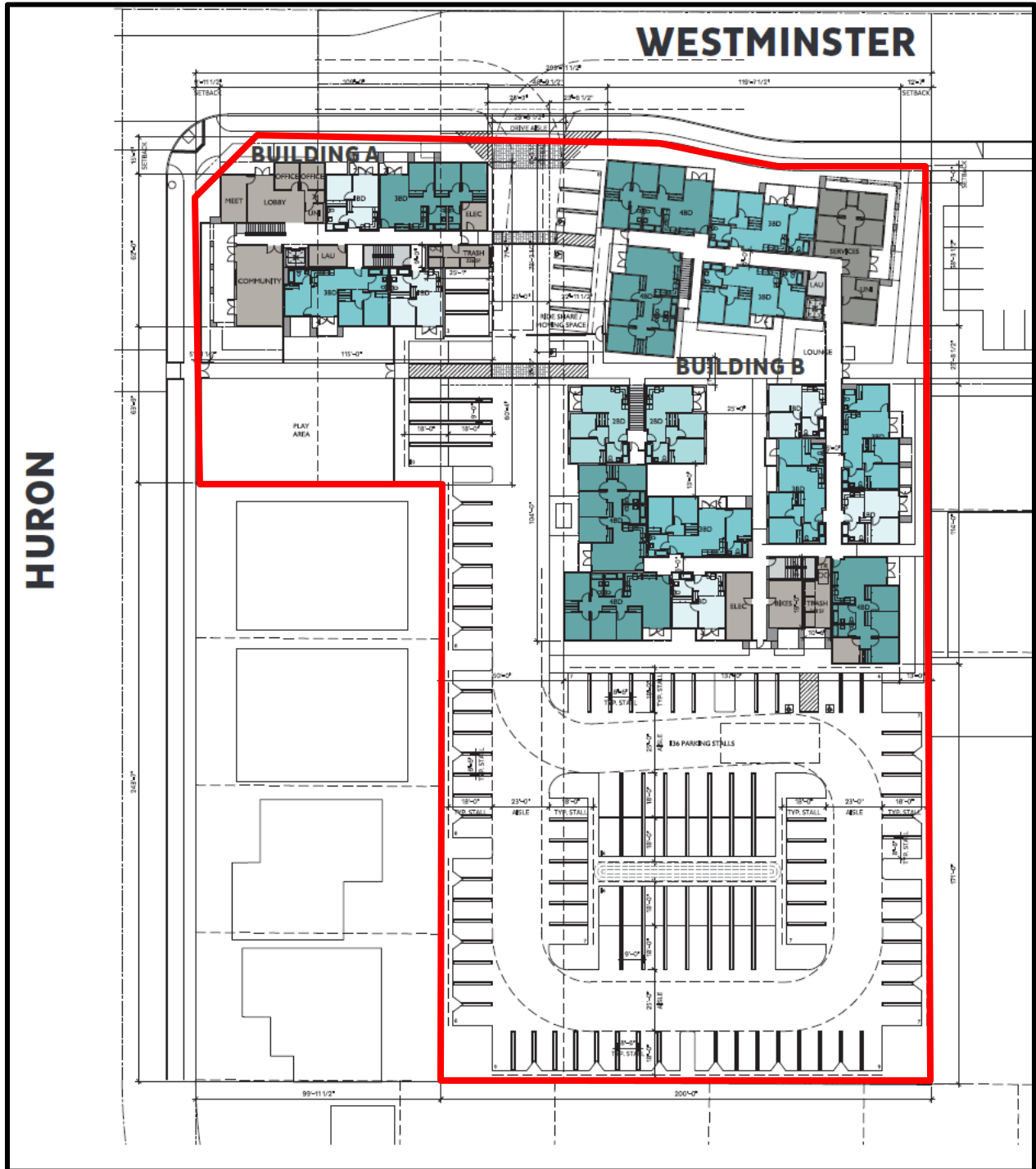


EXHIBIT 4

2 - 57

**GPA No. 2020-07, AA No. 2020-05 - Westview Housing Project
2530 & 2534 Westminster Avenue**

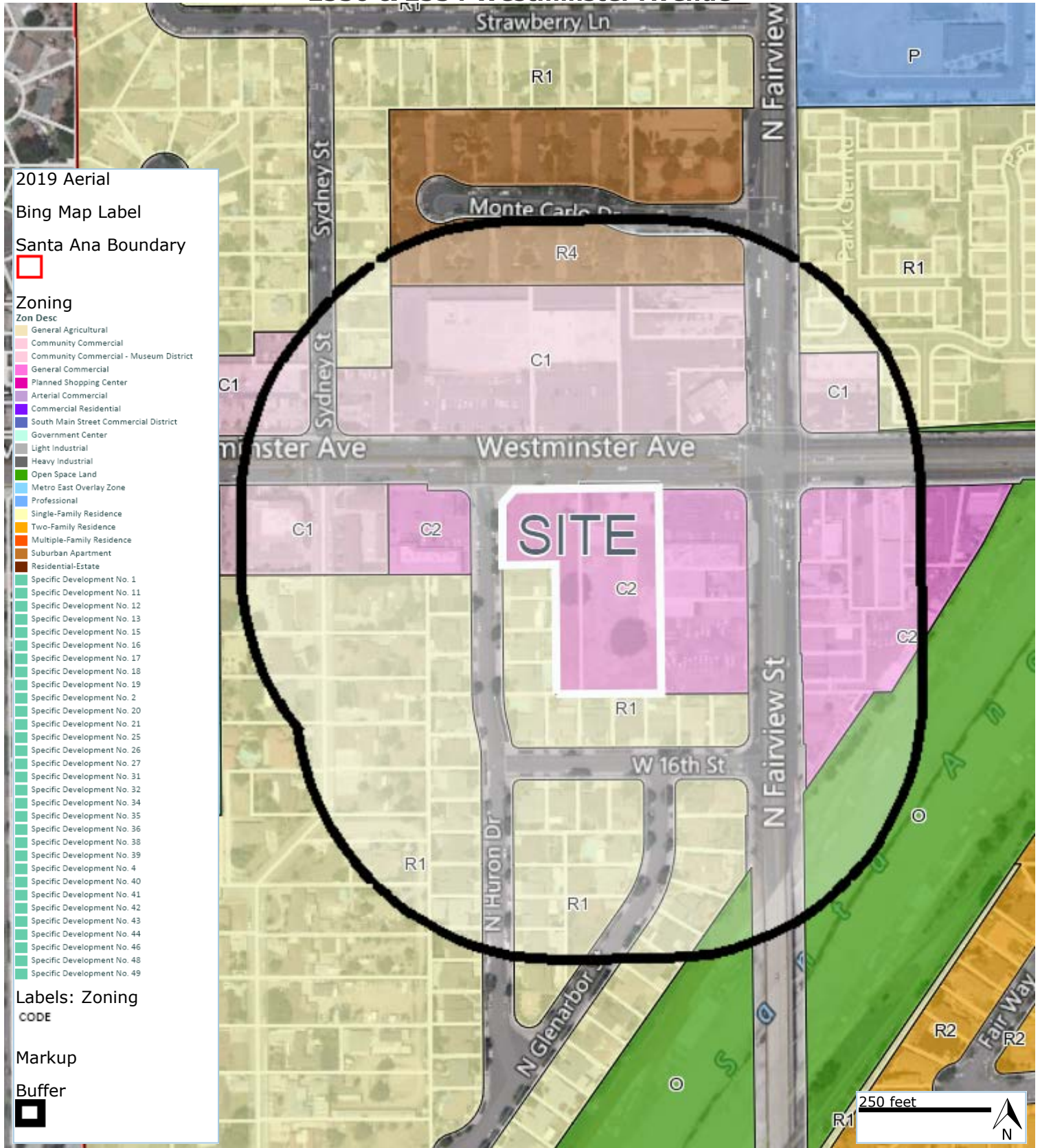


Exhibit 4 – Vicinity Zoning and Aerial View



