

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

**AUGUST 24, 2020
5:30 P.M.**

VIRTUAL MEETING

MARK McLOUGHLIN
Chair, Citywide Representative

CYNTHIA CONTRERAS-LEO
Vice Chair, Ward 5 Representative

FELIX RIVERA
Ward 2 Representative

V. THAI PHAN
Ward 4 Representative



Minh Thai
Executive Director

Lisa E. Storck
Legal Counsel

Vince Fregoso, AICP
Planning Manager

NORMA GARCIA
Ward 1 Representative

KENNETH NGUYEN
Ward 3 Representative

THOMAS MORRISSEY
Ward 6 Representative

Sarah Bernal
Recording Secretary

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

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

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

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

To watch the open meeting.:

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

To provide a phone comment:

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

To provide a written comment:

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

Basic Planning Commission Meeting Information

The Planning Commission Agenda can be found online at

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

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

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

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

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

The items on the agenda are arranged in four categories:

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

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

1. The Chair will ask for presentation of the staff report;
2. The Commission will have the opportunity to question staff in order to clarify any specific points;
3. The public hearing will be opened;
4. The applicant/ project representative will be allowed to make a presentation, for a maximum of 15 minutes.
5. Members of the audience will be allowed to speak, for a maximum of 3 minutes per speaker.
6. The applicant will be given an opportunity to respond to comments made by the audience;

7. The public hearing will be closed; and
8. Discussion of the proposal will return to the Commission with formal action taken to approve, conditionally approve, deny, or continue review of the application.

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

Submittal of information for dissemination or presentation

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

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

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

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

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

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

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

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

CONSENT CALENDAR

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

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

A. MINUTES FROM THE AUGUST 3, 2020 SPECIAL MEETING.

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

B. MINUTES FROM THE AUGUST 10, 2020 REGULAR MEETING.

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

C. EXCUSED ABSENCES

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

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

BUSINESS CALENDAR

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

PUBLIC HEARING

APPEAL OF PLANNING COMMISSION ACTIONS: The Planning Commission decision on Conditional Use Permits, Variances, Tentative Tract and Parcel Maps, Minor Exceptions, Site Plan Review, and Public Convenience or Necessity Determinations are final unless appealed within 10 days of the decision by any interested party or group (refer to the Basic Meeting Information page for more information). The Planning Commission recommendation on Zoning and General Plan amendments, Development Agreements, Specific Developments, and Specific Plans will be forwarded to the City Council for final determination. **NOTICE:** Legal notice was published in the Orange County Reporter on August 12, 2020 and notices were mailed at least 10 days prior.

1. **VARIANCE NO. 2020-01 – Pedro Gomez, Case Planner.**

LOCATION: 1702 North Main Street located in the Community Commercial Museum District (C1-MD) zoning district.

REQUEST: The applicant is requesting approval of a variance to allow a reduction of seven feet from the City's setback standards of 15 feet for front and side yard and landscape areas.

ENVIRONMENTAL DETERMINATION: The Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 – Class 3 – New Construction. A Notice of Exemption, Environmental Review No. 2020-25 will be filed for this project.

RECOMMENDED ACTIONS: Adopt a Resolution. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING VARIANCE NO. 2020-01 AS CONDITIONED TO ALLOW A REDUCTION IN REQUIRED SETBACKS AT 1702 NORTH MAIN STREET

2. **CONDITIONAL USE PERMIT NO. 2020-17 AND VARIANCE NO. 2020-03 – Jerry Guevara, Case Planner.**

LOCATION: 1619, 1621 and 1623 East Edinger Avenue located in the Light Industrial (M1) zoning district.

REQUEST: The applicant is requesting approval of the following land use entitlements: (1) a conditional use permit to allow the expansion of an existing medical clinic and (2) a variance to allow a reduction in the City's required off-street parking standards by approximately 26 percent.

ENVIRONMENTAL DETERMINATION: The Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 – Class 1 – Existing Facilities. A Notice of Exemption, Environmental Review No. 2019-110, will be filed for this project.

RECOMMENDED ACTIONS:

- a) **Adopt a Resolution.** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2020-17 AS CONDITIONED TO ALLOW THE EXPANSION OF AN EXISTING INDUSTRIAL MEDICAL CLINIC LOCATED AT 1619 EAST EDINGER AVENUE INTO TWO ADJACENT TENANT SPACES LOCATED AT 1621 AND 1623 EAST EDINGER AVENUE; and
- b) **Adopt a Resolution.** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING VARIANCE NO. 2020-03 AS CONDITIONED ALLOWING A REDUCTION IN REQUIRED OFF-STREET PARKING TO FACILITATE EXPANSION OF AN EXISTING INDUSTRIAL MEDICAL CLINIC LOCATED AT 1619, 1621 AND 1623 EAST EDINGER AVENUE.

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

WORK STUDY CALENDAR

Please note: No action will be taken. You may submit written comments by email to ecomments@santa-ana.org (reference "Planning Commission Public Comment for Agenda Item #" in the subject line). The deadline to submit comments is 5:00 p.m. on the day of the meeting. Comments will be viewable on the City Meetings web page. The Clerk will provide a summary report of the comments received. You may comment by phone while the meeting is in progress by calling 669-900-9128. Enter Meeting ID: 315 965 149# when prompted. While the item that you would like to comment on is being discussed, dial *9 to let us know that you want to speak. Please state your name, whether you are in support or opposition to an item and why. You will have 3 minutes to speak.

- 3. GENERAL PLAN UPDATE – VERNY CARVAJAL

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

COMMENTS

- 4. STAFF COMMENTS
- 5. COMMISSION MEMBER COMMENTS

ADJOURNMENT – The next regular meeting will be held on Monday, September 14 at 5:30 p.m.

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

AUGUST 3, 2020

CALLED TO ORDER

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

ATTENDANCE

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

COMMISSIONERS Absent: None.

PLANNING & BUILDING AGENCY STAFF Present:
MINH THAI, *Executive Director*
LISA STORCK, *Assistant City Attorney*
ALI PEZESHKPOUR, *Senior Planner*
SARAH BERNAL, *Recording Secretary*

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS (on non-agenda items):

- Dale Helvig commented on the General Plan virtual meetings.

BUSINESS CALENDAR

PUBLIC HEARING

1. ZONING ORDINANCE AMENDMENT NO. 2020-03

LOCATION: Citywide

REQUEST: The City is requesting adoption of Zoning Ordinance Amendment No. 2020-03 to amend Section 41-1900 et al. of the Santa Ana Municipal Code (Chapter 41/Zoning) pertaining to the Housing Opportunity Ordinance (HOO). The proposed amendments will modernize, update and clarify various sections of the HOO and respond to current development and economic trends.

Executive Director Thai provided a staff presentation.

Staff provided a summary report on comments received.

Discussion ensued regarding recommendations made by the Ad Hoc Committee, possible economic benefits of reducing fees, applicability of the proposed ordinance, inclusionary unit requirements, current and future appropriation of inclusionary housing funds, conditions of the Inclusionary Housing Fund, prior projects and fees paid.

Chair McLoughlin opened the Public Hearing.

The following individuals spoke in support of the matter.

- John Hannah
- Tim O'Brien
- Steve LaMotte
- Ernesto Medrano
- Luis Perez
- Alfonso Ruiz
- Brian (last name inaudible)

The following individuals spoke in opposition to the matter.

- Isuri Ramos
- Carla (last name inaudible)
- Dale Helvig
- Nathaniel Greensides
- Manny Escamilla
- Luis Sarmiento
- Name not provided

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

After extensive discussion on the matter, the Commission agreed on the following recommendations to be forwarded to the City Council for consideration.

- Section 41-1909(a)(5) - Incorporate enforceable skilled labor requirements by incorporating "shall" and "will" in place of aspirational words such as "encouraged" or "should." The Commission also recommended that the City Council evaluate the financial impacts of requiring skilled labors on a private development project.
- Section 41-1909(a)(1) - Specify a nexus between code enforcement funding to activities that directly relate, enhance, and promote affordable housing projects and activities.
- Section 41-1910(a) - Set a new review period for the Ordinance.
- Section 41-1904(c)(3) - Revert back to original language requiring the full payment of fee at first building permit issuance.
- Section 41-1904(c)(2)(iii) - Extend end date of April 1, 2021 to October 1, 2021 for Entitled Residential Project.

In addition, the Commission had an extensive discussion on Section 41-1904, which pertains to the change to the in-lieu fee. The Commission was unable to reach a consensus on a recommendation regarding the proposed in-lieu fees. Options the Commission discussed included:

1. Apply a fee reduction to \$10 per square foot for all projects (entitled and future).
2. Reduce to \$5 per square foot for entitled projects and \$10 per square foot for future projects.

Further, the Commission requested that modifications be made to the recitals section of the ordinance. Their proposals include:

- Add language that establishes an emphasis on economic development and housing construction as catalysts supporting for the proposed amendments.
- Add language that identifies an emphasis on the use of skilled & trained workforce with a priority for Santa Ana residents and veterans, and apprenticeships from local school and college districts.

MOTION: Recommend that the City Council adopt an Ordinance: AN ORDINANCE OF THE CITY OF SANTA ANA AMENDING CHAPTER 41, ARTICLE XVIII.I (HOUSING OPPORTUNITY ORDINANCE) OF THE SANTA ANA MUNICIPAL CODE TO MODIFY APPLICABILITY AND VARIOUS IMPLEMENTATION PROVISIONS OF THE ORDINANCE

MOTION: Phan **SECOND:** Contreras-Leo

VOTE: **AYES:** Contreras-Leo, Garcia, McLoughlin, Morrissey, Nguyen, Phan, Rivera (7)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: None (0)

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

COMMENTS

2. **STAFF COMMENTS:**
Executive Director Thai thanked the Commission.
3. **COMMISSION MEMBER COMMENTS:**
 - Commissioner Thai and Vice Chair Contreras-Leo thanked staff.
 - Chair McLoughlin requested additional time to review large projects; expressed concerns regarding the General Plan virtual meetings.

9:51 P.M. – The next regular meeting of the Planning Commission will be held on Monday, August 10, 2020 at 5:30 p.m.

Sarah Bernal
Recording Secretary

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

AUGUST 10, 2020

CALLED TO ORDER

VIRTUAL MEETING
CITY HALL, ROSS ANNEX
20 CIVIC CENTER PLAZA, ROOM 1600
SANTA ANA, CALIFORNIA
5:33 P.M.

ATTENDANCE

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

COMMISSIONERS Absent: None.

PLANNING & BUILDING AGENCY STAFF Present:
MINH THAI, *Executive Director*
VINCE FREGOSO, *Planning Manager*
LISA STORCK, *Assistant City Attorney*
ALI PEZESHKPOUR, *Senior Planner*
IVAN OROZCO, *Assistant Planner*
KATHY KHANG, *Assistant Planner*
FERNANDA ARIAS, *Planning Assistant*
SARAH BERNAL, *Recording Secretary*

PLEDGE OF ALLEGIANCE

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

CONSENT CALENDAR ITEMS

**All votes were taken by roll call.*

A. MINUTES FROM THE JULY 27, 2020 REGULAR MEETING

MOTION: Approve the minutes.

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

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

NOES: None (0)
ABSTAIN: None (0)
ABSENT: None (0)

BUSINESS CALENDAR

PUBLIC HEARING

1. **CONDITIONAL USE PERMIT NO. 2020-14** – Fernanda Arias, Case Planner.

LOCATION: 104 East Fourth Street located in the Specific Development No. 84 (SD-84) zoning district.

REQUEST: The applicant is requesting approval of a conditional use permit to allow an existing restaurant with an existing on-premises Alcoholic Beverage Control (ABC) license to remain open until 2:00 a.m. and sell alcoholic beverages until 2:00 a.m., seven days per week.

Case Planner Arias provided a staff presentation. Commission discussion ensued regarding neighboring businesses, proximity to residential, noise, live entertainment, enforcement of conditions of approval, and the maintenance agreement.

Recording Secretary provided a summary report of correspondence received.

Chair McLoughlin opened the Public Hearing. The applicant spoke in support. There were no other speakers and the Public Hearing was closed.

A motion to approve the matter was made by Commissioner Nguyen and seconded by Commissioner Contreras-Leo. Members of the commission pointed out that a multi-family residential building in close proximity to this project will be constructed in the near future and expressed concern with the possibility of noise complaints. After extensive discussion, a friendly amendment was made and accepted to add the following condition: Six months subsequent to the first occupancy of 114 East Fifth Street multi-family residential building, the Planning Division will check-in with the applicant to ensure there are no noise complaints from residents.

MOTION: Adopt Resolution No. 2020-24 as amended. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2020-14 AS CONDITIONED TO ALLOW AFTER-HOURS OPERATION FOR THE EL RINCON MEXICANO RESTAURANT LOCATED AT 104 EAST FOURTH STREET

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

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

NOES: None (0)
ABSTAIN: None (0)
ABSENT: None (0)

2. CONDITIONAL USE PERMIT NO. 2020-16 – Kathy Khang, Case Planner.

LOCATION: 1641 East Saint Andrew Place located in the Specific Development No. 69 (SD-69) zoning district.

REQUEST: The applicant is requesting approval of a conditional use permit to allow a Type 21 (Off-Sale General) Alcoholic Beverage Control (ABC) license for the sale of beer, wine and distilled spirits for off-premises consumption at a new establishment. In addition, the proposed ancillary uses include a warehousing component that will be through a Type 14 (Public Warehouse) ABC license, with instructional seminar tastings that will be through a Type 86 (Instructional Tasting) ABC license. In conjunction with the request, the applicant is also requesting a Public Convenience and Necessity (PCN) Letter due to an overconcentration of licenses in the census tract.

Case Planner Khang provided a staff presentation. Commission discussion ensued regarding the hours of operation.

Recording Secretary provided a summary report of correspondence received.

Chair McLoughlin opened the Public Hearing. The applicant spoke in support and answered questions regarding business operations. There were no other speakers and the Public Hearing was closed.

MOTION: Adopt Resolution No. 2020-25. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2020-16 AS CONDITIONED TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION WITH ANCILLARY WAREHOUSING AND INSTRUCTIONAL SEMINAR TASTINGS AT A NEW ESTABLISHMENT LOCATED AT 1641 EAST SAINT ANDREW PLACE.

MOTION: Phan **SECOND:** Contreras-Leo

VOTE: **AYES:** Contreras-Leo, Garcia, McLoughlin, Morrissey, Nguyen, Phan, Rivera (7)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: None (0)

3. CONDITIONAL USE PERMIT NO. 2020-20 – Ivan Orozco, Case Planner.

LOCATION: 2100 South Fairview Street located in the Light Industrial (M-1) zoning district.

REQUEST: The applicant is requesting approval of a conditional use permit to renew the entitlements of an existing 65-foot high major wireless communications facility disguised as a mono-pine.

Case Planner Orozco provided staff presentation. Discussion ensued regarding painting the antennas to match the color of the surrounding pine trees; the applicant indicated they would be willing to do so.

Recording Secretary reported that no written correspondence was received.

Chair McLoughlin opened the Public Hearing. The applicant spoke in support of the matter. There were no other speakers and the Public Hearing was closed.

Discussion ensued regarding deteriorating stealth branches. Staff confirmed that there is an existing condition to address this concern. Commissioner Morrissey moved to approve the item with the following condition: Staff is to inspect the facility to verify compliance with conditions for replacement and painting of antennas six months after the date of approval.

MOTION: Morrissey **SECOND:** Nguyen

VOTE: **AYES:** Contreras-Leo, Garcia, McLoughlin, Morrissey, Nguyen, Phan, Rivera (7)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: None (0)

MOTION: Adopt Resolution No. 2020-26 as amended. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2020-20 AS CONDITIONED TO RENEW THE ENTITLEMENTS OF AN EXISTING 65-FOOT TALL MAJOR WIRELESS COMMUNICATION FACILITY LOCATED AT 2100 SOUTH FAIRVIEW STREET.

ADMINISTRATIVE MATTERS

4. DISCUSSION ON THE PLANNING DIVISION’S PUBLIC NOTICING PROCEDURES

Planning Manager Fregoso provided a presentation which included the following:

- State Mandated Noticing Requirements
- City Mandated Noticing Requirements.

Discussion ensued regarding notices in alternative languages and offered suggestions on how to broaden public outreach.

The following individual provided a general comment on the matter:

- Dale Helvig

5. ELECTION OF OFFICERS FOR THE PLANNING COMMISSION FOR THE 2020-2021 TERM

a) MOTION: Elect Mark McLoughlin as Chairperson for the 2020-2021 term.

MOTION: Phan **SECOND:** Nguyen

VOTE: **AYES:** Contreras-Leo, Garcia, McLoughlin, Morrissey, Nguyen, Phan, Rivera (7)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: None (0)

b) MOTION: Elect Cynthia Contreras-Leo as Vice Chairperson for the 2020-2021 term.

