

ORDINANCE NO. NS-2989

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING AN AMENDMENT TO THE PROVISIONS OF SPECIFIC DEVELOPMENT NO. 75 (SD-75) TO ALLOW RESIDENTIAL USES AND TO APPROVE RESIDENTIAL DEVELOPMENT STANDARDS FOR THE ONE BROADWAY PLAZA MIXED-USE DEVELOPMENT AT 1109 NORTH BROADWAY

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

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

- A. On July 6, 2004, the City Council approved the Specific Development No. 75 zoning designation to allow the development of a 37-story office and commercial office tower at 1109 North Broadway.
- B. The Specific Development No. 75 (SD-75) zoning became effective on April 5, 2005, after a citywide referendum to overturn the City's approval was defeated.
- C. Over the past 16 years, the developer has made several attempts to construct the entitled office tower. Due to various economic conditions and constraints, the tower has yet to be built.
- D. In January 2020, the developer submitted a revised plan that would reduce the overall office square footage in the tower and replace it with residential units.
- E. The proposed amendment would allow up to 415 residential units within the tower and adopt a series of residential development standards for the project.
- F. The Planning Commission held a duly noticed public hearing regarding this ordinance on March 30, 2020, which was adjourned to April 2, 2020. At the April 2, 2020 meeting, the Planning Commission recommended that the City Council adopt the amended ordinance with added conditions to the SD-75 document requiring a project labor agreement be approved for the project, added the Logan Neighborhood to the list of neighborhoods requiring a Traffic Mitigation Plan and increased the fee for the Traffic Mitigation Plans from \$200,000 to \$300,000 per neighborhood, and required park fees collected from the project be spent within the district that the site is located within.

- G. The City Council held a duly noticed public hearing on this ordinance on April 21, 2020, and has considered all testimony presented thereto. At such meeting, the City Council approved the ordinance with additional terms, which include: payment of the inclusionary housing in-lieu fee at the rate it existed on April 21, 2020 (\$15.00 per square footage of habitable living space) to be paid at the time of permit issuance, Traffic Study timelines/triggers, and the submittal of a Construction Traffic Mitigation and Routing Plan. Such additional terms are included in the Mutual Declaration of Acknowledgement and Acceptance of Approval Conditions that shall be signed by the developer and property owner and recorded against the development property.

Section 2. Pursuant to the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines section 15164, lead agencies are required to prepare an addendum to a previously certified EIR if some changes or additions to the project are necessary, but none of the conditions requiring preparation of a subsequent EIR are present. The City Council has reviewed and considered the 2004 EIR and the 2020 Addendum, and finds that these documents taken together contain a complete and accurate reporting of all of the potential environmental impacts associated with the proposed development. The City Council further finds that the 2020 Addendum has been completed in compliance with CEQA and the State CEQA Guidelines. The City Council further finds and determines that the Addendum reflects the City's independent judgment.

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, 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 City Council hereby approves and adopts the amendments to Specific Development No. 75 (SD-75), attached hereto and incorporated herein as **Exhibit A.**

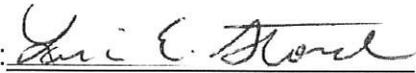
Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City 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 5th day of May, 2020.



Miguel A. Pulido
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho
City Attorney

By: 

Lisa Storck
Assistant City Attorney

AYES:	Councilmembers	<u>Bacerra, Penaloza, Pulido, Sarmiento, Solorio, Villegas (6)</u>
NOES:	Councilmembers	<u>None (0)</u>
ABSTAIN:	Councilmembers	<u>None (0)</u>
NOT PRESENT:	Councilmembers	<u>Iglesias(1)</u>

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, DAISY GOMEZ, Clerk of the Council, do hereby attest to and certify that the attached Ordinance No. NS-2989 to be the original ordinance adopted by the City Council of the City of Santa Ana on May 5, 2020, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: 5/7/2020



Daisy Gomez
Clerk of the Council
City of Santa Ana

One Broadway Plaza Specific Development District (SD-75)

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One Broadway Plaza Specific Development District (SD-75)

SECTION 1 APPLICABILITY OF ORDINANCE

The specific development zoning district, as authorized by Chapter 41, Division 26, of the Santa Ana Municipal Code, is specifically subject to the regulations contained in this ordinance for the express purpose of establishing use district regulations. All other applicable chapters, articles and sections of the Santa Ana Municipal Code shall apply unless expressly waived or superseded by this ordinance. Use district regulations established in Chapter 41, Article III, of the Santa Ana Municipal Code for zoning districts other than the SD zoning district may be incorporated herein by reference.

