



**SPECIFIC DEVELOPMENT No. 56**

**AMENDMENT APPLICATION 1037**

**NS-2060**

**CITY COUNCIL ACTION**  
**APRIL 16, 1990**

## ORDINANCE NO. NS- 2060

REL:mb(10)  
3/21/90  
Rev. 3/28/90

AN ORDINANCE OF THE CITY OF SANTA ANA RE-ZONING CERTAIN PROPERTY LOCATED ON THE SOUTH-EAST CORNER OF EDINGER AVENUE AND LYON STREET FROM THE M1 (LIGHT INDUSTRIAL) DISTRICT TO THE SD (SPECIFIC DEVELOPMENT) DISTRICT, ADOPTING SPECIFIC DEVELOPMENT PLAN NO. 56 FOR SAID PROPERTY, AND APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SANTA ANA AND SANTA FE PACIFIC REALTY CORPORATION PERTAINING TO SAID PROPERTY.

WHEREAS, Amendment Application No. 1037 has been filed with the City of Santa Ana to change the zoning district designation of certain real property located generally on the southeast corner of Edinger Avenue and Lyon Street in the City of Santa Ana, and more specifically delineated in Exhibit A, attached hereto and incorporated herein by reference, (the "subject property") from the M1 (Light Industrial) district to the SD (Specific Development) district, and to adopt a Specific Development Plan No. 56, in the form set forth in Exhibit B, attached hereto and incorporated herein by reference, for said property; and

WHEREAS, the City of Santa Ana entered into a Development Agreement with Santa Fe Land Improvement Company governing use and development of a site which includes the subject property; and

WHEREAS, Santa Fe Pacific Realty Corporation, successor by merger to Santa Fe Land Improvement Company, desires to amend the Development Agreement to allow development of the subject property in accordance with Specific Development Plan No. 56; and

WHEREAS, the Planning Commission of the City of Santa Ana held a duly noticed public hearing on March 12, 1990, on the said Amendment Application, Specific Development Plan, and the Development Agreement Amendment, and, based thereon, determined that the development as proposed therein is consistent with the general plan of the City of Santa Ana, and recommended that the City Council approve the Amendment Application, Specific Development Plan No. 56, and the Development Agreement Amendment; and

WHEREAS, prior to taking action on this ordinance, the City Council of the City of Santa Ana has reviewed and considered the information contained in that certain "Santa Ana Arena Environmental Impact Report" pertaining to the

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PAGE TWO

development of the abovesaid property in accordance with Specific Development Plan No. 56, and has certified said environmental impact report as having been prepared in accordance with the California Environmental Quality Act; and

WHEREAS, this Council, prior to taking action on this ordinance, has held a duly noticed public hearing, on the said Amendment Application, Specific Development Plan No. 56, and Development Agreement Amendment;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA ANA DOES ORDAIN AS FOLLOWS:

1. The SD (Specific Development) district designation and Specific Development Plan No. 56, as proposed in Amendment Application No. 1037, and the Development Agreement Amendment are hereby found and determined to be consistent with the general plan of the City of Santa Ana and otherwise justified by the public necessity, convenience and general welfare;

2. Those parcels of real property located generally on the southeast corner of Edinger Avenue and Lyon Street and more specifically delineated in Exhibit A, attached hereto and incorporated herein, are hereby reclassified from the M1 (Light Industrial) district to the SD (Specific Development) district.

3. Specific Development Plan No. 56, set forth in Exhibit B, attached hereto and incorporated herein, is hereby approved and adopted for the abovesaid property.

4. That certain Amendment to Development Agreement between the City of Santa Ana and Santa Fe Pacific Realty Corporation, in the form set forth in Exhibit C, attached hereto and incorporated herein, is hereby approved, and the Mayor is authorized to execute said Agreement on behalf of the City of Santa Ana following its execution by Santa Fe Pacific Realty Corporation, and the Clerk of the Council to attest to the same.

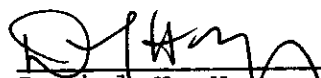
5. The Clerk of the Council is directed to cause a copy of the said Development Agreement Amendment to be recorded in the official records of Orange County, California, within ten days following its effective date.

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6. Those environmental findings and statements of overriding considerations, attached hereto as Exhibit D and incorporated herein by reference, are hereby approved and adopted.

7. The Reporting/Monitoring Program set forth in section 4 of the document entitled "Response to Comments and Final Environmental Impact Report, Santa Ana Arena" dated February 1990 is hereby approved and adopted.

ADOPTED this 16th day of April, 1990.