MOTION: Garcia **SECOND:** Rivera

VOTE: **AYES:** Contreras-Leo, Garcia, McLoughlin, Morrissey, Nguyen, Phan, Rivera (7)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: None (0)

c) MOTION: Appoint Felix Rivera as the representative from the Planning Commission to the Historic Resources Commission for the 2020-2021 term.

MOTION: McLoughlin **SECOND:** Phan

VOTE: **AYES:** Contreras-Leo, Garcia, McLoughlin, Morrissey, Nguyen, Phan, Rivera (7)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: None (0)

COMMENTS

6. STAFF COMMENTS:

- Executive Director Thai: Reported that the General Plan EIR / Draft Elements has been released for public review. Congratulated Chair McLoughlin and Vice Chair Contreras-Leo on election.

7. COMMISSION MEMBER COMMENTS:

- Commissioners Garcia, Morrissey, Nguyen, Phan and Rivera thanked staff and congratulated the Chair and Vice Chair on re-election.
- Chair McLoughlin and Vice Chair Contreras-Leo thanked staff and thanked commissioners for re-election.

7:53 P.M. – The next regular meeting will be held on August 24, 2020 at 5:30 p.m.

Sarah Bernal
Recording Secretary

REQUEST FOR Planning Commission Action



PLANNING COMMISSION MEETING DATE:

AUGUST 24, 2020

TITLE:

**PUBLIC HEARING – VARIANCE NO. 2020-01 TO
ALLOW A REDUCTION IN REQUIRED SETBACKS
FOR FARMERS & MERCHANTS BANK AT
1702 NORTH MAIN STREET – LESLIE GENTILE,
APPLICANT**

PLANNING COMMISSION SECRETARY

APPROVED

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

DENIED

- Applicant's Request
- Staff Recommendation

CONTINUED TO _____

Prepared by Pedro Gomez, AICP

Executive Director

Planning Manager

RECOMMENDED ACTION

Adopt a resolution approving Variance No. 2020-01 as conditioned to allow for a reduction in required setbacks.

Executive Summary

Leslie Gentile, representing Farmers & Merchants Bank, is requesting approval of a variance to facilitate construction of a new commercial building at 1702 North Main Street. Specifically, the applicant is requesting a variance from Santa Ana Municipal Code (SAMC) Sections 41-368, 41-369, and 41-372 to reduce the required front and side yard and landscape area setbacks. Staff is recommending approval of the variance to allow for construction of a new building and because the site has been designed to minimize impacts to adjacent streets, properties, and any nearby sensitive land uses.

Table 1: Project and Location Information

Item	Information	
Project Address	1702 North Main Street	
Nearest Intersection	Main and Seventeenth streets	
Surrounding Land Uses (Exhibit 1)	North	Commercial
	East	Commercial
	South	Multi-Family Residential and Commercial
	West	Commercial
General Plan Designation	General Commercial (GC)	
Zoning Designation	Community Commercial Museum District (C1-MD)	
Property Size	19,708 sq. ft. (0.45-acres); 17,859 sq. ft. (0.41-acres) after dedication	
Existing Conditions	5,840-square-foot, two-story multi-tenant commercial building	
Development Standards	SAMC Sections 41-366 through 41-374	
Use Permissions	SAMC Sections 41-369, 41-372 (a) and 41-375	

Project Description

The applicant is proposing to demolish an existing 5,840-square-foot two-story, multi-tenant commercial building and to construct a new multi-tenant building for Farmers & Merchants Bank and a second future tenant. The project includes construction of a 5,995-square-foot single-story building, 26 off-street parking spaces, and site improvements that include landscaping, a hookup for electric vehicle charging, and a refurbished trash enclosure. Because the existing trash enclosure already meets the City’s size and location requirements, it will be refurbished to include resurfacing of the block walls and enclosure doors, fresh paint, and decorative landscaping/vines. A new planter area will also be constructed around the enclosure, providing enhanced landscaping including shrubs and groundcover which will provide additional screening. These improvements will enable the enclosure to meet current City design guidelines and requirements. The project will utilize an existing driveway on Main Street that serves the project site and an existing public alleyway that provides access from 17th Street and 18th Street. The bank will include a walk-up ATM and a night depository/secured drop box on the exterior. The proposed branch hours are Monday through Thursday 9:00 a.m. to 5:00 p.m. and Friday from 9:00 a.m. to 6:00 p.m. No weekend operations are proposed at this time.

The project will feature contemporary architecture with precast concrete panels, a glass curtain wall system, a dark bronze metal roof, metal canopies, and smooth, commercial-grade stucco finishes. In addition, the building will feature a 23-foot tall “brand wall” along the north elevation which will feature Farmers & Merchants Bank’s “F&M” business logo, enhancing the building’s contemporary design and street presence. The building’s south elevation will be enhanced with a floor-to-ceiling glass curtain wall system, featuring an evergreen glass consistent with Farmers & Merchants Bank’s brand, providing an overall enhanced design along the Main and 17th intersection. Although not proposed at this time, signage for the second tenant will meet the City’s sign ordinance requirements which allow up to two signs for a leasable tenant space, if the space faces a public street and on-site parking area. Table 2 below provides a detailed comparison of the project’s compliance with the applicable land use and development standards.

Table 2: Development Standards

Standard	Required by Community Commercial Museum District (C1-MD) Zone	Provided
Front and street side yard setback, and required landscaping within said required yards	15 feet minimum	Does not comply: 8 feet after dedication – variance required
Rear yard setback	0 feet minimum	Complies: 65 feet
Lot Size & Frontage	15,000 sq. ft. and 120 feet	Complies: approximately 19,708 sq. ft. or 17,859 sq. ft. (after dedication) and 120 feet
Building height	35 feet maximum	Complies: 23 feet
Parking	26 Spaces	Complies: 26 spaces
Floor Area Ratio (FAR)	0.5-1.0 FAR maximum	Complies: 0.34 FAR

Project Background and Chronology

The existing commercial building currently contains a variety of professional office and service uses, including Liberty Tax Services. The building was originally constructed in 1955 for the Mission Savings and Loan Company. Mission Savings and Loan continued to occupy the building until 1970 when Trans American Title Company became the main tenant. Trans American vacated shortly after and Anvil Thrift, a thrift and loan company, moved to the site in 1974. Since 1974, the building has contained multiple businesses, including real estate and law offices, auto and leasing sales offices, retail, and service uses.

In 1960, the building underwent non-structural interior alterations and was expanded by an unknown square footage. The building was later modified an additional time in 1966, and in 1974 after street widening improvements along Main Street. In 1993, the building underwent the last of the major alterations, which included interior rehabilitation of the first floor, a complete storefront replacement, and the enclosing of existing stairwells and construction of two new exterior staircases that are still utilized today.

Site Impacts from One Broadway Plaza

In 2004, the City Council approved several entitlements to allow the construction of the One Broadway Plaza tower at 1109 North Broadway with additional entitlement modifications approved in 2020. The entitlements included the certification of an environmental impact report (EIR) which determined that the implementation of the One Broadway Plaza project would impact two street segments and several intersections, including Main Street and 17th Street. As a result of these impacts, the EIR identified a mitigation measure requiring the dedication of land at the subject site (1702 North Main Street) for a southbound right-turn lane at the Main and 17th intersection.

Future improvements for the southbound right-turn lane would result in the widening of Main Street, the construction of new sidewalk, curb, gutter, pavement, and the relocation of the traffic signal along the Main Street and 17th Street frontages. It would also result in a loss of approximately 1,800 square feet to the project site. As a result, a variance to allow for a reduction in setbacks is required in order facilitate the construction of the proposed bank.

Project Analysis

Pursuant to SAMC Section 41-638, a variance application can be granted for relief from the development standards of the zoning district. Variances may be granted when it can be shown that there exists a special circumstance related to the property depriving of its uses that are afforded to other properties and that a variance is necessary for the preservation and enjoyment of substantial property rights, will not be detrimental to the public or surrounding property, and will not adversely affect the General Plan. In analyzing the variance request, staff believes that the following analysis warrants staff's recommendation of approval of the variance.

The proposed project will feature a 19-foot setback along Main Street and an 8-foot setback along 17th Street. This condition will remain until construction for One Broadway Plaza commences, which is not expected until sometime in 2021 at the earliest. However, once Main Street is widened to include the 11-foot dedication for the southbound right-turn lane, the site will contain 8-foot setbacks on both street frontages, resulting in a 7-foot deficiency from the required setback standards of 15 feet. Approval of the setback variance enables the project to be designed to ensure safe circulation for all types of vehicles and to meet the City’s off-street parking requirements and site circulation standards.

Without the reduction in setbacks, the project would need to be redesigned, resulting in several impacts to the feasibility of the site’s development. These impacts would include a loss of over half of its off-street parking spaces; a reduction in drive-aisle lane widths, creating onsite circulation hazards; and/or a smaller building footprint that would reduce the building’s interior floor area. The parcel’s compact size and the 11-foot dedication requirement justify the applicant’s request for a landscape setback variance.

Further, the Citywide Design Guidelines encourage new buildings to be located closer to streets in an effort to improve urban design and promote pedestrian activity. Specifically, Chapter 9 (Commercial Design Guidelines), Section 9.3.2 encourages buildings to be placed closer to street frontages, with parking areas behind. Placing the proposed building closer to the intersection of Main Street and 17th Street makes the site more pedestrian friendly and necessitates approval of the setback reduction in order to meet this design guideline. Conditions of approval have been added, along with a property maintenance agreement, to guarantee that the proposed used will not become a nuisance to any nearby sensitive residential properties or other commercial uses in the area.

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

Strategic Plan Alignment, and Public Notification & Community Outreach		
California Environmental Quality Act (CEQA)		
CEQA Type	Section 15303 – Class 3 – New Construction	
Reason(s) Exempt or Analysis	This exemption applies to up to four commercial buildings not exceeding a cumulative total of 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.	
	The proposed project is a single building under 6,000 square feet in size that is not anticipated to use significant amount of hazardous substances, is not located within an environmentally sensitive area, and will have access to all necessary public services and facilities made available through the City of Santa and Orange County Fire Authority (OCFA). As a result, Categorical Exemption, Environmental Review No. 2020-25 will be filed for this project.	
Public Notification & Community Outreach		
Public Hearing	Site posting	A public notice was posted on the project site on August 14, 2020.
	Notification by mail	Notices were mailed to all property owners and occupants within 500 feet of the project site on August 14, 2020.

Strategic Plan Alignment, and Public Notification & Community Outreach		
	Newspaper posting	Newspaper posting was published in the Orange County Reporter on August 14, 2020.
Additional Measures	The Floral Park, Santa Ana Triangle, French Court, and Willard Associations were contacted. At the time this report was printed, no issues of concern were raised regarding this application.	

Economic Development Benefits

The project will generate property tax revenue, temporary jobs, permanent jobs, and services for the community. Property tax revenue will increase as the total net value of the property will increase after the building and improvements for the project are made. According to the most recent tax roll, the property was valued at \$1.66 million, resulting in approximately \$20,300 in annual property tax. Of this amount the City of Santa Ana receives approximately \$3,800. Upon completion, the property is estimated to be valued at \$3 million and generate over \$6,000 in property tax revenue for the City of Santa Ana. The construction of the project will require that over \$13,500 in permit fees be paid to the City. In addition, there will be temporary construction jobs as well as an estimated 10 full-time new job opportunities created at this specific location.

Conclusion

Based on the analysis provided within this report, staff recommends that the Planning Commission approve Variance No. 2020-01 as conditioned.



Pedro Gomez, AICP
 Associate Planner

PG:sb

S:\Planning Commission\2020\08-24-20\1702 North Main Street - VAR 2020-01\Farmers & Merchants Bank - VAR 2020-01.pc_REV

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

EXHIBIT 1

RESOLUTION NO. 2020-xx

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SANTA ANA APPROVING VARIANCE NO.
2020-01 AS CONDITIONED TO ALLOW A REDUCTION IN
REQUIRED SETBACKS AT 1702 NORTH MAIN STREET

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

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

- A. Leslie Gentile, representing Farmers and Merchants Bank (“Applicant”), is requesting approval of Variance No. 2020-01 as conditioned, to allow for a reduction in required setbacks at 1702 North Main Street.
- B. Santa Ana Municipal Code (SAMC) Sections 41-368, 41-369 and 41-372 require a front yard and side yard setback of not less than 15 feet, and a 15-foot minimum landscape setback from front and street-side yards.
- C. In 2004, the City Council approved several original entitlements to allow the construction of the One Broadway Plaza tower at 1109 North Broadway with additional entitlement modifications approved in 2020. The certified environmental impact report (EIR) identified a mitigation measure requiring the dedication of land at the subject site (1702 North Main Street) for a southbound right-turn lane at the Main and 17th intersection.
- D. The future improvements for the southbound right-turn lane would result in the widening of Main Street, the construction of new sidewalk, curb, gutter, pavement, and the relocation of the traffic signal along the Main Street and 17th Street frontages. It would also result in a loss of approximately 1,800 square feet to the subject site.
- E. The Applicant is proposing a 19-foot setback from Main Street, which will be further reduced to 8 feet due to an 11-foot dedication for a southbound right-turn lane at the interaction of 17th Street and Main Street. In addition, the Applicant is proposing an 8-foot setback from 17th Street.
- F. Pursuant to SAMC Section 41-638, the Planning Commission is authorized to review and approve the variance for this project as set forth by the Santa Ana Municipal Code.
- G. On August 24, 2020, the Planning Commission held a duly noticed public hearing for Variance No. 2020-01.
- H. The Planning Commission of the City of Santa Ana has considered the information and determines that the following findings, which must be

established in order to grant Variance No. 2020-01, for a reduction in required setbacks as required by SAMC Section 41-638:

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

There are special circumstances related to the existing size of the property. The property is located at the northwest corner of Main and 17th streets and contains 19,708 square feet. Due to an 11-foot dedication for a future southbound right-turn lane there would be a loss of approximately 1,800 square feet to the existing property size. In order to meet the City's minimum standards to ensure safe and efficient onsite circulation, the project necessitates the building be placed closer to the intersection, resulting in a loss of approximately seven (7) feet of setback on Main Street and 17th Street. Without the reduction in setbacks, the project would need to be redesigned, resulting in: a loss of over half of its off-street parking spaces; a reduction in drive-aisle lane widths, creating onsite circulation hazards; and/or a smaller building footprint, reducing the building's interior floor area. The parcel's compact size and the 11-foot dedication requirement justify the Applicant's request for a landscape setback variance. Further, the City's Citywide Design Guidelines encourage new buildings to be located closer to streets in an effort to improve urban design and promote pedestrian activity. Specifically, Chapter 9 (Commercial Design Guidelines), Section 9.3.2 encourages buildings to be placed closer to street frontages, with parking areas behind. Placing the proposed building closer to the intersection of Main and 17th necessitates approval of the setback reduction in order to meet this design guideline.

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

Granting this variance is necessary for the preservation and enjoyment of substantial property rights. In order to facilitate construction of a safe and efficient site that meets the City's access, circulation, and parking codes, a reduction in setbacks is required. Finally, the reduction enables the building to be located closer to the nearby street frontages, assisting with the project meeting City design guidelines that encourage buildings placed closer to streets.

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

Granting this variance will not be detrimental to the public or surrounding properties. The Public Works Agency reviewed the proposed plans and did not identify concerns regarding the location of onsite circulation (drive aisles) and parking areas. The design of the driveways, drive aisles and parking areas are safe and practical and will not be detrimental to the public welfare or surrounding property.

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

The variance for a setback reduction will not adversely affect the General Plan. The project is located in a General Commercial (GC) General Plan land use designation, which allows for commercial uses such as retail, service and banks and financial institutions. The project is consistent with several goals and policies of the General Plan, including the Economic Development Element, Land Use Element, and Urban Design Element. Land Use Element Goal 1 promotes a balance of land uses to address basic community needs. Policy 1.10, encourages the location of commercial centers at arterial roadway intersections in commercial districts. The project will provide for a new commercial building on two arterial streets. Land Use Element Goal 2 promotes land uses that enhance the City's economic and fiscal viability. Policy 2.9, supports developments that create a business environment that is safe and attractive. The Condition of Approval for property maintenance will maintain a safe and attractive environment in the community. Economic Development Element Goal 2 maintains and enhances the diversity of the City's economic base. Policy 2.3 encourages the development of mutually beneficial and supportive business clusters within the community. The project will provide a banking and financial establishment in an area that does not currently have one, thereby providing much needed community benefit. Urban Design Element Goal 1 improves the physical appearance of the City through development of districts that project a sense of place, positive community image and quality environment. Specifically, Policy 1.5 enhances architectural forms, textures, colors, and materials for all projects. The project will feature contemporary architecture with high quality materials, and feature a "brand wall" along the north elevation enhancing the building's contemporary design and street presence. The building's south elevation will be enhanced with a floor-to-ceiling glass curtain wall system

providing an overall enhanced design along the Main and 17th intersection.