SECTION 2 PURPOSE

The Specific Development No. 75 (SD-75) use district regulations are hereby established for the express purpose of protecting the health, safety and general welfare of the City by encouraging the use of innovative planning concepts and principles and promoting and enhancing the value of properties and encourage orderly development.

The SD-75 regulations will establish a professional district that will exclusively entitle a 37-story, 518,003 square foot office and residential tower at the northeast corner of Tenth Street and Broadway with a historic setting further north along Broadway to Washington Avenue. This area will be primarily a professional office district with support services and eating establishments.

SECTION 3 GOALS, OBJECTIVES AND POLICIES

The One Broadway Plaza Specific Development District is located within the midtown area of the City. The One Broadway Plaza Specific Development District encompasses a large established city block bounded by Washington Avenue to the north, Tenth Street to the south, Sycamore Street to the east and Broadway to the west. The One Broadway Plaza Specific Development District maintains a historic character along the northwest portion of the district, with a number of buildings dating from the early years of development in Santa Ana. The project site is surrounded by the Civic/Professional, Financial, and the Community Specialty Retail zones of the Midtown Specific Plan.

The One Broadway Plaza mixed-use tower is intended to be a major landmark in the midtown section of the City of Santa Ana. In addition, the various activities planned for this site will result in the project becoming a

node, or place of activity. The objectives of the One Broadway Plaza specific development plan include the following:

- A landmark office and residential project along Broadway at the center of the Midtown Specific Plan.
- Maintain the existing streetscape pattern including sidewalk design, mature palm trees and historic light fixtures.
- Maintain the scale and character established by the existing historic structures along the north end of the district.
- Maintain large open setbacks adjacent to Broadway.
- Encourage revitalization of existing properties for a variety of professional office and similar uses.
- Enhance the pedestrian experience through the development of new plaza areas and water features at the intersection of Sycamore Street and Tenth Street and Broadway and Tenth Street.

SECTION 4 PERMITTED IMPROVEMENTS

Improvements permitted on the project site include either one of the following:

1. An iconic tower of no less than 493 feet tall, approximately 37 stories, 518,300 square feet of building area with a destination restaurant at the top two levels of the tower.
 - a. The project site shall be no less than 4.339 acres
 - b. A nine level (one subterranean and eight above grade), 78-foot-high parking structure, with a minimum of 2,463 parking spaces.
 - c. The renovation and rehabilitation of four existing structures located to the north of the office tower. The structures are those addressed as 1103, 1111, 1115-17 and 1211 North Broadway.
2. All other permitted improvements shall comply with the Midtown Specific Plan, Chapter 7, Broadway Corridor District, Development Standards.

SECTION 5 PERMITTED USES

The category of permitted land uses to be included within the project include: Professional and business offices, banks and similar financial institutions, service and commercial retail uses and restaurants, and residential apartments. If a use is for any reason omitted from those

specified as permissible, or if an ambiguity arises concerning the classification of a particular use, the determination shall be at the discretion of the Planning Manager.

1. Professional, business and administrative offices and services, including but not limited to employment agencies, advertising agencies, escrow agencies, accountants, insurance, attorneys, architects, engineers, planners and other similar uses.
2. Banks, finance, insurance and real estate offices.
3. Service and commercial retail uses which shall be limited to:
 - a. Bookstores
 - b. Stationery shops
 - c. Gift stores
 - d. Dry cleaner
 - e. Hair salon
 - f. Travel agent
 - g. Copy center
 - h. Mail/postal center
 - i. Tailor
 - j. Shoe repair
 - k. Art supply
 - l. Office supply
4. Cafes and restaurants, except fast food and/or take out restaurants
5. Florists
6. Pharmacies
7. Day care facilities
8. Museums, libraries and galleries
9. Artists' studios
10. Maximum of 415 residential units

SECTION 6 CONDITIONALLY PERMITTED USES

The following uses are permitted upon the approval of a conditional use permit in accordance with the Santa Ana Municipal code:

