



SPECIFIC DEVELOPMENT No. 39

AMENDMENT APPLICATION 949

NS-1856

ORDINANCE NO. NS-1856

AN ORDINANCE OF THE CITY OF SANTA ANA REZONING CERTAIN PROPERTY LOCATED AT THE NORTHWEST CORNER OF FIRST STREET AND BROADWAY FROM THE C2, C3 AND CD DISTRICTS TO THE SD (SPECIFIC DEVELOPMENT) DISTRICT AND ADOPTING SPECIFIC DEVELOPMENT PLAN NO. 39

WHEREAS, Amendment Application No. 949 has been filed to make a certain change in the zoning district designation of certain real property, as hereinafter set forth; and

WHEREAS, the Planning Commission after duly noticed public hearing, has recommended approval of the change in use district designation as proposed in said Amendment Application; and the approval of Specific Development Plan No. 39 for said property; and


WHEREAS, this Council, after duly noticed public hearing, has determined that the change in use district designation proposed in the abovesaid Amendment Application and the approval of Specific Development Plan No. 39, are justified by the public necessity, convenience and general welfare;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA ANA DOES ORDAIN AS FOLLOWS:

1. That parcel of real property located generally at the northwest corner of First Street and Broadway and more specifically located as set forth in Exhibit A, attached hereto and incorporated herein by reference, is hereby reclassified from the C2, C3 and CD Districts to the SD (Specific Development) District.
2. Specific Development Plan No. 39 set forth in Exhibit B, attached hereto and incorporated herein by reference, is hereby approved for the abovedescribed real property.
3. An amended Sectional District Map No. 12-5-10 and showing the abovedescribed changes in use district designation is hereby adopted.
4. The "Environmental Findings, Park Place Apartments Development (A-12 Development Site)", attached hereto as Exhibit C, are incorporated herein by reference, and approved

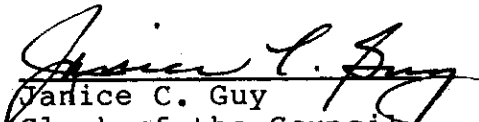
and adopted by the City Council. Officers and employees of the City of Santa Ana are directed to assist the Executive Director of the Santa Ana Redevelopment Agency in the implementation of all mitigation measures set forth in the final Supplemental Impact Report for the Park Place Apartments Development.

ADOPTED this 7th day of July, 1986




Daniel E. Griset, Mayor

ATTEST:



Janice C. Guy
Clerk of the Council

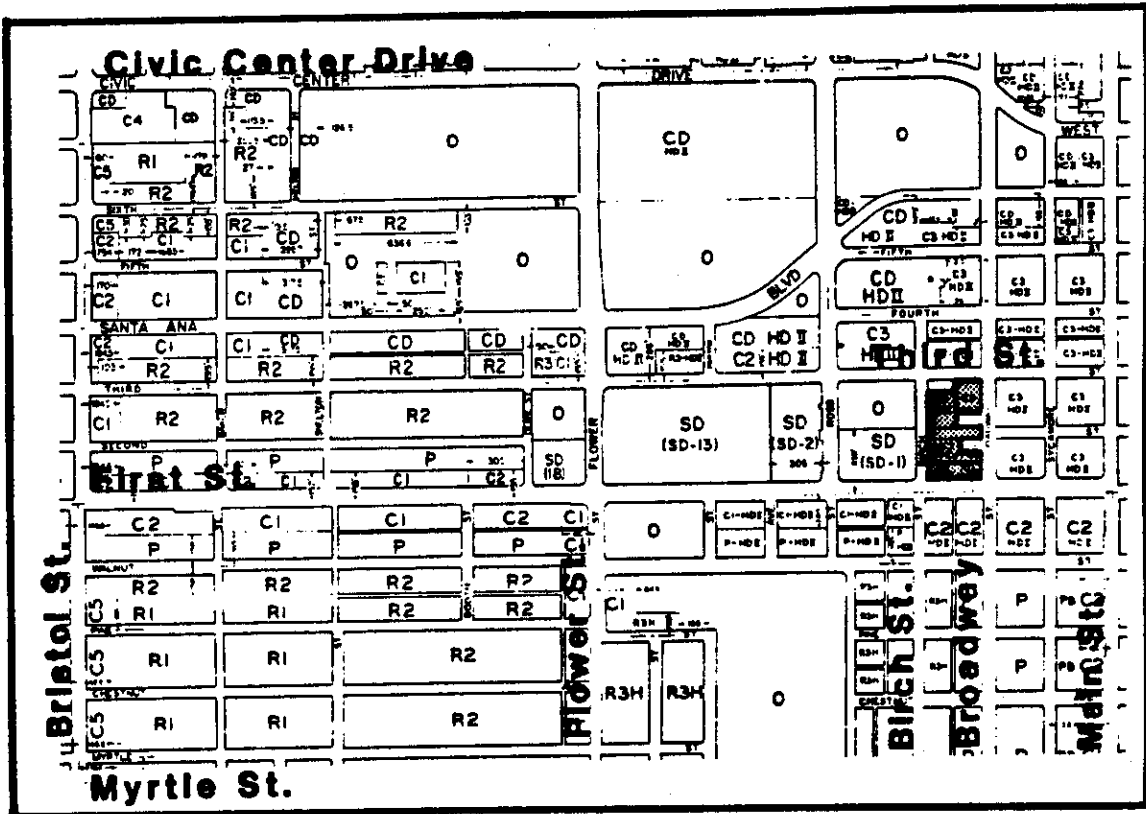
APPROVED AS TO FORM:



