

SPECIFIC DEVELOPMENT No. 91
AMENDMENT APPLICATION 17-01
NS-2920

ORDINANCE NO. NS-2920

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING AMENDMENT APPLICATION NO. 2017-01 REZONING THE PROPERTY LOCATED AT 317 EAST SEVENTEENTH STREET FROM COMMUNITY COMMERCIAL (C-1) AND MULTIPLE-FAMILY RESIDENCE (R-3) TO SPECIFIC DEVELOPMENT NO. 91 (SD-91) (AA NO. 2017-01) AND ADOPTING SPECIFIC DEVELOPMENT NO. 91 (SD-91) FOR SAID PROPERTY

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

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

A. Amendment Application No. 2017-01 has been filed with the City of Santa Ana to change the zoning designation of the parcel located at 317 East Seventeenth Street from Community Commercial (C-1) and Multiple-Family Residence (R-3) to Specific Development No. 91 (SD-91) zoning designation Street (legal description of parcel attached hereto as Exhibit A). General Plan Amendment No. 2017-01 was filed concurrently with the Amendment Application for consistency with the General Plan.

B. The zoning designation of the Specific Development No. 91 (SD-91) would allow the development of a 57-unit supportive housing project with private community space and supportive service offices and bring the rezoned property into consistency with the General Plan land use designation of Urban Neighborhood (UN).

C. On May 22, 2017, the Planning Commission held a duly noticed public hearing and voted to recommend that the City Council adopt an ordinance approving Amendment Application No. 2017-01 which is consistent with the General Plan, as amended by General Plan Amendment No. 2017-01. The Planning Commission added one condition that the Applicant shall submit revised architectural elevations with additional colors, materials, windows, or recessed areas subject to the review and approval of the Planning Manager.

D. The City Council has reviewed applicable general plan policies and has determined that this proposed rezoning is consistent with the purpose of the general plan.

E. The City Council, prior to taking action on this ordinance, held a duly noticed public hearing on June 20, 2017.

F. The City Council also adopts as findings all facts presented in the Request for Council Action dated June 20, 2017 accompanying this matter.

G. For these reasons, and each of them, Amendment Application No. 2017-01 is hereby found and determined to be consistent with the intent and purpose of Chapter 41 of the Santa Ana Municipal Code, thus changing the zoning district is found to be consistent with the General Plan of the City of Santa Ana and otherwise justified by the public necessity, convenience, and general welfare.

Section 2. The Planning Commission of the City of Santa Ana recommends that the City Council adopt an ordinance rezoning the real property located at 317 East Seventeenth Street from Community Commercial (C-1) and Multiple-Family Residence (R-3) to Specific Development No. 91(SD-91), (AA No. 2017-01) Amended Sectional District Map number 6-5-9 showing the above described change in use district designation, is hereby attached hereto as Exhibit B and incorporated by this reference as though fully set forth herein. This recommendation is based upon the evidence submitted at the above said hearing, which includes, but is not limited to: the Request for Council Action dated June 20, 2017, and exhibits attached thereto; and the public testimony, all of which are incorporated herein by this reference.

Section 3. The City Council has reviewed and considered the information contained in the Negative Declaration (Environmental Review No. 2017-24) prepared with respect to this project. The City Council has, as a result of its consideration of the record as a whole and the evidence presented at the hearings on this matter, determined that, as required pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, Environmental Review No. 2017-24 meets all the requirements of CEQA.

Section 4. The real property located at 317 East Seventeenth Street in Santa Ana is hereby reclassified from Community Commercial (C-1) and Multiple-Family Residence (R-3) to Specific Development No. 91(SD-91). An amended Sectional District Map, showing the above described changes in use district designation, is hereby approved and attached hereto as Exhibit B and incorporated by this reference as though fully set forth herein.

Section 5. Specific Development No. 91 (SD-91) attached hereto as Exhibit C and incorporated by this reference as though fully set forth herein is approved and adopted in its entirety.

Section 6. This ordinance shall not be effective unless and until Resolution No. 2017-044 (Environmental Review No. 2017-24 and General Plan Amendment No. 2017-01) and Ordinance No. NS-2920 (Amendment Application No. 2017-01) are adopted and become effective. If either resolution and/or ordinance are for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or otherwise does not go into effect for any reason, then this ordinance shall be null and void and have no further force and effect.

Section 7. 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 the 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.