  
Daniel H. Young  
Mayor


ATTEST:

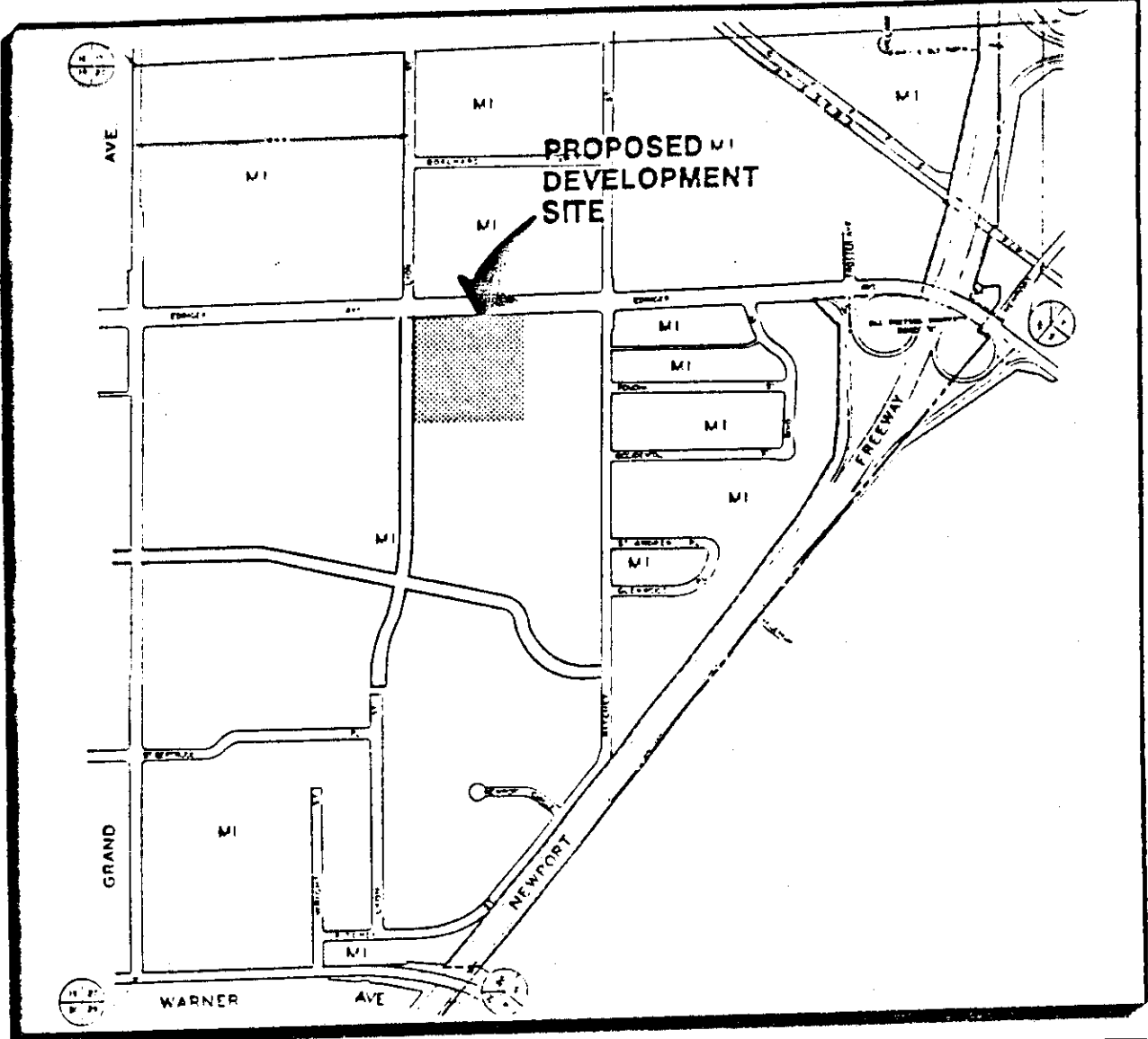
  
Janice C. Guy  
Clerk of the Council

COUNCILMEMBERS:

Young	<u>Aye</u>
Acosta	<u>Aye</u>
Griset	<u>Aye</u>
May	<u>Aye</u>
McGuigan	<u>Aye</u>
Norton	<u>Aye</u>
Pulido	<u>Aye</u>

APPROVED AS TO FORM:

