

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

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- 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							
<p>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.</p> <p>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.</p> <p>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</p>	<p>If ground disturbance exceeds nine feet below ground surface within project areas underlain by Quaternary young alluvial fan deposits:</p> <p>Verify retention of qualified paleontological monitor</p> <p>Verify completion of training at commencement of construction activities</p> <p>Field verify ground-disturbing construction activities have ceased, if paleontological resources are found</p> <p>Consult with qualified archaeologist and verify completion of final mitigation and monitoring report</p>	<p>On an as-needed basis if described ground-disturbing activities occur</p> <p>Training verification prior to the start of construction</p> <p>Mitigation and monitoring report verification following compliance with measure</p>	<p>Once each for paleontologist retention, training, ceased construction activities, and monitoring report</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
<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 an 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
<p>deems appropriate, for educational, cultural and/or historic purposes.</p> <p>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]).</p>	<p>representatives for appropriate treatment of find, as needed</p>						

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 \(Pending\)](#)

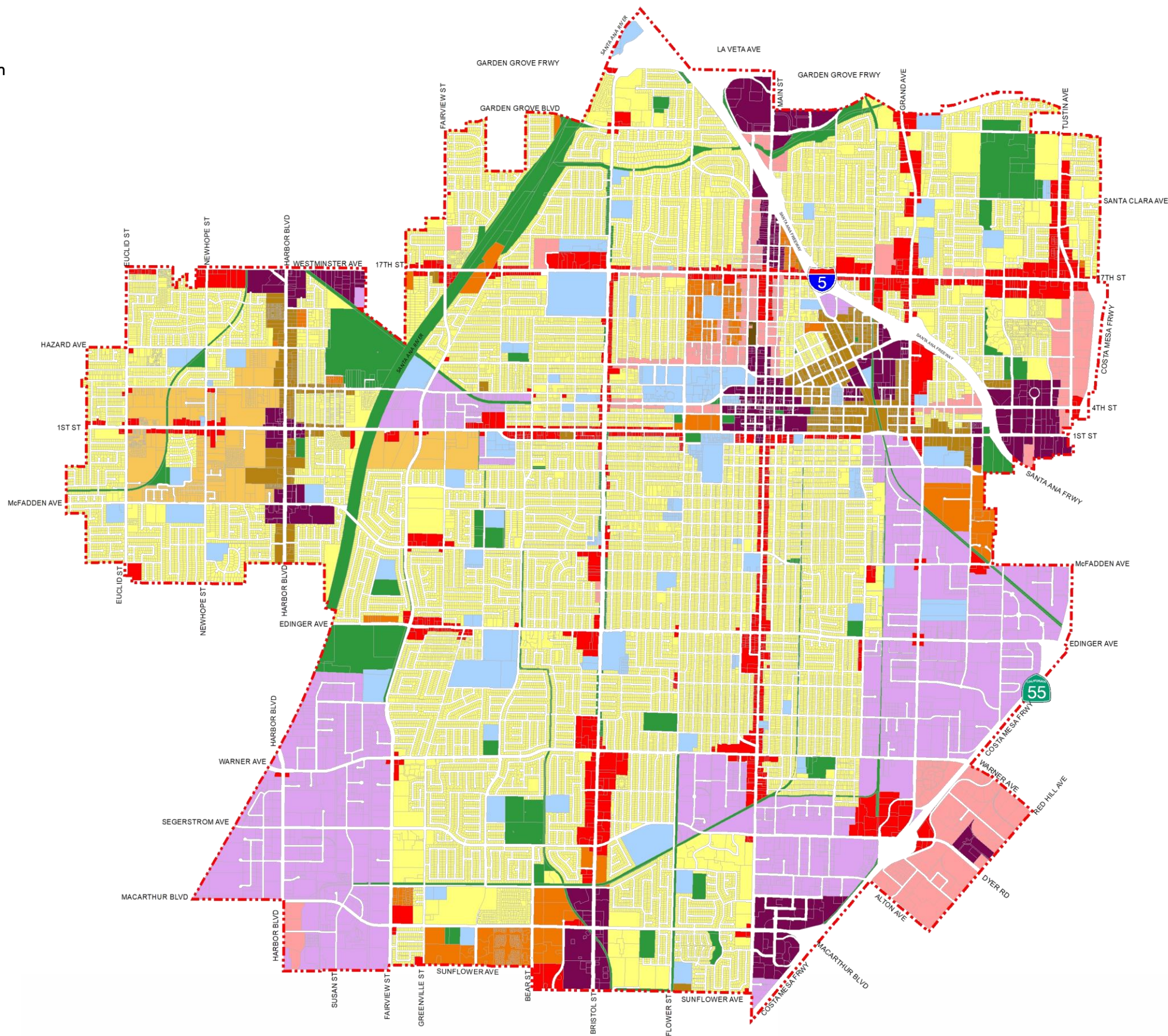
GPA 2020-03 (September 1, 2020)
GPA 2020-01 (April 21, 2020)
GPA 2018-04 (December 31, 2019)
GPA 2019-02 (October 1, 2019)
GPA 2019-01 (June 4, 2019)
GPA 2017-03 (June 4, 2019)
GPA 2018-05 (December 4, 2018)
GPA 2018-03 (September 18, 2018)
GPA 2018-02 (May 15, 2018)
GPA 2015-01 (May 15, 2018)

