

SPECIFIC DEVELOPMENT No. 59
AMENDMENT APPLICATION 1055
NS-2676

ORDINANCE NO. NS-2676

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SANTA ANA AMENDING SPECIFIC DEVELOPMENT
DISTRICT (SD-59)

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

Section 1. The City Council of the City of Santa Ana does hereby find, determine
and declare as follows:

- A. Applicant is requesting approval of various entitlements in order to construct the City Place project, which is a mixed use development with approximately 57,700 square feet of commercial space (being a mix of sit-down restaurants, retail and market); and 187 residential units divided as follows; approximately 73 for-sale live-work lofts; approximately 112 for-sale townhomes and 2 single family detached homes, all for the approximately 17.7 acres located at the northeast corner of Main Street and Memory Lane, 2775 North Main Street.
- B. On October 25, 2004, the Planning Commission held a duly noticed public hearing, and voted to continue the matter to December 13, 2004.
- C. On December 13, 2004 the Planning Commission voted by a vote of 6:1 (Sinclair opposed) to recommend that the City Council:
 1. Adopt a resolution certifying Final Environmental Impact Report (EIR) No. 2004-01.
 2. Adopt an ordinance approving Zoning Ordinance Amendment No. 2004-06.
 3. Adopt an ordinance approving Development Agreement No. 2004-04.
 4. Adopt a resolution approving Conditional Use Permit No. 2004-28 as conditioned.
 5. Adopt a resolution approving Vesting Tentative Tract Map No. 2004-06 (County Map No. 16565) as conditioned.
 6. Adopt a resolution approving Site Plan Review No. 2004-05.
- D. The City Council of the City of Santa Ana held a duly noticed public hearing on the abovesaid actions for City Place Development on February 7, 2005, and at that time considered all testimony, written and oral. After closing the public hearing, the Council adopted a motion continuing the matter to its February 22, 2005 regular meeting and directing staff to return the Project for approval with the following adjustments:

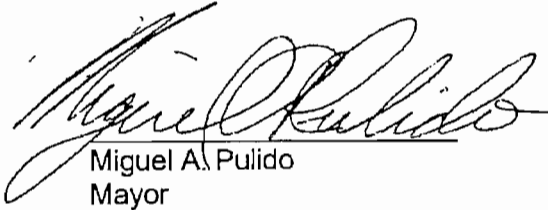
1. Amend Part II of the Specific Development to permit:
 - a. 185 dwelling units (townhomes and live-work units) as shown on lots 2, 3 and 5 of Vesting Tentative Tract Map No. 16565.
 - b. 1 dwelling unit per acre on Lot 1 of Vesting Tentative Tract Map No. 16565.
 2. Amend Section 5 of the Development Agreement to limit development in Phase II to be consistent with the Specific Development, as amended, but retain the concept that the City and Developer shall meet in good faith to consider construction of a residential, for-sale, high-rise tower as part of this Project
 3. Amend the Vesting Tentative Tract Map to comply with the revised Specific Development and Development Agreement.
 4. Amend the Site Plan and Site Plan Review to comply with the revised Specific Development and Development Agreement.
 5. Amend the Final EIR, including the Project Description, consistent with the revised Specific Development and Development Agreement.
 6. Delete Section 5.1.2 of the Development Agreement related to development of Commercial component tied to Development of hold back units.
- E. Amendment Application No. 2004-06 has been filed with the City of Santa Ana to amend Specific Development Plan No. 59 (SD-59).

Section 2. Specific Development Plan No. 59 (SD-59) is hereby amended as set forth in Exhibit "A", attached hereto and incorporated as though fully set forth herein. (ZOA 2004-06).

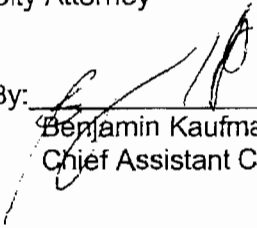
Section 3. This ordinance shall not be effective unless and until Resolution No. 2005-016 and Resolution No. 2005-017 become effective. If said resolutions are for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or otherwise do not go into effect for any reason, then this ordinance shall be null and void and have no further force and effect.