Section 2. In accordance with the California Environmental Quality Act and the CEQA Guidelines, the project is exempt from further review per Section 15303 of the Guidelines. The Class 3 exemption applies to up to four commercial buildings not exceeding a cumulative total of 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

The proposed project is a single building under 6,000 square feet in size, not anticipated to use significant amount of hazardous substances, is not located within an environmentally sensitive area, and will have access to all necessary public services and facilities made available through the City of Santa and Orange County Fire Authority (OCFA). As a result, Categorical Exemption, Environmental Review No. 2020-25 will be filed for this project.

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

Section 4. The Planning Commission of the City of Santa Ana, after conducting the public hearing, hereby approves Variance No. 2020-01 to allow for a reduction in required setbacks, as conditioned in Exhibit A, attached hereto and incorporated as though fully set forth herein. This decision is based upon the evidence submitted at the above said hearing, which includes, but is not limited to: the Request for Planning Commission Action dated August 24, 2020, and exhibits attached thereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

ADOPTED this 24th day of August, 2020.

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

Mark McLoughlin
Chairperson

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

By: _____
Lisa E. Storck
Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, SARAH BERNAL, Recording Secretary, do hereby attest to and certify the attached Resolution No. 2020-xx to be the original resolution adopted by the Planning Commission of the City of Santa Ana on August 24, 2020.

Date: _____

Recording Secretary
City of Santa Ana

EXHIBIT A

Conditions of Approval for Variance No. 2020-01

Variance No. 2020-01 to allow a reduction in required setbacks is approved subject to compliance, to the reasonable satisfaction of the Planning Manager, with applicable sections of the Santa Ana Municipal Code, the California Administrative Code, the California Building Standards Code, and all other applicable regulations. In addition, they shall meet the following conditions of approval:

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

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

1. All proposed site improvements must conform to the Site Plan Review (DP No. 2020-02) and the staff report exhibits which are incorporated herein by reference.
2. Any amendment to this variance must be submitted to the Planning Division for review. At that time, staff will determine if administrative relief is available or the variance must be amended.
3. Prior to the issuance of a building permit, a full landscape and irrigation plan is to be submitted for review and approval. The landscape plan shall: (1) conform to the commercial landscape standards, Citywide Design Guidelines, and the City's Water Efficient Landscape Ordinance, and (2) contain regularly-spaced vines installed along the entire lengths of the new perimeter wall and the trash enclosure so as to form a natural graffiti deterrent.
4. The Applicant shall be responsible for maintaining the premises free of graffiti. All graffiti shall be removed within 24 hours of occurrence.
5. A Property Maintenance Agreement must be recorded against the property. The agreement will be subject to review and applicability by the Planning and Building Agency, the Community Development Agency, the Public Works Agency, and the City Attorney to ensure that the property and all improvements located thereupon are properly maintained, Developer (and the owner of the property upon which the authorized use and/or authorized improvements are located if different from the Applicant) shall execute a maintenance agreement with the City of Santa Ana which shall be recorded against the property and which shall be in a form reasonably satisfactory to the City Attorney. The maintenance agreement shall contain covenants, conditions and restrictions relating to the following:
 - (a) Compliance with operational conditions applicable during any period(s) of construction or major repair (e.g., proper screening and securing of the

construction site; implementation of proper erosion control, dust control and noise mitigation measure; adherence to approved project phasing etc.);

(b) Compliance with ongoing operational conditions, requirements and restrictions, as applicable (including but not limited to hours of operation, security requirements, the proper storage and disposal of trash and debris, enforcement of the parking management plan, and/or restrictions on certain uses,

(c) Ongoing compliance with approved design and construction parameters, signage parameters and restrictions as well as landscape designs, as applicable;

(d) Ongoing maintenance, repair and upkeep of the property and all improvements located thereupon (including but not limited to controls on the proliferation of trash and debris about the property; the proper and timely removal of graffiti; the timely maintenance, repair and upkeep of damaged, vandalized and/or weathered buildings, structures and/or improvements; the timely maintenance, repair and upkeep of exterior paint, parking striping, lighting and irrigation fixtures, walls and fencing, publicly accessible bathrooms and bathroom fixtures, landscaping and related landscape improvements and the like, as applicable);

(e) If Developer and the owner of the property are different (e.g., if the Applicant is a tenant or licensee of the property or any portion thereof), both the Applicant and the owner of the property shall be signatories to the maintenance agreement and both shall be jointly and severally liable for compliance with its terms.

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

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

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

EXHIBIT 2

1 - 14

VAR 2020-01, Farmers & Merchants Bank 1702 North Main Street

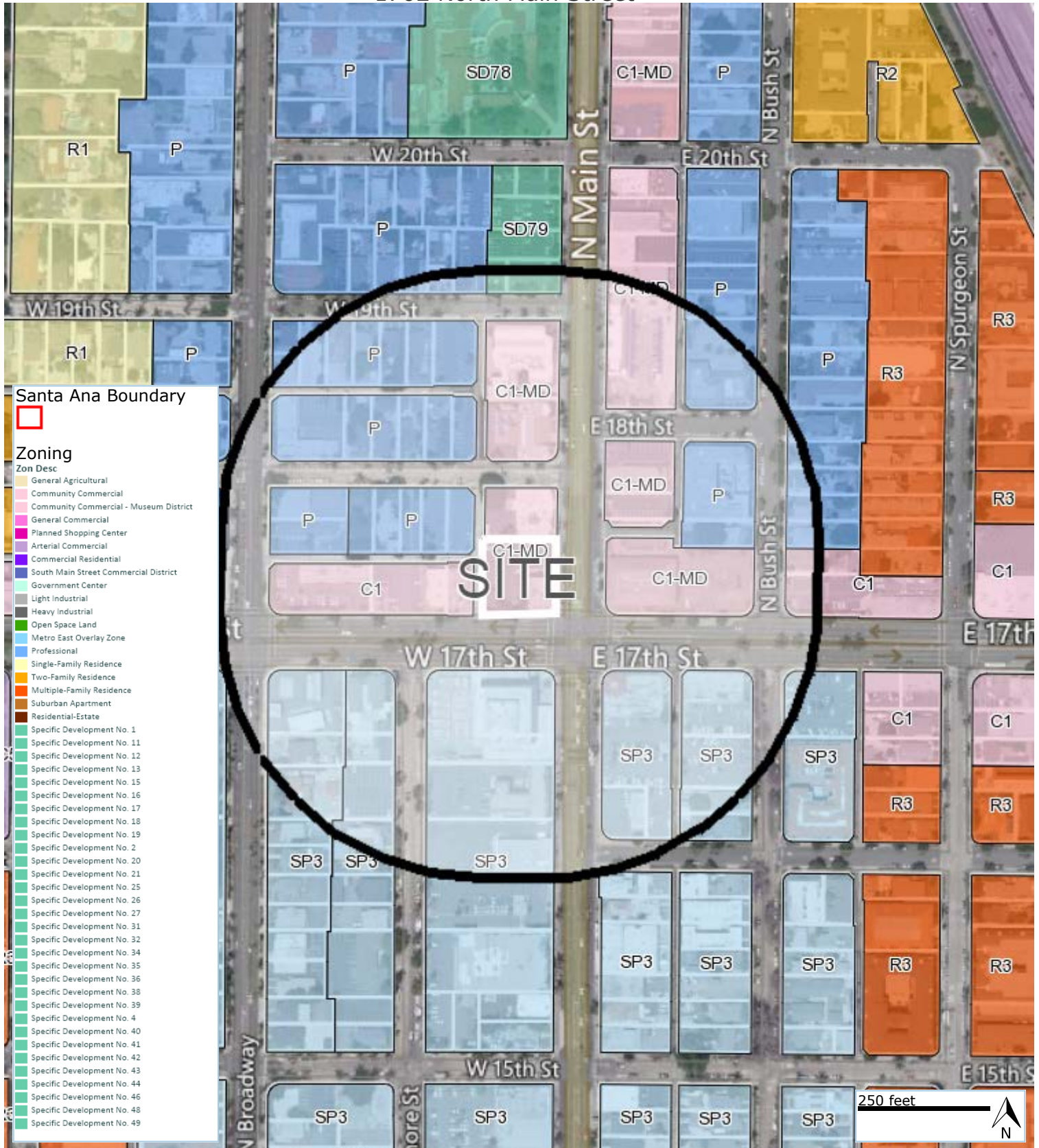


Exhibit 2 – Vicinity Zoning and Aerial View



EXHIBIT 3

1 - 16

EXHIBIT 4

1 - 18

EXHIBIT 5

1 - 20

EXHIBIT 6

1 - 23

REQUEST FOR Planning Commission Action



PLANNING COMMISSION MEETING DATE:

AUGUST 24, 2020

TITLE:

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. 2020-17 AND VARIANCE NO. 2020-03 TO FACILITATE THE EXPANSION OF AN EXISTING INDUSTRIAL MEDICAL CLINIC LOCATED AT 1619 EAST EDINGER AVENUE INTO TWO ADJACENT TENANT SPACES AT 1621 AND 1623 EAST EDINGER AVENUE – EDWIN MOHABIR, APPLICANT

PLANNING COMMISSION SECRETARY

APPROVED

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

DENIED

- Applicant's Request
- Staff Recommendation

Prepared by Jerry C. Guevara

Executive Director

CONTINUED TO _____

Planning Manager

RECOMMENDED ACTION

1. Adopt a resolution approving Conditional Use Permit No. 2020-17 as conditioned to allow the expansion of an existing industrial medical clinic; and
2. Adopt a resolution approving Variance No. 2020-03 as conditioned to allow a reduction in required off-street parking.

Executive Summary

Edwin Mohabir, representing Concentra Health Services, Inc., is requesting approval of Conditional Use Permit (CUP) No. 2020-17 and Variance No. 2020-03 to facilitate the expansion of an existing industrial medical clinic located at 1619 East Edinger Avenue into two adjacent tenant spaces located at 1621 and 1623 East Edinger Avenue. Staff is recommending approval of the entitlements as the proposed expansion will continue to provide services to the community and will not negatively impact surrounding land uses as conditions of approval will minimize impacts to the adjacent businesses and properties.

Table 1: Project and Location Information

Item	Information	
Project Address	1619, 1621 and 1623 East Edinger Avenue	
Nearest Intersection	Edinger Avenue and Lyon Street	
General Plan Designation	Industrial (IND)	
Zoning Designation	Light Industrial (M1)	
Surrounding Land Uses	North	Commercial / Industrial
	East	Commercial / Industrial
	South	Commercial / Industrial
	West	Commercial / Industrial
Property Size	0.66 acres	

Item	Information	
Existing Site Development	The site is currently developed with a 12,800-square foot multi-tenant commercial and industrial building, parking, and landscaping.	
Use Permissions	Allowed with a conditional use permit (CUP)	
Zoning Code Sections Affected	Use & Operational Standards	Sections 41-472.5(j) and 41-473 of SAMC
	Parking Requirements	Section 41-1346 of the SAMC

Project Description

The applicant is requesting approval of CUP No. 2020-17 and VA No. 2020-03 to facilitate the expansion of an existing industrial medical clinic located at 1619 East Edinger Avenue into two adjacent tenant spaces located at 1621 and 1623 East Edinger Avenue. As part of this application, the applicant is proposing to conduct tenant improvements consisting of partitions walls to create new exam, lab and break rooms, and new ADA compliant restrooms. In addition, the applicant will be restriping the parking lot to comply with ADA requirements, constructing a new trash enclosure to comply with current standards, and installing new landscaping along Edinger Avenue.

The proposed facility will have a total of 27 employees and is expected to serve two to three patients per hour, up to 24 to 33 patients per day. Hours of operation for the urgent care are 24 hours per day, seven days a week. Physical therapy is provided Monday through Friday from 7:00 a.m. to 6:00 p.m. The primary entrance to the facility will be through an entrance at the front of the building facing Edinger Avenue. Parking for patrons and employees will be provided through 40 surface parking spaces onsite.

Project Background and Chronology

The existing 12,800-square foot building was constructed in 1969 as a multi-tenant commercial and industrial building and has been occupied by a variety of office and industrial tenants over the years. In 2002, U.S. Healthworks began occupying 1619 East Edinger Avenue. In 2018, U.S. Healthworks was acquired by Concentra Health Services, Inc. On November 22, 2019, the City received a Development Project (DP) application on behalf of Concentra to expand its operations into 1621 and 1623 East Edinger Avenue. Since then, staff and the applicant have been working together to address current zoning, Building Division, and Public Works Agency requirements.

Concentra is a national health care company focused on improving the health of America's workforce. It provides occupational medicine, urgent care, physical therapy, and wellness services from more than 520 medical centers in 44 states. In addition to these medical center locations, Concentra serves employers by providing a broad range of health services by operating more than 140 medical facilities.

Project Analysis

Conditional Use Permit for Industrial Medical Clinic

The applicant is requesting approval of a CUP to allow the expansion of an existing industrial medical clinic. Pursuant to Santa Ana Municipal Code (SAMC) Section 41-472(j), an industrial medical clinic within the Light Industrial (M1) zoning district requires review and approval of a CUP

by the Planning Commission. CUP requests are governed by Section 41-638 of the SAMC. CUPs may be granted when it can be shown that the proposed project will not adversely impact the community. If these findings can be made, then it is appropriate to grant the CUP. Conversely, the inability to make these findings would result in a denial.

Staff has reviewed the applicant's request for the expansion of the existing industrial medical clinic and has determined that the use at the subject location will not be detrimental to the health, safety, and welfare of the surrounding community. The industrial medical clinic will not adversely affect the General Plan. The project is located within the Industrial (IND) General Plan land use designation, which plays a vital component to the city's economic health. These areas provide employment opportunities for local residents, and generate municipal revenues for continued economic. Typical uses found in this district include light and heavy product manufacturing and assembly and commercial uses which are ancillary to industrial uses in the district, such as industrial medical clinics.

Approval of the CUP will be consistent with several goals and policies of the General Plan. Policy 2.2 of the Land Use Element encourages land uses that accommodate the City's needs for goods and services. Furthermore Goal 1 of the Public Facilities Element promotes the need for sufficient public, cultural, recreational, educational, social service and related facilities to meet the community's needs. The industrial medical clinic will continue to provide a service to Santa Ana residents and workers.

Variance for Off-Street Parking

The applicant is requesting approval of a variance application to allow a reduction in required off-street parking. Pursuant to Section 41-1346 of the SAMC, medical clinics are required to be parked at the rate of five spaces for each 1,000 square feet of gross floor area. In addition, per SAMC Section 41-1390, manufacturing uses required two spaces per 1,000 square feet of production area. Based on this ratio, 48 parking spaces are required for the industrial medical clinic and six parking spaces are required for the operation of the adjacent manufacturing use (located at 1625 East Edinger Avenue) for a total of 54 on-site parking spaces. The applicant is proposing to provide 40 parking spaces on-site, which is 26 percent less than the required parking.

Table 2: Off-Street Parking

Land Use	Address	SAMC Requirement	Square Footage	Required
Industrial Medical Clinic	1619	5 spaces per 1,000 sq. ft. of gross floor area	3, 200 sq. ft.	48 spaces
	1621		3, 200 sq. ft.	
	1623		3, 200 sq. ft.	
Manufacturing Business	1625 E. Edinger Ave	2 spaces per 1,000 sq. ft. of gross production area	3,200 sq. ft.	6
			Total Required	54 spaces
			Total Provided	40 spaces
			Deficiency	14 spaces (26% Reduction)

Pursuant to Section 41-632 (a) (2) of the SAMC, the Planning Commission may grant a variance for a reduction in required parking if the reduction exceeds 20-percent of the minimum requirement and when it can be shown that there exists a special circumstance related to the property, it is necessary for the preservation and enjoyment of one or more substantial property rights, it will not be materially detrimental to the public welfare or injurious to surrounding property, and it will not adversely affect the General Plan of the City.

Staff has prepared the following analysis that forms the basis for the variance recommendation contained in this report. To determine whether or not the proposed parking spaces will be adequate to support the operations of the proposed industrial medical clinic and the adjacent manufacturing business, a Parking Demand Analysis was prepared by Overland Traffic Consultants, Inc., a traffic and transportation engineering firm (Exhibit 8). The study used the Institute of Transportation Engineer’s parking demand to determine the parking demand of both uses on-site and determined that a peak demand of 37 parking spaced would be needed for the combined land uses. The peak demand has been determined to occur from 9:00 a.m. to 10:00 a.m., 12:00 p.m. to 2:00 p.m. and from 6:00 p.m. to 7:00 p.m. Based on the results of the parking analysis, a surplus of three parking spaces will be provided on-site, with the existing 40 parking stalls sufficient to meet the demand of both uses. Furthermore, the project site is located in transit-friendly environment with transit, bicycling and walking amenities that facilitate and encourage alternative modes of transportation, further contributing to a reduction in parking demand. The nearest bus stop is located at the intersection of Edinger Avenue and Lyon Street. No additional traffic congestion is anticipated from the proposed facility. As part of the development process, the Public Works Agency reviewed the project and did not identify the need for any traffic mitigations. In addition, conditions of approval have been added to the variance to limit the number of participants on-site at one time. The variance will not be materially detrimental to the public welfare or injurious to surrounding properties.