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




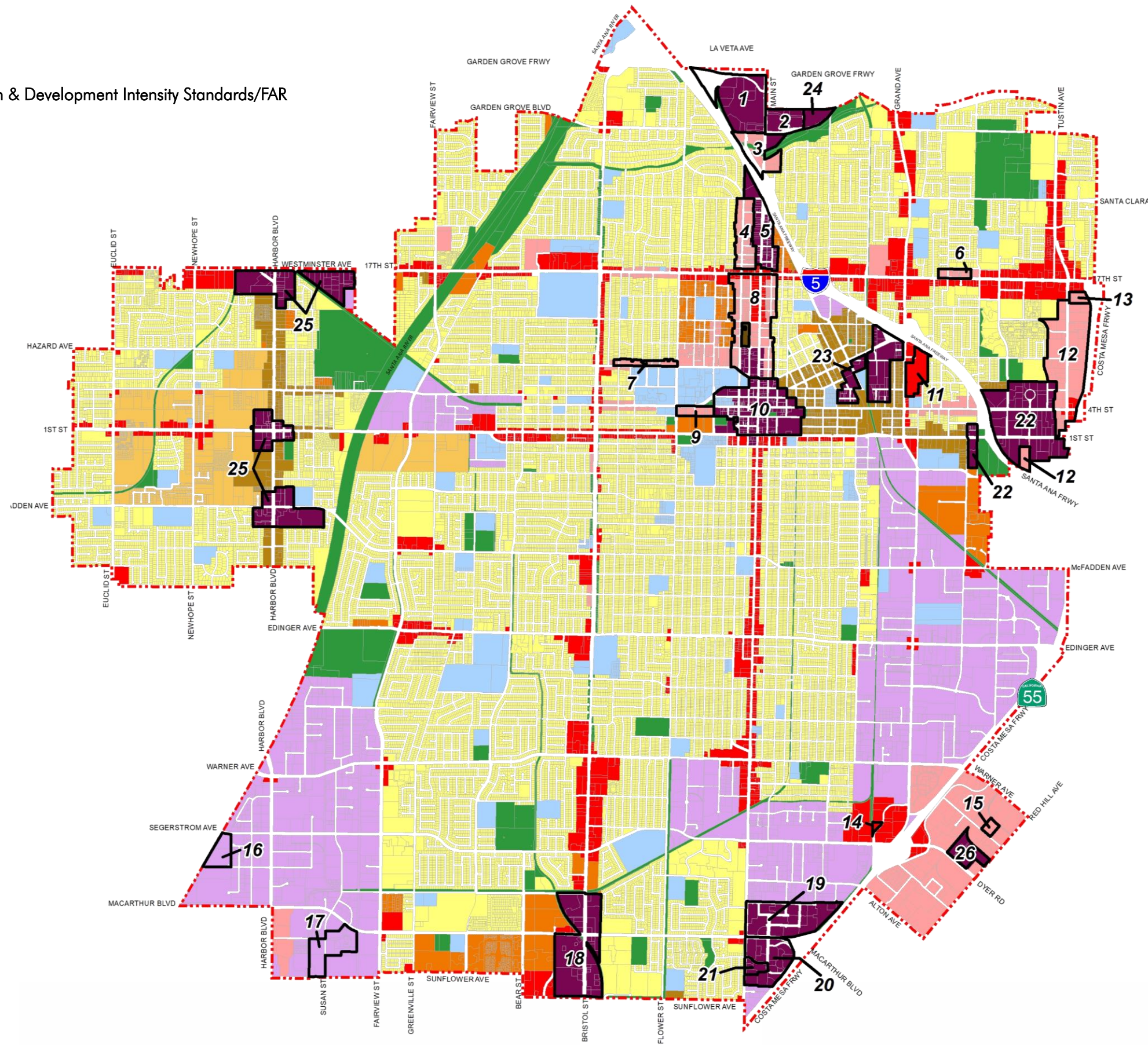
Exhibit 2

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 74,669 (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