Section 4. 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 7th day of March, 2005.


Miguel A. Pulido
Mayor

APPROVED AS TO FORM:
Joseph W. Fletcher
City Attorney

By: 
Benjamin Kaufman
Chief Assistant City Attorney

AYES: Councilmembers: Alvarez, Bist, Christy, Bustamante, Garcia, Pulido, Solorio (7)

NOES: Councilmembers: None (0)

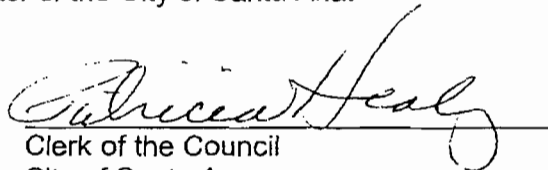
ABSENT: Councilmembers: None (0)

ABSTAIN: Councilmembers: None (0)

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, PATRICIA E. HEALY, Clerk of the Council, do hereby attest to and certify the attached Ordinance No. NS-2676 to be the original ordinance adopted by the City Council of the City of Santa Ana on March 7, 2005, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: 3/21/05


Clerk of the Council
City of Santa Ana

**THE
MAIN
STREET
CONCOURSE**

Specific
Development
Plan No. 59
City of Santa Ana

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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.

PURPOSE

The Specific Development No. 59 (SD-59) 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-59 regulations will establish a professional district that will entitle 57,700 square feet of commercial space at the northeast corner of Main Street and Memory Lane with 187 for sale residential units further to Lawson Way. This area will be a mixed use district with eating establishments, support services and a residential component consisting of live-work and townhouse units.

PART I. GOALS, OBJECTIVES AND POLICIES

City Place Specific Development District is located within the northern area of the City. The City Place Specific Development District encompasses a large vacant property bounded by Main Street to the west, Memory Lane to the south, Lawson Way to the east and the City boundaries to the north. A regional mall, professional offices, a senior care facility and Santiago Park surround the project site.

The City Place Specific Development District maintains a commercial corridor along Main Street while introducing a residential character along the eastern portion of the district, with a mixture of live-work and townhome buildings. The City Place mixed-use project is intended to be an addition to the commercial corridor and an infusion of housing to the district along the north Main Street section of the City. In addition, the mixed use plan for this site will result in the project becoming a node, or place of activity. The objectives of the City Place Specific Development Plan includes the provision of the following:

1. A long-term development that is of the highest architectural quality and design;
2. A landscaping plan that is complementary to a large scale mixed use development;
3. An exciting and visually cohesive development as viewed both internally and externally;
4. A bold but integrated sign program suitable for a mixed use project of this scale and scope;
5. A development that is consistent with the District Center designation of the General Plan and which implements the spirit and intent and policies of the General Plan;
6. Concentrated and internally integrated development rather than development that spreads activities into adjacent residential neighborhoods;
7. A development that provides special design themes which are expressed in building appearance and configuration, street and pedestrian area design, landscaping, lighting and signage, and also provides for pedestrian linkages internally and to the surrounding neighborhood, traffic and service buffering and transitions in architectural scale and character;

8. Provision of off-street parking sufficient to service the development, consistent with the mix of uses contained in the project;
9. Provision or replacement of public streets, sidewalks, sewers, storm drains, traffic signals, lighting systems, and other public facilities and improvements, as necessary; and
10. Opportunities for cultural amenities and facilities serving the visual and performing arts which are open for public patronage.
11. A landmark mixed-use project along north Main Street across from Main Place Mall.
12. Maintain the existing streetscape pattern including sidewalk design, mature trees and light fixtures.
13. Introduce a mixture of multi-family housing types to the district.
14. Provide a mixed-use project in scale and character with established commercial and residential structures along the north end of the district.
15. Enhance the pedestrian experience through the development of new plaza areas and water features throughout the project as well as the intersection of Main Street and Memory Lane.

PART II. PERMITTED LAND USES

The categories of land uses to be included within the project area are: banks and similar financial institutions, retail and restaurants. In addition multi-family residential uses (excluding live-work units) are permitted. If a use is for any reason omitted from those specified as permissible or if ambiguity arises concerning the approximate classification of a particular use within the meaning and intent of this Plan, the determination shall be at the discretion of the Planning Manager. Such decision may be appealed to the Planning Commission whose decision is final.