  
for Edward J. Cooper  
City Attorney



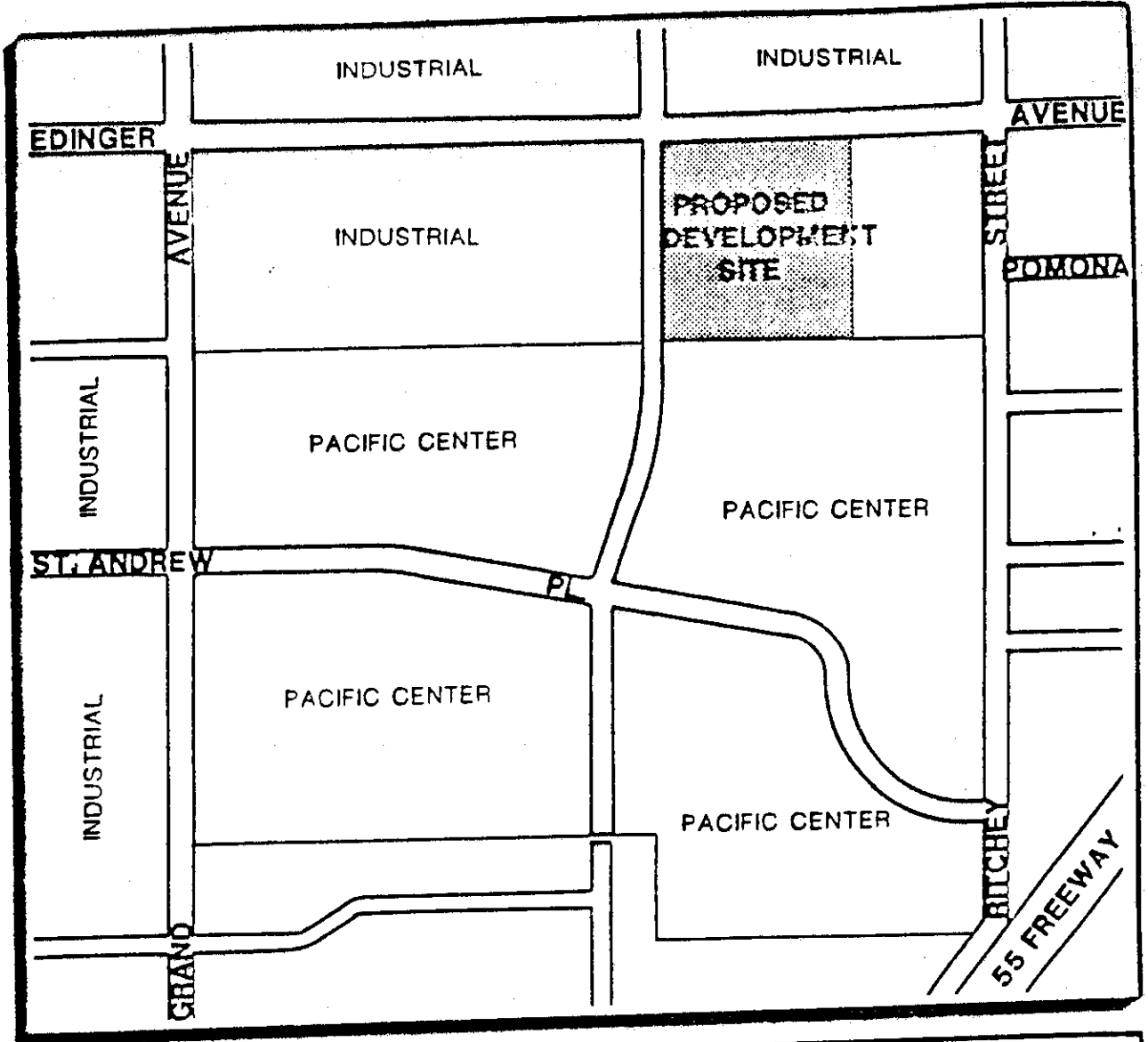
**ZONING DISTRICT**

ADOPTED BY RESOLUTION NO. 90-2/AA 1037/SD 56 BY THE SANTA ANA PLANNING COMMISSION  
 PART OF ORDINANCE NO. 90-2/AA 1037/SD 56 ADOPTED BY THE SANTA ANA CITY COUNCIL, MARCH 2, 1990

- |   |                            |                                     |
|---|----------------------------|-------------------------------------|
| O OPEN SPACE                                  | LP LIMITED PROFESSIONAL    | CM COMMERCIAL MANUFACTURING         |
| A1 GENERAL AGRICULTURE                        | P PROFESSIONAL             | LM LIMITED MANUFACTURING            |
| RE RESIDENTIAL ESTATE                         | CR COMMERCIAL RESIDENTIAL  | M LIGHT INDUSTRIAL                  |
| R1 SINGLE FAMILY RESIDENTIAL                  | C1 COMMUNITY COMMERCIAL    | M2 HEAVY INDUSTRIAL                 |
| R2 LIMITED MULTIPLE FAMILY RESIDENTIAL        | C2 GENERAL COMMERCIAL      | PC PLANNED DEVELOPMENT              |
| R3 MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL | C3 CENTRAL BUSINESS        | PRC PLANNED RESIDENTIAL DEVELOPMENT |
| R3H HIGH DENSITY MULTIPLE FAMILY RESIDENTIAL  | C4 PLANNED BUSINESS CENTER | SC SPECIFIC DEVELOPMENT             |
| R4 BURBANK APARTMENT                          | CC APARTMENT COMMERCIAL    | S B BULKING MODIFICATION            |
| CC CIVIC DEVELOPMENT                          |                            | MCC MEDIUM DENSITY OFFICE B         |

**GPA 90-2/AA 1037/SD 56**





GPA 90-2/AA 1037/SD 56

SANTA ANA ARENA  
1700 EAST EDINGER AVENUE

EXHIBIT A

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## SPECIFIC DEVELOPMENT PLAN NO. 56

## I. STANDARDS

A. Applicability of Ordinance

The specific development zoning district 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.

B. Purpose

The SD-56 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.