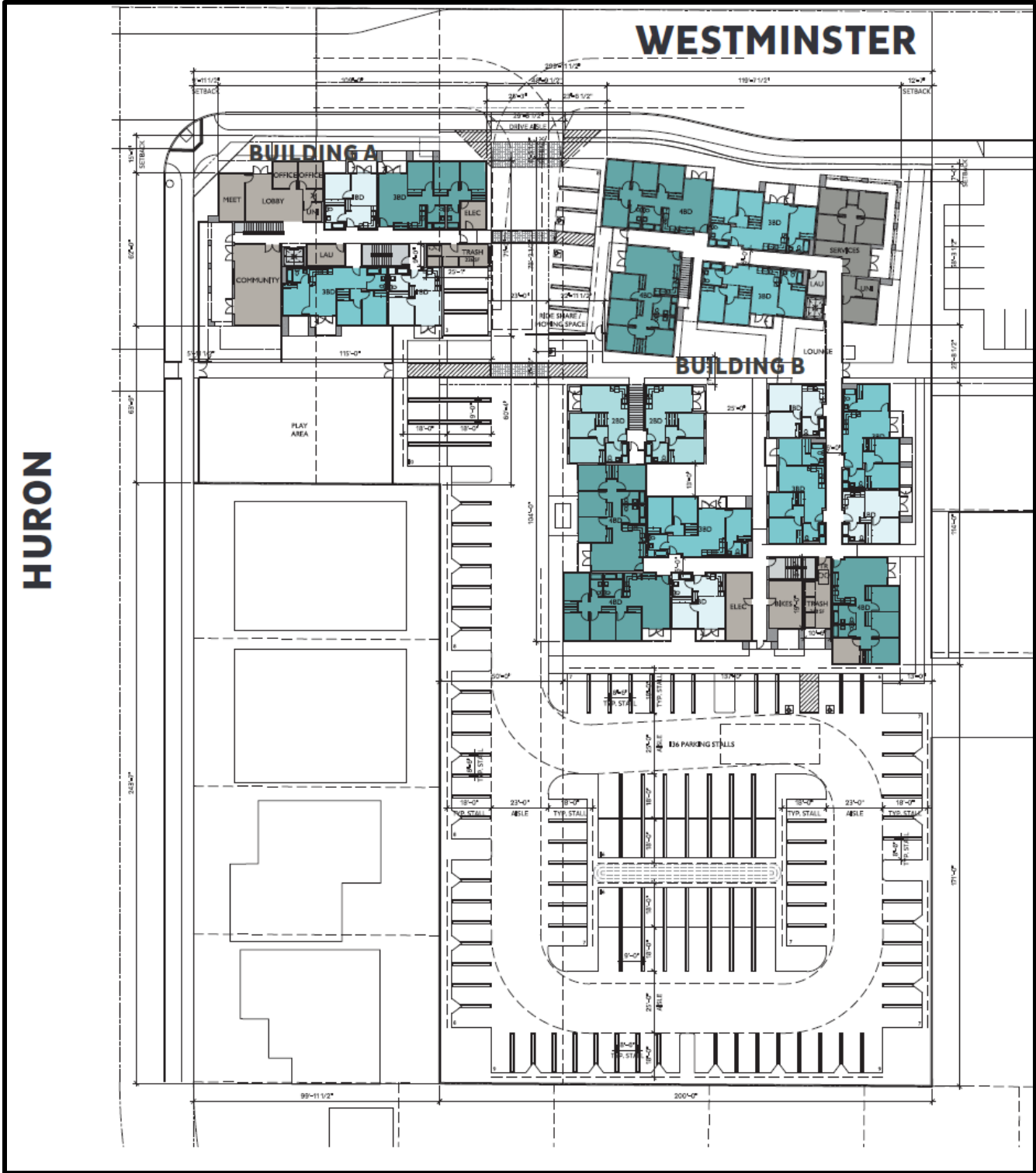
EXHIBIT 5



GPA No. 2020-07, AA No. 2020-05
2530 and 2534 Westminster Avenue
Westview Housing Project
Exhibit 5 – Site Photos

EXHIBIT 6

2 - 61



GPA No. 2020-07, AA No. 2020-05
 2530 and 2534 Westminster Avenue