Edward J. Cooper
City Attorney

COUNCILMEMBERS:

Acosta	<u>Aye</u>
Griset	<u>Aye</u>
Hart	<u>Aye</u>
Johnson	<u>Aye</u>
Luxembourger	<u>Aye</u>
McGuigan	<u>Aye</u>
Young	<u>Aye</u>

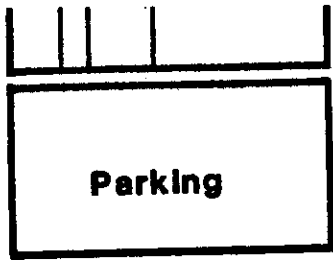
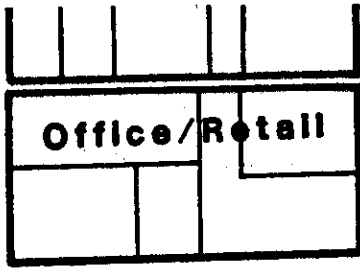
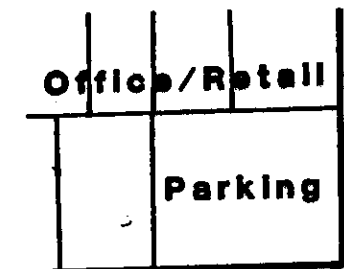


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|-----|--|----|-------------------------|-------|---------------------------------|
| O | OPEN SPACE | LP | LIMITED PROFESSIONAL | CM | COMMERCIAL MANUFACTURING |
| A1 | GENERAL AGRICULTURE | P | PROFESSIONAL | LM | LIMITED MANUFACTURING |
| RE | RESIDENTIAL ESTATE | CR | COMMERCIAL RESIDENTIAL | M1 | LIGHT INDUSTRIAL |
| R1 | SINGLE FAMILY RESIDENTIAL | C1 | COMMUNITY COMMERCIAL | M2 | HEAVY INDUSTRIAL |
| R2 | LIMITED MULTIPLE FAMILY RESIDENTIAL | C2 | GENERAL COMMERCIAL | -PD | PLANNED DEVELOPMENT |
| R3 | MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL | C3 | CENTRAL BUSINESS | -PRD | PLANNED RESIDENTIAL DEVELOPMENT |
| R3H | HIGH DENSITY MULTIPLE FAMILY RESIDENTIAL | C4 | PLANNED SHOPPING CENTER | -SD | SPECIFIC DEVELOPMENT |
| R4 | SUBURBAN APARTMENT | C5 | ARTERIAL COMMERCIAL | -B | PARKING MODIFICATION |
| CD | CIVIC DEVELOPMENT | | | -HDII | HEIGHT DISTRICT II |