1. Permitted Uses.

- a. Within Buildings A, B, C and D (as identified on site plan), the following uses are permitted:
- b. Retail sales uses including but not limited to clothing stores or boutiques; florists; news-stands; pet stores; photography studios; video stores; office and computer equipment book and stationery store; camera shop; shoe store sporting goods store; art gallery; craft store; cultural displays and related merchandising; bicycle store; pharmacies and drug stores; fabric shops; jewelry shops; furriers, design and furniture centers; cookware and gourmet specialty shop; office furniture store.
- c. Full service cafes and restaurants which may include incidental take out service. Full service cafes and restaurants shall be limited to those that provide sit-down dining areas and exclusive table service for ordering and delivering meals and beverages.
- d. Day care facilities
- e. Museums and libraries
- f. Theaters
- g. Within Building E, as identified on site plan:
 - i. Retail use with a minimum of 25,000 square feet.
- h. Within the Courtyards and The Park, as identified on site plan:
 - i. Multiple family residences as condominiums.

- ii. Uses incidental or ancillary to any residential use, such as swimming pool, sauna, jacuzzi, benches, playgrounds, BBQ and other outdoor recreational facilities.
- i. Within The Lofts, as identified on site plan:
 - i. Permitted uses as identified in Section A. 1-5, 8, 9 and 11.
 - ii. Uses incidental or ancillary to any residential use, such as swimming pool, sauna, jacuzzi, benches, playgrounds, BBQ and other outdoor recreational facilities.
- j. Within Lot 1, as identified on Vesting Tract Map No. 2004-06 (County No. 16565):
 - i. Single family residences at a maximum density of one unit per acre.
- k. Ancillary uses to commercial area:
 - i. A maximum of five permanent outdoor sales kiosks or carts. The size and location of each Kiosk or cart shall be approved on a masterplan of such uses by the Planning Commission prior to their construction or installation.

2. Conditionally Permitted Uses

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

- a. Within Buildings A, B, C and D (as identified on site plan):
 - i. Uses open between midnight to 5:00 a.m.
 - ii. Banquet facilities, subject to development and operational standards set forth in 41-199.1.
 - iii. Nightclubs, bars and indoor entertainment uses whether freestanding or part of another permitted or conditionally permitted use, except adult entertainment businesses.
 - iv. Establishments selling or serving alcoholic beverages.
 - v. Coffee houses or similar uses not specifically listed in Part II, Section 1.d. of this ordinance.
 - vi. Parking structures

- b. Within The Lofts, as identified on site plan:
 - i. Live-work communities
 - ii. Ceramic and pottery studios
 - iii. Glass blowing and sculpturing studios
 - iv. Coffee houses
 - v. Temporary residential model complex and office
 - c. Within The Courtyards and The Park, as identified on site plan:
 - i. Temporary residential model complex and office
 - d. Within Building E, as identified on site plan:
 - i. Retail grocery markets which are open at any time between the hours of midnight and 5:00 a.m.
 - e. Within the commercial component area:
 - i. Certified Farmers Market for the sale of vegetables, fruits and other agricultural products on weekends and holidays only from 6 a.m. to 2 p.m.
 - ii. Community oriented live performance theater.
3. Uses Not Permitted
- a. Schools, private or public.
 - b. Medical office or clinics.
 - c. Commercial uses with vehicular drive-through lanes or windows (i.e. drive-through restaurants, pharmacy or similar uses) are prohibited.
 - d. Fast food or exclusively take-out restaurants.
 - e. All other uses not expressly permitted or conditionally permitted in this ordinance

PART III. DEVELOPMENT STANDARDS

The City Place Specific Development District is intended to allow the development of a mixed-use project maintaining a commercial presence along Main Street, while introducing a mixture of multiple family housing to the eastern portion of the development site. The following general development standards are applicable to this project:

A. Floor Area Ratio/Density.

The following sets forth the maximum allowable floor areas for the various permitted use classifications of the project. The overall Floor Area Ratio ("FAR") of the Main Street Concourse project of approximately 2.54. This FAR represents the maximum intensity of development for the site.