Table 3: California Environmental Quality Act, Public Notification & Community Outreach

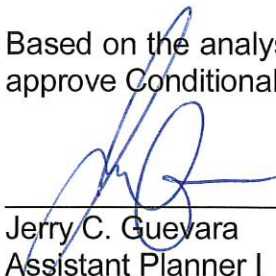
CEQA, Strategic Plan Alignment, Public Notification & Community Outreach	
CEQA	
CEQA Type	Categorically Exempt per Section 15301 (Class 1 – Existing Facilities) of the CEQA Guidelines
Document Type	Notice of Exemption, Environmental Review No. 2019-110
Reason(s) Exempt or Analysis	This exemption applies to the operation, licensing or minor alteration of private structures, involving no negligible or no expansion of existing or former use. The existing building is 12,800-square feet in floor area within M1 zone which allow the proposed use. Only minor interior and exterior improvements are being proposed and the proposed use is consistent with the former uses on-site.
Public Notification & Community Outreach	
Required Measures	A public notice was posted on the project site on August 14, 2020.
	Notification by mail was sent to all property owners and occupants within 500 feet of the project site on August 14, 2020.
	Newspaper posting was published in the Orange County Reporter on August 14, 2020.

Economic Development Benefits

The project will generate permit fees, temporary jobs, permanent jobs and needed services for the community. The improvements for the project will require permit fees ranging from \$10,000 to \$15,000 paid to the City and will result in temporary construction jobs. It is estimated that five to seven new job opportunities will be created with the operation of the facility and approximately \$600 annually will be paid in business taxes.

Conclusion

Based on the analysis provided within this report, staff recommends that the Planning Commission approve Conditional Use Permit No. 2020-17 and Variance No. 2020-03 as conditioned.



Jerry C. Guevara
Assistant Planner I

JG:S:\Planning Commission\2020\08-24-20\CUP No. 2020-17 & VA No. 2020-03 for Cocentra at 1619 E. Edinger Ave\CUP No. 2020-17 & VA No. 2020-03 for Concentra.RFPCA.doc

- Exhibits:
- 1 – CUP No. 2020-17 Resolution
 - 2 – VA No. 2020-03 Resolution
 - 3 – Vicinity Zoning & Aerial View
 - 4 – Site Photo
 - 5 – Site Plan
 - 6 – Floor Plan
 - 7 – Landscape Plan
 - 8 – Parking Demand Study

EXHIBIT 1

RESOLUTION NO. 2020-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2020-17 AS CONDITIONED TO ALLOW THE EXPANSION OF AN EXISTING INDUSTRIAL MEDICAL CLINIC LOCATED AT 1619 EAST EDINGER AVENUE INTO TWO ADJACENT TENANT SPACES LOCATED AT 1621 AND 1623 EAST EDINGER AVENUE

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

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

- A. Edwin Mohabir, representing Concentra Health Services, Inc. ("Applicant"), is requesting approval of Conditional Use Permit (CUP) No. 2020-17 to allow the expansion of an existing 3,200-square industrial medical clinic located at 1619 East Edinger Avenue into two adjacent tenant spaces located at 1621 and 1623 East Edinger Avenue. The total floor area of the entire completed facility will be 9,600 square feet.
- B. Pursuant to Santa Ana Municipal Code (SAMC) Section 41-472.5(j), industrial medical clinics within the Light Industrial (M1) zoning district require approval of a CUP.
- C. Pursuant to SAMC Section 41-638, the Planning Commission is authorized to review and approve the CUP for this project as set forth by the SAMC.
- D. On August 24, 2020, the Planning Commission held a duly noticed public hearing for CUP No. 2020-17.
- E. The Planning Commission of the City of Santa Ana has considered the information and determines that the following findings, which must be established in order to grant CUP No. 2020-17, for an industrial medical clinic, have been established as required by SAMC Section 41-638:
 1. That the proposed use will provide a service or facility which will contribute to the general well being of the neighborhood or community.

The proposed expansion of an existing industrial medical clinic will provide a service to persons and families that are working or residing in the area. The clinic will provide a benefit to the community by providing needed services to the targeted

population. Concentra provides occupational health, physical therapy, and urgent cares services.

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

The proposed expansion of the existing industrial medical clinic will not be detrimental to the health, safety or welfare of those residing or working in the vicinity. The facility will be operated within an existing commercial and industrial building and the proposed expansion and its operations are compatible with nearby commercial and industrial uses. Impacts are not anticipated from the project.

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

The industrial medical clinic will not adversely affect the economic stability or future economic development of properties in the surrounding area. The proposed industrial medical clinic expansion will occupy a vacant tenant space which will help re-establish economic use of the property and help activate the industrial center. The project also includes exterior improvement investments that will improve the appearance and economic stability of the area.

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

The proposed use complies with the regulations and conditions in Chapter 41 (Zoning) of the SAMC. As part of this application, the Applicant is proposing to conduct exterior and interior improvements to the site. The M1 zoning district allows for industrial medical clinics subject to a conditional use permit. The use is similar in nature to other uses that are permitted within the M1 zoning district. A condition of approval has been added to require front yard landscaping and a property maintenance agreement to be recorded against the property which will ensure that the property and all improvements are properly maintained.

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

The expanded industrial medical clinic will not adversely affect the General Plan. The project is located within the Industrial (IND) General Plan land use designation which plays a vital

component to the city's economic health. These areas provide employment opportunities for local residents, and generate municipal revenues for continued economic growth. Typical uses found in this district include light and heavy product manufacturing and assembly and commercial uses which are ancillary to industrial uses in the district. Approval of the CUP will be consistent with several goals and policies of the General Plan. Policy 2.2 of the Land Use Element encourages land uses that accommodate the City's needs for goods and services, and Policy 5.5 encourages development that is compatible with and supporting of surrounding land uses. The proposed industrial medical clinic expansion will continue to allow Concentra to provide needed services to the City's residents and workers.

Section 2. In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project is categorically exempt from further review per Section 15301 (Class 1 – Existing Facilities) of the CEQA Guidelines. The Class 1 exemption applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing private structures involving negligible or no expansion of the use. The existing 12,800-square foot building is within the M1 zone which allows for such use. The proposed industrial medical clinic does not involve an expansion in use since the building has been utilized by similar industrial medical clinic uses in the past. As a result, Categorical Exemption, Environmental Review No. 2019-110 will be filed for this project.

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

Section 4. Conditional Use Permit No. 2020-17 shall not be effective unless and until the Planning Commission reviews and approves Variance No. 2020-03. If said approvals are held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or otherwise denied, then this conditional use permit shall be null and void and have no further force and effect.

Section 5. The Planning Commission of the City of Santa Ana after conducting the public hearing hereby approves CUP No. 2020-17, as conditioned in Exhibit A, attached hereto and incorporated herein for the project located at 1619, 1621 and 1623 East Edinger Avenue. This decision is based upon the evidence submitted at the abovesaid hearing, which includes, but is not limited to: the Request for Planning Commission Action dated August 24, 2020, and exhibits attached thereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

ADOPTED this 24th day of August, 2020.

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

Mark McLoughlin
Chairperson

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

By: _____
Lisa Storck
Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, SARAH BERNAL, Recording Secretary, do hereby attest to and certify the attached Resolution No. 2020-XX to be the original resolution adopted by the Planning Commission of the City of Santa Ana on August 24, 2020.

Date: _____

Recording Secretary
City of Santa Ana

EXHIBIT A

Conditions of Approval for Conditional Use Permit No. 2020-17

Conditional Use Permit No. 2020-17 for an industrial medical clinic use is approved subject to compliance, to the reasonable satisfaction of the Executive Director of the Planning and Building Agency, with applicable sections of the Santa Ana Municipal Code, the California Administrative Code, the California Building Standards Code, and all other applicable regulations. In addition, the following conditions of approval shall be met:

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

1. All proposed site improvements must conform to the Development Project Review (DP No. 2019-45) and the staff report exhibits are incorporated herein by reference.
2. Any amendment to this conditional use permit must be submitted to the Planning Division for review. At that time, staff will determine if administrative relief is available or if the conditional use permit must be amended.
3. The operation of the industrial medical clinic is also subject to Variance No. 2020-03, as conditioned.
4. Prior to the issuance of a Building Permit, the Applicant shall submit a landscape and irrigation plan to the Planning Division for review and approval. The landscape and irrigation shall comply with the zoning district's landscape standards, the Water Efficient Landscape Ordinance (WELO), and the Citywide Design Guidelines.
5. Prior to the issuance of a Building Permit, a Property Maintenance Agreement must be recorded against the property. The agreement will be subject to review and applicability by the Planning and Building Agency, the Community Development Agency, the Public Works Agency, and the City Attorney to ensure that the property and all improvements located thereupon are properly maintained, Developer/Applicant (and the owner of the property upon which the authorized use and/or authorized improvements are located if different from the Applicant) shall execute a Maintenance Agreement with the City of Santa Ana which shall be recorded against the property and which shall be in a form reasonably satisfactory to the City Attorney. The Maintenance Agreement shall contain covenants, conditions and restrictions relating to the following:
 - a. Compliance with operational conditions applicable during any period(s) of construction or major repair (e.g., proper screening and securing of the construction site; implementation of proper erosion control, dust control and noise mitigation; adherence to approved project phasing etc.), if applicable;

- b. Compliance with ongoing operational conditions, requirements and restrictions, as applicable (including but not limited to hours of operation, security requirements, the proper storage and disposal of trash and debris, enforcement of the parking management plan, and/or restrictions on certain uses) if applicable;
- c. Ongoing compliance with approved design and construction parameters, signage parameters and restrictions as well as landscape designs, as applicable;
- d. Ongoing maintenance, repair and upkeep of the property and all improvements located thereupon (including but not limited to controls on the proliferation of trash and debris about the property; the proper and timely removal of graffiti; the timely maintenance, repair and upkeep of damaged, vandalized and/or weathered buildings, structures and/or improvements; the timely maintenance, repair and upkeep of exterior paint, parking striping, lighting and irrigation fixtures, walls and fencing, publicly accessible bathrooms and bathroom fixtures, landscaping and related landscape improvements and the like, as applicable;
- e. If Developer/Applicant and the owner of the property are different (e.g., if the Applicant is a tenant or licensee of the property or any portion thereof), both the Applicant and the owner of the property shall be signatories to the Maintenance Agreement and both shall be jointly and severally liable for compliance with its terms;
- f. The Maintenance Agreement shall further provide that any party responsible for complying with its terms shall not assign its ownership interest in the property or any interest in any lease, sublease, license or sublicense, unless the prospective assignee agrees in writing to assume all of the duties, obligations and responsibilities set forth under the Maintenance Agreement; and
- g. The Maintenance Agreement shall contain provisions relating to the enforcement of its conditions by the City and shall also contain provisions authorizing the City to recover costs and expenses which the City may incur arising out of any enforcement and/or remediation efforts which the City may undertake in order to cure any deficiency in maintenance, repair or upkeep or to enforce any restrictions or conditions upon the use of the property. The maintenance agreement shall further provide that any unreimbursed costs and/or expenses incurred by the City to cure a deficiency in maintenance or to enforce use restrictions shall become a lien upon the property in an amount equivalent to the actual costs and/or expense incurred by the City.

EXHIBIT 2

RESOLUTION NO. 2020-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING VARIANCE NO. 2020-03 AS CONDITIONED ALLOWING A REDUCTION IN REQUIRED OFF-STREET PARKING TO FACILITATE EXPANSION OF AN EXISTING INDUSTRIAL MEDICAL CLINIC LOCATED AT 1619, 1621 AND 1623 EAST EDINGER AVENUE

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

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

- A. Edwin Mohabir, representing Concentra Health Services, Inc. ("Applicant"), is requesting approval of Variance (VA) No. 2020-03 to allow a reduction in required off-street parking for an industrial medical clinic located at 1619, 1621 and 1623 East Edinger Avenue.
- B. Pursuant to Santa Ana Municipal Code (SAMC) Section 41-1346, medical clinics are required to provide on-site parking at a rate of five spaces per 1,000 square feet of gross floor area. Based on this ratio, 54 parking spaces are required for the proposed industrial medical clinic and existing manufacturing use on-site. The Applicant is proposing to provide 40 parking spaces on-site, 26 percent less than the required on-site parking, therefore, requiring approval of a variance.
- C. Pursuant to SAMC 41-632, the Planning Commission is authorized to review and approve a variance for a reduction in off-street parking for the subject property and project as set forth by the SAMC.
- D. On August 24, 2020, the Planning Commission held a duly noticed public hearing for VA No. 2020-03.
- E. The Planning Commission of the City of Santa Ana has considered the information and determines that the following findings, which must be established in order to grant VA No. 2020-03, for a reduction in required off-street parking, have been established as required by SAMC section 41-638:
 1. That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges not otherwise at

variance with the intent and purpose of the provisions of this Chapter.

There are special circumstances related to the existing conditions of the property. In 1969, the building and site improvements were constructed which included a 12,800-square foot building. In order to meet the City's current off-street parking requirements for an industrial medical clinic, significant modifications to the building and site, such as demolishing portions of the building, would be required. Strict application of the off-street parking regulations would not allow the tenant to expand its operations and services to its customers. The parking analysis conducted by Overland Traffic Consultants, Inc., supports the intent of the code which is to provide sufficient off-street parking. The study indicates that there would be sufficient parking for the proposed use, therefore, no parking impacts to the nearby uses or properties will be created.

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

Granting this variance is necessary for the preservation and enjoyment of substantial property rights. Granting this variance will allow the property to continue and expand its use as an industrial medical clinic which will benefit the community at large. The use is compatible with surrounding land uses and will not be detrimental to the surrounding community.

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

Granting this variance will not be detrimental to the public or surrounding properties. A parking analysis was conducted which concluded that a peak demand of 37 parking spaces would be needed for the combined land uses on-site. The peak demand has been determined to occur from 9:00 a.m. to 10:00 a.m., 12:00 p.m. to 2:00 p.m. and from 6:00 p.m. to 7:00 p.m. Based on the results of the parking analysis, a surplus of three (3) parking spaces will be provided on-site and the proposed 40 parking stalls are sufficient to meet the demand of both land uses. Furthermore, conditions of approval have been added to the variance which would mitigate, if there was any, impact to surrounding properties.

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

The variance for a reduction in required off-street parking will not adversely affect the General Plan. The project is located within the Industrial (IND) General Plan land use designation which plays a vital component to the city's economic health. These areas provide employment opportunities for local residents, and generate municipal revenues for continued economic growth. Typical uses found in this district include light and heavy product manufacturing and assembly, and commercial uses which are ancillary to industrial uses in the district. Approval of the variance will be consistent with several goals and policies of the General Plan. The expanded industrial medical clinic will not adversely affect the General Plan. Policy 2.2 of the Land Use Element encourages land uses that accommodate the City's needs for goods and services and Policy 5.5 encourages development that is compatible with and supporting of surrounding land uses. The proposed industrial medical clinic expansion will continue to allow Concentra to provide needed services to the City's residents and workers.

Section 2. In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project is categorically exempt from further review per Section 15301 (Class 1 – Existing Facilities) of the CEQA Guidelines. The Class 1 exemption applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing private structures involving negligible or no expansion of the use. The existing 12,800-square foot building is within the M1 zone which allows for such use. The proposed industrial medical clinic does not involve an expansion in use since the building has been utilized by similar industrial medical clinic uses in the past. As a result, Categorical Exemption, Environmental Review No. 2019-110 will be filed for this project.

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

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

Section 4. Variance No. 2020-03 shall not be effective unless and until the Planning Commission reviews and approves Conditional Use Permit No. 2020-17. If said approvals are held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or otherwise denied, then this variance shall be null and void and have no further force and effect.

Section 5. The Planning Commission of the City of Santa Ana, after conducting the public hearing, hereby approves VA No. 2020-03 as conditioned in Exhibit A, attached hereto and incorporated as though fully set forth herein. This decision is based upon the evidence submitted at the above said hearing, which includes, but is not limited to: the Request for Planning Commission Action dated August 24, 2020, and exhibits attached thereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

ADOPTED this 24th day of August, 2020.