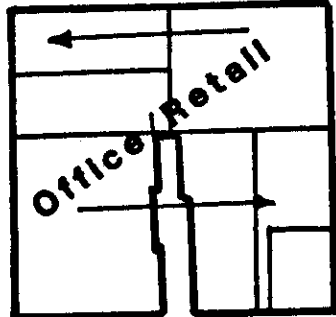
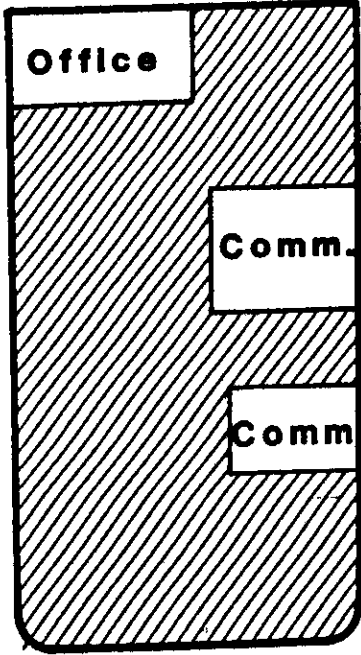
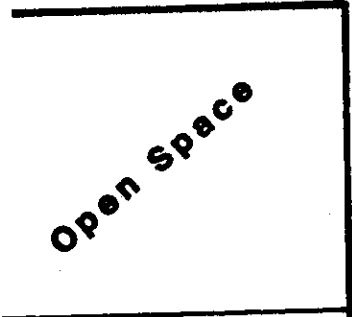
AA 949/SD 39



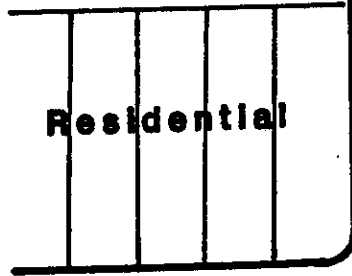
EXHIBIT A



Third St.

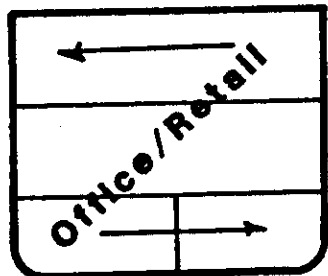


Second St.

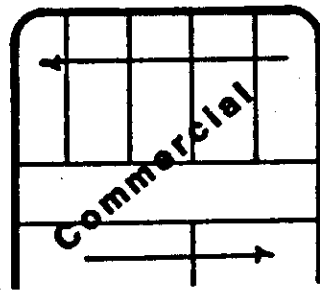
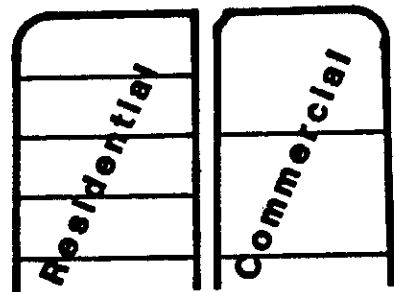
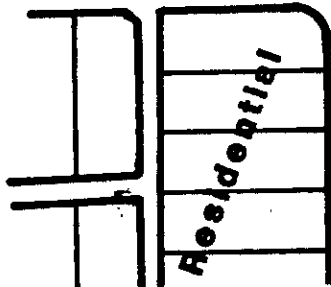


Birch St.

Broadway



First St.



AA 949/SD 39

First St./Third St./Birch St./Broadway

EXHIBIT A

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EXHIBIT B

SPECIFIC DEVELOPMENT PLAN NO. 39

Section 1. APPLICABILITY OF ORDINANCE

The Specific Development Zoning District for the subject property, the northwest corner of First Street at Broadway, bounded by First, Broadway, Birch and Third Streets, as authorized by Chapter 41, Division 26, Section 41-593 et seq. of the Santa Ana Municipal Code, is specifically subject to the standards and regulations contained in this plan for the express purpose of establishing land use regulations and standards.

Section 2. PURPOSE

The SD-39 Specific Development Plan, consisting of standards and regulations, is hereby established for the express purpose of protecting the health, safety, and general welfare of the people of the City by promoting and enhancing the value of properties and encouraging orderly development.

Section 3. USES PERMITTED

A 196-unit apartment project with a density of 66 units per acre and associated parking, accessory facilities, and 14,500 square feet of commercial retail use.

Section 4. HEIGHT LIMIT

No structure on the property shall exceed an elevation of 45 feet from grade.