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

The maximum floor area ratio for the project site shall be 2.54. The FAR is calculated by dividing the total square footage of the structures by the total square footage of the project site. Consistent with the General Plan, parking structures are not included in the FAR calculation.

2. Parcel Size

The City Place development project site is 17.7 acres. Subdivision of the parcel shall be consistent with Vesting Tract Map No. 2004-06 (County No. 16565). In no case shall commercial buildable parcels be less than 6 acres in size and residential buildable parcels be less than 2 acres in size.

3. Screening

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

4. Parking

A. As a mixed-use development, the Specific Development standards recognize the opportunity to share parking amongst the mixture of commercial uses. In addition the SD 59 acknowledges that the mix and proximity of residential units and commercial space allows for the opportunity for a variety of transportation modes, primarily walking as an alternative. As such, the following parking is required:

- a. Parking has been calculated utilizing the Urban Land Institute methodology for shared parking. As such, the following square footage can be utilized within the commercial area of the City Place development project:
 - i. For the first 23,300 square feet of restaurant, 33,800 square feet of retail, the parking requirement shall be 410 parking spaces.
 - ii. Any additional development above item 4A.a. i. shall be parked pursuant to the City's parking standards then in effect.
- b. Parking Setbacks
 - i. Internal Loop Road:

The minimum required setback for the parking area is 15 feet as measured from edge of sidewalk.
- c. Screening

All appurtenances shall be located outside any required setback and shall be screened from view.
- d. Landscaping:
 - i. Landscaping throughout the project shall be in compliance with the landscape plan attached.
 - ii. The landscape plan shall be fully implemented prior to the issuance of any certificate of occupancy.

5. Open Space

A minimum ground level open space shall be provided at a minimum rate of 60 square feet per unit. This ground level open space shall be centrally located on the site to provide access to all units.

Private open space shall be provided at a minimum rate of 50 square feet per unit.

6. Signage

- a. All signage shall comply with the Santa Ana Municipal Code.
- b. 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, shall be submitted to and be approved by the Planning Division.

7. Plaza and Fountain Design

- a. The overall plaza design theme shall incorporate a minimum of 6 major pedestrian-level water features within the commercial component and 7 pedestrian level water features elements within the residential component.
- 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. Exterior kiosks, carts or other temporary outdoor uses are not allowed unless specifically submitted to and approved by the Planning Commission as noted within Item 5.a. of this document.
- d. Plazas 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, 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 building 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 project furnishings.
 - i. Bike racks shall be provided at key activity locations within the plaza.
 - 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 area. Plaza area paving shall consist of quality decorative elements.
 - l. 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.
 - m. The required plaza area shall include adequate provisions for the on-going maintenance of all plaza and pedestrian improvements.
 - n. Plans shall include design details, materials and provisions for the on-going maintenance for all interior public areas within the plaza area.
8. Public Art
- a. Public art valued at one half of one percent of the overall project construction 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 northeast corner of the project site adjacent to Main Street and Memory Lane. 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 certificate of occupancy. 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 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 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.

B. CC&Rs.

Reciprocal easements and Conditions, Covenants, and Restrictions (CC&RS) tying the overall project together as an integrated development and providing for joint access, ingress, egress, drainage, property maintenance standards, trash pick-up operations, circulation and parking management shall be recorded with the first final map prior to for the first phase of development. The residential and non-residential portions may be described in separate sections but they must be tied together by a single master document. The Master CC&R's shall address trash and reciprocal use rights in the residential and commercial components.

C. Building Height.

- 1. On any lot or portion of a lot in of the Specific Development Plan area no building or structure shall exceed 50 feet in height, as measured from the lowest adjacent finished grade.

D. Setbacks.

1. 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.