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

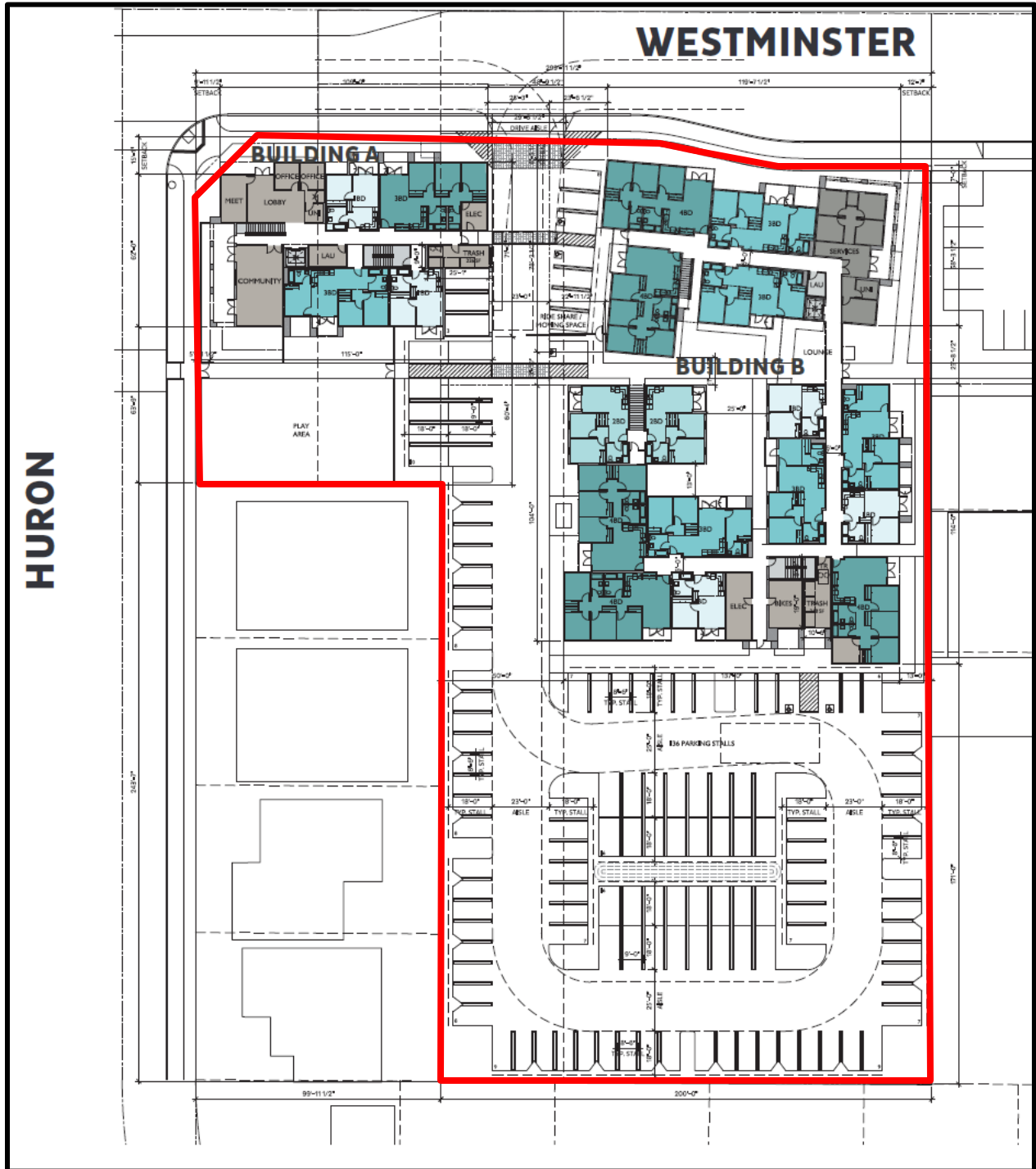


EXHIBIT 4

2 - 57

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

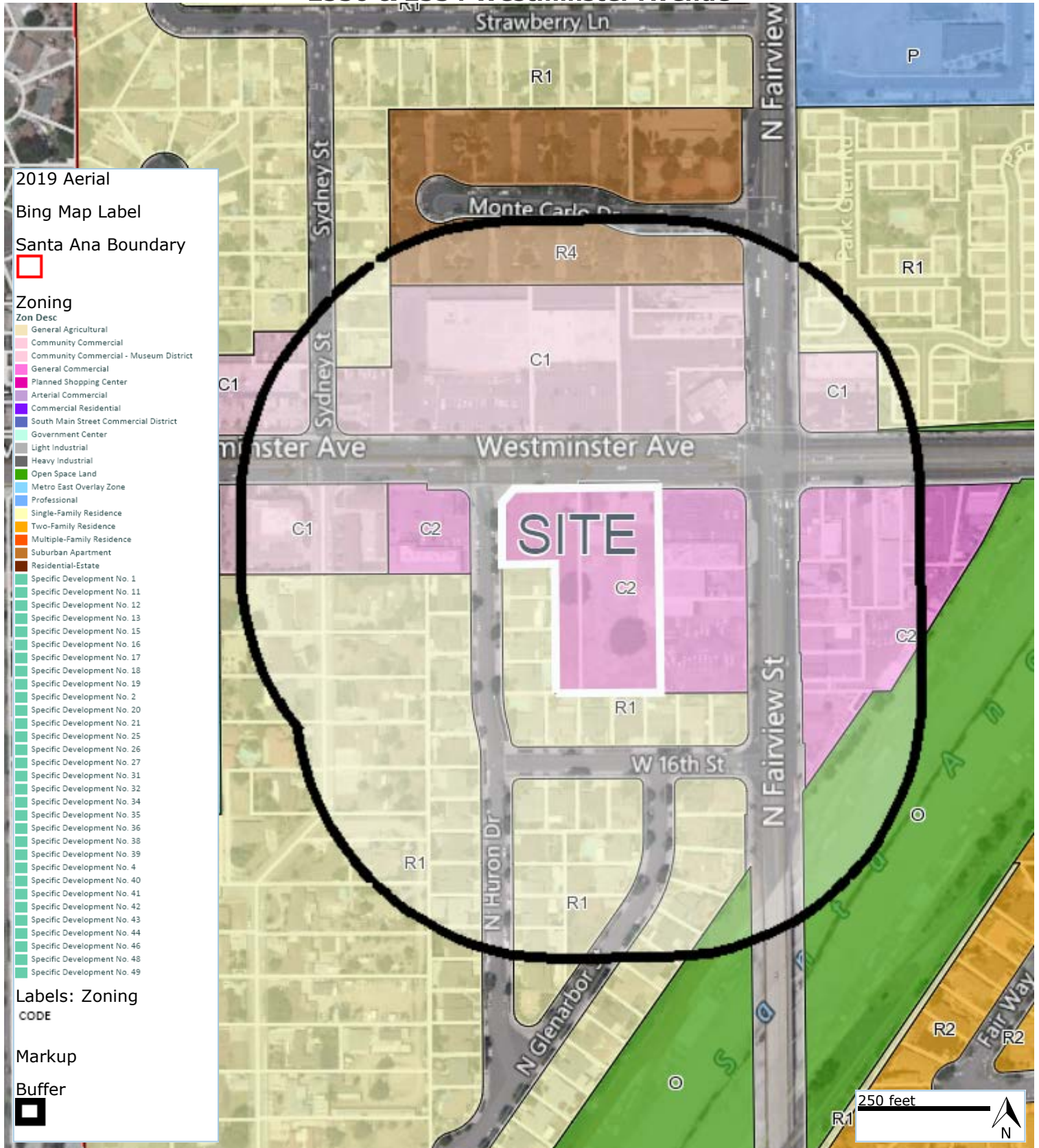


Exhibit 4 – Vicinity Zoning and Aerial View