 Westview Housing Project
Exhibit 6 – Site Plan

EXHIBIT 7

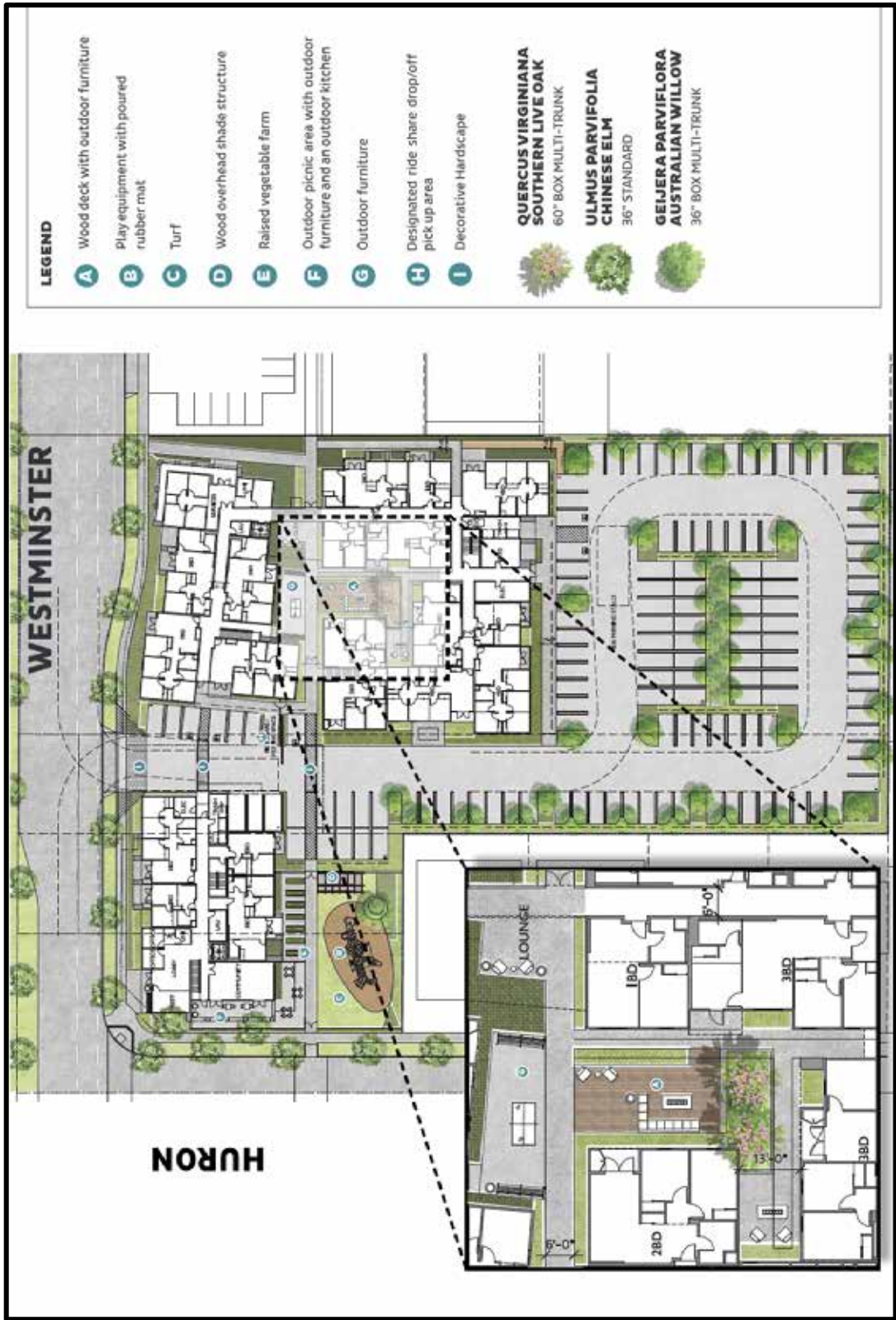
2 - 63



GPA No. 2020-07, AA No. 2020-05
 2530 and 2534 Westminster Avenue
 Westview Housing Project
Exhibit 7 – Open Space Plan