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

Mark McLoughlin
Chairperson

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

By: _____
Lisa E. Storck
Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, SARAH BERNAL, Recording Secretary, do hereby attest to and certify the attached Resolution No. 2020-xx to be the original resolution adopted by the Planning Commission of the City of Santa Ana on August 24, 2020.

Date: _____

Recording Secretary
City of Santa Ana

EXHIBIT A

Conditions of Approval for Variance No. 2020-03

Variance No. 2020-03 is approved subject to compliance, to the reasonable satisfaction of the Planning Manager, with applicable sections of the Santa Ana Municipal Code, the California Administrative Code, the California Building Standards Code, and all other applicable regulations. In addition, the following conditions of approval shall be met:

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

1. All proposed site improvements must conform to the Development Project Review (DP No. 2019-45) and the staff report exhibits are incorporated herein by reference.
2. Any amendment to this variance must be submitted to the Planning Division for review. At that time, staff will determine if administrative relief is available or if the variance must be amended.
3. The operation of the industrial medical clinic is also subject to Conditional Use Permit No. 2020-17, as conditioned.
4. Prior to the issuance of a Building Permit, the Applicant shall submit a landscape and irrigation plan to the Planning Division for review and approval. The landscape and irrigation shall comply with the zoning district's landscape standards, the Water Efficient Landscape Ordinance (WELo), and the Citywide Design Guidelines.
5. Prior to the issuance of a Building Permit, a Property Maintenance Agreement must be recorded against the property. The agreement will be subject to review and applicability by the Planning and Building Agency, the Community Development Agency, the Public Works Agency, and the City Attorney to ensure that the property and all improvements located thereupon are properly maintained, Developer/Applicant (and the owner of the property upon which the authorized use and/or authorized improvements are located if different from the Applicant) shall execute a Maintenance Agreement with the City of Santa Ana which shall be recorded against the property and which shall be in a form reasonably satisfactory to the City Attorney. The Maintenance Agreement shall contain covenants, conditions and restrictions relating to the following:
 - a. Compliance with operational conditions applicable during any period(s) of construction or major repair (e.g., proper screening and securing of the construction site; implementation of proper erosion control, dust control and noise mitigation; adherence to approved project phasing etc.), if applicable;
 - b. Compliance with ongoing operational conditions, requirements and restrictions, as applicable (including but not limited to hours of operation, security requirements, the proper storage and disposal of trash and debris,

enforcement of the parking management plan, and/or restrictions on certain uses) if applicable;

- c. Ongoing compliance with approved design and construction parameters, signage parameters and restrictions as well as landscape designs, as applicable;
- d. Ongoing maintenance, repair and upkeep of the property and all improvements located thereupon (including but not limited to controls on the proliferation of trash and debris about the property; the proper and timely removal of graffiti; the timely maintenance, repair and upkeep of damaged, vandalized and/or weathered buildings, structures and/or improvements; the timely maintenance, repair and upkeep of exterior paint, parking striping, lighting and irrigation fixtures, walls and fencing, publicly accessible bathrooms and bathroom fixtures, landscaping and related landscape improvements and the like, as applicable;
- e. If Developer/Applicant and the owner of the property are different (e.g., if the Applicant is a tenant or licensee of the property or any portion thereof), both the Applicant and the owner of the property shall be signatories to the Maintenance Agreement and both shall be jointly and severally liable for compliance with its terms;
- f. The Maintenance Agreement shall further provide that any party responsible for complying with its terms shall not assign its ownership interest in the property or any interest in any lease, sublease, license or sublicense, unless the prospective assignee agrees in writing to assume all of the duties, obligations and responsibilities set forth under the Maintenance Agreement; and
- g. The Maintenance Agreement shall contain provisions relating to the enforcement of its conditions by the City and shall also contain provisions authorizing the City to recover costs and expenses which the City may incur arising out of any enforcement and/or remediation efforts which the City may undertake in order to cure any deficiency in maintenance, repair or upkeep or to enforce any restrictions or conditions upon the use of the property. The maintenance agreement shall further provide that any unreimbursed costs and/or expenses incurred by the City to cure a deficiency in maintenance or to enforce use restrictions shall become a lien upon the property in an amount equivalent to the actual costs and/or expense incurred by the City.

EXHIBIT 3

**CUP No. 2020-17 & VA No. 2020-03
1619, 1621 & 1623 E. Edinger Avenue**



Exhibit 3 - Vicinity Zoning & Aerial View



EXHIBIT 4

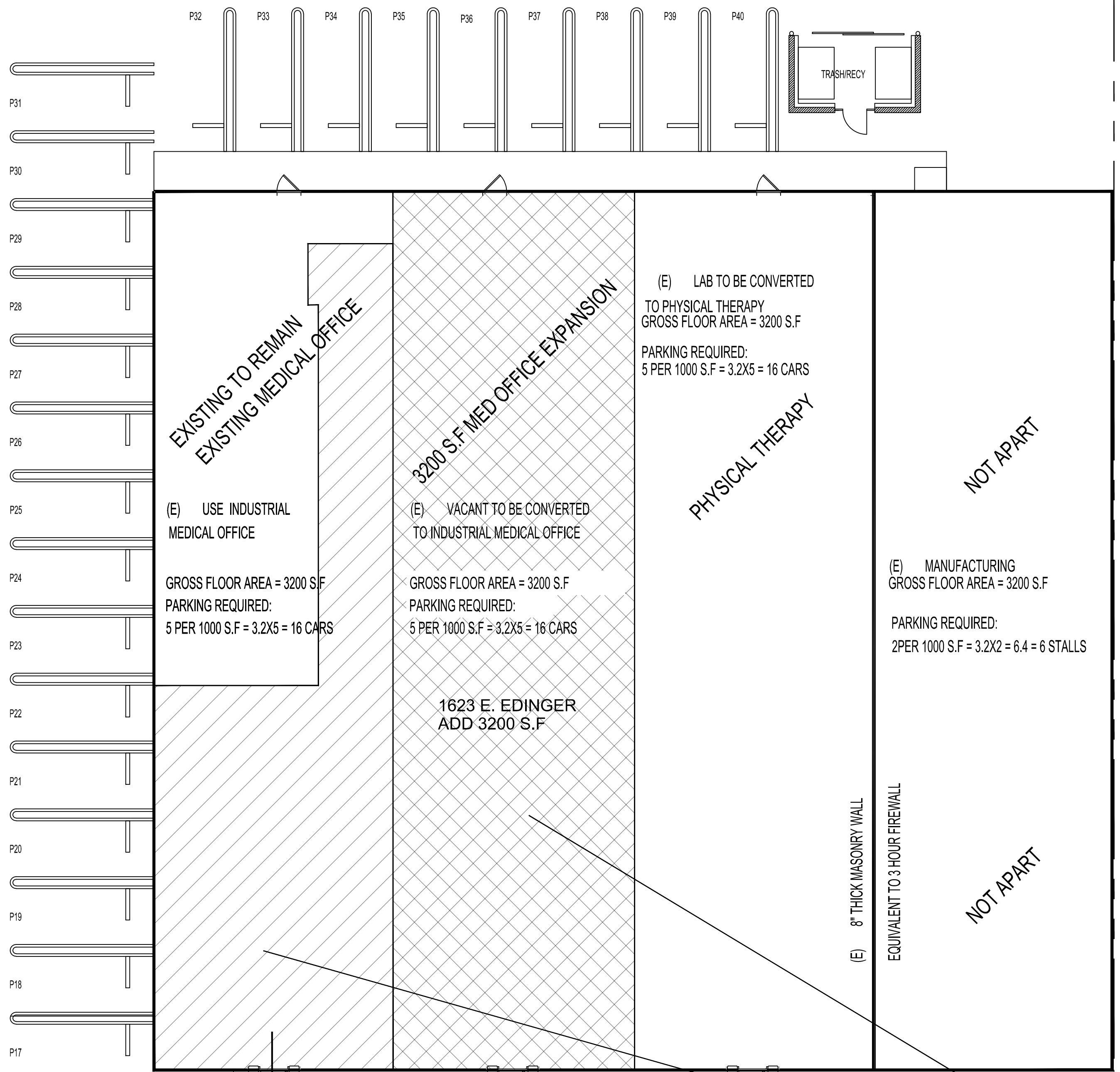
**CUP No. 2020-17 & VA No. 2020-03
1619, 1621 & 1623 E. Edinger Avenue**



Exhibit 4 – Site Photo

EXHIBIT 5

PL
COMMON
DRIVEWAY



SUMMIT COLLEGE

ITEM # A6 - PARKING TABULATION

PARKING REQUIRED:

1619 E. EDINGER	16 STALLS
1621 E. EDINGER	16 STALLS
1623 E. EDINGER	16 STALLS
1625 E. EDINGER	6 STALLS
TOTAL REQUIRED	54 STALLS
PARKING PROVIDED	40 STALLS
PARKING DEFICIT	14 STALLS
PERCENTAGE DEFICIT	26
VA REQUIRED	

PROJECT DATA

Project Address:
1619 E. Edinger Ave
1621 E. Edinger Ave
1623 E. Edinger Ave
APN: 402-241-10

Applicant:
Edwin Mohabir (323)459-8809

General Plan Land Use Designation Light Industrial
Allowable FAR ?
Zoning M1

Total Lot Area 33,839 square feet 0.78 ac.
Existing medical office = 3200 square feet
Proposed medical expansion = 3200 square feet
Proposed Physical Therapy = 3200 square feet
Existing Manufacturing = 3200 square feet

Parking Tabulation:
Gross floor area for all medical use = 9600 square feet
Parking required 5 per 1000 s.f. = 48 stalls
Manufacturing 2 per 1000 s.f. = 6.4 stalls
Total parking required = 54 stalls
Existing parking = 38 stalls
Existing ADA complying stalls = 2 stalls
Total provided = 40 stalls

Occupancy Type:
1619 E. Edinger Ave Group B Occupancy
1621 E. Edinger Ave Group B Occupancy proposed
1623 E. Edinger Ave Group B Occupancy proposed
1625 E. Edinger Ave Group F1 Occupancy
Construction type Type VB
Exterior walls Masonry
Roof Materials Panelized roof with wood beams and purlins
Non Sprinklered Building
Building Height = 15 ft.
Allowable Building Height = 40 ft. per CBC Tbl. 504.3

There are no existing or proposed easements.
There are no fence around the property.

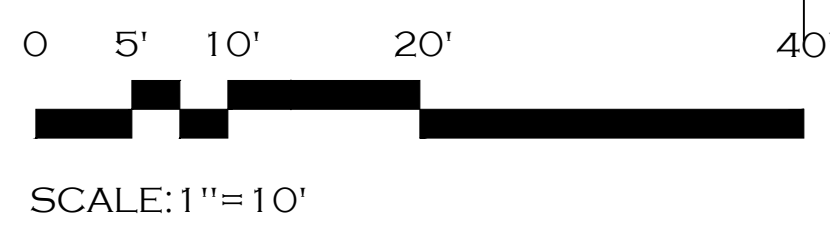
APPLICABLE CODES:
2019 California Building Code (CBC)
2019 California Residential Code (CRC)
2019 California Mechanical Code
2019 California Plumbing Code
2019 California Electrical Code
2019 California Energy Code
2019 California Green Standards Code (CALGreen)
Santa Ana Municipal Code (SAMCU)

SHEET INDEX:

A-1.0	CUP PLOT PLAN
A-1.01	DEVELOPMENT REVIEW APPROVAL
A-1.1	SITE PLAN
A-1.2	PARKING CALCULATIONS
A-1.3	AREA CALCULATIONS
A-2.0	EXITING FLOOR PLAN
A-2.1	PROPOSED FLOOR PLAN
A-2.2	OCCUPANT LOAD AND EXITING PLAN
C-1	COVER SHEET
C-2	SITE GRADING PLAN
C-3	UTILITY PLAN
L-1	PLANTING PLAN
L-2	IRRIGATION PLAN
L-3	DETAILS
L-4	DETAILS
L-5	DETAILS
L-6	NOTES

LEGEND

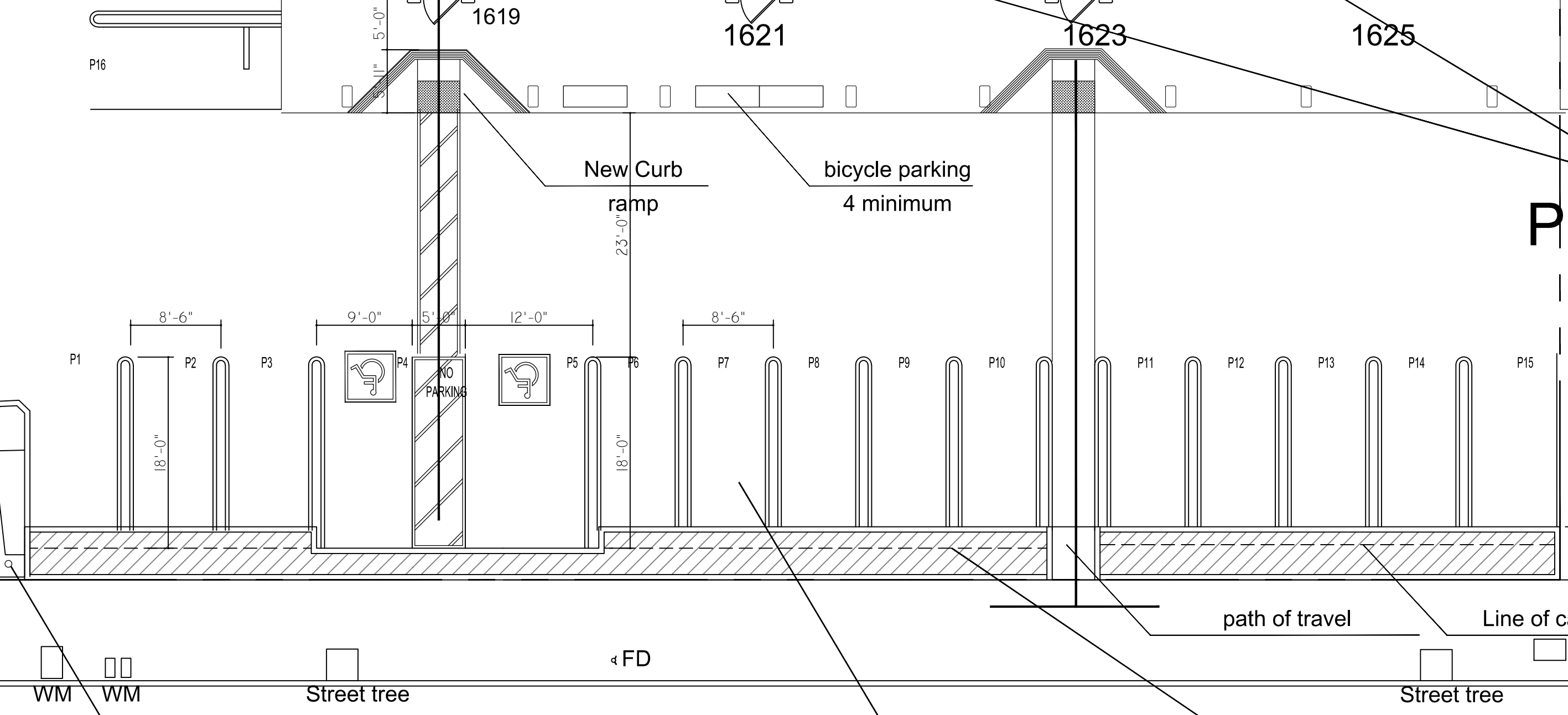
--- POT: ACCESSIBLE PATH OF TRAVEL AS INDICATED ON PLAN IS A BARRIER FREE ACCESS ROUTE WITHOUT ANY ABRUPT LEVEL CHANGES EXCEEDING 1/2" IF BEVEL AT 1:2 MAX. SLOPE, OR VERTICAL LEVEL CHANGES NOT EXCEEDING 1/4" AND AT LEAST 48" IN WIDTH. THE SURFACE IS STABLE, FIRM, AND SLIP RESISTANT. CROSS SLOPE DOES NOT EXCEED 2% AND SLOPE IN THE DIRECTION OF TRAVEL IS LESS THAN 5% SLOPE, UNLESS OTHERWISE INDICATED. LANDING AT DOORWAYS SHALL BE 2% MAX.



COMMON DRIVEWAY

PL

PL



ITEM # A4
NON CONFORMING POLE SIGN TO BE REMOVED. MONUMENT SIGN IF DESIRED MUST COMPLY TO SECTION 41-862 OF THE SAMC.

ITEM # A1
PARKING LOT RE-STRIPE PER SANTA ANA CITY STDS

ITEM # A2 & 3
5' LANDSCAPE SEE LANDSCAPE PLANS

EDWIN MOHABIR
EM
ARCHITECT, INC.

