



SPECIFIC DEVELOPMENT No. 38

AMENDMENT APPLICATION 945

NS-1836

ORDINANCE NO. NS-1836

AN ORDINANCE OF THE CITY OF SANTA ANA
REZONING CERTAIN PROPERTY LOCATED AT
3820 WEST FIFTH STREET FROM THE A1
(GENERAL AGRICULTURAL) AND C2 (GENERAL
COMMERCIAL) DISTRICTS TO THE SD (SPECIFIC
DEVELOPMENT) DISTRICT AND ADOPTING SPECIFIC
DEVELOPMENT PLAN NO. 38

WHEREAS, Amendment Application No. 945 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. 38 for said property; and

WHEREAS, this Council, prior to adopting this ordinance, has reviewed the initial environmental study prepared for this project, and has approved the Negative Declaration for this project based thereon; 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. 38, 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 3820 West Fifth Street and more specifically described as set forth in Exhibit A attached hereto and incorporated herein by reference, is hereby reclassified from the A1 (General Agricultural) and C2 (General Commercial) Districts to the SD (Specific Development) District.

2. Specific Development Plan No. 38, set forth in Exhibit B, attached hereto and incorporated herein by reference, is hereby approved for the abovedescribed real property.

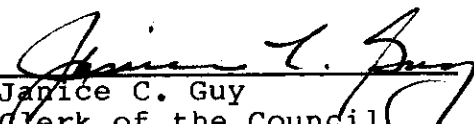
3. An amended Sectional District Map No. 9-5-10 and showing the abovedescribed changes in use district designation is hereby adopted.

ADOPTED this 18th day of February, 1986.



Daniel E. Griset
Mayor

ATTEST:




Janice C. Guy
Clerk of the Council

COUNCILMEMBERS:

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

APPROVED AS TO FORM:



Edward J. Cooper
City Attorney

EXHIBIT A

DESCRIPTION

THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF ORANGE, CITY OF SANTA ANA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 10 WEST IN THE RANCHO LAS BOLSAS, AS SHOWN ON A MAP RECORDED IN BOOK 51, PAGE 12 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

BEGINNING AT THE NORTHWEST CORNER OF LAND DESCRIBED IN DEED TO ROBERT O. RICHARDS AND WIFE RECORDED DECEMBER 9, 1937, IN BOOK 916, PAGE 414 OF OFFICIAL RECORDS, SAID POINT BEING IN THE CENTER LINE OF FIFTH STREET AND DISTANT SOUTH 89 DEG. 24' 00" WEST 528.14 FEET FROM THE EAST LINE OF SAID SECTION NINE, AS SHOWN ON A MAP FILED IN BOOK 25, PAGE 12 OF RECORD OF SURVEYS IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY, CALIFORNIA; THENCE SOUTH 0 DEG. 29' 44" EAST 679.19 FEET ALONG THE WEST LINE OF SAID LAND OF ROBERT O. RICHARDS TO THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION NINE; THENCE SOUTH 89 DEG. 27' 55" WEST ALONG THE SOUTH LINE OF SAID NORTH HALF TO THE SOUTHEAST CORNER OF LAND DESCRIBED IN DEED TO WILLIAM BAILIE AND WIFE RECORDED DECEMBER 31, 1943 IN BOOK 1232, PAGE 92 OF OFFICIAL RECORDS; THENCE NORTHERLY ALONG THE EAST LINE OF SAID LAND OF WILLIAM BAILIE TO THE NORTH LINE OF SAID NORTH HALF; THENCE NORTH 89 DEG. 24' 00" EAST TO THE POINT OF BEGINNING.

PARCEL 2:

THE EAST 198.00 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 10 WEST, IN THE RANCHO LAS BOLSAS, AS SHOWN ON A MAP RECORDED IN BOOK 51, PAGE 12 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

EXCEPTING THEREFROM ONE-HALF OF ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES AS RESERVED BY JOHN SCHLIERF IN DEED RECORDED APRIL 21, 1923 RECORDED IN BOOK 574, PAGE 212 OF DEED RECORDS.

EXHIBIT B

SPECIFIC DEVELOPMENT PLAN NO. 38

Section 1. APPLICABILITY OF ORDINANCE

The Specific Development Zoning District for the subject property, 3812-3912 W. Fifth Street, 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-38 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. 172-unit apartment project with a density of 29 units per acre and associated parking and accessory facilities.

Section 4. HEIGHT LIMIT

No structure on the property shall exceed an elevation of 35 feet from grade.

Section 5. DEVELOPMENT STANDARDS

- | | |
|-----------------------|----------------------------------|
| A. Residential Units: | 240 |
| B. Density: | 29 Du/Ac |
| C. Buildings: | 18 Main and Accessory Structures |

D. Parking:

1) Covered	172	(1 Per Unit Minimum)
2) Uncovered	<u>122</u>	(72 Standard; 48 Compact; 2 Handicapped)
Total Provided	294	

E. Unit Type:

1) 1 Bedroom/1 Bathroom	652 Sq. Ft.	84 Units
2) 2 Bedrooms/2 Bathrooms	860 Sq. Ft.	<u>88 Units</u>
		172 Units

F. Site Plan:

1) Site Area	257,792 Sq. Ft.	100 %
2) Building Coverage	66,400 Sq. Ft.	26 %
3) Driveway/Parking	77,621 Sq. Ft.	30 %
4) Open Space/ Landscaping	113,771 Sq. Ft.	44 %

G. Building Setbacks:

1) Front:	50 Feet
2) Rear:	50 Feet
3) Side:	30 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 Fifth 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.