EXHIBIT 8

2 - 65



GPA No. 2020-07, AA No. 2020-05
 2530 and 2534 Westminster Avenue
 Westview Housing Project
Exhibit 8 – Landscape Plan

EXHIBIT 9

2 - 67



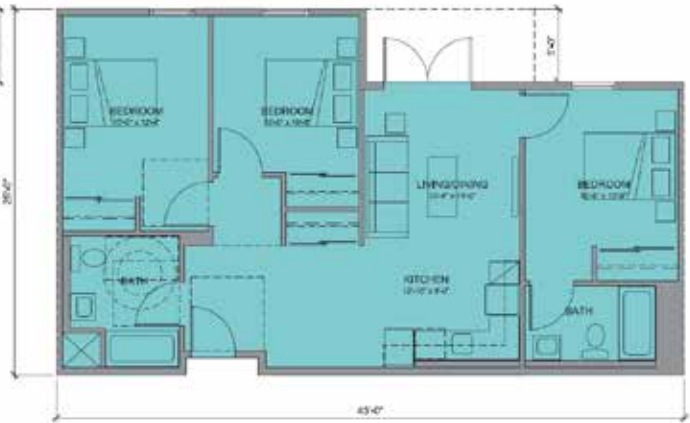
**ONE BEDROOM
523 SF**



**ONE BEDROOM
489 SF**



**TWO BEDROOM
756 SF**



**THREE BEDROOM
933 SF**



**THREE BEDROOM
1,101 SF**

GPA No. 2020-07, AA No. 2020-05
2530 and 2534 Westminster Avenue
Westview Housing Project
Exhibit 9 – Unit Floor Plans



**FOUR BEDROOM
1,178 SF**

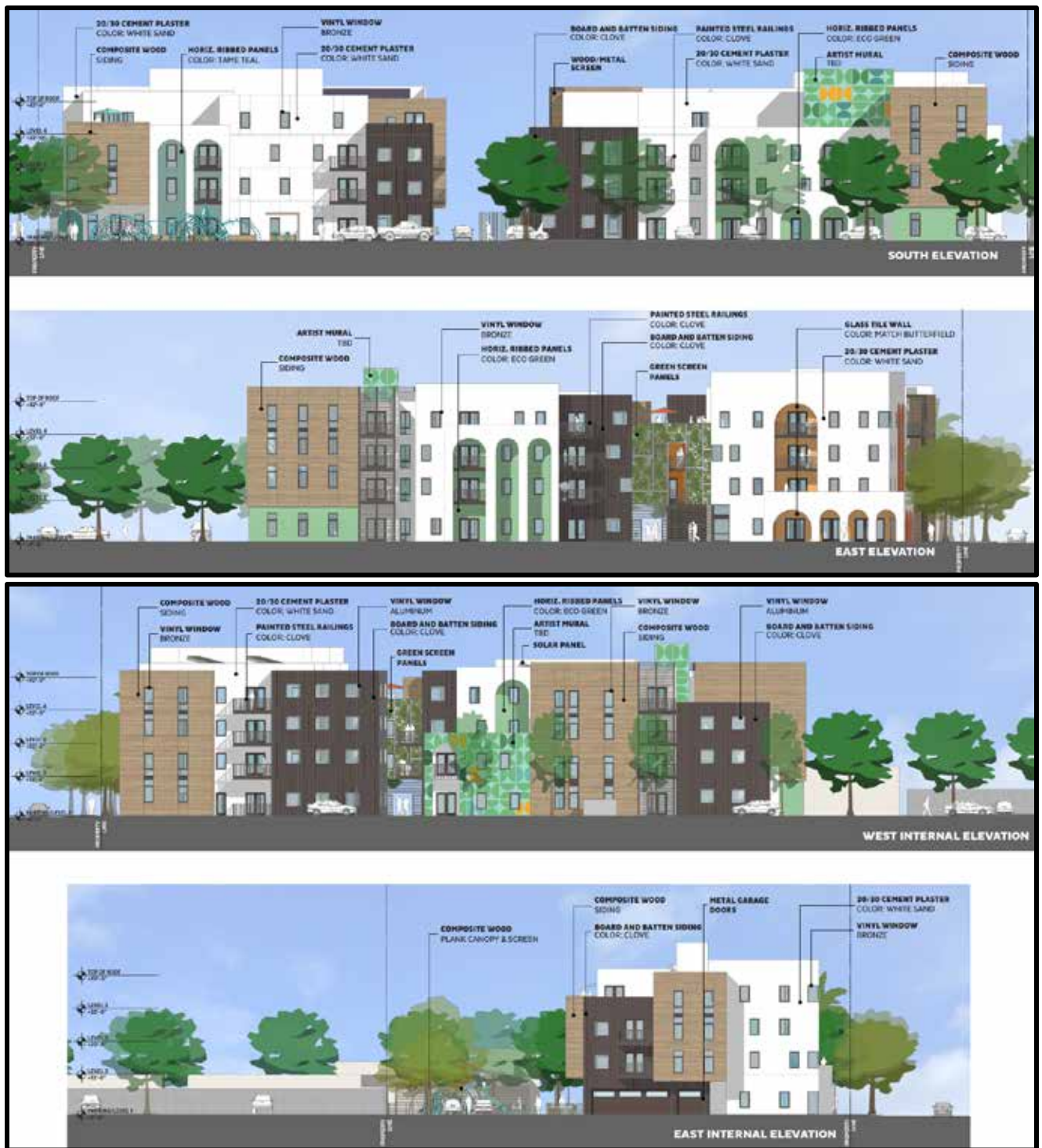


**FOUR BEDROOM
1,107 SF**

GPA No. 2020-07, AA No. 2020-05
 2530 and 2534 Westminster Avenue
 Westview Housing Project
Exhibit 9 – Unit Floor Plans