SANTA CLARITA, CA 91381
24979 CONSTITUTION AVE. #1435
EDWINMOHABIR@GMAIL.COM
TEL: 323-459-8809

LICENSED ARCHITECT
EDWIN R. MOHABIR
C23674
Exp. 02-28-21
STATE OF CALIFORNIA

OWNER/ADDRESS:
Concentra
1619-1623 EDINGER AVE.
SANTA ANA, CA 92705

CONTACT:
LISA STEWART
CONSTRUCTION MANAGER
(661)481-1851

SCOPE:
TENANT IMPROVEMENT
AND OFFICE EXPANSION

NOTES/REVISIONS:

PROJECT DATA:

DATE:	07-14-2020
ARCHITECT:	EM
CHECKED BY:	EM
DRAWN BY:	EM
PROJECT NO.:	1906
SCALE:	1" = 10'-0"

SHEET NAME/NUMBER:
CUP PLOT PLAN
A-1.0

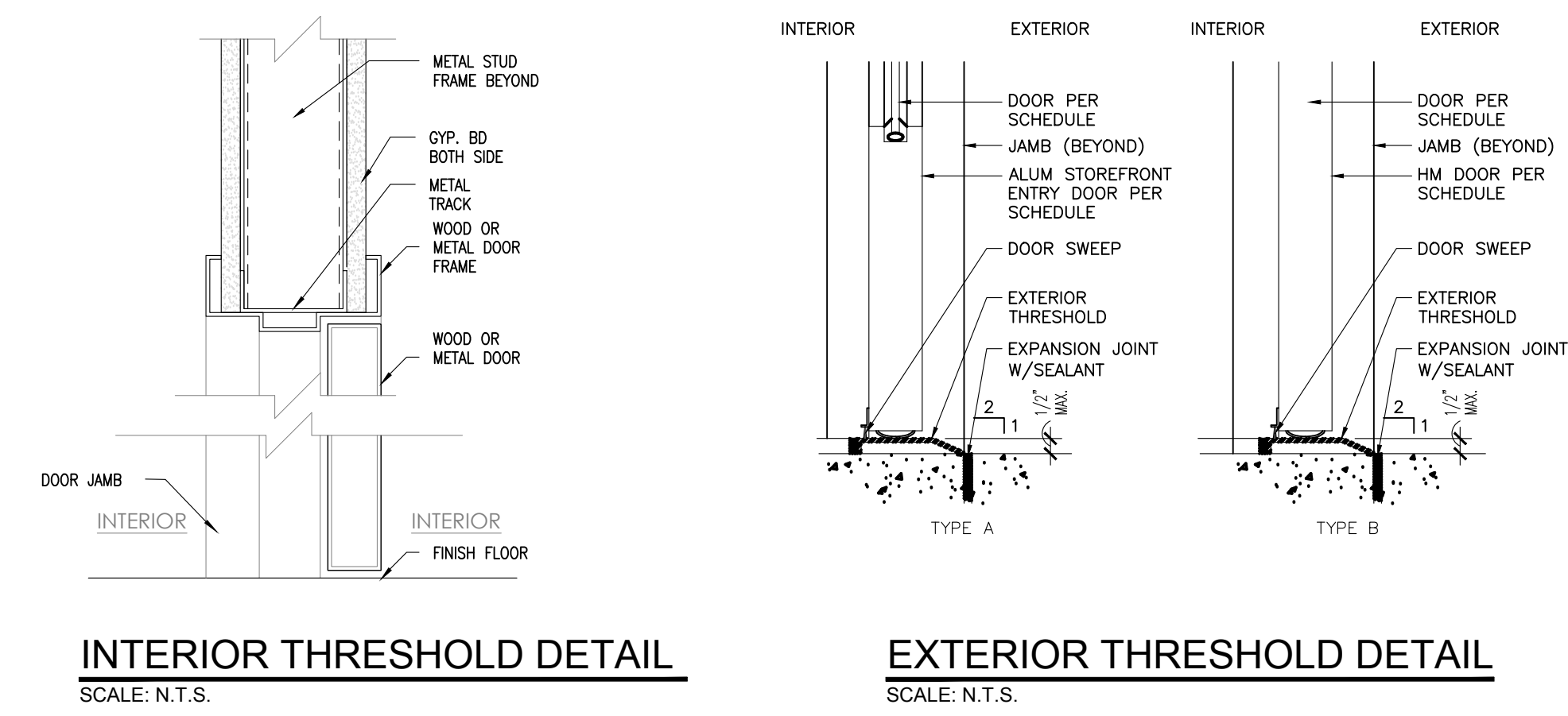
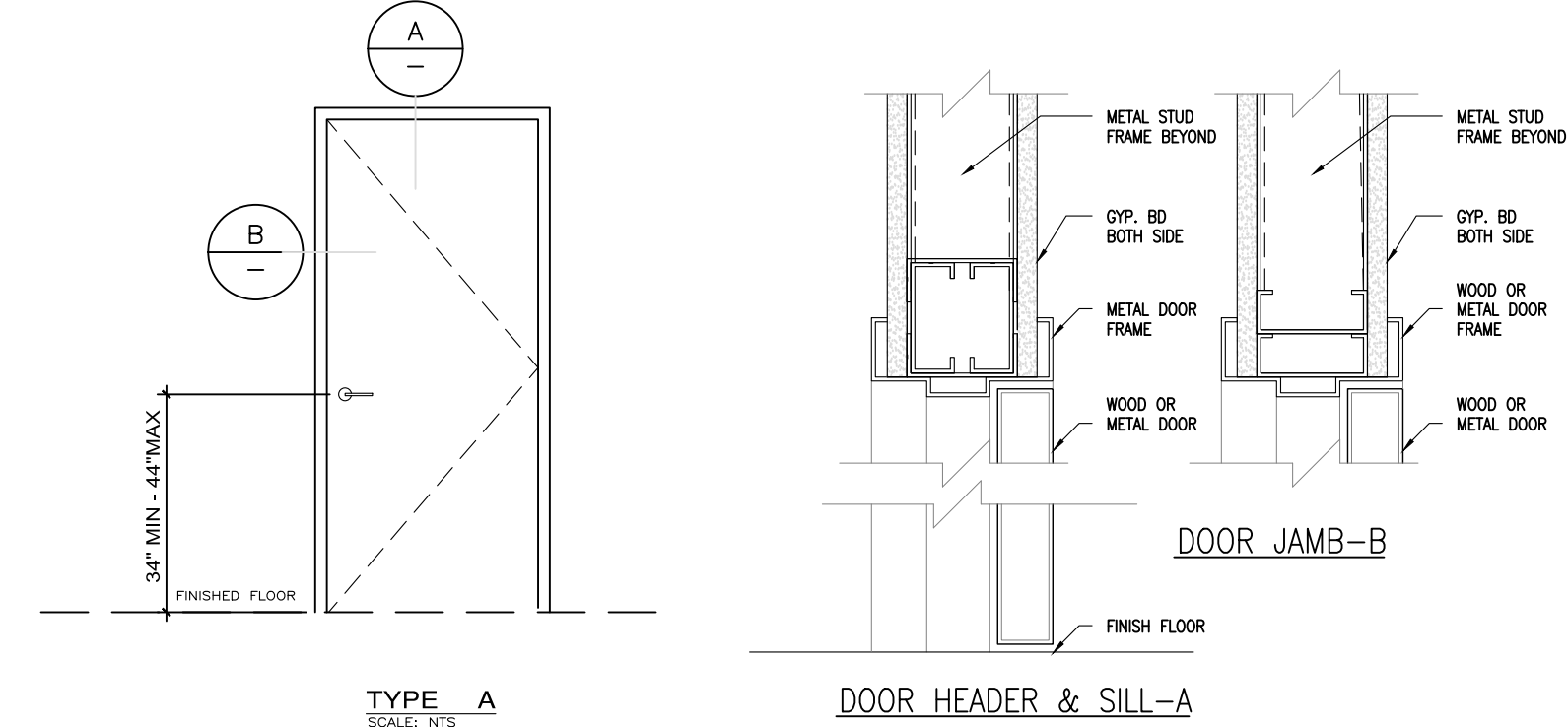
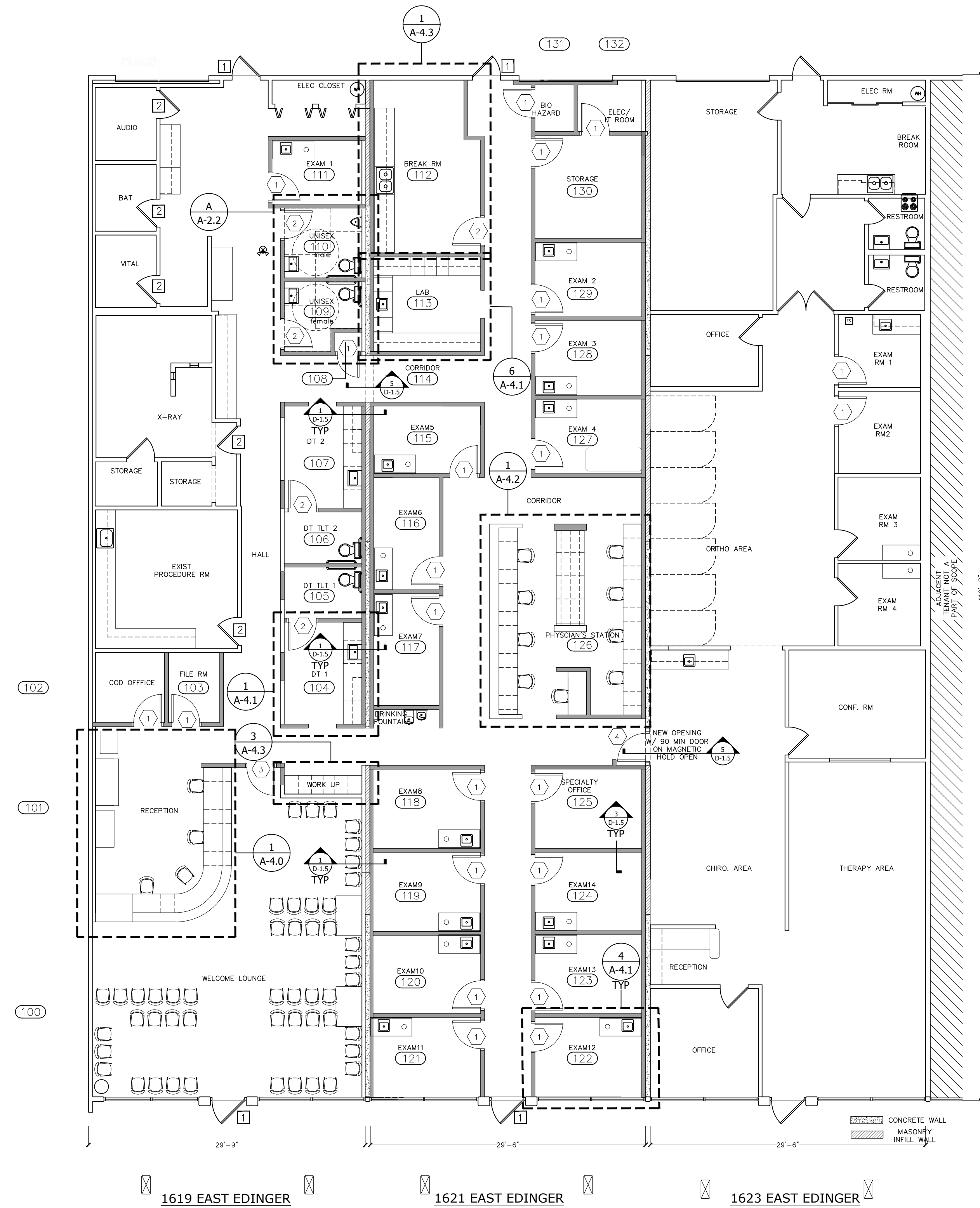
EXHIBIT 6

DOOR SCHEDULE

DOOR & FRAME SCHEDULE											
NO.	SIZE	DOOR				FRAME				HARDWARE	FIRE RATINGS & ETC.
		TYPE	MAT.	CORE	FINISH	TYPE	MAT.	FINISH			
1	36"x84"x1-3/4"	A	W	SC	PL	-	-	HM	AL	LS, CL	OFFICE (EXAM/TREATMENT)/ CONFERENCE/STORAGE
2	36"x84"x1-3/4"	A	W	SC	PL	-	-	HM	AL	LPBRS, CL	BREAK ROOM/ RESTROOMS
3	36"x84"x1-3/4"	A	W	SC	PL	T	-	HM	AL	PB, CL	HALLWAY
4	36"x84"x1-3/4"	A	HM	HM	PL	-	-	HM	AL	PB, MAGNETIC HOLD OPEN	90 MIN FIRE RATED

NOTE:
 SINGLE INTERIOR DOOR: 3'-0" X 8'-0" X 1 3/4" SOLID COOR, PLASTIC LAMINATE DOOR/PLASTIC LAMINATE TO BE: FORMICA #208-1X GLACIUR CHERRY (LUXE FINISH, TO MATCH EXISTING).
 SINGLE RATED INTERIOR DOOR: 3'-0" X 8'-0" X 1 3/4" 20 MIN RATING. BUILDING STANDARD DOOR.
 SINGLE INTERIOR DOOR: 3'-0" X 8'-0" X 1 3/4" SOLID COOR, PLASTIC LAMINATE DOOR W/ INTRAGAL FRAMED SIDELIGHT (MAX WIDTH).
 1. ALL DOORS TO BE UNDERCUT TO CLEAR FINISH COVERHANG AND/OR THRESHOLD BY 2" UNLESS OTHERWISE NOTED.
 2. ALL DOOR FRAMES TO BE: "WESTERN INTEGRATED" 1 1/2" PROFILE, CLEAR ANODIZED ALUMINUM FINISH.
 3. PROVIDE FLOOR DOOR STOPS: IVES DOME STOP, (OR EQ)

LEGEND					
AL	ANODIZED ALUMINUM	HM	HOLLOW METAL	PB	PANIC BAR
BB	BALL BEARING BOLTS	IN	INSULATED	PRE	PRE FINISHED
C	CHAIN	LPBRS	LEVER PRIVACY SET	PT	PANT
CL	CLOSER	LS	LOCK SET	SC	SOLID CORE
DB	DEAD BOLT	NRP	NON REMOVABLE PIN	ST	STAIN
GL	GLAZING	PL	PLASTIC LAMINATE	ST	STOP
				T	TEMPERED
				TH	ALUMINUM THRESHOLD
				W	WOOD
				WS	WEATHERSTRIPPING
				E	EXISTING DOOR TO REMAIN



PROPOSED FLOOR PLAN

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

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 24979 CONSTITUTION AVE. #1435
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 LISA STEWART
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 (661)481-1851

SCOPE:
 TENANT IMPROVEMENT
 AND OFFICE EXPANSION

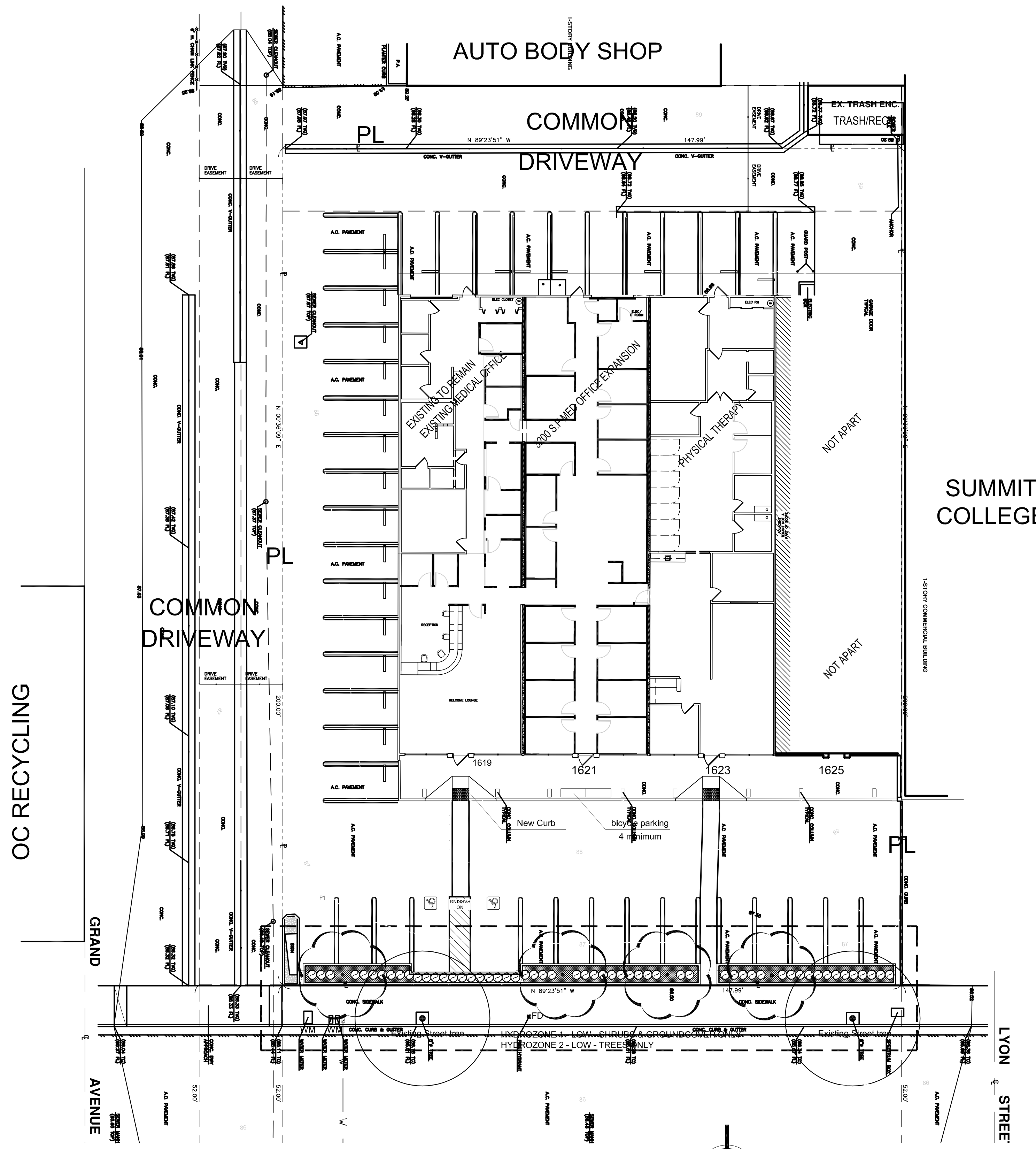
NOTES/REVISIONS:

PROJECT DATA:

DATE:	07-14-2020
ARCHITECT:	EM
CHECKED BY:	EM
DRAWN BY:	EM
PROJECT NO.:	1906
SCALE:	1/8" = 1'-0"

SHEET NAME/NUMBER:
PROPOSED FLOOR PLAN AND DOOR SCHEDULE
A-2.1

EXHIBIT 7



PLANTING PLAN

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

MULCH

A MINIMUM 3-INCH LAYER OF MULCH SHALL BE APPLIED ON ALL EXPOSED SOIL SURFACES OF PLANTING AREAS EXCEPT TURF AREAS, CREEPING OR ROOTING GROUNDCOVERS OR DIRECT SEEDING APPLICATIONS WHERE MULCH IS CONTRAINDICATED.