1. Nightclubs, bars and indoor entertainment uses whether freestanding or part of another permitted or conditionally permitted use, except adult entertainment businesses

2. Establishments selling or serving alcoholic beverages
3. Coffee houses
4. Banquet facilities
5. Uses open after midnight to 5:00 a.m.
6. Helipads
7. Fast food and/or take out restaurants

SECTION 7 DEVELOPMENT STANDARDS

The One Broadway Plaza Specific Development District is intended to allow the development of a landmark mixed-use office and residential tower and affiliated parking garage while maintaining some of the historic structures located on the northwest side of the district. The following general development standards are applicable to this project:

1. Floor Area Ratio (F.A.R.)

The required floor area ratio for the project site shall be 2.9, or 530,487 square feet of development. The FAR is calculated by dividing the total square footage of the building plus the existing structures to remain by the total square footage of the project site. Consistent with the General Plan, the parking structure is not included in the FAR calculation. This FAR includes the proposed tower (518,003 square feet) and the structures that will remain on the project site (12,484 square feet). The FAR for the existing structures shall remain at 0.5 or less.

2. Parcel Size

The One Broadway Plaza parcel size shall be 4.339 acres. Subdivision of the parcel is not permitted.

3. Building Envelopes

Height and yard areas established for the existing structures and the mixed-use tower define the permitted building envelopes in the One Broadway Plaza Specific Development District. With the exceptions of the tower and parking structure, all buildings shall maintain a lower scale character no taller than 35 feet or 3-stories, whichever is less.

4. Mixed-Use Tower

The basic form, size and location of the tower as illustrated in the applicant's plans are hereby approved. In order to address certain outstanding details, however, revised plans conforming with Section

7-4-e-iii of this ordinance shall be submitted to and be approved by the Planning Commission prior to issuance of any building permits.

a. General Requirements

- i. The structure shall remain consistent with the approved site plan as shown in Exhibit 1.

b. Building Setbacks

Setbacks at ground level are established to enhance pedestrian space throughout the district, create compatible relationships between existing and future building street elevations and recognize opportunities to create new open space resources, such as plazas, pedestrian ways and landscaped areas. The front yard is one of the most important characteristics of Broadway and maintenance of these landscaped open spaces is crucial to preserving the streetscape. Major setback conditions are discussed below by street:

i. Broadway:

The One Broadway Plaza structure shall maintain a building setback of 20 feet. This setback area may include hardscape as shown on the approved plaza plan. For existing buildings, a setback of 20 feet shall be maintained. The existing structure at 1111 North Broadway shall maintain a minimum setback of 15 feet.

ii. Tenth Street:

A 12-foot building setback shall be required for the structure. Hardscape, landscape and water features shall be provided in the required setback as shown on the applicant's Landscape Plan dated February 4, 2004 (Exhibit 2).

iii. Washington Avenue:

The 15-foot landscaped setback for the existing structure shall be maintained.

c. Building Height

The approved height for the structure is approximately 493 feet. Modifications to the structure's approved building height or number of stories, which represent either an increase or decrease, shall not be allowed. The existing buildings along Broadway shall maintain their existing height and shall not exceed 35 feet.

d. Screening

All appurtenances shall be located outside any required setback and shall be screened from view.

e. Elevations

- i. Exterior elevations shall incorporate a translucent, non-reflective glass in a blueish tone consistent with the materials board sample provided by the applicant and as approved by the Planning Commission and City Council.
- ii. The structural system of the building shall be visible from the exterior elevations consistent with the plans approved by the Planning Commission and City Council.
- iii. Incorporate an arcade or ground level "skirt" to provide a transition between the tower and pedestrian level. Plans satisfying this requirement shall be submitted to and must be approved by the Planning Commission prior to the issuance of any building permit.

5. Parking Structure

The basic form, size and location of the parking structure as illustrated in the applicant's plans are hereby approved. In order to address certain outstanding details, however, revised parking structure plans shall be submitted to and be approved by the Planning Commission prior to issuance of any building permits. The revised plans shall comply with the following:

a. General Requirements

- i. No parking areas above or below grade shall encroach into required setbacks.
- ii. Subterranean levels shall use offset sloping ramps to allow for open and unobstructed visibility for floor surveillance.
- iii. The parking structure shall maintain a minimum vertical clearance of 11 feet on the street level, with the exception of the entry at Sycamore Street. The entry area shall maintain a vertical clearance of 21 feet to facilitate the loading and unloading function as well as allow trash truck access.
- iv. On all other levels, the parking structure shall maintain a minimum vertical clearance of eight feet, two inches.