EXHIBIT 10

2 - 70



GPA No. 2020-07, AA No. 2020-05
 2530 and 2534 Westminster Avenue
 Westview Housing Project
Exhibit 10 – Elevations

EXHIBIT 11

2 - 72



GPA No. 2020-07, AA No. 2020-05
2530 and 2534 Westminster Avenue
Westview Housing Project
Exhibit 11 – Renderings

EXHIBIT 12

FINAL TECHNICAL MEMORANDUM

Date: December 2, 2020
To: Brian Hendricks, Magis Realty, LLC
From: Paul Herrmann, PE
Subject: Westview Affordable Housing Project Parking Management Plan and Parking Management Assessment

OC20-0751

Fehr & Peers was requested to prepare a parking management plan for the Westview Affordable Housing Project in the City of Santa Ana, California. The assessment details parking spot allocation for residents, guests and employees of the project. A review of the proposed parking supply was also conducted.

Project Description

The Project will construct 84 multifamily, affordable housing dwelling units and one unit reserved for an on-site manager, for a total of 85 units. The Developer is Community Development Partners and the project will be managed by Mercy House. The goal of the Project is to construct an inter-generational affordable housing community that integrates into the surrounding neighborhood. The units will be restricted to very-low/low income households that earn between 30-50% of the area median income for a period of 55-years. Specifically, the 27 one-bedroom units and two-bedroom units will be Permanent Supportive Housing (PSH) units. The remaining units are three- and four-bedroom units. The project will provide ancillary on-site services such as case management, job training, etc will be provided during typical business days between 9:00AM-4:00PM.

The project is served by several transit lines that make stops at the intersection of Westminster Avenue and Fairview Street. Under typical transit operations (non-COVID 19 operations), the Bravo! 560 line along Westminster Avenue provides 12-minute headways during peak hours, qualifying this area as a Transit Priority Area (TPA).

The Project is located at 2550 & 2534 Westminster Avenue, just west of the North Fairview Street intersection. To the west and south of the Project site, the surrounding land use is residential. North of the Project, across Westminster Avenue, the primary land use is local-serving retail including a grocery store and several restaurants. The property directly east of the site also includes a restaurant and auto parts store.

The 85 dwelling units will range from one-bedroom to four-bedroom units and will be constructed in two buildings (Building A and Building B). A total of 136 parking spaces are proposed on-site, including five accessible spaces and one space dedicated to rideshare pick-up/drop-off and loading/moving during the

hours of 7:00AM-7:00PM. The Project Site Plan is shown on **Figure 1**, including the locations of the buildings and the on-site parking layout.

Parking Management Plan

Figure 1 illustrates the distribution of parking space assignments throughout the parking lot. The project’s proposed parking space allocation is summarized in **Table 1**. The project assumes assignment of one space per one-bedroom and two-bedroom (including the manager’s unit), 1.5 spaces per three-bedroom, and two spaces per four-bedroom. The Electric Vehicle (EV) spaces can be assigned based on need, but are currently allocated for use by the three-bedroom units. There are three spaces reserved for staff/service providers during the day which can be utilized for residents or guest in the evening. Un-assigned spaces include five ADA spaces, four guest spaces, and one move-in/rideshare pick up space between the hour of 7:00AM-7:00PM.

The on-site property manager and management company will manage parking assignments for each unit and the overall development. Parking assignments for individual units will evolve over time. The three-bedroom units are assigned 1.5 spaces; some of these units will receive one space and some will receive two spaces, depending on need. In addition, if a unit does not have a vehicle or need for a parking space(s) the space(s) can be reassigned to another unit that may need additional parking. Stickers will be distributed for residents to place on their cars to indicate residency. In addition, the property manager shall continually monitor and take appropriate measures to manage the parking demand of the project site to mitigate the use of offsite parking spaces on private or public properties and/or right-of-way.

TABLE 1 – Project Proposed Parking Supply

Parking Space Type	Units	Quantity
One-Bedroom Unit	23 DU	23 PS
Two-Bedroom Unit	4 DU	4 PS
Three-Bedroom Unit	34 DU	50 PS
Four-Bedroom Unit	24 DU	42PS
ADA Parking	-	5 PS
Guest Parking	-	4 PS
Staff Parking	-	4 PS
Electric Vehicle Parking/Three-Bedroom Unit	-	3 PS
Move-in/Drop-off	-	1 PS
Total		136 SP

Notes:

1. DUs = Dwelling Units, PS = Parking Spaces

Parking Demand Assessment

The following assessment was conducted to review the proposed parking supply against the anticipated demand/need for parking for an affordable housing project. Affordable housing residents, due to the eligibility requirements, generally have less access to vehicles and tend to rely more on alternative forms of transportation. The project is within a TPA which will provide high quality bus service to residents. It is also anticipated that the larger units with multiple bedrooms will be occupied by a high percentage of children who are not old enough to drive. Therefore, the proposed project is anticipated to require less parking than a typical, market rate apartment project. The analysis below reviews empirical data collected through the Los Angeles Department of Transportation (LADOT)'s affordable housing study and data collected at an affordable housing project within the City of Santa Ana.