Section 5. DEVELOPMENT STANDARDS

- | | | | |
|-----------------------|------------|-----|-----------|
| A. Residential Units: | 196 | | |
| B. Density: | 66 Du/Ac | | |
| C. Buildings: | 2 Main | and | Accessory |
| | Structures | | |

D. Parking:

Parking design criteria shall allow the use of tandem parking to achieve solution to parking requirement providing an approved parking management plan is used to govern space assignments.

1) Subterranean	298
2) Surface Parking (Residential)	36
3) Surface Parking (Retail)	26
4) Public Parking Structure	72
	<hr/>
Total Provided	432

E. Unit Type:

1) 1 Bedroom/1 Bathroom	620 Sq. Ft.	105 Units
2) 2 Bedrooms/1 Bathroom	895 Sq. Ft.	61 Units
3) 2 Bedrooms/2 Bathrooms	970 Sq. Ft.	<u>30 Units</u>
Total		196 Units

F. Site Plan:

1) Site Area	129,325 Sq. Ft.	100 %
2) Building Coverage	40,513 Sq. Ft.	31 %
3) Driveway/Parking	31,856 Sq. Ft.	24 %
4) Open Space/ Landscaping	56,956 Sq. Ft.	45 %

G. Building Setbacks:

1) Front:	10 Feet	(Existing Structures)
2) Rear:	25 Feet	
3) Side:	20 Feet	

H. Walls:

Architecturally integrated six foot high masonry wall along exterior property lines. If necessary, developer shall remove, replace or alter any existing fencing on-site or adjacent properties to consolidate

fencing. All fencing design, materials and location shall be subject to the approval of the Planning Manager.

I. Signage:

A monument sign identifying the project shall be limited to the main entrance on Third Street at Birch and Second Street and shall be incorporated into the landscaped setback. Said sign shall not be internally illuminated and shall be limited to 30 square feet in area. Said sign may also be incorporated into exterior fencing with the approval of the Planning Manager. Exact locations of signs shall be coordinated by the Planning Department.

Section 6. OPERATIONAL STANDARDS

A. PLANNING

1. Should the Planning Commission recommend approval of Amendment Application No. 949 and Specific Development Plan No. 39, the project must comply with all applicable sections of the Santa Ana Municipal Code, the California Administrative Code, the 1982 Uniform Fire Code, the Uniform Building Code and other applicable regulations. In addition, it shall meet the following:
 - a) Meet all mitigation measures required in the Environmental Impact Report.
 - b) Design issues such as exterior materials and colors will be reviewed prior to construction. Both exterior materials and colors of the proposed project shall be in keeping with the materials and muted colors of adjacent historic structures.
 - c) Individually locking carport storage compartments of 180 cubic feet shall be provided at a minimum of at least one per unit.
 - d) That there be no after-hours operation (between 6:00 P.M. and 6:00 A.M.) applicable to the proposed retail use.
 - e) That there be no gaming devices, such as pool tables, pinball machines, motion picture booths, etc. allowed in the retail use.

- f) That a screening plan for mechanical equipment or appurtenances be submitted to and approved by the Planning Department.
- g) That all fences and fence materials be compatible with the existing character of the established historic community. Extensive use of slumpstone decorative masonry fences, ornamental wrought iron with hedge shall be encouraged.
- h) Prior to the release of occupancy permits, all on-site improvements, including landscaping, shall be in place.
- i) That a landscape plan be submitted to and approved by the Planning Department, including the provisions of Sec. 41-618 of the Zoning Ordinance (prior to issuance of a building permit) and that said landscaping be installed (prior to utility release) and be continuously maintained.
- j) The project shall be constructed in accordance with the approved specific development plan subject to all conditions of staff and minor modifications approved by the Planning Department.

B. PERMITS AND INSPECTIONS

- 1. Submit complete engineered plans for plan check review showing compliance to the following: the Uniform Building, Plumbing, and Mechanical Codes; the National Electrical Code; State Requirements for Sound and Energy; and the Federal Flood Zone Protection.
- 2. Separate permits are required for the removal of existing structures.

C. UTILITIES AGENCY

- 1. Pay sewer connection fees.
- 2. Pay O.C.S.D. No. 1 fees.
- 3. Pay cost of water service and fire protection facilities installation.