Section 8. The Applicant agrees to indemnify, hold harmless, and defend the City of Santa Ana, its officials, officers, agents, and employees, from any and all liability, claims, actions or proceedings that may be brought arising out of its approval of this project, and any approvals associated with the project, including, without limitation, any environmental review or approval, except to the extent caused by the sole negligence of the City of Santa Ana.

ADOPTED this 5th day of July, 2017.



Miguel A. Pulido
Mayor

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

By: 

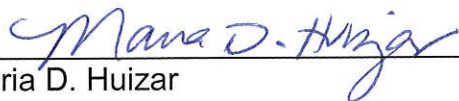
Lisa Storck
Assistant City Attorney

AYES:	Councilmembers	<u>Benavides, Pulido, Sarmiento, Solorio</u> <u>Tinajero, Villegas (6)</u>
NOES:	Councilmembers	<u>Martinez (1)</u>
ABSTAIN:	Councilmembers	<u>None (0)</u>
NOT PRESENT:	Councilmembers	<u>None (0)</u>

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, MARIA D. HUIZAR, Clerk of the Council, do hereby attest to and certify that the attached Ordinance No. NS-2920 to be the original ordinance adopted by the City Council of the City of Santa Ana on July 5, 2017, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: 7/10/2017



Maria D. Huizar
Clerk of the Council
City of Santa Ana

The land referred to in this Commitment is situated in the City of Santa Ana, County of Orange, State of California, and is described as follows:

PARCEL 1:

BEGINNING AT A POINT ON THE EASTERLY LINE OF SPURGEON STREET, DISTANT NORTHERLY 410.00 FEET FROM THE INTERSECTION OF SAID EASTERLY LINE WITH THE NORTHERLY LINE OF SEVENTEENTH STREET AS SHOWN ON OFFICIAL MAP NO. 1 OF A PORTION OF THE CITY OF SANTA ANA, RECORDED IN BOOK 2, PAGE 24 OF OFFICIAL RECORDS, RECORDS OF ORANGE COUNTY, CALIFORNIA, SAID POINT BEING THE SOUTHWEST CORNER OF LAND DESCRIBED IN A DEED TO HORACE L. SKILES, AND WIFE, RECORDED SEPTEMBER 28, 1955 IN BOOK 3225, PAGE 336 OF OFFICIAL RECORDS; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LAND OF HORACE L. SKILES AND ITS EASTERLY PROLONGATION 167.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTHERLY PARALLEL WITH THE EASTERLY LINE OF SAID SPURGEON STREET, 70.00 FEET TO THE NORTHERLY LINE OF LAND DESCRIBED IN A DEED TO SARAH COULTER, RECORDED OCTOBER 25, 1909 IN BOOK 168, PAGE 182 OF DEEDS; THENCE EASTERLY ALONG SAID NORTHERLY LINE, 72.75 FEET TO THE SOUTHWESTERLY LINE OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY LINE, 112.16 FEET TO THE NORTHEASTERLY CORNER OF LAND DESCRIBED IN A DEED TO GEO. B. MACGILLIVRAY, RECORDED DECEMBER 5, 1898 IN BOOK 41, PAGE 21 OF DEEDS; THENCE WESTERLY TO THE NORTHWESTERLY CORNER OF SAID LAND OF GEO. B. MACGILLIVRAY; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LAND OF GEO. B. MACGILLIVRAY TO THE NORTHEAST CORNER OF LAND DESCRIBED IN A DEED TO DUNWARD F. BENDER AND WIFE, RECORDED FEBRUARY 26, 1941 IN BOOK 1084, PAGE 52 OF OFFICIAL RECORDS; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LAND OF DUNWARD F. BENDER, 112.00 FEET; THENCE NORTHERLY PARALLEL WITH THE EASTERLY LINE OF SAID SPURGEON STREET, 50.00 FEET TO A LINE THAT IS PARALLEL WITH AND DISTANT SOUTHERLY 10.00 FEET FROM THE EASTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID LAND OF HORACE L. SKILES; THENCE EASTERLY ALONG SAID PARALLEL LINE, 7.00 FEET; THENCE NORTHERLY, PARALLEL WITH THE EASTERLY LINE OF SAID SPURGEON STREET, 10.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