LADOT Parking Rates

LADOT collected parking data across Los Angeles County for affordable housing projects and developed the rates shown in **Table 2** for two affordable housing types: Family Units and Permanent Supportive Housing Units. Source data for LADOT affordable housing parking rates are provided as **Appendix A**.

TABLE 2 – Project Demand using LADOT Parking Rates

Unit Type	DUs	Rate (spaces per Unit)	Quantity
Family	58	0.85	49 PS
Permanent Supportive Housing	26	0.29	8 PS
Total	84		57 PS

Notes:

1. DUs = Dwelling Units, PS = Parking Spaces

Santa Ana Affordable Housing Site Rates

A parking study was performed at the Orchards Apartments, which is an affordable housing project in Santa Ana that was developed by Community Development Partners and is managed by Mercy House. We counted parking demand on a Tuesday night/Wednesday Morning and on a Saturday night/Sunday morning in September 2020. Data was collected at 1:00 AM when the highest demand for parking is typically expected. The Orchards site contains 72 units and is 100% occupied. These units are all single bedroom units. Saturday was found to be the day with the highest demand for parking at 25 occupied spaces and six empty spaces. A 15% buffer was applied to the count data to present a conservative parking demand rate.

TABLE 2 – Santa Ana Parking Counts and Demand Rates

Day	Parking Spaces	Occupied Spaces	Total Occupied Units	Demand Spaces/ Unit	Final Parking Demand Rate
Saturday	31	25	72	0.35	0.40
Weekday	31	23	72	0.32	0.37

Since the data collected was all for single bedroom units, the parking demand analysis below conservatively applied the parking demand rate on a per bedroom basis to prepare the final parking demand estimates which effectively applies the highest measurable rate to all units. This likely overestimates the parking demand for the site, but the estimate is 45 spaces lower than the proposed number of spaces.

TABLE 3 – Project Demand using Santa Ana Rates

Unit Type	DUs	Rate (spaces per bedroom)	Quantity
One-Bedroom Unit	23 DU	0.40	9 PS
Two-Bedroom Unit	3 DU	0.40	2 PS
Three-Bedroom Unit	34 DU	0.40	41 PS
Four-Bedroom Unit	24 DU	0.40	38 PS
Manager Unit	1 DU	0.40	1 PS
Total	85 DU		91 SP

Notes:

1. DUs = Dwelling Units, PS = Parking Spaces

California Government Code Section 69515 Density Bonus Incentives

Per California Government Section 65915(p)(3)(A) a development consisting solely as affordable housing units and within one-half mile of a major transit stop is eligible for a parking rate of 0.5 spaces per unit. As such, a total of 43 spaces would be required and the project provides 92 spaces in excess of state law incentives that the project is eligible for.

TABLE 4 – Project Demand using CA Gov Code Rates

Unit Type	DUs	Rate (spaces per Unit)	Quantity
One-Bedroom Unit	23 DU	0.50	12 PS
Two-Bedroom Unit	3 DU	0.50	2 PS
Three-Bedroom Unit	34 DU	0.50	17 PS
Four-Bedroom Unit	23 DU	0.50	12 PS
Manager Unit	1 DU	0.50	1 PS
Total	84 DU		44 SP