SOILS

UNLESS CONTRADICTED BY SOILS TEST, COMPOST AT A RATE OF A MINIMUM OF FOUR CUBIC YARDS PER 1,000 SQ. FT. OF PERMEABLE AREA SHALL BE INCORPORATED TO A DEPTH OF SIX INCHES INTO THE SOIL.

LANDSCAPE STATEMENT

I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE PRESCRIPTIVE COMPLIANCE OPTION TO THE MWELO.

Susan E. McEowen
MARCH 15, 2020

TREE LEGEND

SYMBOL → BOTANICAL NAME / WUCOLS
COMMON NAME
SIZE / QUANTITY / SIZE @ PLANTING / MAJORITY

- ZELKOVA SERRATA 'MISASHINO' / LOW COLUMNAR SAWLEAF ZELKOVA
24 INCH BOX / 4 / 10' T X 3W / 40' T X 15W
- 2 - EXISTING STREET TREES TO REMAIN
PROTECT IN PLACE

SHRUB LEGEND

SYMBOL → BOTANICAL NAME
COMMON NAME
SIZE / QUANTITY / WUCOLS

- CARISSA M. 'GREEN CARPET'
LOW GROWING NATAL PLUM
1 GAL / 56 / 1-1.5' TALL X 4' WIDE / LOW

GROUND COVER LEGEND

SYMBOL → BOTANICAL NAME / WUCOLS
COMMON NAME
SIZE / QUANTITY

- MULCH
3" LAYER
- SEDUM S. 'DRAGON'S BLOOD'
DRAGON'S BLOOD STONECROP
FLATS / PLANT @ 18" O.C. EQ. TRIANGLE SPACING
- EXISTING PEBBLES AROUND SIGN

WATER PURVEYOR

SANTA ANA WATER SERVICES
20 CIVIC CENTER PLAZA
SANTA ANA, CA 92702
ROBERT HERNANDEZ
714-641-4700

LANDSCAPER AREA & PROJECT TYPE

TOTAL LANDSCAPE AREA: 503 SQUARE FEET
PROJECT TYPE: REHABILITATED - PRIVATE

Water Efficient Landscape Worksheet

Hydrozone#/Planting Description	47.8 Santa Ana			12 month Eto for Santa Ana from Jan. 1 - Dec. 31			Estimated Total Water Use (ETWU)
	ETWU requirement	ETWU requirement	ETWU requirement	ETWU requirement	MAWA requirement	ETWU requirement	
1) low shrubs	0.2	Drip	0.81	0.247	487	120.25	3,564
2) low trees	0.2	drip	0.81	0.247	16	3.95	117
Special Landscape Areas (SLA): Recycled Water			Totals		503	124	3,681
				0	0	0	0
				0	0	0	0
				0	0	0	0
				0	0	0	0
Totals					0	124	3,681
Estimated Total Water Use (ETWU)							3,681
Maximum Allowed Water Allowance (MAWA)							6,708

ETWU must be Less than MAWA
ETWU will be "0" for 100% recycled water systems

Plant Water Use Type	Plant Factor	Irrigation method	Irrigation Efficiency
very low	0-0.1	overhead spray	0.75
low	0.1-0.3	drip	0.81
medium	0.4-0.6		
high			

ETAF Calculations
Regular Landscape Areas
Total ETAF x Area = 503
Average ETAF = 0.25

All Landscape Areas	Value
Total ETAF x Area	124
Total Area	503
Sitewide ETAF	0.25

THE OFFICE OF
SUSAN E. McEOWEN
LANDSCAPE ARCHITECT 2180
A CALIFORNIA CORPORATION
19197 Golden Valley Rd., #924
Santa Clarita, CA 91387
Office Telephone: (661) 212 3335
Email Address: susan@landarch.us

OWNER:
SUITE 200
25124 SPRINGFIELD COURT
VALENCIA, CA. 91355
MIKI STEWART

PROJECT:
MEDICAL BUILDING
1619 & 1623 E. EDINGER AVE.
SANTA ANA, CA. 92705

These drawings are not final and shall not be used for construction purposes until signed by Susan E. McEowen, Landscape Architect #2180. These plans and all contained thereon are an original, unpublished work and may not be duplicated, published or used in whole or part without prior written consent by Susan E. McEowen.

SHEET TITLE:
PLANTING PLAN



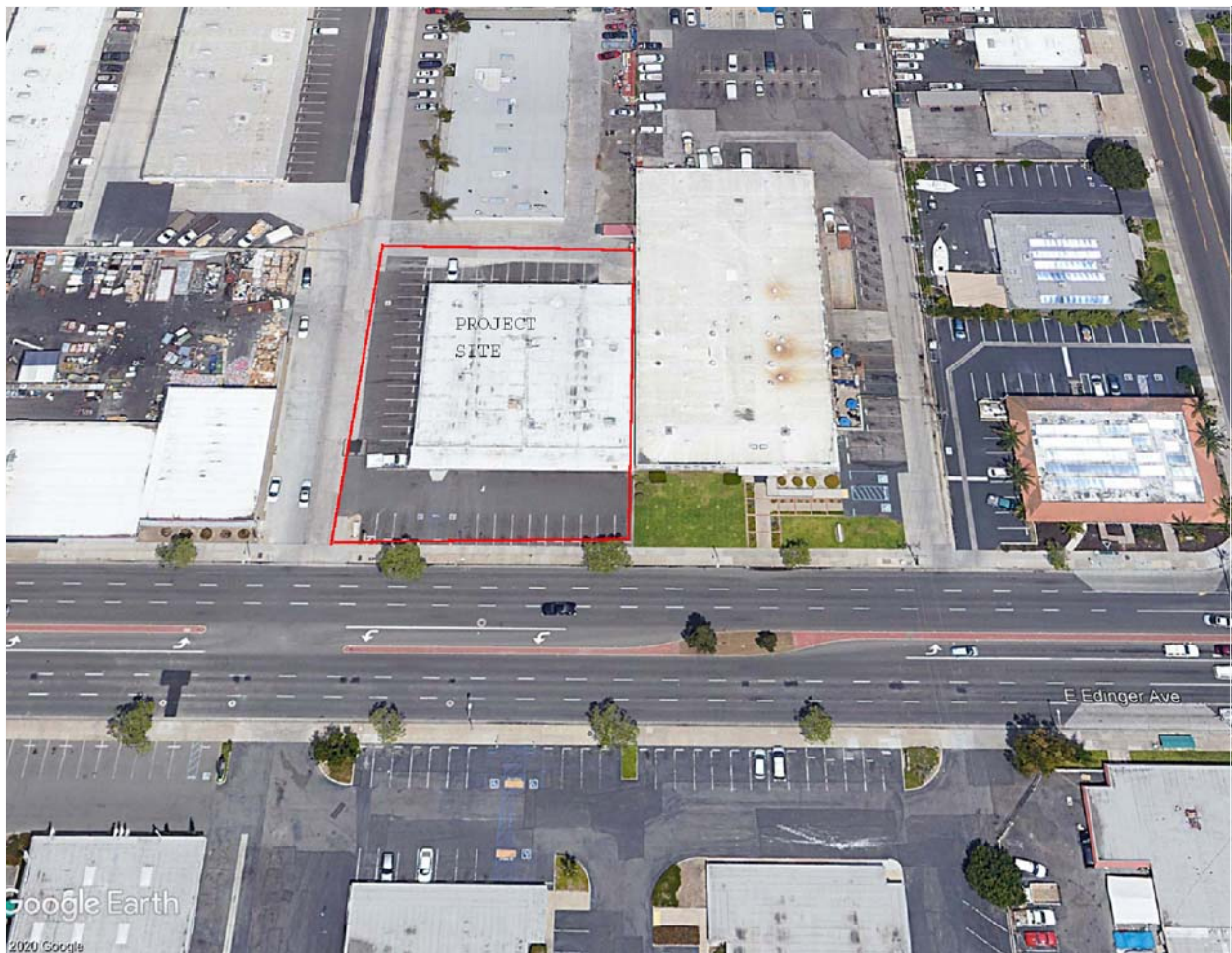
L-1

EXHIBIT 8

PARKING DEMAND STUDY

CONCENTRA

OCCUPATIONAL MEDICINE & URGENT CARE
1619, 1621, 1623 East Edinger Avenue
in the City of Santa Ana



Google Earth

Prepared by:
Overland Traffic Consultants, Inc.
952 Manhattan Beach Bl, #100
Manhattan Beach, California 90266
(310) 545-1235

April 2020



EXECUTIVE SUMMARY

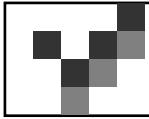
This report provides an evaluation of the parking demand for the proposed project at a site located at 1619, 1621, 1623 and 1625 East Edinger Avenue in the City of Santa Ana. The Project is located on the north side of East Edinger Avenue between South Lyon Street and Grand Avenue. There is a 12,800 square foot building existing on the site. The building is separated into four 3,200 square foot units. A permitted and occupied 3,200 industrial medical office is located within the 1619 East Edinger Avenue space of the building and a 3,200 square foot manufacturing business operates within 1625 East Edinger Avenue space of the building. The Project will:

- Expand the existing industrial medical office by an additional 3,200 square feet in the 1621 East Edinger Avenue space; and
- Provide entitlements for the associated 3,200 square feet of physical therapy space within the 1623 East Edinger Avenue portion of the building.

Surface parking for the site is provided along the southern boundary of the site and along the east and north walls of the building. After modification for path of travel and trash enclosure, there will be a total of 40 shared parking spaces provided for the building. Vehicular access is provided from East Edinger Avenue with a driveway along the western boundary of the site that is shared with the neighboring uses.

The focus of this parking demand study is to determine the City of Santa Ana code required parking and determine if the 40 parking spaces provided on-site are sufficient to accommodate the peak parking demand of the Project along with the existing uses.

The City of Santa Ana code required vehicle parking is 54 spaces. Institute of Transportation Engineers parking demand for the land uses has been determined to be 40 spaces. Based on determined usage of the Project including employees and patients, it has been found that a peak parking demand of 37 parking spaces would be needed for the combined existing and project expansion uses. The peak demand has been determined to occur from 9 to 10 AM, Noon to 2 PM and from 6 to 7 PM. This peak demand would be accommodated on site with a surplus of 3 spaces.



PARKING DEMAND STUDY

DESCRIPTION

The focus of the parking demand study is to document the City of Santa Ana code required parking for the mixed-use building located at 1619, 1621, 1623 and 1625 East Edinger Avenue and to determine the potential future peak parking demand of the building at full occupancy. Incorporated into this analysis is a goal to continue to provide sufficient on-site parking availability to accommodate the peak demand.

The 12,800 square foot building at 1619, 1621, 1623 and 1625 is currently permitted and occupied by a 3,200 square foot industrial medical office and 3,200 square foot manufacturing use. The Project, if approved, will allow for a 3,200 square foot expansion of the industrial medical office and the permit additional, associated, 3,200 square feet of physical therapy offices. Upon completion the building will house 6,800 square feet of industrial medical office with associated physical therapy and 3,200 square feet of manufacturing. A copy of the site plan is provided in Attachment A

Perpendicular parking spaces are provided along the southern boundary of the site and along the east and north walls of the building. A total of 40 on-site surface parking spaces are provided. Vehicular access is provided to/from East Edinger Avenue via a shared driveway. A channelized left turn pocket is provided on East Edinger Avenue.

PARKING DEMAND ANALYSIS PROCESS

The first step was to determine current City of Santa Ana code-parking requirement for the Project and the site as a whole. The vehicle parking requirement is 2 spaces per 1,000 square feet for the manufacturing (Section 41-1390) and 5 spaces per 1,000 square feet for the medical office (Section 41.1346).

Parking demand for the site may be reduced by use of the transit opportunities, cycling and walking in the area. The employees and patrons on site have an opportunity to use of mass transit instead of personal vehicles. Figure 1 provides a map of the Orange County mass transit services in the area.



Figure 1 Transit Services (Focused Orange County Transit Map)

Parking demand for the building based on national standards of the Institute of Transportation Engineers Parking Demand Manual was then determined based on the individual land uses and size.

Hourly parking demand for the building was then determined based on the individual land uses within the building including existing uses at code required parking rate (due to inability to collect accurate current demand) and for the Project based on operator input regarding estimated number of employees and hours and patient appointment rates and length of stay.

The estimated parking demand in this study was not reduced by anticipated transit usage to provide a conservative estimate of demand.



CITY OF SANTA ANA CODE PARKING REQUIREMENT FOR SITE

City of Santa Ana parking requirements have been calculated by the applying Zoning Code parking rates (Section 41-1390 & (Section 41-1346) as provided below in Table 1:

Table 1
City of Santa Ana Current Zoning Code Requirements

Land Use	Size	Parking Parking Requirement	Code Required Parking
Existing			
Medical Office	3,200 sf	5 per 1,000 sf	16
Manufacturing	3,200 sf	2 per 1,000 sf	6
Subtotal Existing	6,400 sf		22
Proposed			
Medical Office Expansion	3,200 sf	5 per 1,000 sf	16
Physical Therapy	3,200 sf	5 per 1,000 sf	16
Subtotal Proposed	6,400 sf		32
Total Required	12,800 sf		54

There will be 40 parking spaces on-site with the Project. The building will have 14 fewer on-site parking spaces than would be required by City code. However, as provided in the following two sections, Institute of Transportation Engineers parking demand is within the limits of the parking supply and the proposed new uses operational parking demand for patients and employees hourly in addition to the existing use will be within the limits of the parking supply.

INSTITUTE OF TRANSPORTATION ENGINEERS PARKING DEMAND

The Institute of Transportation Engineers (ITE) publishes a Parking Demand Handbook that provides parking demand rates for many land uses. The demand in the handbook has been determined by collecting parking data at multiple sites throughout the day. Parking demand in the ITE Parking Demand Manual, 5th Edition for manufacturing is identified as 0.82 spaces per 1,000 square feet. Parking demand for medical clinics and medical/dental offices have also been evaluated in the manual. The average rate for a



clinic is 3.89 spaces per 1,000 square feet with 12 sites studied. The average rate for a medical/dental office is 3.23 per 1,000 square feet with 117 sites studied. The ITE clinic rate was used in the estimate of the parking demand instead of medical/dental office because it is higher. The ITE based building's parking demand is provided on the following in Table 2.