Except as otherwise indicated, all setbacks shall be measured from the street side property line to the first building element or structure. No building, structure, or parking facility shall encroach into any required perimeter setback either at or below grade. For the purpose of this Plan, a street side property line is that line created by the ultimate right-of-way line of the adjoining public street. Minimum setbacks are as follows:

- a. Main Street (perimeter): The average building setback shall be 19.5 feet. The minimum setback shall be 8 feet. This setback area may include hardscape as shown on the approved site plan.
 - b. Lawson Way (perimeter): The average building setback shall be 18 feet. The minimum setback shall be 7 feet.
 - c. Memory Lane (perimeter): The average building setback shall be 11 feet 8 inches. The minimum setback shall be 3 feet 4 inches. Hardscape, landscape and water features shall be provided in the required setback as shown on the approved site plan.
 - d. Concourse Drive (interior street set backs): The minimum setback shall be 15 feet measured from street curb.
2. Required on-site perimeter landscaped setbacks shall not exceed an aggregate 33% slope.
 3. Within the interior of the project, retail canopies may project five (5) feet into setback area.

E. Site Coverage And Open Space.

1. For purposes of this Section G, open space shall not include private streets or driveways, roadways or parking stalls. Open space does include landscaping, walkways, and covered arcades.

2. Residential open space may be private common area or private yard but shall in no event include any space provided in required setback areas. The CC&Rs shall require that all residents be allowed access to all residential common areas in the project, subject to reasonable restrictions as may be imposed for security and safety by property management. No required setback area shall be calculated as required open space.
3. Individual parcels or lots will not be limited in site coverage. Each parcel shall have a minimum 120 feet of street frontage.
4. Single family attached residential shall provide a minimum of 50 square feet of ground level private yard open space per unit, which open space shall be adjacent to the living, dining or kitchen area of each unit. Perimeter fence shall be provided and shall not exceed five feet in height on the exterior and 42 inches on the interior.
5. Condominium units shall contain a balcony with dimensions not less than six feet in any direction of private open space area.
6. Pathways from the common area through the private yard open space shall not be included in the calculation of private open space area.

F. Parking.

1. Vehicular site access points will be provided from Lawson Way, Main Street and from Memory Lane, as defined on the site plan.
2. There shall be no sharing of residential parking.
3. Parking gate locations and stacking distances shall comply with applicable Department of Public Works policies.
4. No partitions, walls or other obstructions shall be built or placed with the garages preventing the spaces from being used by residents for the parking of vehicles.
5. Recreational vehicle, boats, trailers or similar storage is prohibited on-site.
6. The townhouses shall be designed with vertical roll-up garage doors.
7. All paved areas shall be sloped to drain. Finished slope of areas paved with asphalt concrete (AC) shall be not less than one

percent. Finished slope of areas paved with portland cement cement (PCC) shall not be less than one-half of one percent. Portland Cement concrete gutters shall be installed to receive drainage from asphalt concrete paved areas; such gutters shall be not less than three feet in width.

8. Residential parking is calculated separate from commercial designated parking and no provision is made for shared parking consideration.
9. All parking areas shall be surfaced with material so as to provide a permanent surface capable of withstanding the type of vehicular traffic to which such an area is likely to be subjected as follows:
 - a. Covered Parking Areas - Passenger vehicle parking areas within or under building shall be paved with Portland Cement Concrete with a minimum compressive strength of 2,000 p.s.i.
 - b. Open Parking Areas - Parking areas other than those within a building may be paved with asphalt concrete. Asphalt concrete pavement shall be a minimum thickness of three and one-half for passenger vehicle parking areas. Thickness of asphalt concrete may be reduced to a minimum thickness of two inches for passenger vehicle only traffic, provided an approved aggregate base course is constructed under the asphalt pavement. The minimum thickness of such base course shall be four inches.
 - c. Surfacing, Parking or Drive Aisles - All off-street parking, vehicle maneuvering areas, turn-around areas, driveways, and private streets, shall be surfaced, and thereafter maintained with Portland Cement Concrete poured to a minimum thickness of 5½ inches.
10. Paved areas shall be designed to carry surface water to the nearest practical street, storm drain, or natural watercourse. Concentrated flows of water from parking areas shall not flow by gravity over any public property or pedestrian walkway, but shall be collected in an appropriate manner within the property confines and conducted under the sidewalk.
11. All parking areas shall be maintained in a safe and sanitary condition free of dust, mud, or trash, and shall be kept in good repair. Any alteration, enlargement, maintenance or repairs shall be pursuant to the aforementioned standards.