NOTE: The existing water main in Second Street will be abandoned. The existing water main in Birch Street must be abandoned or

relocated in conjunction with the Birch Street closure due to conflicts with the structures shown on the plan submitted with these proceedings.

4. Relocate the existing water services from Second Street and Birch Street as required by the Utilities Agency.
5. Abandon Second Street water main as required by the Utilities Agency.
6. Abandon or reconstruct Birch Street water main as required by the Utilities Agency.

NOTE: All, or some portion of, the existing sewer main in Birch Street, Second Street and the alley just west of Broadway will need to be abandoned to accommodate this project. New sewer facilities will need to be constructed to continue sewer service to existing premises that are to remain.

7. Abandon existing sewer facilities as required by the Utilities Agency.
8. Construct new sewer facilities as required by the Utilities Agency.
9. Retain easements over abandoned Birch Street if it is determined Utilities Agency facilities may remain.
10. Coordinate Birch Street closure and Greenbelt/Fire Lane Design with the Utilities Agency.
11. Provide improvement plans by a Registered Civil Engineer as required by the Utilities Agency (to include Greenbelt/Fire Lane improvements and landscaping.)

D. PUBLIC SERVICES AGENCY

1. Prior to the issuance of a building permit, complete the following:
 - a) Pay the drainage assessment fee of \$2,285.00 per acre.

NOTE: The fee has been paid on a small portion of the property.

- b) Pay the Transportation System Improvement fee of 1% of the value of construction.
- c) Obtain the abandonment of the public alleys, Birch Street and the portion of Second Street as necessary.

NOTE: Initiate the abandonments through the Redevelopment Agency Real Estate Division.

- d) Dedicate a spandrel with a 27 foot radius property line at the southwest corner of Broadway and Third Street.
- e) Submit the following items to the Public Services Agency:

- 1) A final grading plan and/or an on-site drainage plan, showing the direction and means of flow to the adjacent streets or storm drains. The plan is to include existing and proposed elevations at and adjacent to all property lines.
- 2) A site plan showing trash bin enclosure locations and their proximity to the trash pick up location.

NOTE: Trash bins must be able to be rolled with reasonable ease to the trash truck.

- 3) Improvement plans for the following:
 - (a) First Street
 - (b) Broadway
 - (c) Third Street
 - (d) Birch Street
 - (e) Second Street

NOTE: The need for plans depends on the extent of improvements. Review requirements to determine the extent of need.

2. Prior to the issuance of a utility, complete the following requirements:

a) Improve streets and easement as follows:

1) First Street

- (a) Construct ornamental street lighting with underground power distribution.

NOTE: Contact a City lighting consultant at 834-4929 for details.

- (b) Remove and reconstruct the Birch Street entrance to the Senior Citizens building as required and approved.

2) Former Birch Street Easement

- (a) Remove existing improvements except west sidewalk and street trees on west side of street.

- (b) Construct curb, gutter, paving and a drive approach at the entrance to the Senior Citizens Housing. The drive approach to the safety access is to have a 4 inch curb face.

- (c) Construct turf block or other approved paving for the safety access.

- (d) Construct drainage facilities as necessary and/or deal with drainage as required by the grading plan.

- (e) Relocate and maintain or construct safety lighting as required.

3) Broadway

- (a) Remove all existing sidewalk and construct downtown area theme sidewalk.

- (b) Construct drive approaches as required and approved. The approach north of the Shankle Building will be posted "EXIT ONLY".

- (c) Remove and reconstruct the curb return at Third Street with a 35 foot radius and a wheelchair ramp. Reconstruct the traffic signal and adjacent street as necessary.

4) Second Street

- (a) Construct street tree wells on the south side of the street and plant street trees per City Standard #124.

NOTE: Contact Clint Jones at the City Yard, 834-4922, for details.

- (b) Remove street and construct transition to the complex as is required and approved.

5) Third Street

- (a) Remove and reconstruct sidewalk as necessary from Broadway to the drive approach at the Minter House.

- (b) Remove the curb returns at Birch Street, construct curb, gutter, sidewalk and adjacent paving as required. Construct emergency vehicle drive approach with a 4 inch curb face.

E. FIRE

1. The proposed commercial and residential development shall comply with all applicable sections of the 1982 Uniform Fire Code, the California Administrative Code, and the City of Santa Ana Municipal Code which shall include but not be limited to:

- a) Storage, dispensing or use of any flammable or combustible liquids, flammable gases, and hazardous chemicals shall comply with Uniform Fire Code regulations.