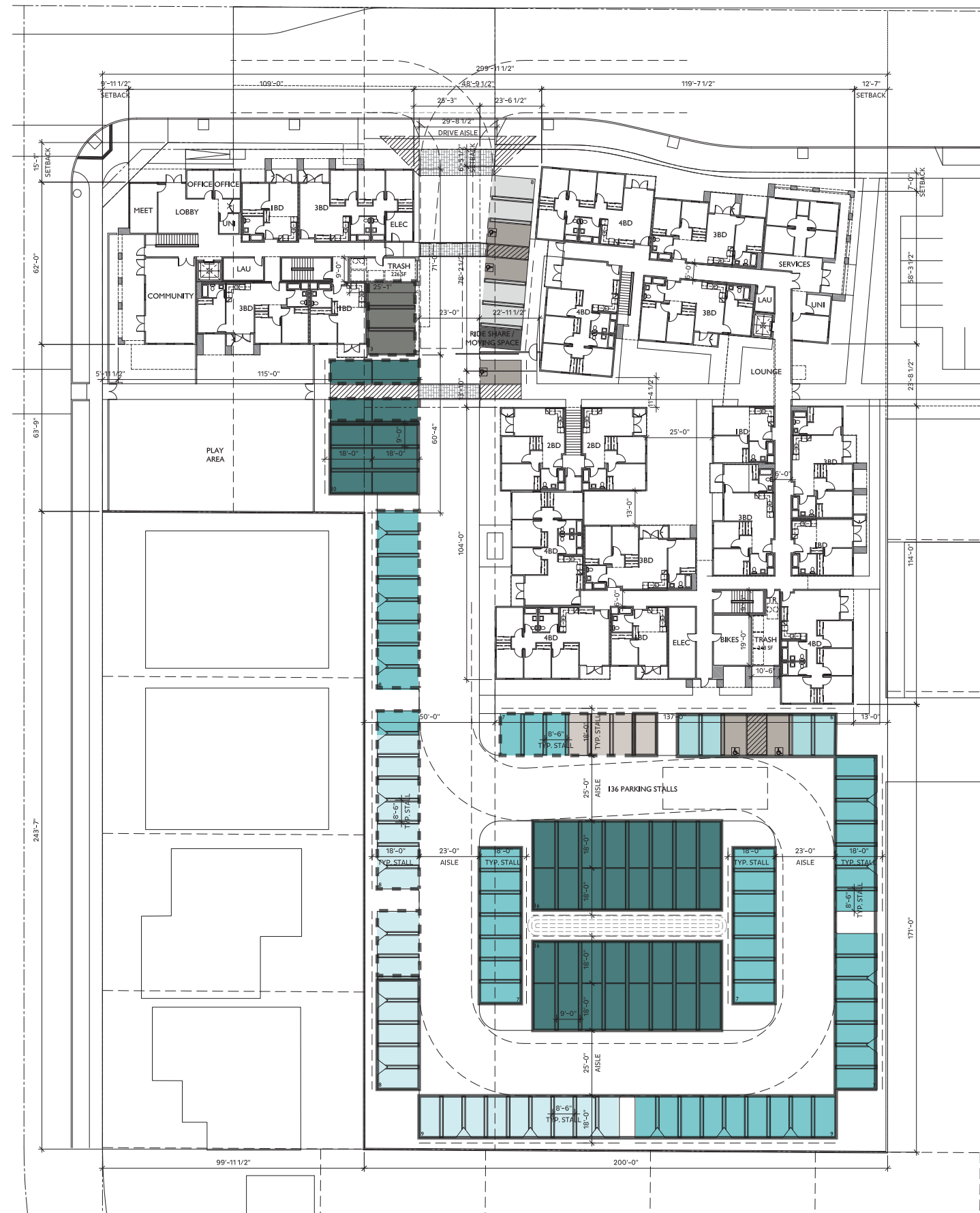
Notes:

1. DUs = Dwelling Units, PS = Parking Spaces

Conclusion

The project site is proposing to provide parking at a rate of approximately 1.6 spaces per unit. The proposed rate is 50% higher than the demand measured at a similar site in Santa Ana (0.4 spaces per bedroom or approximately 1.1 spaces per unit), and more than double what LADOT measured for affordable housing parking demand (approximately 0.7 spaces per unit). In addition, the project provides parking at a rate that is approximately 70% higher than required by state law for affordable housing projects within a one-half mile of a major transit stop. Therefore, the proposed parking supply is considered sufficient for the project.

FIGURE 1: PARKING DIAGRAM



LEGEND

- 1 BEDROOM UNIT
PARKING: 23 SPACES**
- 2 BEDROOM UNIT
PARKING: 4 SPACES**
- 3 BEDROOM UNIT
PARKING: 50 SPACES**
- 4 BEDROOM
PARKING: 42 SPACES**
- GUEST PARKING:
4 SPACES**
- EV PARKING:
4 SPACES**
- ADA PARKING:
5 SPACES**
- STAFF PARKING:
3 SPACES**
- MOVE IN/DROP OFF
PARKING: 1 SPACE**
- BUILDING A**
- BUILDING B**

Summary Table of Parking Analysis for Affordable Housing Sites in Los Angeles
 (By Transit Priority Area and Affordable Housing Type)
 Counts conducted May, June, and November 2016

TPA Area	Affordable Housing Type	Sample Size	Parking Demand Per Dwelling Unit	Parking Utilization
Inside	-	20	0.53	64%
Outside	-	22	0.56	63%
-	Family	14	0.84	72%
-	Seniors	13	0.46	71%
-	Special Needs	8	0.32	43%
-	Permanent Supportive	7	0.37	56%
Inside	Family	8	0.85	74%
Inside	Seniors	5	0.44	73%
Inside	Special Needs	4	0.20	34%
Inside	Permanent Supportive	3	0.29	64%
Outside	Family	6	0.82	70%
Outside	Seniors	8	0.48	69%
Outside	Special Needs	4	0.44	52%
Outside	Permanent Supportive	4	0.43	50%

LAMC for Comparison

	Parking Requirement per Unit
Apartments (LAMC 12.21A.4(a))	
<3 habitable rooms	1
3 habitable rooms	1.5
>3 habitable rooms	2
Projects with Affordable Housing Density Bonus - Option 1 (applies to all units, not just restricted units) (LAMC 12.22A.25(d)(1))	
0-1 bedroom	1
2-3 bedrooms	2
4 or more bedrooms	2.5
Projects with Affordable Housing Density Bonus - Option 2 (applies to restricted units only) (LAMC 12.22A.25(d)(2))	
restricted affordable units	1
restricted to low or very low income senior citizen or disabled	0.5
restricted affordable units in residential hotel	0.25

EXHIBIT 13

Westview Development Sunshine Ordinance Meeting

Summary of Meeting Comments/Questions along with Developer Responses
July 20,2020

Meeting Details:

Meeting held via Zoom Conference due to current pandemic of Covid 19

Meeting Timeframe 6:00 PM-7:30 PM

Vietnamese translation services were provided

Applicant Contact:

