

ORDINANCE NO. NS-2988

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA, CALIFORNIA, REPEALING ORDINANCE NO. NS-2980 APPROVING AMENDMENT APPLICATION NO. 2018-10 REZONING THE PROPERTY LOCATED AT 2525 NORTH MAIN STREET FROM PROFESSIONAL (P) TO SPECIFIC DEVELOPMENT NO. 93 (SD-93) (AA NO. 2018-10) AND ADOPTING SPECIFIC DEVELOPMENT NO. 93 (SD-93) 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. WHEREAS, on January 21, 2020, the City Council of the City of Santa Ana approved Amendment Application No. 2018-10 with AC 2525 Main ("Applicant"), LLC by Ordinance No. NS-2980, approving the Addington Multi-Family Residential Project ("Project"), to be constructed on property located at 2525 North Main Street in Santa Ana, California ("Project Site"); and
- B. WHEREAS, the Project entails, among other things, (1) demolition of the existing 81,172 square foot vacant two-story office building and 442-space surface parking lot on the Project Site; (2) redevelopment of the 5.93-acre site with 444,534 square feet of total development, including 277,281 square feet of residential buildings that would provide 256 for-rent multi-family residential units and a 167,253 square foot central parking structure and a 284 space surface level parking lot with residential and commercial parking; (3) a Development Agreement No. 2018-01 between the City of Santa Ana ("City") and Applicant; (4) a General Plan Amendment No. 2018-06, which would change the Project Site's existing land use designation of Professional & Administration Office (PAO) to District Center (DC); and (5) an Amendment Application No. 2018-10, which would change the zoning of the Project Site from Professional (P) to Specific Development No. 93 (SD-93) designation; and
- C. WHEREAS, on February 24, 2020, proponent, Dale Helvig submitted a referendum petition to the Clerk of the Council's Office containing approximately 19,160 signatures seeking to require the City Council to reconsider Ordinance No. NS-2980; and

- D. WHEREAS, Ordinance No. NS-2980 is a legislative act which is subject to referendum pursuant to the provisions of the California Constitution, the Santa Ana City Charter, and the Elections Code of the State of California; and
- E. WHEREAS, the City Elections Official heretofore delivered her certificate of sufficiency to the City Council finding and determining that said referendum petition contained the requisite number of valid signatures to require the City Council to reconsider Ordinance No. NS-2980 pursuant to Section 9240 and 9114 of the Elections Code of the State of California; and
- F. WHEREAS, based upon the certification of said referendum petition, the effective date of Ordinance No. NS-2980 was suspended and the City Council was required to reconsider Ordinance No. NS-2980 pursuant to Sections 9237 and 9241 of the Elections Code of the State of California; and
- G. WHEREAS, in accordance with the referendum petition and the provisions of Section 9241 of the Elections Code of the State of California, the City Council desires to repeal Ordinance No. NS-2980.

SECTION 2. The Santa Ana City Council hereby finds, determines and declares that Ordinance No. NS-2980 is hereby, repealed in its entirety and shall be of no further force or effect.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance for any reason is 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: Laura A. Rossini
Laura A. Rossini
Acting Chief Assistant City Attorney

AYES: Councilmembers Bacerra, Penaloza, Pulido, Sarmiento, Villegas (5)

NOES: Councilmembers None (0)

ABSTAIN: Councilmembers Solorio (1)

NOT PRESENT: Councilmembers Iglesias (1)

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Daisy Gomez, Clerk of the Council do hereby attest to and certify the attached Ordinance NS-2988 to be the original ordinance adopted by the City Council of the City of Santa Ana on May 5, 2020.

Date 5/7/2020

Daisy Gomez
Daisy Gomez
Clerk of the Council
City of Santa Ana