



SPECIFIC DEVELOPMENT No. 71
AMENDMENT APPLICATION 03-01
NS-2524/2651

ORDINANCE NO. NS-2651

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING SPECIFIC DEVELOPMENT NO. 71, PERTAINING TO SANTIAGO STREET LOFTS (SD-71) AND TO REPEAL SANTA ANA MUNICIPAL CODE SECTION 41-749 (ZOA NO. 2004-01)

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

Section 1. The City Council of the City of Santa Ana does hereby find, determine and declare as follows:

- A. Zoning Ordinance Amendment No. 2004-01 has been filed with the City of Santa Ana to amend the Specific Development No. 71 (SD-71) to define the work component of the live/workshop/studio project; to create development standards for height, setbacks, parking, and density; to identify the public art requirements; and the signage standards within SD-71 and to repeal Santa Ana Municipal Code Section 41-749.
- B. On February 18, 2003, the City Council created Specific Development No. 71.
- C. The Planning Commission of the City of Santa Ana held a duly noticed public hearing on March 22, 2004, and unanimously voted to recommend that the City Council:
 1. Approve and adopt the Mitigated Negative Declaration No. 2003-182 and the Mitigation Monitoring Program.
 2. Adopt an ordinance approving Zoning Ordinance Amendment No. 2004-01.
 3. Adopt a resolution approving Conditional Use Permit No. 2004-03 as conditioned for construction of live-work units, Site Plan Review No. 2004-01 and Tentative Parcel Map No. 2004-01.
- B. The inclusion of a live-work project similar to the Downtown lofts will enhance the visual gateway into the City and reinforce the City's image as a regional activity center.
- C. Allowing moderate density housing with complementing commercial uses provides an alternative to traditional land use development.

D. The Mitigated Negative Declaration and Mitigation Monitoring Program for Environmental Review No. 2003-182, was approved and adopted by resolution which came before the City Council on April 19, 2004. This ordinance incorporates by reference, as though fully set forth herein, this resolution and the Mitigated Negative Declaration and Mitigation Monitoring Program

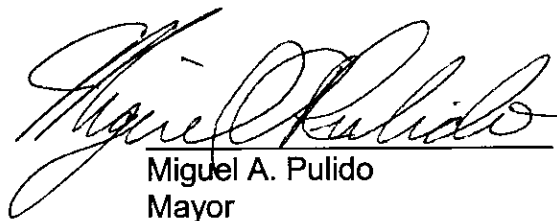
Section 2. Specific Development No. 71 is hereby amended as set forth in Exhibit "A", attached hereto and incorporated as though fully set forth herein.

Section 3. Section 41-749 of the Santa Ana Municipal Code is hereby repealed in its entirety.

Section 4. This Ordinance shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Ordinance.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

ADOPTED this 3rd day of May, 2004.


Miguel A. Pulido
Mayor

APPROVED AS TO FORM:
Joseph W. Fletcher
City Attorney

By: 

Kylee O. Otto
Deputy City Attorney

AYES: Councilmembers: Alvarez, Bist, Christy, Franklin, Pulido, Solorio (6)
NOES: Councilmembers: None (0)
ABSENT: Councilmembers: Garcia (1)
ABSTAIN: Councilmembers: None (0)

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, PATRICIA E. HEALY, Clerk of the Council, do hereby attest to and certify the attached Ordinance No. NS-2651 to be the original ordinance adopted by the City Council of the City of Santa Ana on May 3, 2004, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: 5-12-04


Clerk of the Council
City of Santa Ana

SPECIFIC DEVELOPMENT 71 SANTIAGO STREET LOFTS

SECTION 1 APPLICABILITY OF ORDINANCE

The specific development zoning district (SD71) for the subject property, 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. All other applicable chapters, articles, and sections of the Santa Ana Municipal Code shall apply unless expressly waived or superseded by this ordinance.

This specific development plan sets fourth the development and design criteria for the Santiago Street Lofts, a mixed use development consisting of approximately 4.48 acres and shown on the vicinity map attached as Exhibit 1. The purpose of this Specific Development Plan is to permit maximum flexibility in site planning and design while assuring high quality development, as well as addressing the goals of the General Plan.