C. Uses Permitted

1. Uses permitted by that certain Development Agreement approved by Ordinance No. NS-1795, as from time to time amended, so long as it remain in effect, subject to the design and development standards contined therein.
2. Sports and Entertainment Arena

EXHIBIT B

- D. **Applicability-Permitted Uses.** The property development standards and design criteria set forth in the PacificCenter Development Agreement shall apply to all permitted uses in that document.
- E. **Applicability-Sports and Entertainment Arena.** The following standards and design criteria shall be used in lieu of the PacificCenter Development Agreement standards for review of the arena. The Planning Commission shall review and approve the arena subject to the following standards in Site Plan Review prior to issuance of Building Permits:
1. **Elevations/Detailing**
    - a. All building elevations shall be considered in the evaluation of any new construction, additions or alterations. The importance of the side and rear views of a building should not be minimized because of their impact on adjoining properties or public right-of-way.
    - b. Parapet walls should be developed along all elevations, regardless of orientation away from street or towards a neighboring structure.
  2. **Roof/Roof Lines**
    - a. Roofs shall be given design consideration and treatment equal to that of the rest of the building exteriors. Roofs and roof lines should be continuous in design except where there is a major change in an element of a building elevation. Such elements include wing walls, fin walls and interior building corners.  
  
This requirement shall not preclude the option to not express the roof. A flat roof may be proposed provided adequate screening is provided for any roof top equipment.
    - b. Parapet walls (if required) shall be developed along all elevations, regardless of orientation away from street or towards a neighboring structure.
  3. **Materials/Colors**
    - a. All exterior materials, textures and colors shall be appropriate for an architectural style or theme of the building and should contribute towards the quality the streetscape.



- b. All colors and materials shall be durable and shall not readily deteriorate with exposure to the elements.
- c. Colors and materials, excepting glass, utilized for paving and exterior building surfaces shall be subdued or flat-toned so as not to produce excessive reflected glare from the sun.

#### 4. Equipment/Screening

- a. Any mechanical equipment, ducting, meters or other appurtenances shall be given an appropriate aesthetic treatment.
- b. Screening or higher parapet walls may be used to integrate such installations with the total development upon approval by the Executive Director of Planning & Building Agency.

#### 5. Loading Facilities

- a. Entrances and exits to loading facilities shall be limited in number and should be designed and located to minimize any interference with the flow of traffic along the street.
- b. Loading areas shall be set back from a public street a minimum of seventy feet and be located and designed to minimize direct exposure to public view. These areas should be shielded and buffered with solid shield-walls and landscaping to reduce the visual impact from public streets. Subterranean loading areas may encroach within 70 feet of a public street but in no case shall be less than 12 feet.
- c. The design of loading facilities must take into consideration the specific dimensions required for maneuvering the combinations of trucks and tractor-trailers into and out of position at loading docks or in stalls and driveways.

## 6. Landscaping/Setback Standards

The Planning Commission shall reserve the right to adjust any landscape standard by a factor not to exceed 33% as identified in the Site Plan Review process. The unique characteristics of this land use may dictate adjustments during the final design stage.

- a. There shall be a landscaped area of not less than 12 feet in width adjacent to all public and private streets, except at approved pedestrian plaza areas and driveways.
- b. Each accessory building use (i.e. restaurant, etc.) shall be set back from all public and private streets a distance which is not less than 30 feet. The main auditorium of the arena shall maintain a setback of not less than 50 feet as prescribed above.
- c. General Standards:
  1. Landscaped areas shall be planned and designed as an integral part of the project to facilitate building design and pedestrian circulation. The type, quantity and placement of plant material should be selected for its structure, texture, color and compatibility with the building design and materials.
  2. A conceptual landscape plan shall be submitted for review and approval as to conformance concurrent with an application for site plan review as required by the City of Santa Ana. Prior to issuance of building permits, a final landscape plan shall be submitted to and approved by the Executive Director of Planning and Building Agency as to conformance with the approved conceptual landscape plan and applicable ordinances.
  3. Plant Material:
    - (a) Minimum size street trees shall be 24-inch box, with the exception of specimens. Minimum size trees for parking lot and site landscaping shall be 15 gallon. All newly planted trees shall be supported with double stakes or guy wires.

- (b) Shrubs shall be minimum 5 gallon size. When planted to serve as a hedge or screen, shrubs shall be planted a spacing to be approved by the Planning Commission.
- (c) Depending on the plant materials, groundcover shall be generally spaced at a spacing approved by the Planning Commission. When used as groundcover, minimum one gallon size shrubs may be planted at a spacing to be approved by the Planning Commission.

d. Site Landscaping

- 1. The total landscaped area shall be equal to at least ten percent of the total lot area (The landscaped setback may be used in the calculation of this area).
  - (a) Landscape planters having a combined area equal to at least five percent of the total area used for on-site surface parking and vehicle access shall be installed and maintained in on-site surface parking area.
  - (b) A ten feet wide landscaping planter shall be provided along building walls or at point not be exceed 30 feet from the face of the walls facing a street except at entrances and a minimum of 5 feet on all other building sides. Trees shall be provided at a quantity of one tree for each thirty lineal feet of exterior walls, and trees may be planted in groupings.
  - (c) Landscaping shall be provided in a continuous strip 5 feet wide along interior property lines except at common driveways along property lines and shall include trees at a quantity of one tree for each thirty lineal feet of planter provided.