- v. Glare from the parking structure lighting shall not be visible from the plaza level or any public right-of-way.
- vi. The ceiling of all parking levels shall be painted white and be maintained to improve illumination and enhance safety within the parking structure.
- vii. The parking structure shall be completed, shall have been finished by the Building Division and be fully operational prior to any occupancy of any building or use, or portion thereof, for which the structure provides parking.
- viii. The parking structure shall contain a minimum of 2,463 parking spaces, which are allocated as follows:
 - a) 600 spaces for the office tower
 - b) 934 spaces for the residential component, including 830 for the apartments (2 spaces per unit) plus 104 spaces for guest parking (.25 spaces per unit)
 - c) 50 spaces for ground level retail uses (10,000 square feet)
 - d) 180 spaces for restaurant uses (18,000 square feet)
 - e) 29 spaces for offices uses within existing buildings (9,627 square feet)
 - f) 29 spaces for restaurant uses within existing buildings (2,857 square feet)
 - g) 30 spaces to replace parking displaced on Sycamore Street
 - h) 100 spaces to replace parking displaced on Main Street
 - i) 110 spaces to replace existing surface parking lot for 1200 N. Main Street
 - j) 12 spaces to replace existing surface parking lot for 1111 N. Broadway
 - k) The remaining 389 parking spaces may be used for other uses in the area

b. Building Setbacks

i. Broadway:

The minimum required setback for the parking structure is 124 feet as measured from the property line.

ii. Washington Avenue:

A landscaped setback of 15 feet shall be required.

iii. Sycamore Street:

There shall be no setback requirement.

iv. Tenth Street:

The minimum required setback is 145 feet as measured from the property line to the entrance to the parking structure.

c. Building Height

The maximum allowable height of the parking structure is 78 feet.

d. Screening

All appurtenances shall be located outside any required setback and shall be screened from view.

e. Elevations

- i. The north and east elevations shall incorporate architectural cues and proportions found along Main Street to create an architectural screen as a visual enhancement to the existing commercial corridor.
- ii. Exterior walls shall exhibit horizontal rather than sloping design elements.
- iii. The exterior of the parking structure shall be painted a soft, earth tone color as approved by the Planning Division. Brighter and darker colors, including dark green, shall be prohibited.
- iv. Decorative grillwork or landscape materials shall be placed between wall and floor of the higher parking level.
- v. Elevators shall be located so they are visible to the public. The elevator cabs shall have glass facing the public view.
- vi. The parking structure shall comply with the Santa Ana Municipal Code sections pertaining to the Police Department's Security requirements, including parking lot lighting levels.
- vii. The parking structure shall comply with the Santa Ana Police Department's parking structure design guidelines.

f. Landscaping:

- i. Landscaping planters incorporated into the parking structure shall have a minimum planter dimension of 4-feet wide and 4-feet deep. An internal drainage system and waterproofing of the planters shall be provided along with an automatic drip-type irrigation system.
- ii. A trellis shall be incorporated into the north and west building elevations where blank walls occur on the structure. The trellis material shall be constructed of decorative and durable materials and shall cover a minimum of 60 percent of the blank wall. The trellis details shall be included in the project landscape plan and be approved prior to building permit issuance.
- iii. Canary Island Pines, Deodar Cedars and River She-Oaks shall be planted along the Broadway and Washington Avenue elevations. The trees shall be planted at a minimum of 30 feet on center as shown on a landscape plan to be approved by the City's Landscape Development Associate prior to the issuance of building permits for the parking structure. The landscape plan shall be fully implemented prior to the issuance of any certificate of occupancy.
- iv. The size of the trees to screen the parking structure along Washington Avenue and Broadway shall be a minimum 120-inch box tree.

g. Signs

- i. All signage shall comply with the Santa Ana Municipal Code.
- ii. 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 parking structure, shall be submitted to and be approved by the Planning Commission.