Specific Development Plan No. 71 establishes the following for the Santiago Street Lofts:

- a. The authorized uses for the site;
- b. Maximum authorized development densities;
- c. Operational standards for authorized uses, including:
 1. Architectural design
 2. Parking requirements
 3. Setback requirements
 4. Building height limits
 5. Maximum site coverage
 6. Landscaping and signage standards
 7. Public and private open space

SECTION 2 PURPOSE

The SD-71 Specific Development use district 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.

Exhibit "A"
Page 1 of 7

SECTION 3 BACKGROUND

The Depot, also known as the Regional Transportation Center, is located immediately to the east of this development area. The Depot is a regional hub for rail and bus transit, as well as being close to Santa Ana (I-5) Freeway. The Depot rail systems include Metrolink and Amtrak, as well as freight. This is the main line from San Diego to Los Angeles. The San Diego terminus ends at a San Diego trolley station. The Los Angeles leg ends at Union Station, with connections to the Metro Red Line (subway) and both city, intra-city and inter-city bus connections.

The proposed Orange County Light Rail (CenterLine) System borders the project site on all sides, except Poinsettia Street.

SECTION 4 LOCATION

The project site is located at the intersection of Santa Ana Boulevard and Santiago Avenue, and occupies the northwest and southwest corners. The project is directly adjacent to the Depot to the east. Refer to Exhibit 2.

The total project area includes 195,148 square feet (4.48 acres), comprised of two parcels. Parcel 1, 63,162 square feet (1.45 acres) is located on the south side of Santa Ana Boulevard, between Santiago and Poinsettia Streets. Parcel 2, 131,986 square feet (3.03 acres), is the entire block bounded by Santiago Street to the east, Santa Ana Boulevard on the south, Poinsettia Street to the west, and Civic Center Drive to the north.

SECTION 5 OBJECTIVES

Preliminary objectives for development of the Santiago Street Lofts include:

- a. Capitalize on the Depot Transit Station to allow an opportunity for a transit-oriented development.
- b. Promote a walkable community.
- c. Create an enhanced access to downtown.
- d. Create live/work opportunities close to mass transit.
- e. Revitalize the local area.
- f. Create moderately priced new housing.

Exhibit "A"

Page 2 of 7

SECTION 6 PROPOSED DEVELOPMENT PROGRAM

SD 71 entitles a new infill live-work community development that will capitalize on the alternative transit opportunities in the area.

SECTION 7 USES PERMITTED

- a. Open-air recreational and entertainment uses, including bike trails.
- b. Government buildings, quasi-public service and facilities.
- c. Freestanding restaurants, cafes, and eating establishments, excluding drive-through facilities and facilities open between the hours of 12:00 midnight and 5:00 a.m.

SECTION 8 CONDITIONALLY PERMITTED USES

- a. Live/workshop/studio projects at a density not to exceed twenty-five (25) units per acre.
- b. Non-freestanding eating establishments under 20,000 square feet.
- c. Indoor/Outdoor Entertainment as defined in Chapter 41 of the SAMC.
- d. Any establishment open at any time between the hours of 12:00a.m. and 5:00a.m.

SECTION 9 USE RESTRICTIONS FOR A LIVE/WORKSHOP/STUDIO PROJECT

The project must remain a live-work community. The work component is to be defined as:

- a. Commercially operated professional studios.
- b. Fine art studios and/or galleries.
- c. Fiber arts studios and/or galleries.
- d. Printing, lithography, and calligraphy facilities.
- e. Photography studios.
- f. Ceramic and pottery studios.
- g. Glass blowing and sculpturing studios.
- h. Retail.
- i. Professional, administrative and business uses.
- j. Restaurants [with a conditional use permit pursuant to Section 8(b)].

Exhibit "A"
Page 3 of 7

SECTION 10 USES NOT PERMITTED IN A LIVE/WORK PROJECT

- a. Schools,
- b. Banquet facilities
- c. Theaters
- d. Adult Entertainment Businesses
- e. Cyber Cafes

SECTION 11 TEMPORARY OUTDOOR ACTIVITIES

Temporary Outdoor Activities shall be conducted pursuant to the SAMC Section 41-195.5 as it shall be amended from time to time.

SECTION 12 DEVELOPMENT STANDARDS

- a. Development Standards for uses permitted
 - 1. The Community Commercial (C1) district development standards and all other applicable chapters, articles, and sections of the Santa Ana Municipal Code shall apply, including but not limited to parking, setbacks and landscaping, unless expressly waived or superseded by this ordinance.
 - 2. No structure shall exceed thirty-five (35) feet in height.
- b. Development Standards for Conditionally Permitted Uses
 - 1. Building height.