2. Landscaping shall be provided along fences or walls that are visible from the public street, a combination of trees, hedges, shrubs and vines shall be planted.
3. Areas used for loading, refuse, storage and equipment shall be screened with a combination of walls and landscaping, or shall be of subterranean design.

E. Parking Areas:

1. Trees equal in number to one for each 5 parking spaces shall be provided within all on-site surface parking areas. Above grade parking structures shall have a minimum of 5 feet landscape planter around the structure perimeter with trees provided at a rate of one for each 30 linear feet.
2. Off-site surface parking, in satisfaction of required parking for an arena shall satisfy PacifiCenter Development Agreement standards except that interior landscape requirements are not applicable.

7. Parking Requirements

- a. Parking facilities shall be located within 1500 feet of an arena use.
- b. All parking spaces have the following minimum dimensions:
  - Spaces not alongside a wall or obstruction:  
8-1/2' wide x 18' long
  - Spaces alongside a wall or obstruction:  
9' wide x 18' long
- c. Parking overhang of a maximum of 2.5 feet may encroach into non-required landscape areas.

- d. For an arena use, a minimum 1 space per 5 seats shall be provided as surface or structured spaces (either shared or reserved) within PacifiCenter.
- e. No parking shall be underground except for secured preferred parking and the loading/staging area.
- f. No dead end drive aisles are allowed.

## 8. Signs

### a. General Requirements:

- 1. Sign elevations, to indicate overall letter/figure dimensions, colors, material, proposed copy, and illumination shall be provided.
- 2. A site plan to include all signs existing or proposed with sufficient amount of information to adequately describe what is proposed shall be provided.
- 3. Building elevations with signs depicted shall be provided.
- 4. A planned sign program shall be submitted and approved prior to issuance of sign permits.

- b. Signs shall conform to the City Ordinances in effect at the time of permit except that an arena use may have a media tower to include electronic readerboard, arena identification, and ancillary off-premise advertising to a maximum height of 35 feet and 300 sq. ft. of sign area.

## 9. Design and Development Standards

Development of the site shall be subject to the City's Design and Development Standards adopted by the City Council pursuant to Resolution No. 84-63 on June 4, 1984.

## 10. Height

The Specific Development area is within the height exempt district of the city per Section 41-602.5.

## O. Building Area

Development shall not exceed a 0.7 floor area ratio except if developed with an arena and food court, the allowable floor area ratio then shall not exceed 1.5.

## P. CEQA Mitigation Measures

The arena shall be constructed, operated and used in accordance with all the mitigation measures set forth in the environmental impact report prepared and certified for the "Santa Ana Arena" project.

## II. ADDITIONAL CONDITIONS

Should the Planning Commission recommend approval of Amendment Application No. 1037 and Specific Development Plan No. 56, the project must comply with all applicable sections of the Santa Ana Municipal Code, the California Administrative Code, the Uniform Fire Code, the Uniform Building Code and other applicable regulations. In addition, it shall meet the following items for an arena project:

### A. PLANNING DEPARTMENT

1. Structured parking, if provided, shall be designed for a maximum unloading time of 45 minutes.
2. A bus and limosine loading area shall be provided on site and bus and limosine parking shall be subject to approval of the Planning Commission.
3. Curb cuts on Edinger street shall be limited to the existing breaks currently provided. No more than two curb cuts shall be allowed on Lyon Street and on Ritchey Street except for emergency vehicle access purposes.
4. The corner plaza at Lyon and Edinger shall include a design consistent with the existing PacifiCenter theme.
5. A pedestrian amenity package of seating, water drinking fountains, telephones etc. shall be provided at the primary pedestrian entrance plaza at the southwest corner of the site.
6. A well defined and functional pedestrian collector system shall provided from the off-site parking areas within PacifiCenter.
7. Management of the Arena shall establish an Arena Management Association composed of the City of Santa Ana Police, Fire, and Public Works Agencies, City of Tustin Engineering and Police Departments, California Department of Transportation and the California Highway Patrol and shall provide its members with a quarterly program of events including times of arrival and

departure as well as anticipated attendance. A two week notice of all changes in event schedule shall be provided to all association members and shall include any changes in event times and/or anticipated attendance.

8. The developer shall participate in area-wide fee programs implemented by the City for permanent traffic engineering improvements due to cumulative developments throughout the area to the satisfaction of the City of Santa Ana and any Joint Powers Agreement (JPA) that the City may enter into with adjacent jurisdictions.

#### B. POLICE DEPARTMENT

1. All structures shall comply with the provisions of Chapter 8, Article II, division 3 of the Santa Ana Municipal Code (Building Security Ordinance).
2. All panic devices shall be of the flat push bar variety.
3. All pedestrian access paths, walkways, etc., shall be provided with a minimum maintained .5 footcandles of light.
4. A minimum of two exclusive police department parking stalls shall be provided immediately accessible to a primary entry point.
5. The staging area shall be immediately adjacent to the fire control room.
6. Prior to the issuance of the building permit, the arena management shall provide a reimbursement plan to guarantee responsibility affiliated with arena activities.
7. Parking structures, subterranean parking areas, and access bridges shall meet all police department design criteria.
8. The staging area specified in the final draft of the EIR shall be as close as possible to the police office and detention facility.
9. The staging area shall be provided with electrical and telephone hook-ups and two portable toilets.