6. Parking/Circulation

A student drop-off area shall be created in the parking lot of 920 North Main Street for the exclusive use of the Orange County High School of the Arts. The minimum standards for this function include:

- a. Prior to issuance of any building permits, construct a raised center median on Main Street per a Street Improvement Plan to be approved by the Public Works Agency.
- b. Prior to issuance of any building permits, construct a two-way drop-off zone. Each lane shall have a minimum width of 18 feet. A yellow line approximately one foot in width shall be painted to separate the two drive-thru lanes. The plans shall be submitted to the Planning Division and Public Works Agency for approval.
- c. Prior to issuance of any building permits, install a hedge and 36-inch tall fence to direct students towards the Main Street and Sycamore Street public sidewalks in order to avoid illegal pedestrian crosswalk movements onto Tenth Street.
- d. Prior to submittal into building plan check, revise the site plan to depict and note the removal of the existing parking stalls and meters on Main Street consistent with the mitigation measures contained in the Final EIR.
- e. Prior to submittal into building plan check, revise the site plan to depict and note the restriping of Main Street to provide three northbound and two southbound travel lanes.
- f. All loading zone areas must provide a minimum 6-inch raised curb around the perimeter of each area.
- g. The proposed roundabout and water feature details must be included as part of the Plaza Plan referenced in Section 7-7 of this ordinance. Prior to the issuance of any certificate of occupancy, all water feature and roundabout improvements must be completed.
- h. Prior to issuance of any certificate of occupancy, close off the existing curb and gutter serving the trash collection area between 1200 South Main Street and the OCHSA. The curb and gutter shall be replaced with a new curb, gutter and sidewalk.
- i. Prior to submittal into building plan check, revise the site plan to depict and note the left turn ingress (Sycamore Street - southbound) into the school drop-off zone.
- j. Prior to submittal into building plan check, revise the site plan to depict and note wheel chair accessibility ramps at the Broadway egress exit.

- k. Prior to submittal into building plan check, revise the site plan to depict and note the replacement of the painted striped "No Access Zone" to be replaced with a raised median barrier with decorative pavement for the eastern and western portions of Tenth Street.
- l. Prior to submittal into building plan check, revise the site plan to depict and note the modifications of the signals at the Main/Washington, Main/Tenth, Washington/Sycamore, Broadway/Washington and Broadway/Tenth intersections.
- m. Prior to the issuance of any building permit, install a raised median at the Broadway egress as determined by the Public Works Agency.

7. Plaza Design

Prior to issuance of any building permits, a detailed Plaza Plan shall be submitted to and approved by the Planning Commission.

- a. The overall plaza design theme shall incorporate a minimum of three major pedestrian-level water features and two water elements adjacent to the proposed building.
- b. The plaza landscape palette must include a minimum of four (4) tree species, to be approved by the Landscape Development Associate prior to the issuance of any building permit. The minimum established size for palm trees shall be 30 feet brown trunk height. Non-palm tree species shall be a minimum of 20 feet in height and 60-inch box.
- c. Land uses such as retail, office or other services shall be incorporated within the plaza level pursuant to the approved site plan. Exterior kiosks, carts or other temporary outdoor uses are not allowed unless specifically submitted to and approved by the Planning Commission.
- d. The plaza shall incorporate seating, benches and landscaping to provide visual interest and additional amenities within the plaza.
- e. Pedestrian amenities shall be provided such as lighting, planters, drinking fountains, unit pavers, and bicycle racks.
- f. The color and appearance of the plaza furniture products and other elements must complement the overall plaza design and tower architecture.