- b) High piled combustible stock (combustible materials in closely packed piles more than 15 feet in height or on pallets or in racks more than 12 feet high, rubber tires, plas-

tics, and some flammable liquids more than six feet in height) shall comply with Uniform Fire Code and N.F.P.A. regulations.

- c) Fire sprinkler system(s) per N.F.P.A. Standard 13 shall be provided.
- d) Accessible hydrant(s) shall be provided and located within 150 feet of all portions of exterior walls on the first floor in conformance with City Standards Numbers 403 and 423, Revised.
- e) Fire apparatus access is required. Provide two separate but interconnected means of ingress and egress. Access shall be at least 20 feet in clear width. A 40 foot outside and 20 foot inside turn radius shall be provided. The total width must be continuously paved to accommodate 40,000 pounds and shall not exceed the angle of departure for fire apparatus on any slope. Access roadways shall have a vertical clearance of not less than 13 feet 6 inches above the finished driveway surface.
- f) Vehicular access and hydrants shall be in service prior to commencement of construction.
- g) Class I or III standpipe is required.
- h) Provide an approved fire alarm system.
- i) Provide portable fire extinguishers.
- j) Drapes and other decorative materials shall be flame retardant. Certification thereof shall be provided. Exits, exit lights, fire alarm stations, hose cabinets and extinguisher locations shall not be concealed by decorative material.
- k) Provide laddering capabilities to approved emergency egress or rescue windows below the 4th floor. Clear distance from buildings of 1/4 height to window plus 2 feet.
- l) Provide site plans showing distance to buildings on all 4 sides within 100 feet. Show construction, height, length and type of roof of exposed buildings. Show location of existing hydrants within 150 feet.

F. POLICE

1. Must comply with the provisions of Chapter 8, Article II, Division 3 of the Santa Ana Municipal Code, Building Security Ordinance. This applies to all new construction.
2. Exterior doorways shall be equipped with a lighting device capable of providing a minimum maintained one footcandle of light at the base of the door.
3. Open parking lots shall be provided with a minimum maintained one footcandle of light on the parking surface from dusk until dawn.
4. All exterior lights must be equipped with vandal resistant covers. Light shall not shine away from the subject property.
5. All walkways and aisles shall be equipped with a lighting device capable of providing a minimum maintained .25 footcandle of light between lights.
6. All hardware must meet with the approval of the Santa Ana Police Department's approved products list.
7. A computerized footcandle printout of the parking lot must be submitted to the Police Department's Community Services section.
8. All security notes must be incorporated into the final set of plans.

Should you have any questions, please contact Monica Hernandez or Mike McCoy at 834-4956.

LANDSCAPE REQUIREMENTS

AA 949 and SD 39

Park Place

The present site has established tree, shrubs, and ground cover of merit and deserves special consideration. Landscape design shall:

1. Preserve existing established on-site trees, i.e. Palms, London Plane, etc.
2. Incorporate established on-site trees into new landscape design or replacement with trees of like size (48" box replacement for existing 48" box tree).
3. Complement and soften fences with appropriate vines. Select vines that offer distinctive leaf pattern/texture, attractive flowers (fragrance and long blooming season), colorful fruit/berries are all considerations.
4. Use annual color and flowering ground covers to create a high quality living environment. Focus on color impact/pattern, length of bloom, and fragrance.
5. Accent shrubs, with emphasis on leaf texture, flowers and berries, fall color (if deciduous), bark color/texture, branch structure/pattern, length of blooming season.
6. Emphasize two objectives - attractive aesthetically pleasing view from adjacent streets and creation of an environment conducive to urban habitation. Plantings can reduce street noise, add color and interest to the site, provide visual barriers for privacy/shade for outdoor living.
7. Create a landscaped buffer strip between commercial and residential areas in the development.
8. Landscape with low water-consuming plants wherever feasible.
9. Minimize use of lawn by limiting it to lawn dependent uses, such as playing fields.
10. Use mulch extensively in all landscaped areas. Mulch applied on top of soil will improve the water-holding capacity of the soil by reducing evaporation and soil compaction.