10. A permanent or temporary barrier shall be provided to prevent public access to the staging area.
11. No beverage shall be served in glass or metal containers and the police department reserves the right to stop the dispensing of alcoholic beverages when deemed appropriate.
12. An office space for the Police Department shall be provided and shall be a minimum of 1000 square feet and for the sole and exclusive use of the police department. In addition, the arena shall provide janitorial services and three dedicated phone lines. The police office shall also have separate bathroom facilities, as well as a mobile data terminal and hook-ups.

Prior to building permit issuance, a management contract shall determine the payee.

13. Spectaguard or other on-site security shall provide a minimum of three of their portable radios to the police department to facilitate communication during events.
14. The arena shall purchase a minimum of five portable police radios for use of the Police Department during events and purchase a radio signal repeater if reception after the arena is constructed, warrants its purchase.
15. A prisoner detention facility shall be located adjacent to and have access to the police office. The detention area shall be a minimum of 1000 square feet and be equipped with a prisoner mugshot camera. The entire prisoner detention facility shall be built to the specifications of the Santa Ana Police Department, including stainless steel toilets and drain ports located within the main cells.
16. The Police Department retains the right to shut down an event when articulable facts exist to support such action, and without having to declare a riot situation.
17. Access to the area shall be provided to police officers during all hours via a KNOX system to be specified by the Police Department.

C. BUILDING DEPARTMENT

1. The project owner/developer shall designate a contact person who has the authority to act on behalf of the owner to coordinate and provide consistency for all of the plans required for the project including landscaping, grading, pedestrian protection, architecture, structural, electrical, mechanical and plumbing. Note on the drawings the contact persons' name, position, business address and telephone number.

D. FIRE DEPARTMENT

1. Detailed conditions and requirements particular to the project, in addition to mitigation measures in Exhibit A will be provided at the time of Site Plan Review when plans are more thoroughly developed.

E. PUBLIC WORKS

- A. Prior to issuance of a Building Permit, complete the following:
  1. Submit a Site Plan fully dimensioned and detailed in compliance with all City Agencies' findings identified in the Site Plan Review.
  2. Record an irrevocable offer to dedicate right-of-way for the ultimate pedestrian bridges connecting to the future parking garage.
  3. Dedicate for street purposes, the following:
    - a. Lyon Street per approved Channelization Plan, including right turn lane.
    - b. Edinger Avenue per approved Channelization Plan, including bus turn-out lane.
    - c. Ritchey Street per approved Channelization Plan.

- d. Additional right-of-way and/or easements as required by the approved Site Plan and directed by the City Engineer.

Note: Ultimate street dedications will also be based on required parkway widths (curb to property lines) necessary to accommodate projected pedestrian flow.

- B. Prior to the Release of Utilities, complete the following:

1. Construct storm drain facilities per approved Runoff Study and as directed by the City Engineer.
2. Construct street improvements per approved improvement plans.
3. Construct domestic water facilities as directed by the City Engineer and approved improvement plans.
4. Construct raised and landscaped medians per approved Channelization Plan and as directed by the City Engineer.
5. Construct or modify traffic signals per approved Channelization Plan and as directed by the City Engineer.
6. Install on-site Channelization and Signage per approved plan.
7. Install ornamental street lighting with underground service as directed by the City Engineer.
8. Construct street tree wells and plant minimum size 24 inch box trees at locations in accordance with approved improvement plans.
9. Install "No Stopping Anytime" Zones per approved improvement plans.

10. Provide on-site peak sewage retention facilities or other approved measures needed to regulate the rate of sewage discharge from this project into the Public Sewer Systems as required by the accepted Sanitary Sewer Study and Disposal Plan to the satisfaction of the Orange County Sanitation District and the City of Santa Ana.
11. Construct all sanitary sewer facilities, public or private, that are necessary per the accepted Sanitary Sewer Study and Disposal Plan, to convey sewage to the orange County Sanitation District facilities without overloading any sewer facilities downstream of this project.
12. Developer shall comply with all mitigation measures applicable to the developer as set forth in the Draft EIR, and as modified in the response to Comments' portion of the EIR.
13. Developer shall pay any difference of a Transportation System Improvement Fee increase from the fee rate collected at time of release of the Building Permit. (NOTE: Collection of Transportation System increase(s) as due and payable for each phase of development.)
14. Construct bus turn-out(s) as required per the approved plan and as directed by the City Engineer.
15. Secure approval of all agreements necessary for extending Police and City staff support (i.e., Santa Ana and Tustin) to carry out the required mitigation measures and provide manual traffic control at intersections impacted by Arena event traffic, including Del Amo and Edinger, as needed.

AMENDMENT TO DEVELOPMENT AGREEMENT

REL:mb(1)  
3/21/90

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THIS AMENDMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1990 by and between the City of Santa Ana, a municipal corporation of the State of California ("City") and Santa Fe Pacific Realty Corporation, a Delaware corporation ("SFPRC"), successor by merger of Santa Fe Land Improvement Company.