Table 2
ITE Demand

Land Use	Size	85th Percentile Demand	Code Required Parking
<u>Existing</u>			
Medical Office	3,200 sf	3.89 per 1,000 sf	12
Manufacturing	3,200 sf	0.82 per 1,000 sf	3
Subtotal Existing	6,400 sf		15
<u>Proposed</u>			
Medical Office Expansion	3,200 sf	3.89 per 1,000 sf	12
Physical Therapy	3,200 sf	3.89 per 1,000 sf	12
Subtotal Proposed	6,400 sf		24
Total Required	12,800 sf		39

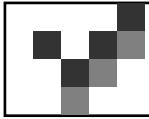
There will be 40 parking spaces on-site with the Project which exceeds the ITE estimated parking demand by one space.

HOURLY PARKING DEMAND BASED ON OPERATIONAL USE

Parking demand for the project and the building as a whole at 1619, 1621, 1623 and 1625 East Edinger Avenue has been determined based on current estimated demand with the Project land use demand added.

Existing Demand

The existing land uses include the 3,200 square foot industrial medical office and 3,200 square foot manufacturing use. Optimally, the building site would be surveyed to determine the existing uses demand within the parking lot. Unfortunately, this report has been initiated during the coronavirus business shutdowns and government stay put request. Parking demand counts during this time would not be representative of a typical



day. Therefore, existing parking demand was estimated as the code required parking for these two land uses. As shown in Table 1, existing parking demand is estimated as 22 parking spaces. In order to provide a conservative analysis, parking demand for every hour was estimated as 22 even though the demand would likely be smaller during different times of the day.

Project Demand

The Project parking demand was based on operations determined for the proposed 3,200 square foot industrial medical office expansion and the associated 3,200 square foot physical therapy office. Existing operators of the industrial medical office and physical therapy indicated the following:

Patients: 24 to 33 per day with 2 to 3 per hour

Employees: 9 new employees

The hours of operation are from 7 AM to 9 PM. As shown in Table 3 on the following page, the Project would create a parking demand of 11 to 15 parking spaces. When added to the existing parking demand for 22 spaces, the peak parking demand is 37 parking spaces. This peak occurs from 9 to 10 AM, noon to 2 PM and again in the evening from 6 to 7 PM. The building will have 6 more on-site parking spaces than would be needed according to parking demand based on operational use of the Project. Figure 2 on page 8, displays the hourly parking demand and found in Table 3 of the patients, the employees, the patients + employees, the existing uses and the combined total.

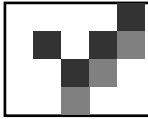


Table 3
SITE Parking Demand

40 Parking Spaces Provided

Time	Additon + Physical Therapy (Project)		Patients Parked	Employees Parked	Project Total Parking Demand	Existing Uses Parking Demand	Combined Demand Expansion + Existing	Parking Supply Available	Parking Surplus
	In	Out							
6 to 7 AM	0	0	0	0	0	0	40	40	
7 to 8 AM	2	0	2	9	11	22	33	40	7
8 to 9 AM	3	0	5	9	14	22	36	40	4
9 to 10 AM	3	-2	6	9	15	22	37	40	3
10 to 11 AM	2	-3	5	9	14	22	36	40	4
11 to Noon	3	-3	5	9	14	22	36	40	4
12 to 1 PM	3	-2	6	9	15	22	37	40	3
1 to 2 PM	3	-3	6	9	15	22	37	40	3
2 to 3 PM	2	-3	5	9	14	22	36	40	4
3 to 4 PM	2	-3	4	9	13	22	35	40	5
4 to 5 PM	2	-2	4	9	13	22	35	40	5
5 to 6 PM	3	-2	5	9	14	22	36	40	4
6 to 7 PM	3	-2	6	9	15	22	37	40	3
7 to 8 PM	2	-3	5	9	14	22	36	40	4
8 to 9 PM	0	-3	2	9	11	22	33	40	7
9 to 10 PM	0	-2	0	0	0	0	0	40	40

33 new patients per day

Stay estimated 2 hours per patient max

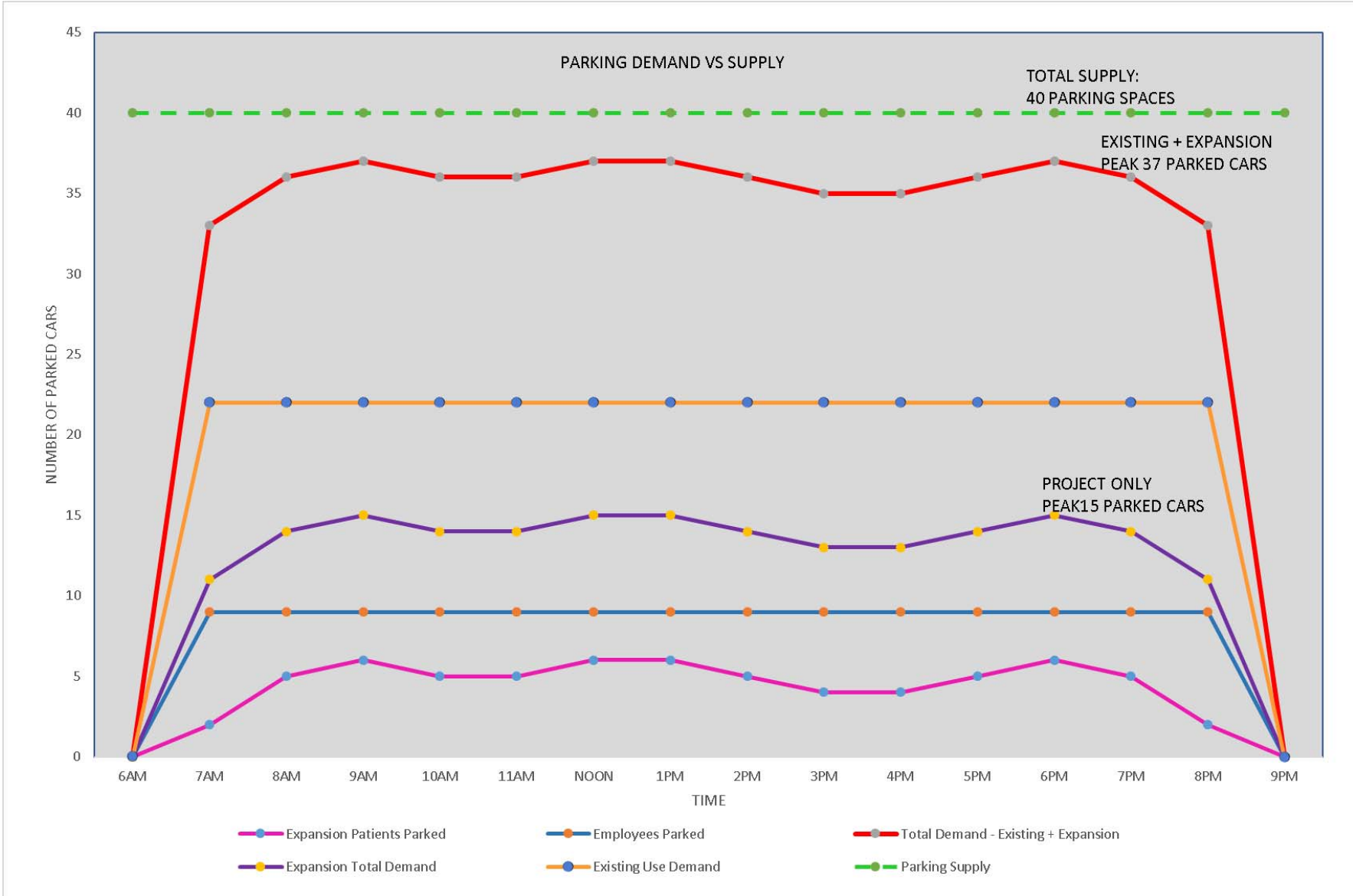


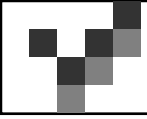
Figure 2, Chart of Hourly Parking Demand



PARKING DEMAND FINDINGS & SUMMARY

A demand parking analysis was conducted including the existing uses on site and the Project components including 40 parking spaces, 6,800 square feet of industrial medical office with associated physical therapy and 3,200 square feet of manufacturing.

- The site does not have enough parking to meet City code requirements for 54 parking.
- Enough parking is provided to meet estimated ITE Parking Demand of 40 spaces.
- Hourly parking demand based on operational use at 1619, 1621, 1623 and 1625 East Edinger Avenue site is estimated as a maximum of 37 parking spaces from 9 to 10 AM, noon to 2 PM and again in the evening from 6 to 7 PM.
- Peak parking demand for the site with the expansion of 3,200 square foot industrial medical office and 3,200 square foot physical therapy medical office is met with 3 surplus parking spaces.



Overland Traffic Consultants, Inc.

**Attachment A
Proposed Project Site Plan**

EDWIN MOHABIR
EM
ARCHITECT, INC.

SANTA CLARITA, CA 91381
2479 CONSTITUTION AVE. #1435
EDWINMOHABIR@GMAIL.COM
TEL: 323-459-8809

EXPOSED
EDWIN MOHABIR
C23674
Exp. 02-28-21
STATE OF CALIFORNIA

OWNER ADDRESS:
Concentra
1619-1623 EDINGER AVE.
SANTA ANA, CA 92705

CONTACT:
LISA STEWART
CONSTRUCTION MANAGER
(661)481-1851

SCOPE:
TENANT IMPROVEMENT
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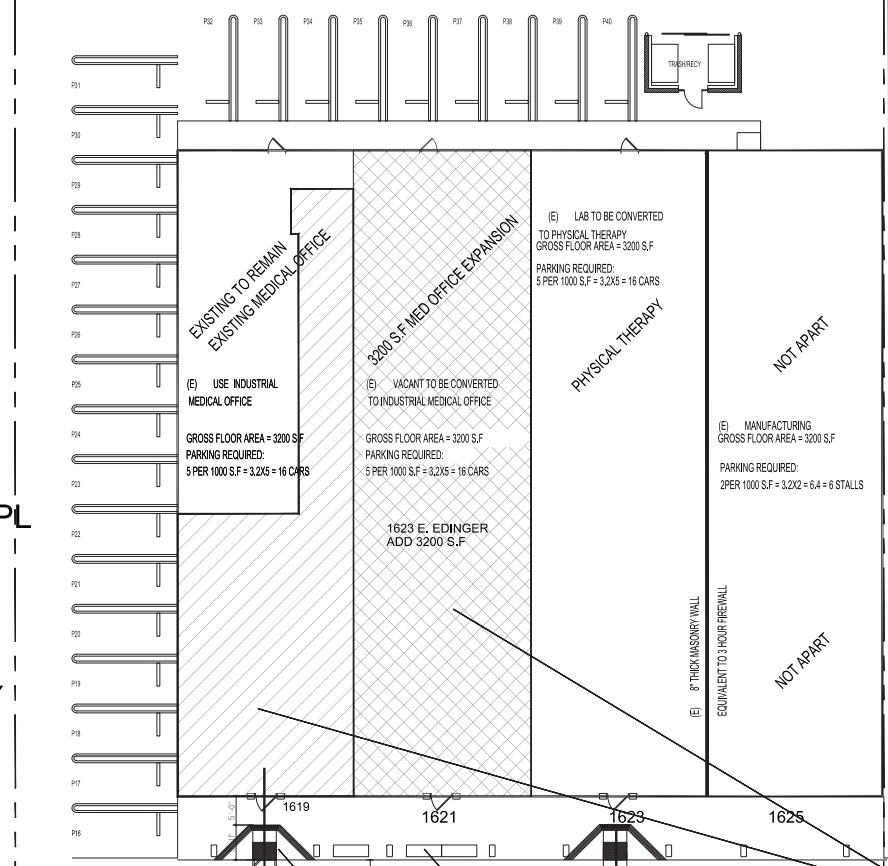
NOTES/REVISIONS:

PROJECT DATA:

DATE:	04-22-2020
ARCHITECT:	EM
CHECKED BY:	EM
DRAWN BY:	EM
PROJECT NO.:	1906
SCALE:	1" = 10'-0"

SHEET NAME/NUMBER:
CUP PLOT PLAN
A-1.0

COMMON DRIVEWAY



SUMMIT COLLEGE

ITEM # A6 - PARKING TABULATION
PARKING REQUIRED:

1619 E. EDINGER	16 STALLS
1621 E. EDINGER	16 STALLS
1623 E. EDINGER	16 STALLS
1625 E. EDINGER	6 STALLS
TOTAL REQUIRED	54 STALLS
PARKING PROVIDED	40 STALLS
PARKING DEFICIT	14 STALLS
PERCENTAGE DEFICIT	26
VA REQUIRED	

PROJECT DATA

Project Address:
1619 E. Edinger Ave
1621 E. Edinger Ave
1623 E. Edinger Ave
APN: 402-241-10

Applicant:
Edwin Mohabir (323)459-8809

General Plan Land Use Designation Light Industrial
Allowable FAR ?
Zoning M1
Total Lot Area 33,839 square feet 0.78 ac.
Existing medical office = 3200 square feet
Proposed medical expansion = 3200 square feet
Proposed Physical Therapy = 3200 square feet
Existing Manufacturing = 3200 square feet

Parking Tabulation:
Gross floor area for all medical use = 9600 square feet
Parking required 5 per 1000 s.f. = 48 stalls
Manufacturing 2 per 1000 s.f. = 6.4 stalls
Total parking required = 54 stalls
Existing parking = 38 stalls
Existing ADA complying stalls = 2 stalls
Total provided = 40 stalls

Occupancy Type:
1619 E. Edinger Ave Group B Occupancy
1621 E. Edinger Ave Group B Occupancy proposed
1623 E. Edinger Ave Group B Occupancy proposed
1625 E. Edinger Ave Group F1 Occupancy
Construction type Type VB
Exterior walls Masonry
Roof Materials Panelized roof with wood beams and purlins
Non Sprinklered Building

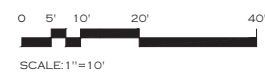
There are no existing or proposed easements.
There are no fence around the property.

SHEET INDEX:

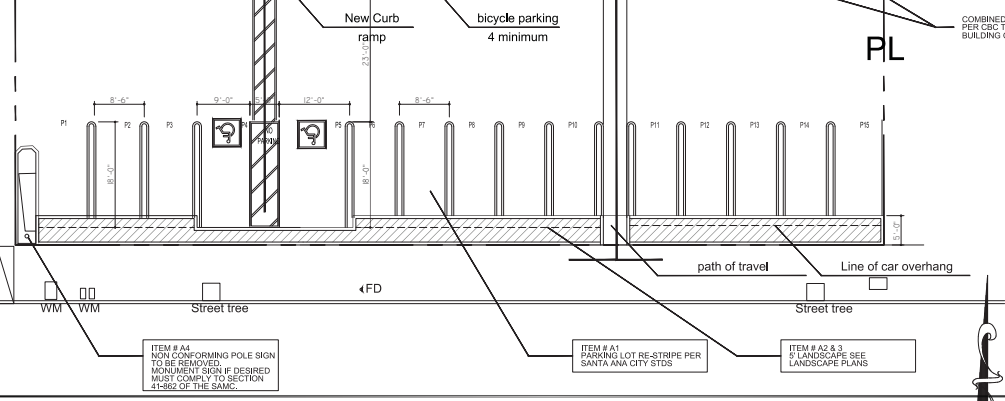
- A-1.0 CUP PLOT PLAN
- A-1.1 SITE PLAN
- A-1.2 PARKING CALCULATIONS
- A-1.3 AREA CALCULATIONS
- A-2.0 EXITING FLOOR PLAN
- A-2.1 PROPOSED FLOOR PLAN
- A-2.2 OCCUPANT LOAD AND EXITING PLAN
- C-1 COVER SHEET
- C-2 UTILITY PLAN
- L-1 PLANTING PLAN
- L-2 IRRIGATION PLAN
- L-3 DETAILS
- L-4 DETAILS
- L-5 DETAILS
- L-6 NOTES

LEGEND

--- POT: Accessible path of travel as indicated on plan is a barrier free access route without any abrupt level changes exceeding 1/4" if bevel at 1:2 max. slope, or vertical level changes not exceeding 1/4" and at least 48" in width. The surface is stable, firm, and slip resistant. Cross slope does not exceed 2% and slope in the direction of travel is less than 5% slope, unless otherwise indicated. Landing at doorways shall be 2% max.



COMMON DRIVEWAY



ITEM # A4
NON CONFORMING POLE SIGN
TO BE REMOVED.
MONUMENT SIGN IF DESIRED
MUST COMPLY TO SECTION
41-862 OF THE S.M.C.

ITEM # A1
PARKING LOT RE-STRIPE PER
SANTA ANA CITY STDS

ITEM # A2 & 3
LANDSCAPE SEE
LANDSCAPE PLANS