11. Preserve and protect existing trees and shrubs. Established plants are often adapted to low water conditions and their use saves water needed to establish replacement vegetation.
12. Install efficient irrigation systems which minimize runoff and evaporation and maximize the water which will reach the plant roots. Drip irrigation, soil moisture sensors and automatic irrigation systems are a few methods of increasing irrigation efficiency.
13. Use pervious paving material whenever feasible to reduce surface water runoff and aid in ground water recharge.
14. Grading of slopes should minimize surface water runoff.
15. Investigate the feasibility of utilizing reclaimed waste water, stored rainwater, or household grey water for irrigation.
16. Specific landscape requirements include:
 - a) Landscape oriented to the street. Provide landscaped square footage for total site and for street-oriented landscape.
 - b) A minimum ten foot (10') wide landscape strip shall be planted and maintained where off-street parking abuts any public street.
 - c) On-site/tree requirements:
 - 1) Planters equal a combined 5% of total area used for parking and vehicle access. Planters MUST BE 5' wide in each direction. (Provide necessary square footage information on the plan for plancheck.)
 - 2) 1 - 24" box canopy tree/25 lineal feet of street frontage.
 - 3) 2 - 15 gallon trees/25 lineal feet of street frontage.
 - 4) 1 - 15 gallon tree for every six required off-street parking spaces (parking area planters).
 - 5) 1 - 15 gallon tree for every 10 on-site parking spaces (parking area planters).
 - 6) 6 - 5 gallon shrubs for every 25 lineal feet of street frontage or a combination of 3 - 5 gallon and 10 - 1 gallon shrubs for every 25 lineal feet of street frontage.

- 7) Ground cover alone is not acceptable. Must provide shrubs and trees as listed above.
- 8) Six inch high curb around planters must be provided. Add note to plan that verifies the condition that this will be occurring.
- 9) 30 per cent of all trees on-site should be 24" box specimen or larger.

NOTE: Annual ground cover is not counted towards the planting requirements.

- d) Landscape buffer areas must be included where commercial/business use abuts residential areas. This landscape strip shall be bermed and a minimum of 15'. In addition, the tree and shrub requirements for the buffer are:
 - 1) Provide 1 - 15 gallon tree per 30 lineal feet. (MINIMUM).
 - 2) Provide 5 - 5 gallon shrubs per 30 lineal feet (MINIMUM).
 - 3) Provide mature trees and shrubs capable of action as an effective buffer.
- e) A preliminary landscape plan shall be submitted which includes:
 - 1) botanical name
 - 2) common name
 - 3) size
 - 4) quantity of each
 - 5) listed alphabetically by botanical name
- f) Plan must show the calculated percentage of on-site landscaping. (Not including the landscape right-of-way areas. These must be calculated separately.)
- g) Extensive on-site landscaping will exclude any street tree requirements. However, all existing street trees shall be preserved and incorporated into the new site.

- h) Low water-consuming plant materials should be used and all plant materials will be reviewed for this requirement. Drought tolerant ground covers should be used in lieu of turf.
- i) An irrigation system combining the use of drip irrigation, soil moisture sensors and automatic irrigation system shall be installed with appropriate backflow preventors per Utilities Agency requirements.
- j) Seasonal color should be selected from low water requirement annuals wherever possible.
- k) The use of vines where appropriate to soften on-site structures and to provide color and variety to the landscape.
- l) Bollards as shown per site plan shall be of wood composition and aesthetically pleasing in the landscape.

EXHIBIT C

ENVIRONMENTAL FINDINGS

PARK PLACE APARTMENTS DEVELOPMENT

(A-12 DEVELOPMENT SITE)

A. The Santa Ana Redevelopment Agency and the City Council of the City of Santa Ana have considered the Environmental Impact Report for the Santa Ana Redevelopment Project as adopted in 1973 and amended in 1975 ("Project EIR") and a Supplemental Environmental Impact Report ("SEIR") prepared for the proposed "Park Place Apartments" development on the "A-12" development site prior to approving the "Disposition and Development Agreement" between the Redevelopment Agency and Urban Ventures Corporation for such development and the adoption of Specific Development Plan No. 39 for such development.