12. All parking spaces shall be double striped in a manner clearly showing the layout of the intended parking stall. Such striping shall be maintained in a clear, visible and orderly manner.

G. Loading Areas.

1. Entrances and exits to loading facilities should be limited in number and shall not interfere with the flow of traffic along the perimeter streets.
2. Loading areas should be located so as to minimize potential for intrusion into residential portions of the project and adjacent neighborhoods while allowing for efficient utilization by commercial users.
3. Loading areas shall be located and designed to minimize direct exposure to public view. These areas shall be screened with landscaping and walls to reduce visual impacts.
4. Loading areas shall be visibly separated from public entrances and parking areas.
5. Loading stalls shall be designed to not interfere with circulation or parking, and to permit trucks to fully maneuver on the property without backing up from or onto a public street.
6. Loading areas shall be graded to drain surface water to an alley, street or public storm drain. Surface water shall be conducted under any intervening public sidewalk by a drain approved by the Public Works Department and in accordance with a valid NSDES Permit. Under no circumstances shall surface water be allowed to collect in pedestrian areas.
7. The surface area used for any loading activity shall be paved with not less than 4 inches of asphaltic concrete on 8 inches of crushed rock base, or with 5 ½ inches of Portland concrete cement. Soil conditions or the nature of the trucking activity may necessitate greater requirements as determined by the Division of Building and Safety and a soils report prepared by a licensed soils engineer.
8. Each loading space aligned with and directly adjacent to a parking space shall be clearly designated, "LOADING ONLY."

9. At a minimum, separate loading areas shall be designated on the approved site plan or any modification thereto, for each adjacent retail shops/restaurants.
10. A loading areas for the project shall be able to accommodate a 55 foot semi-trailer for the Building E.

H. Storage Areas/Mechanical Equipment.

1. All mechanical equipment shall be screened below parapets and situated to minimize visual impacts.
2. No outdoor storage shall be permitted.
3. There shall be no exposed television, ham radio, dish or other antenna.

I. Refuse Collection Area.

1. A refuse collection area shall be located at each loading dock per approved site plan.
2. All outdoor refuse collection areas shall be visually screened from access streets and adjacent property by a complete opaque screen or by rolldown screened doors, or by landscaping and fencing.
3. No refuse collection areas shall be permitted between a frontage street and the building line, unless adequate screening is provided.
4. The commercial and residential uses shall provide a trash pick-up operation agreement to be included in the CC&R's for the project.
5. Each trash enclosure shall have a minimum of six inch concrete slab in front of the enclosure that is at least the same dimension as the trash enclosure.
6. Townhouse unit trash vestibules shall be designed with a hose bib for washing out the area.
7. All trash enclosures throughout the project shall be designed with metal doors.

J. Telephone, Electrical, Water, Gas, Cable TV, Storm Drains and Sewer Service.

1. All "on-site" utilities shall be placed underground.

2. Transformers or terminal equipment shall be visually screened from view from streets and adjacent properties and may be located in concrete vaults below grade.
3. There shall be no exposed downspouts, scupper drains, electrical or mechanical lines on the building. All mechanical equipment shall be screened from view in an architecturally integrated manner.
4. All residential units shall be separately metered for electrical, gas and water service.
5. Sanitary sewer, storm drainage and water service shall be designed as a private system on-site. There shall be private water meters as outlined in Section 34-313.5 of the Santa Ana Municipal Code.
6. The utility lines in the townhouse drive aisle shall be laid out so as to not prevent the planting of trees and other landscape material in the drive aisle area.

K. Maintenance.

The entire project shall be maintained to exceed community standards for attractive and sanitary conditions. The CC&Rs for the project shall set forth the maintenance procedures applicable to the project. A maintenance agreement approved by the Executive Director of Public Works Agency shall be executed with the City for the maintenance of special pavement treatment, planting, street lights, etc. in the public right-of-way and in required easement areas. This agreement shall be executed with the City prior to recordation of any subdivision map and included or referenced in the CC&Rs for the project.