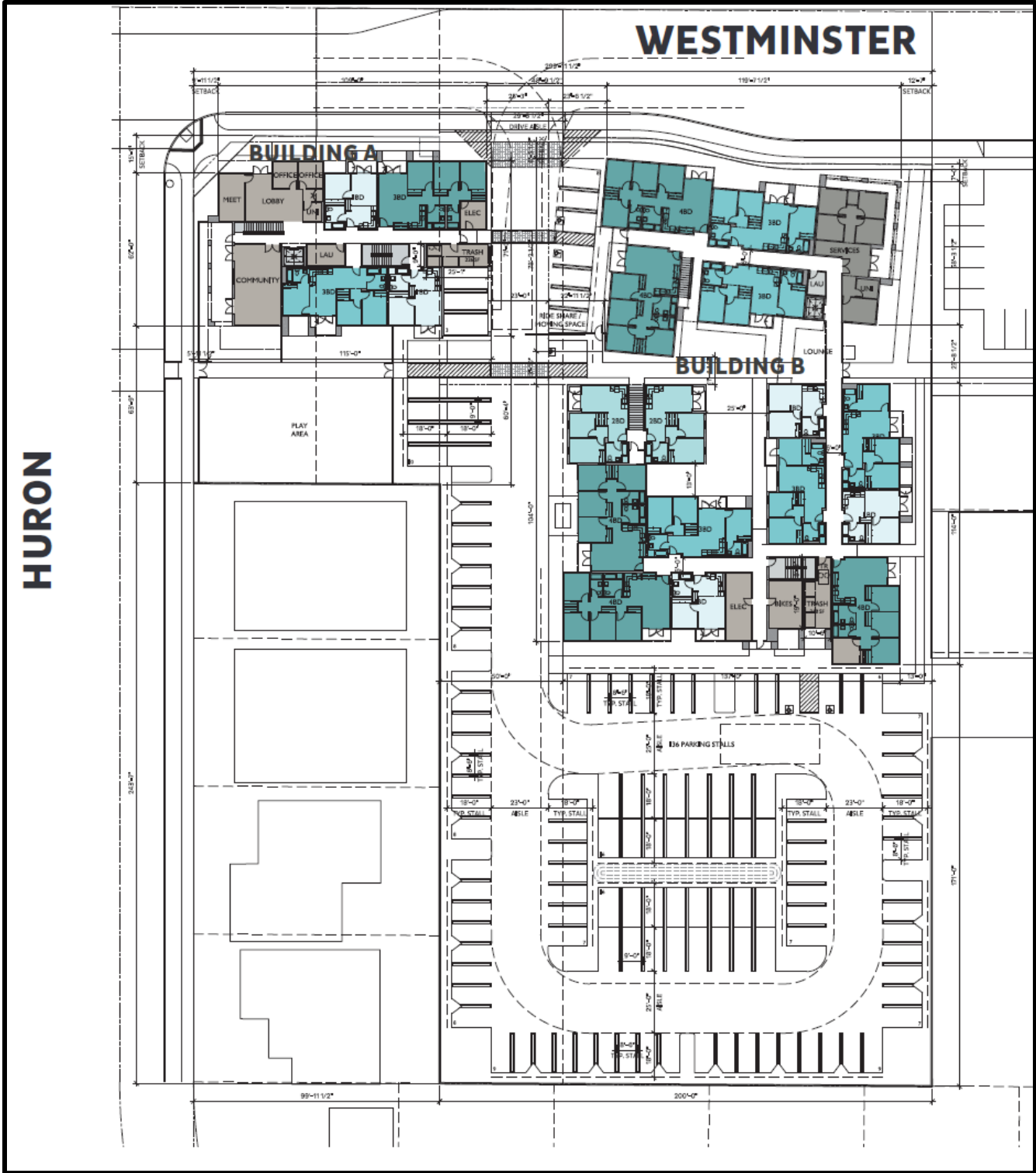
EXHIBIT 5



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



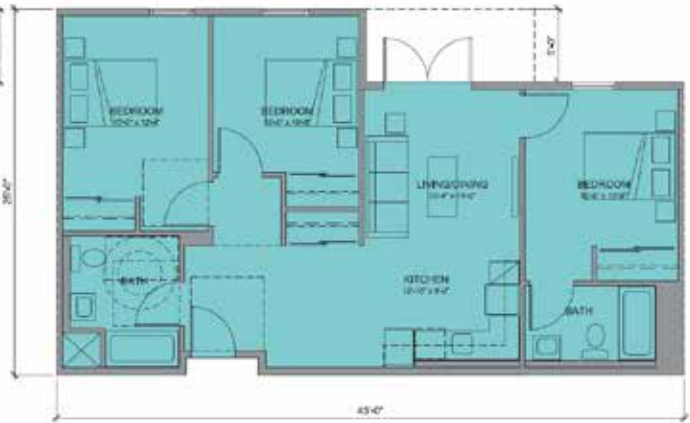
**ONE BEDROOM
523 SF**



**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

2 - 74

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.

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

2 - 82

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 insulation 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 donated 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.