AN EASEMENT FOR INGRESS AND EGRESS AND PUBLIC UTILITIES OVER A STRIP OF LAND 10.00 FEET WIDE, THE NORTHERLY LINE OF SAID 10.00 FOOT STRIP BEING DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE EASTERLY LINE OF SPURGEON STREET DISTANT NORTHERLY 410.00 FEET FROM THE INTERSECTION OF SAID EASTERLY LINE WITH THE NORTHERLY LINE OF SEVENTEENTH STREET AS SHOWN ON OFFICIAL MAP NO. 1 OF A PORTION OF THE CITY OF SANTA ANA, RECORDED IN BOOK 2, PAGE 24 OF OFFICIAL RECORDS, RECORDS OF ORANGE COUNTY, CALIFORNIA, SAID POINT BEING THE SOUTHWEST CORNER OF LAND DESCRIBED IN A DEED TO HORACE L. SKILES AND WIFE, RECORDED SEPTEMBER 28, 1955 IN BOOK 3225, PAGE 336 OF OFFICIAL RECORDS; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF SAID LAND OF HORACE L. SKILES AND ITS EASTERLY PROLONGATION, 167.00 FEET.

EXHIBIT A

PARCEL 3:

THE WEST 50 FEET OF THE SOUTH 180 FEET OF THE FOLLOWING:

BEGINNING 15.53 CHAINS EAST OF THE SOUTHWEST CORNER OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 9 WEST, SAN BERNARDINO BASE AND MERIDIAN; THENCE EAST 3.52 CHAINS, MORE OR LESS, TO THE WESTERLY LINE OF THE SOUTHERN PACIFIC RAILROAD RESERVATION; THENCE NORTHWESTERLY ALONG SAID RESERVATION TO A POINT 6.21 CHAINS DUE NORTH OF THE SOUTH LINE OF SAID SECTION 6, THENCE WEST 0.5 OF A CHAIN; THENCE SOUTH 6.21 CHAINS TO THE POINT OF BEGINNING.

PARCEL 4:

THAT PORTION OF THE LAND ALLOTTED TO GLASSELL AND CHAPMAN, IN DECREE OF PARTITION OF THE RANCHO SANTIAGO DE SANTA ANA, RECORDED IN BOOK B OF JUDGEMENTS OF THE 17TH JUDICIAL DISTRICT COURT OF CALIFORNIA, AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN DEED TO JASPER FARNEY AND WIFE, RECORDED JANUARY 23, 1948 IN BOOK 1614, PAGE 124 OF OFFICIAL RECORDS, BEING ON THE SOUTH LINE OF SECTION SIX, TOWNSHIP FIVE SOUTH, RANGE NINE WEST, IN SAID RANCHO AND DISTANT EASTERLY 1074.98 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION SIX; THENCE SOUTH 89° 18' 00" EAST 8.00 FEET ALONG THE SOUTH LINE OF SAID SECTION SIX; THENCE NORTH 0° 25' 00" WEST 170.00 FEET; THENCE SOUTH 89° 18' 00" EAST TO THE WESTERLY LINE OF THE SOUTHERN PACIFIC RAILROAD RESERVATION; THENCE NORTHWESTERLY ALONG SAID RESERVATION TO A POINT 409.86 FEET NORTH OF THE SOUTH LINE OF SAID SECTION SIX; THENCE WEST 33.00 FEET; THENCE SOUTH 0° 25' 00" EAST 229.86 FEET ALONG THE WESTERLY LINE OF LAND DESCRIBED IN DEED TO CHARLES A. MANNING AND WIFE, RECORDED JUNE 3, 1941 IN BOOK 1095, PAGE 346 OF OFFICIAL RECORDS, TO THE NORTHWEST CORNER OF LAND DESCRIBED IN DEED TO CHARLES LINGER AND OTHERS, RECORDED APRIL 30, 1953 IN BOOK 2495, PAGE 476 OF OFFICIAL RECORDS; THENCE SOUTH 89° 18' 00" EAST 50.00 FEET TO THE NORTHEAST CORNER OF SAID LAND OF CHARLES LINGER; THENCE SOUTH 0° 25' 00" EAST 180.00 FEET ALONG THE EAST LINE OF SAID LAND OF CHARLES LINGER AND ITS SOUTHERLY PROLONGATION TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THE SOUTH 40.00 FEET THEREOF INCLUDED WITHIN SEVENTEENTH STREET.