PART IV. DESIGN STANDARDS

A. Interior Streets

1. Concourse Drive.

The tone and pedestrian experience of the project will be largely determined by "Concourse Drive," a wide interior street which will curve through the project. The Concourse is intended to lend a unifying component to the project as well as link different uses together.

- a. Concourse Drive will consist of a 34' road bed with minimum 14 feet walkways on either side covered arcades may count up to nine rectangular feet of the walkway.
- b. Concourse Drive will not be a public street, but will be open to the public subject to parking management rules and regulations as approved by the City and contained in the CC&Rs for the project.
- c. All pedestrian walkways will be separated from the vehicular areas by curbs and gutters.
- d. Handicapped access ramps will be provided per the Code.
- e. Concourse Drive will be designed to accommodate fire trucks, semi-trucks, and other service vehicles.
- f. Concourse Drive, including all roadways, walkways, landscaping, furniture and fixtures will incorporate high quality materials and enriched paving. The overall effect should include dramatic lighting of landscaping, signs and buildings.
- g. Street furniture and pedestrian shelters are elements that would contribute well to the unified street edge. One style will be used throughout Concourse Drive in order to create a unique sense of place. Seats, benches, trash receptacles, bicycle racks, telephones, light fixtures, potted plants, signage and banners consistent with the architectural themes and concepts and other miscellaneous street furniture shall be included in a coordinated manner throughout the Concourse area.

- h. Tree wells shall be a minimum of three feet by three feet with protective tree grates and collars.

2. Residential Internal Streets.

- a. The internal circulation road within the residential component of the project will have a minimum 22' wide paved roadbed and a minimum 3 ft. of landscaping on either side. The road is intended to serve as an internal road open to residents and their guests, Property management, garbage carts, etc., but it will not be a publicly dedicated street. No heavy trucks will be allowed on the internal road.
- b. The internal circulation road will incorporate high quality masonry paved materials throughout the residential units.

3. Vehicular Loading Access Roads.

- a. Service roads will incorporate asphaltic concrete paving with curbs and gutters.
- b. All service roads will be accessible by semi-trucks (wheel base 50) and service vehicles.
- c. Colored paving materials and concrete may be used as accent materials at entry locations (not including public right-of-way or required easement areas) on the property to visually define entryways.

B. Building Mass, Form And Architectural Style.

One critical component of the Main Street Concourse design is the consideration of architectural style, mass and form. Architectural style shall impart a distinct building image. Mass shall relate to the desired scale and form shall be used to lend interest to the overall effect of the mixed use development.

- 1. Building masses shall be simple in form and composed of strong geometric shapes including rectilinear forms with facade variations, round, columnar, stepped (terraced) or pyramidal shapes. Building mass forms may be composed of ornate historical building styles or a combination thereof.

2. General building form shall be indicative of the functions that take place within. Pedestrian spaces and entrances should be apparent and ceremonial.
3. Internal building structure shall be delineated with clear definition of floors and vertical supports.
4. Large flat unarticulated building faces shall be avoided.
5. Window fenestration must be carefully orchestrated to complement the basic masses, provide scale and modulation of building surfaces and to allow perforation of solid shapes.
6. The mass form and orientation of commercial buildings must be sensitive to adjacent residential areas and pedestrian linkages.
7. Building forms may be exaggerated to express a particular style.
8. Special architectural enhancement shall be included at the pedestrian level of all commercial and retail buildings by utilizing added facade articulation and detail variation.

C. Materials.

The use of quality materials and detailing on highly visible surfaces will add elegance and maximize the statement of the style of the development. The City Place development will embrace innovative uses of contemporary architectural materials.

1. Colored ceramic tiles, glass blocks, stucco, plaster, masonry, stone, and colored wood or high quality metallic trims are acceptable finish materials.
2. Textured and smooth concrete, decorative or textured concrete blocks, or steel and high quality metallic panels are appropriate building materials.
3. Non-reflective glass shall be used at pedestrian level for viewing and window shopping purposes. Reflective glass at upper levels is acceptable, but shall be compatible with the design style of the rest of the City Place project.
4. The use of cloth awnings, fixed canopies, metal hand rails and other elements which cover and protect windows and pedestrian areas are encouraged. Signage on such elements must be consistent with the sign requirements contained in this Plan.