W-I-T-N-E-S-S-E-T-H

Recitals:

A. The City, by its Ordinance No. NS-1795, dated September 17, 1985, approved and entered into a Development Agreement, dated October 17, 1985, with Santa Fe Land Improvement Company, (the "Development Agreement") pertaining to the use and development of certain real property in the City of Santa Ana, commonly referred to as the PacifiCenter site.

B. SFPRC is the successor by merger of Santa Fe Land Improvement Company.

C. The ordinance of the City which approves this Amendment also approves a change in the zoning district classification of a portion of the PacifiCenter site, which portion is specifically identified in Exhibit A of said ordinance, to the SD (Specific Development) district, and also approves Specific Development Plan No. 56 for said portion of the PacifiCenter site, set forth in Exhibit B of said ordinance.

EXHIBIT C

D. Specific Development Plan No. 56 allows the subject portion of the PacifiCenter site to be developed and used as a sports and entertainment arena, as an alternative to the other uses permitted for such portion of the PacifiCenter site under the Development Agreement. Nothing herein shall be construed to affect, limit, or replace the other uses permitted for such portion of the PacifiCenter site under the Development Agreement in the event that a sports and entertainment arena is not developed on such portion of the PacifiCenter site.

WHEREFORE, in consideration of the foregoing, the parties hereto do hereby agree that the Development Agreement is amended to allow that portion of the PacifiCenter site which is the subject of Specific Development Plan No. 56 to be developed and used in accordance with said Specific Development Plan No. 56.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the date and year first above written.

CITY OF SANTA ANA

ATTEST:

By: \_\_\_\_\_  
Daniel H. Young

\_\_\_\_\_  
Janice C. Guy  
Clerk of the Council

APPROVED AS TO FORM:

SANTA FE PACIFIC REALTY  
CORPORATION

By: \_\_\_\_\_

\_\_\_\_\_  
Edward J. Cooper  
City Attorney

By: \_\_\_\_\_

**FINDINGS****I. Land Use**

- A. Effect:** Implementation of the Santa Ana Arena will require a General Plan Amendment, Zone Change and Development Agreement Amendment.
- B. Mitigation:** Prior to project implementation the City of Santa Ana shall approve a General Plan Amendment, Zone Change and Development Agreement Amendment for the Santa Ana Arena.
- C. Findings:** The mitigation measures described above will reduce project impacts related to land use to a level of insignificance.

**II. Transportation/Circulation/Parking**

- A. Effects:** Intersections and freeway off-ramps identified in the EIR will temporarily (one hour before and one hour after event) operate at unsatisfactory levels as a result of project implementation. Without assurance of adequate on-site parking within PacifiCenter, daytime events will result in spillover parking demands on surrounding industrial areas after PacifiCenter is built out.

A detailed traffic control and operations plan shall be developed, implemented and fine-tuned over time, by the arena management association, to accommodate peak traffic flows associated with major spectator-type events at the arena.

An arena management association will establish a plan for traffic circulation, crowd control and event-related clean up.

Special right-turn and dual left-turn lanes shall be constructed on Edinger at Lyon, on Lyon and at Edinger at the arena entrance.

**EXHIBIT D**

A 3:30 PM ending time for weekday matinee departures shall be enforced by the developer and/or arena management association.

The arena developer shall participate in area-wide permanent engineering improvements.

Bus parking shall be close to the arena to encourage use of buses as an arrived mode.

The parking component of the event management plan shall be implemented to provide coordination between arena management and privately owned lots.

On-street parking shall be prohibited with "no parking" signs.

Entrepreneurial parking should be encouraged south of Edinger and west of Ritchey.

A set of special event programs shall be incorporated to expedite arrivals and departures.

A formula shall be developed to assure sufficient parking within PacifiCenter to accommodate demand from scheduled events; such parking within PacifiCenter shall be made available from either shared or reserved surface or structural parking.

Arena operators/management shall submit an annual report to the City on available PacifiCenter surface parking. PacifiCenter parking shall be utilized to the greatest extent possible.

Event management team shall be responsible for arena related parking and traffic routing.

A comprehensive approach to route signing program shall be implemented.

- B. **Mitigation:** Three categories of mitigation measures are identified in the EIR; they are event management for traffic, and physical infrastructure improvements, and event management for parking/circulation.
- C. **Finding:** With implementation of traffic control measures and infrastructure improvements, traffic - related impacts will not be mitigated to a level of insignificance. With implementation of event management for parking/circulation, expected impacts will be insignificant.



### III. Air Quality

- A. **Effects:** Emissions generated by construction equipment are very minor when compared with the total emissions released in Orange County and are not significant. Since the emissions projected for the project are such a small fraction of regional and area emissions, there will be no significant regional or receptor air quality impacts. Vehicle related emissions due to the project are not expected to exceed 1-hour or 8-hour standards.
- B. **Mitigation:** Specific measures contained in the AQMP for the basin will be incorporated into the proposed project.
- C. **Finding:** The mitigation measure referenced above will reduce project-related impacts associated with vehicle emissions to a level of insignificance.