- g. Benches and pedestrian seating shall be made of a durable material such as concrete or painted iron and be designed to minimize effects from vandalism, skateboarding and weather.
 - h. Trash receptacles should be located in high-activity areas, such as plazas and other public open spaces. The style shall be compatible with other plaza furnishings.
 - i. Bike racks shall be provided at key activity locations on the plaza level.
 - j. All street furniture surfaces, pedestrian-level walls and amenities shall incorporate graffiti resistant coatings.
 - k. Soft as well as hard surfaced areas shall be incorporated into the Plaza Plan. Plaza area paving shall consist of unit pavers.
 - l. One linear foot of seating shall be provided for every 60 square feet of plaza area. Seating may include benches, low seating walls, steps, planter edges or fountains. The seating shall be designed to discourage sleeping.
 - m. Lighting height in the plaza area should be at a pedestrian scale. A range between 16 feet and 22 feet in the plaza area should be fully illuminated from dusk until dawn. The overall lighting shall be maintained at one-foot candle and incorporate other pedestrian-oriented lights, such as lighted bollards. Uplighting of trees and other site features is also required.
 - n. The required Plaza Plan shall include adequate provisions for the on-going maintenance of all plaza and roundabout improvements.
 - o. The required Plaza Plan shall include design details, materials and provisions for the on-going maintenance for all interior public areas within the office tower, including but not limited to the ground floor and basement area lobbies.
8. Public Art
- a. Public art valued at one percent of the office tower valuation is required. The cost of any water feature or portion thereof shall not be included for purposes of complying with the public art requirement. Public art may be comprised of multiple art pieces, however, at least one such art piece shall be placed at the southwest corner of the project site adjacent to Broadway and Tenth Street. 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 compliance with this requirement, and which proposes specific pieces of art for specific locations or applications, shall be submitted to the Planning Commission for review and approval prior to issuance of any building permits. All public art approved by the Planning Commission in the Public Art Plan shall be completely installed prior to the issuance of any certificates of occupancy for the project.

- b. Art should be sited to complement features such as plaza or architectural components so that the art is an integral part of the One Broadway Plaza development site.
- c. Public art should be constructed using durable materials and finishes including but not limited to stone or metal.
- d. No art piece provided pursuant to the public art requirement, including an art piece such as a mural that may be proposed on the south elevation of the parking structure at the Sycamore Street entrance, shall include advertising of any type, including but not limited to products, services or businesses.
- e. 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.
- f. 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.

9. Residential

- a. **Provide the dimensions of the tower on the site plan to ensure consistency with the approved (2005) plans.**
- b. **Revise the site plan to accurately depict the existing pick-up and drop-off area for the Orange County School of the Arts.**
- c. **The site plan shows painted medians at the Sycamore Street entrance. Coordinate with the Public Works Agency on this alteration to the approved site plan.**
- d. **A minimum of 200,000 net square feet shall be devoted to office uses, with the remaining square footage dedicated to residential.**

- e. A minimum of two parking spaces per unit are required. Further, the residential parking must be located behind security gates to separate residential and commercial parking.
- f. Please verify that the scale of the plans is accurate.
- g. A maximum of 80 percent of the project can consist of studio and one-bedroom units, with a minimum of 20 percent of the units needing to be two and three-bedroom units.
- h. The minimum unit size of any unit shall be 500 square feet.
- i. A washer and dryer shall be provided within each unit.
- j. In-unit bulk storage spaces of at least 100 cubic feet per unit with a minimum dimension of 3 feet in each direction shall be provided.
- k. Recessed entry's that are a minimum of eight inches shall be provided. The recessed entries shall also include decorative molding around the recess to further define the entry.
- l. Interior hallway corridors that are a minimum width of 5-feet shall be provided.
- m. Prior to submittal into building plan check, submit a Trash Disposal Plan for review. The Plan shall depict how trash removal will be accomplished for the residential units. If a chute system will be utilized, show the maximum travel distances within each floor from unit entries to the nearest elevator and trash chute.
- n. Depict the mail and storage area(s). Mail/storage areas shall be located adjacent to residential lobbies and elevators for convenience access.
- o. Revise Sheet A-4 to correctly identify the activity occurring on the floor (Lounge/Food Court).
- p. Identify on plans where public water meters are proposed, as well as rooms or areas where any/all private utility meters will be located.
- q. Prior to submittal into building plan check, submit an Elevator Plan for the project. Separate elevator access and egress shall be provided for each component (residential and office).

- r. **Prior to submittal into building plan check, submit a Residential Amenity Plan for review. The plan shall depict common amenities such as a Club Room/Library and a Business Center, and interior amenities such as appliances, kitchen cabinet finishes and bathroom finishes. At a minimum, the cabinetry shall be stain grade and counter tops shall be made of granite or similar stone material.**
- s. **The Lounge area shall incorporate a commercial kitchen that will be made available to residents of the tower.**
- t. **Storage facilities at a rate of 256 cubic feet per unit shall be provided**
- u. **Bicycle parking facilities shall be provided and designed per the City's residential and office standards.**