Brittany Seniff, Development Manager
brittany@communitydevpartners.com

Kyle Paine, President
kyle@communitydevpartners.com

Project Overview:

1. Westview Introduction
 - Westview is intended to be an inter-generational affordable housing community that integrates into its surrounding neighborhood to create supportive connections among residents living within and throughout.
 - Vacant lot on Westminster and on the corner of Huron with plenty of amenities that would be beneficial to residents.
 - Organize the project as a series of buildings to allow us to step down the building heights to be sensitive to neighboring residential areas.
2. Site Plan/Architecture
 - Buildings pushed towards the North/North East of the residential neighborhood.
 - Community open space
 - Emphasis on Westminster St. to promote positive engagement on the main street. Also mentions the opportunity to enhance the sidewalk on Westminster (trees, landscape).
 - Existing buildings on Westminster already have an established Spanish style of architecture. This project would include a modern Spanish influenced architecture with arches and patios.
 - A “through access” between buildings to promote engagement and common outdoor spaces (with security).
 - Four-story building along Westminster, three story building along Huron (3 separate buildings).
 - Trees and community gardens spots to soften the look.
3. Questions (verbal & via chat)

1. Is it your intention to use 16th Street and Huron for residents to reach the project entrance?
 - a. RESPONSE: No, we want to focus as much of the vehicle traffic that would be generated by residents on Westminster. We want to limit access through the neighborhood and work with the community and city.
2. How many parking spots will be available?
 - a. RESPONSE: 2 parking stalls for each of the larger units and 1 parking stall for the one bedroom units. We are providing more parking per unit than usual for an affordable housing development.
3. We have many children peacefully playing in the neighborhood. How are you going to provide safety for the children?
 - a. RESPONSE: We will be working with the community to reduce traffic and impact.
4. Backyards and height building?
 - a. RESPONSE: All the buildings are set back 50 feet away from the nearest property to be sensitive to building height. We are also adding trees to provide further insolation between the buildings and the adjacent properties.
5. What is the monthly HOA fee?
 - a. RESPONSE: As a rental project, we do not have an HOA fee it is donned and managed by Community Development Partners.
6. The “Keep Clear” section on Westminster was also introduced because of the traffic on Westminster and our inability to get out of the neighborhood with backup traffic. Just confirming that the entry/exit for cars for the community will also be to/from Westminster?
 - a. RESPONSE: Yes.
7. Is this project approved by the city to go into construction?
 - a. RESPONSE: No, it is a handful of month’s process to approval.
8. Are these for rent or for sale?
 - a. RESPONSE: They are all for rent.
9. Where will the trash containers be?
 - a. RESPONSE: There are three trash rooms located within the project to try to keep it away from the residential interior as much as possible.
10. In addition to vehicle traffic, there will be foot traffic. How will you control that?
 - a. RESPONSE: We want to locate most of the traffic along Westminster and make the experience along this street a more pleasant environment to improve pedestrian experience.
11. How affordable are the units?
 - a. RESPONSE: The units will be affordable to 30-60% of area medium income. Rent at the 30% income level for a one bedroom would be \$ 720. 3 bedroom would be \$999 at the 30% income level.
12. Is there parking available to tenants without fees?
 - a. RESPONSE: Yes.

13. Is this a tax credit project?
 - a. RESPONSE: Yes, it is one of our funding sources.
14. Is there visitor parking?
 - a. RESPONSE: Yes, visitor parking is part of the overall parking supply to better manage parking.
15. What is the development timeline?
 - a. RESPONSE: Currently we are in the early stages. We plan to start construction in March of the year 2022. In total about a 15 month construction period.
16. It was mentioned that $\frac{1}{4}$ of the building will be for the Orangewood Foundation. Who would qualify for it?
 - a. RESPONSE: We have partnered with Orangewood in other projects. They would work with transitional youth onsite by providing wraparound services.
17. Can you lower the unit count?
 - a. RESPONSE: No, there is a requirement on the state level that needs to be met for affordable housing. We have an aggressive parking ratio for this site.
18. Who's regulating the tenants breaking rules? Are we supposed to report when we see tenants driving through our neighborhood or parking in our streets?
 - a. RESPONSE: We have onsite professional property management that is there to discuss and resolve issues. We have a property manager living onsite who is always available.
19. How do we meet with city planners/staff?
 - a. RESPONSE: Our city planner is Selena Kelaher and you can reach out directly to her. Her contact information is on the city website.
20. What are the benefits to the neighborhood?
 - a. RESPONSE: It is a huge investment for the neighborhood to provide housing to those who lack housing and are unable to find it despite being employed and living in the area.
21. Many years ago we tried to get one of our entrances closed because of the cut through traffic, and the city said no.
 - a. RESPONSE: If there needs to be a renewed effort we are more than willing to partner with the community to push hard to see that happen. But that is ultimately a city decision.
22. Where can we send our suggestions?
 - a. RESPONSE: Contact information has been posted on one of our PowerPoint slides for this presentation.
23. Who can we contact if we oppose the project?
 - a. RESPONSE: Selena Kelaher is a good place to start or contact us to discuss further. We are committed to being very available?
24. Are we able to put a private gate on both entrances?

- a. RESPONSE: That is a city determination, but the city of Santa Ana is not very open to private gates but you can always approach them to discuss.
25. What is the connection between Magis Realty and CDP?
- a. RESPONSE: We enjoy working together but we are not affiliated entities. We are independent companies.