Section 6. OPERATIONAL STANDARDS

A. PLANNING

1. 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.
2. A landscape plan shall be approved prior to the issuance of building permits.
3. Prior to the release of occupancy permits, all on-site improvements, including landscaping, shall be in place.
4. Individually locking carport storage compartments of at least 180 cubic feet shall be provided at a minimum of one per unit.
5. Detached carport structures shall be architecturally compatible with main structures in design, materials and roof lines.
6. Detached carports that back up to each other shall be structurally attached by a common rear wall.
7. All exterior building elevations shall be primarily of natural wood construction.
8. The building design shall include recessed stairways that do not extend beyond the building facade for a distance greater than three feet.
9. Exterior windows shall be treated with shutters and/or planter boxes or similar decorative treatment on all elevations.
10. Deck railing and stairwells shall be of a material compatible with primary exterior building materials.
11. Roof lines shall be treated to have an eave that is compatible on both front/back and sides. Minimum roof overhang shall not be less than one foot. Roofing material shall be compatible in material and color to primary exterior building materials.
12. Above ground private open space areas shall be a minimum of 60 square feet in area.

13. The common open space area located in the center of the project shall be developed as indicated in the site plan. Further, stationary barbecue grills and picnic tables shall be provided at each end of this common area. Lots provided with playground equipment may be provided in lieu of or in addition to the picnic equipment.

14. Parking stalls adjacent to walls or other than an open space or another parking stall shall be provided at a width of six inches in addition to its required width.

~~15. The applicant/developer of this project must enter into a Regulatory Agreement with the City of Santa Ana to participate in the affordable housing program. The Agreement shall be executed prior to the issuance of building permits and shall insure the long term maintenance of 25% of the units as affordable based upon current rental standards of the Federal Department of Housing and Urban Development.~~

*(City Council deleted this condition on 2-3-86.).

16. The three parcels upon which this project is to be built shall be consolidated through the recordation of a parcel map. Said map must be approved by City Council prior to the issuance of building permits.

17. Security gate shall be constructed to secure resident parking areas.

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. 2 fees.

3. Pay water main charges.

4. Pay cost of water service and fire protection facilities installation.

NOTE: City water mains in Forry Lane and Missouri Lane will be abandoned.

NOTE: The City of Santa Ana Master Plan Sewer Study Addendum of July 1984 indicates that no existing sewer capacity is available for the connection of this project.

5. Provide a sewer study by a Registered Civil Engineer detailing the impact of this project's sewer discharge on the present and future flows in the existing Harbor Boulevard Sewer Main and detailing the mitigation measures this project proposes to provide.
6. Provide sewer discharge control measures as required by the Utilities Agency.
7. Provide improvement plans as required by the Utilities Agency.
8. Construct sewer facilities as required by the Utilities Agency.

D. PUBLIC SERVICES AGENCY

1. Prior to the issuance of a building permit, complete the following:
 - a) Submit the following to the Public Services Agency:
 - 1) A run-off study based on a storm of ten year frequency (25 year frequency for sump conditions) to show existing and proposed facilities and methods of draining this site and tributary areas without exceeding the capacity of any street, on-site or off-site.
 - 2) A final grading plan and/or an on-site drainage plan showing the direction and means of flow to the adjacent streets or drainage channels when the property is developed. The plan is to include existing and proposed elevations at and adjacent to all property lines.

NOTE: This plan must also show off-site street improvements or an additional formal plan will be necessary.
 - 3) Drainage assessment fee of \$2,230.00 per acre (Area X).

- 4) Transportation system improvement fee in an amount of 1% of the estimated construction cost.
 - 5) An on-site access way lighting plan maintaining .5 footcandle of light throughout.
2. Prior to a utility release on the project, complete the following:
- a) Construct an access way lighting per approved plan.
 - b) Construct an access way with a minimum pavement section in through areas of three inches of A.C. over six inches of A.B.
 - c) Construct a drainage facilities as required per an approved run-off study and grading plan.
 - d) Remove and close existing drive approaches with curb and gutter. Reconstruct adjacent paving as is necessary and required.
 - e) Remove and reconstruct sidewalk at existing drive approaches where depressed.
 - f) Plant street trees per City Standard #124.

NOTE: Contact Clint Jones at the City Yard, 834-4922, for size, species and locations, etc.

E. 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 one footcandle of light between lights.
6. A computerized footcandle calculation of the parking lot must be submitted to the Police Department.
7. All hardware must be on the Police Department's approved products list or approved by the Police Department.

F. FIRE

1. The proposed 172 unit apartment complex 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) Fire sprinkler system(s) per N.F.P.A. Standard 13 shall be provided.
 - b) 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.
 - c) 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. Access shall be within 150 square feet of all portions of the exterior walls.
 - d) Vehicular access and hydrants shall be in service prior to commencement of construction.
 - e) Provide an approved fire alarm system.
 - f) Provide portable fire extinguishers.

- g) Provide site plans showing distance to buildings on all four sides within 100 feet. Show construction, height, length and type of roof of exposed buildings. Show location of existing hydrants within 150 feet.
- h) Provide Knox locking devices for gates in the Fire Department access lane.