ALSO EXCEPTING FROM PARCELS 3 AND 4 THOSE PORTIONS INCLUDED WITHIN PARCELS 1A AND 1B AS DESCRIBED IN THAT CERTAIN FINAL ORDER OF CONDEMNATION, SUPERIOR COURT CASE NO. 160974, A CERTIFIED COPY OF WHICH WAS RECORDED DECEMBER 13, 1972 IN BOOK 10469, PAGE 332 OF OFFICIAL RECORDS OF ORANGE COUNTY, CALIFORNIA.

APN: 003-153-48



ZONING DISTRICTS

A1	GENERAL AGRICULTURAL	CSM	SOUTH MAIN STREET COMMERCIAL DIST.	R2	TWO-FAMILY RESIDENCE	-B	PARKING MODIFICATION
C1	COMMUNITY COMMERCIAL	GC	GOVERNMENT CENTER	R3	MULTIPLE-FAMILY RESIDENCE	-OZ	OVERLAY ZONE
C1MD	COMMUNITY COMMERCIAL - MUSEUM DIST.	M1	LIGHT INDUSTRIAL	R4	SUBURBAN APARTMENT	-PRD	PLANNED RESIDENTIAL DEVELOPMENT
C2	GENERAL COMMERCIAL	M2	HEAVY INDUSTRIAL	RE	RESIDENTIAL ESTATE	-HD2	HEIGHT DISTRICT II
C4	PLANNED SHOPPING CENTER	O	OPEN SPACE	SD	SPECIFIC DEVELOPMENT		
C5	ARTERIAL COMMERCIAL	P	PROFESSIONAL	SP	SPECIFIC PLAN		
CR	COMMERCIAL RESIDENTIAL	R1	SINGLE-FAMILY RESIDENCE				



SECTIONAL DISTRICT MAP: 6-5-9
CITY OF SANTA ANA, CALIFORNIA



Exhibit: B

SPECIFIC DEVELOPMENT PLAN NO. 91
Aqua Permanent Supportive Housing Project

SECTION 1 – APPLICABILITY OF ORDINANCE

The Specific Development zoning district No. 91 (SD-91) for the Aqua permanent supportive housing project site is authorized by Chapter 41, Division 26 Section 41-593 et seq. of the Santa Ana Municipal Code. SD No. 91 contains the specific standards and regulations contained in the residential district, as herein amended, for the purpose of establishing land use regulations and standards. All other applicable chapters, articles, and sections of the Santa Ana Municipal Code are in effect unless expressly superseded by regulations contained in this ordinance.

SECTION 2 – PURPOSE

The Specific Development Plan No. 91 for the Aqua permanent supportive housing project consists of standards and regulations established for the purpose of protecting the health, safety, and general welfare of the people of the City of Santa Ana by promoting and enhancing the value of property and encouraging the orderly development of the property.

Objectives

The objectives of the Aqua permanent supportive housing project specific development plan include provision of the following:

1. Development of a residential project in an area identified by the 2014-2021 Housing Element as an opportunity area for infill residential projects.
2. Promotion of the City's image as providing high-quality residential projects for individuals and families of all income groups.
3. A clean and safe environment for the City's residents, workers, and visitors.
4. A visually harmonious development as viewed both internally and externally.
5. Flexibility in development in response to market conditions while achieving overall City and community goals.

SECTION 3 – Uses permitted in Specific Development No. 91

The following uses are permitted in the SD-91 district:

- (a) Fifty-six (56) multiple-family dwelling units for supportive housing and one (1) onsite manager's unit.

EXHIBIT C

- (b) Ancillary onsite community-serving or social service uses. The lobby will be accessible 24-hour a day to residents and staff.
- (c) Home occupations, pursuant to section 41-192.1 of the Santa Ana Municipal Code.

SECTION 4 – Uses subject to a conditional use permit in Specific Development No. 91

- (a) Childcare facilities caring for more than eight (8), but no more than fourteen (14) children.

SECTION 5 – Maximum permitted floor area ratio (FAR)

The maximum authorized building intensity for the Aqua permanent supportive housing project is a floor area ratio (FAR) of 1.3, including residential areas, community-serving areas (e.g., laundry room, office, gym and community room), parking garage and interior corridors.

SECTION 6 – Minimum lot area in Specific Development No. 91

The developable lot for the project shall have a minimum lot area of .90 acres.

SECTION 7 – Minimum street frontage in Specific Development No. 91

Developable lots shall have a minimum street frontage of at least 58 feet.

SECTION 8 – Building height in Specific Development No. 91

No structure shall exceed 45 feet in height, as measured from the lowest adjacent grade of a structure to the top of the structure.