No structure shall exceed forty (40) feet in height.
 - 2. Setback requirements.

Front yard setbacks along public streets shall comply with the setbacks established by Conditional Use Permit No. 2004-03.
 - 3. Any live/workshop/studio project shall consist of units that contain a minimum of 1,543 square feet, excluding the garage, and in compliance with the applicable Conditional Use Permit.

4. Off-Street Parking.

i. Live/workshop/ studio uses:

a) Parking for live/workshop/studio units shall be provided at a rate of two (2) covered spaces per unit in an attached private garage.

b) A minimum of five guest parking spaces shall be provided on the south parcel. Additionally, ten parking guest spaces shall be provided on the north parcel.

c) Parking spaces for the commercial component shall be provided within the Regional Transportation Center parking structure. Directional signage shall be provided that directs commercial parking to the parking structure.

ii. All other uses shall provide parking pursuant to Chapter 41 of the SAMC.

5. Density for live/workshop/studio uses:

No more 25 dwelling units per acre of net developable land shall be permitted. The south parcel shall consist of no more than 36 units. A maximum of 72 units is permitted on the north parcel.

SECTION 13 MISCELLANEOUS STANDARDS

a. Public Art

1. Public art valued at one half of one percent of the project building permit valuation is required. Public art may be comprised of multiple art pieces, however, at least one such art piece shall be placed at the northwest corner of the project site adjacent to Santiago Street and Santa Ana Boulevard. The public art should invite participation and interaction, inspire, add local meaning, interpret the community by revealing its culture or history, and/or capture or reinforce the unique character of the new place. A comprehensive Public Art Plan indicating

Exhibit "A"
Page 5 of 7

compliance with this requirement, and which proposes specific pieces of art for specific locations or applications, shall be submitted to the Planning Commission prior to the completion of the project's first phase. All public art approved by the Planning Commission in the Public Art Plan shall be completely installed prior to the completion of the project's last phase.

2. Art should be sited to complement features such as plaza or architectural components so that the art is an integral part of the Santiago Street Loft development site.
3. Public art should be constructed using durable materials and finishes including but not limited to stone or metal.
4. No art piece provided pursuant to the public art requirement shall include advertising of any type, including but not limited to products, services or businesses.
5. All public art provided pursuant to the public art requirement shall be properly maintained at all times, be free of any graffiti and shall not incorporate any flashing or distracting form of illumination.
6. All art pieces approved and installed pursuant to the Public Art Plan shall remain on the project site and may not be removed without the approval of the Planning Commission.
7. Expenses Not Allowed from Art Allocation
 - i. Expenses to locate the artist (e.g. airfare for artist interviews, etc.)
 - ii. Architect and Landscape Architect fees.
 - iii. Landscaping around a sculpture that is not included as part of the artist's sculpture furnishings, including, but not limited to, functional structures, prefabricated water or electrical features not created by the artist, and ornamental enhancements.

Exhibit "A"
Page 6 of 7

- iv. Utility fees associated with activating electronic or water generated artwork.
 - v. Lighting elements not integral to the illumination of the art piece.
 - vi. Publicity, public relations, photographs, educational materials, business letterhead or logos bearing artwork image.
 - vii. Dedication ceremonies, including sculpture unveilings or grand openings.
- b. Landscaping Requirements
- 1. Live/workshop/studio project
 - i. Landscaping shall be provided on the interior and exterior of the project site pursuant to requirements established in the applicable Conditional Use Permit.
 - 2. All other uses shall provide landscaping pursuant to Chapter 41 of the SAMC.
- c. Project Maintenance
- Pursuant to approval of Conditional Use Permit No. 2004-03, standards shall be established within the Covenants, Conditions, and Restrictions (CC&Rs) for the exterior maintenance of each unit within the community.

SECTION 14 SIGNAGE STANDARDS

Prior to issuance of any sign permits or certificates of occupancy for any building or portion thereof, a comprehensive sign program for the entire site, including directional signs and graphics for the Regional Transportation Center (RTC) parking structure, shall be submitted to and be approved by the Planning Commission.

SECTION 15 PLANNING COMMISSION AND CITY COUNCIL APPROVALS

This is a key area for future development and this project will set the example for all subsequent residential development in the area. To ensure the quality of the design and the architectural style, as well as the layout of the units, any new development projects require Planning Commission and City Council approvals.