### V. GEOLOGY AND SOILS

**Effects:** Site soils have high potential for compressibility, collapsibility and expansion. Project implementation will involve excavations up to 20 feet below grade. Several known active faults in the southern California area are capable of producing ground shaking on the project site.

**Mitigation:** Subsurface exploration sampling and testing shall be conducted. Densification techniques shall be performed on site soils and constant moisture content maintained. Soils shall be over excavated and recompacted. Chapter 23 of the Uniform Building Code shall be adhered to.

**Finding:** The mitigation measures described above will completely mitigate impacts related to site soil instability; project-related excavations; and, structural instability due to ground shaking.

### VI. HYDROLOGY AND DRAINAGE

**Effects:** Increased erosion and sediment transport in surface waters due to construction. Increase in urban pollutants in runoff from vehicular activity. Increased site runoff. Subterranean structures could intercept groundwater.

**Mitigation:** Conformance with surface runoff pollution and sediment control features established by SCAG, Regional Water Quality Control Board and policies of the City of Santa Ana.

Regular maintenance and street sweeping shall be conducted. Planters and landscaped areas shall be maximized. A grading permit shall be obtained and grading shall be in accordance with PacificCenter improvement plans. A subsurface investigation shall be conducted to document perched groundwater and if required subdrainage systems shall be used. In addition, aquifers shall be dewatered and subgrade slabs and walls shall be waterproofed if necessary.

**Findings:** The mitigation measures described above will completely mitigate impacts related to erosion, runoff and perched groundwater.

## VII. PUBLIC SERVICES AND UTILITIES

### Effects:

**Fire:** Short-term increased demand for fire inspectors during construction. Increased risk of fire and bodily injury and other emergencies.

**Police/Security:** Increased number of thefts and violations related to increased human activity in the project vicinity. Increased numbers of accidents and vehicular violations.

**Emergency Medical:** Increased potential for medical emergencies and safety impacts due to fire and bodily injury.

**Sewer:** The project will contribute to significant cumulative impacts to the County sanitation system.

### Mitigation:

**Fire:** The applicant should employ an on-site Fire Inspector. Emergency access shall be provided to all portions of the site during project construction if feasible. Fire hydrants shall be in operating order if feasible during project construction.

**Police/Security:** Arena management/events promoters shall coordinate with the City Police Department to provide adequate security and protection according to specific mitigation measures listed in the Draft EIR.

**Emergency Medical:** Arena management/events promoters shall provide emergency medical staff for all events according to specific mitigation measures listed in the Draft EIR.

**Sewer:** A flow test will be carried out by the developer to ensure adequate capacity. If required, the developer shall pay all necessary fees and make all necessary improvements.

**Findings:**

**Fire:** The mitigation measures described above related to fire service to the site will completely mitigate both short-term and long-term impacts associated with fire service to the site.

**Police/Security:** The mitigation measures described above for police and security service to the proposed facility will completely mitigate police/security related impacts.

**Emergency Medical:** Mitigation measures described above, which are related to emergency medical services to the site will completely mitigate impacts related to these City services by requiring the project applicant to provide these services.

**Sewer:** Mitigation measures described above, which are related to sewer service to the site will completely mitigate impacts related to this service by requiring the developer to fund and provide all necessary improvements.

**VIII. AESTHETICS**

**Effect:** Possible obstruction of views of Saddleback Mountains from adjacent vantage points to the west. High building visibility from surrounding vantage points due to building scale. New source of light and glare. Aesthetic enhancement to the project area with visually attractive buildings of high quality design in conformance with City goals and policies.

**Mitigation:** Building design should incorporate view corridors where feasible. Provision of landscape buffers along street setbacks shall be made. Exterior lighting shall be shielded or concealed. Landscaped buffers shall be used to reduce light and glare.

**Findings:** The mitigation measures discussed above will reduce project-related impacts completely by incorporating view corridors and reducing exterior lighting and introducing landscaped buffers where feasible. Building design will be an aesthetic enhancement to the project area.

**IX. RISK OF UPSET**

**A. Effects:** Increased potential of public safety impacts due to fire, bodily injury and/or medical emergencies and increased potential for police/medical emergencies.

- B. Mitigation: Coordination shall be made with the City of Santa Ana Police and Fire Departments and adequate provision of on-site medical and security staff shall be made in accordance with all Federal, State and local ordinances.
- C. Finding: The mitigation measures described above will reduce project impacts related to risk of upset to a level of insignificance.

#### STATEMENT OF OVERRIDING CONSIDERATION

Despite the incorporation of mitigation measures into the design and approval of the project, certain environmental impacts will remain that can not be fully mitigated to a level of insignificance. The City of Santa Ana finds that these adverse impacts are outweighed by the benefits of the project. Specifically, the anticipated project-related traffic impacts, which are expected one hour prior to and following arena events, are outweighed by the anticipated positive effects from project implementation listed as follows:

- o Promotion of positive regional and natural exposure for the City of Santa Ana.
- o Enhancement of community and civic pride.
- o Creation of employment through project construction and operation, and indirect economic activity (e.g. other business expansion).
- o Encouragement of retail demand and sales through combined on-site and spin-off retail sales.
- o Visual enhancement of the project area with a high-quality events center.