SECTION 9 – Development standards in Specific Development No. 91

The Aqua permanent supportive housing project shall be built as shown on the approved project plans included as attachments to the SD. The plans shall govern in the event there is a conflict between the SD with the project plans. In addition, the following standards are applicable to the project:

- (a) Setbacks.
 - (1) A minimum setback of twelve (12) feet three (3) inches shall be provided between the property line and buildings on Seventeenth Street
 - (2) A minimum setback of ten (10) feet shall be provided between the west side property lines and buildings
 - (3) A minimum setback of zero (0) feet shall be provided between the east side property lines and buildings
 - (4) A minimum setback of ten (10) feet nine (9) inches shall be provided between the rear property line and buildings

- (b) Parking. The minimum off-street parking requirements for the project are as follows:
- (1) 36 total parking spaces, of which:
 - a. 8 parking spaces shall be tuck-under parking
 - b. 28 parking spaces shall be provided in an enclosed garage
 - (2) A minimum of ten (10) bicycle spaces shall be provided onsite. The design and materials shall comply with the approved materials board submitted for the project during building plan check.
 - (3) Prior to occupancy a parking management plan shall be submitted to the Planning Division for review, identifying parking per unit, services provider parking and guest parking. The plan is subject to approval of the Planning Manager.
- (c) Pedestrian Walkways and Open Space. The project will provide a minimum of 15% open space in the form of common, landscaped open space areas, deck, courtyard and lobby, mailroom, interior community room, dining room, gym, computer room, laundry rooms, service provider offices and onsite resident services office.
- (d) Walls/Fences.
A solid block wall with a minimum height of six feet shall be constructed along the east, north, and west property lines. The block wall shall be designed to contain a decorative cap, regularly-spaced decorative pilasters, and a decorative finish in accordance to the design provisions contained within the most recent version of the City's design guidelines.
- (e) Landscaping
Detailed landscaping plans shall be submitted to and be approved by the City of Santa Ana Planning Division prior to issuance of a building permit and installed as required in the approved plans.
- (1) Project Landscaping:
 - a. Landscaping shall be compliant with the City of Santa Ana's Landscape Water Conservation Ordinance.
 - b. All landscape areas shall have a fully automatic irrigation system (including spray or drip) as required by the City of Santa Landscape Water Conservation Ordinance.
 - (2) All meters shall be appropriately screened from public view with trellis work and vines or hedge-type shrub, or be incorporated into the residential structure.
 - (3) The building wall along the easterly property line shall be planted with vines.

(4) Maintenance: All plant material shall be maintained per Section 41-609 of the Santa Ana Municipal Code.

(f) Architectural and Design Features.

- (1) Exterior materials. Prior to building plan check the applicant shall submit revised architectural elevations with additional colors, materials, windows, or recessed areas to previously flat facades, subject to the review and approval of the Planning Manager. Exterior materials and finishes for the project shall comply with the approved materials board submitted for the project during building plan check. All trash enclosures and similar ancillary structures shall match the texture, material and color of the building.
- (2) Hardscape materials. Enhanced paving materials shall be installed at the driveway entrance and the pedestrian walkway along the main driveway. The actual paving materials shall be approved by the Planning Division.
- (3) Lighting standards/fixtures. The light fixtures are to integrate design elements of the building and landscape architecture. Lighting is to be designed to confine the direct rays of the artificial lighting within the boundaries of the development. Specifications of light standards/fixtures and photometrics plan shall be submitted to Planning Division for approval.

(g) Mechanical Equipment, Appurtenances, and Conduits

All mechanical equipment and all supporting appurtenances and conduits shall be screened from view within designated rooms, inside walls, behind parapets, or through a combination of landscape and hardscape materials.

(h) Trash Enclosures

Trash bins shall be stored in designated trash enclosures. There shall be an onsite designated trash staging areas only be used on service days and the staging area and bins shall not disrupt vehicular use of the driveway. The minimum requirements needed to service the location shall be clearly indicated on the plans and subject to the approval of the Public Works Agency.

(i) Easements

Prior to the issuance of building permits all easements shall be relocated or quitclaim within the boundary of the project and building footprints.

(j) Maintenance

The property shall be maintained free for trash, debris and graffiti. Graffiti shall be removed within ten (10) days after its appearance in accordance with Section 10-227 of the Santa Ana Municipal Code.