B. The Project EIR is adequate for approval of the said Disposition and Development Agreement and said Specific Development Plan, except for discussion of impacts on historic resources, and an additional environmental impact is necessary only for such discussion of impacts on historic resources, for the following reasons:

(1) Implementation of the Agreement and the Specific Development Plan does not represent any change in the Redevelopment Project; nor does it involve any new significant impacts other than those considered in the Project EIR except for historic impacts;

(2) No substantial changes have occurred with respect to the circumstances under which the Redevelopment Project is undertaken which involve any new significant impacts not considered in the Project EIR, except with regard to historic impacts.

(3) Except for historic impacts, no new information of substantial importance has become available which shows that the Redevelopment Project will have any significant effects not discussed in the Project EIR; nor that the significant effects will be substantially more severe than shown in the Project EIR; nor that any mitigation measures or alternatives exist which would be feasible and would substantially reduce any significant effect of the Redevelopment Project but were either not considered in the Project EIR or found not to be feasible.

C. The SEIR complies with the California Environmental Quality Act with regard to addressing the impacts of the Disposition and Development Agreement on historic resources.

D. The demolition of structures located on the development site is not deemed to be a significant effect for reasons set forth in the SEIR. Nevertheless the Redevelopment Agency will lessen the impact of such demolition through the preparation and maintenance of a photographic record and an historic structures report as recommended by the SEIR.

E. The visual impact of the new development on nearby historically valuable buildings is not deemed to be significant for reasons set forth in the SEIR. Nevertheless the Redevelopment Agency will lessen the impact of the development through a variety of measures as follows:

(1) The impact on the Minter House of that portion of the new development directly to the south of the Minter House has been reduced by modifications to the site plan and building elevations which increases the distance between the Minter House and the new development, preserves several tall trees in such intervening area, and somewhat reduces the height of the new development at its closest point to the front of the Minter House.

(2) The Redevelopment Agency will preserve or relocate historically valuable streetlights and street trees as recommended in the SEIR.

(3) The Redevelopment Agency will review and approve or disapprove proposed material and colors for building exteriors in the new development to promote compatibility with nearby historically valuable structures, as recommended in the SEIR.

F. The Redevelopment Agency will conduct a monitoring program to avoid or substantially reduce the risk of adverse impacts on nearby structures due to construction noise or vibration, as recommended in the SEIR.

G. The Redevelopment Agency will consult with the local American Indian community to mitigate any possible adverse impact on burial sites or other cultural resources, as recommended in the the SEIR.

H. To mitigate cumulative effects, the Redevelopment Agency shall continue its efforts to assist rehabilitation of historically valuable buildings, as recommended in the SEIR.

ENVIRONMENTAL IMPACT REPORT
PARK PLACE APARTMENTS
Page Three

I. The alternative of "no project" is not feasible because it fails to promote the objectives of the Redevelopment Plan for the downtown area. An important part of such plan is to develop new housing in the downtown area to support the retail establishments there and to generally oppose blighting influences.

J. The redesign options discussed in the EIR are all infeasible because they all require the number of dwelling units to be reduced to the point where the development becomes economically infeasible, thus becoming the equivalent of the "no project" alternative. Various other factors render each redesign alternative infeasible for reasons set forth in the SEIR.

K. The proposed development of the site will assist in the revitalization of the downtown area, especially through attracting more people to live in the downtown area. These considerations override the slightly adverse impacts of the development.

1. New lighting and glare resulting from the creation of the proposed project shall be oriented so to contain said lighting on-site. New lighting shall not encroach outside the boundaries of the project.

To mitigate short term native impacts on the surrounding community during the construction phase of the proposed project, the following measures shall be required:

- a. Construction hours shall not exceed 7AM to 5PM Monday through Saturday.
- b. Loose soil or uncovered ground shall be wetted down at necessary intervals during the construction period to reduce dust levels caused by construction activity.
- c. The proposed project shall be screened by a UBC required construction fencing to the approval of the Manager of Permits & Inspections.
- d. The developer shall coordinate with the Police and Fire Departments for scheduling of possible partial lane closures during land fill operations. Measures as prescribed by the respective department shall be imposed to reduce the interference of through traffic on First Street and Fifth Street.
- e. Safety lighting shall be required and approval by the Police and Fire Departments, to be installed throughout the project during the construction period.
- f. Hydrants or other such hydro-safety equipment shall be available on-site at all times and be maintained in good repair. Said equipment shall be approved by the Fire Department and shall be available for recurrent inspections by same.