5. Monolithic glass surfaces may be used with other accent materials in a visually harmonious manner in special applications as accent but should not be used as the dominant architectural theme. Structures utilizing glass curtain walls as the predominant design element are not permitted.
6. Glass storefronts shall be provided facing all streets, Concourse Drive, and the pedestrian oriented public plazas.
7. All building and site finish materials, colors and designs shall be reviewed and approved by the Planning Division prior to submittal to Building Division Plan Check.
8. Security gates for storefronts, if provided, shall be designed inside of the buildings.

D. Color.

1. Choices of color should promote a lively, festive and warm atmosphere. Dull colors should be avoided or used in limited amounts. In general warm contrasting colors should prevail with bright colors and pastels used for accent and detailing. A sense of pageantry shall be promoted through the use of color on signs, lighting, flags and banners and other devices.

E. Public Art.

Various forms of public art may be integrated into public spaces (not including public right-of-way) throughout the project.

F. Detail.

1. Reveals, recesses and other architecturally sculptural elements shall be used to accent key features of the architectural design.
2. Upgraded light fixtures, door and window details and other feature items are encouraged.
3. Banners, flags and other colorful devices may be used to accentuate linear relationship at outdoor areas but only when approved in conjunction with the signage program as set forth herein.

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4. All buildings shall incorporate architectural detail, multiple materials, generous landscaping, lighting effects and strong architectural design themes to soften building mass.
 5. All architectural elements including building components shall be part of an integrated design. The entire project shall have a cohesive statement of theme and style.

PART V. LANDSCAPE MATERIALS AND DESIGN

The design guidelines outlined here will assist in achieving a distinctive development character for the project while ensuring compatibility between commercial and adjacent residential land uses. These plants are recommended, however, actual plant choices may be substituted depending on experience and actual soil conditions.

The high quality of the development is reinforced through the coordinated design and selection of landscape and paving materials, and emphasis on unique landscape features.

As phases are implemented, landscape plans (including landscape plans for any temporary parking areas) shall be approved which are consistent with implement these concepts of Exhibit A and B. Detailed landscaping plans prepared by a landscape architect, shall be submitted to and approved by the City of Santa Ana Planning Department and Public Works Agency (for public right-of-way areas) prior to issuance of a building permit and installed prior to issuance of a certificate of Use and Occupancy for the phase in question. Off-site landscaping shall be approved by the Department of Public Works as part of any street improvement plans.

A. Temporary Landscape Adjacent To Undeveloped Parcels.

Areas of the site not developed in the initial phase may be developed as surface parking and if so developed shall comply with the following standards. A temporary landscape will be installed in all undeveloped areas.

1. Setback Areas - Will be fully planted with turf, trees and ornamental groundcover.
2. Parking Areas - Trees equal in number to one (1) per each ten (10) parking stalls, size: minimum 15 gallon. (These trees shall be arranged in eight and one-half (8-1/2) feet by eighteen (18) feet minimum planting bays surrounded by 6" high curb).
3. Berm - Architectural berm of sufficient height (but no greater than 3 feet) to screen surface parking lots shall be installed along Main Street and Owens Drive. Berm will be fully landscaped, and the size, number and type of planting shall be in accordance with the City's commercial development standards. Turf areas shall not exceed four to one slope.
4. Canopy Trees - Planted informally will supplement streetscape plantings. Size: minimum 24" box. Species to be determined.

The size, number and spacing shall be in accordance with the City's commercial development standards.

5. Turf Types - Shall be consistent throughout project (Marathon II)
6. Shrubs - Shall be used for screening of parking areas and for special effects at building entries.
7. Special Sculptural Features - Will accent undeveloped parcels, prior to project buildout.

B. General Notes.

1. All landscaping shall be maintained in a healthy and attractive condition. Maintenance should be carried out in accordance with established horticulture practices. Irrigation problems must be resolved promptly to assure plant survival. Prior to planting soil must be properly prepared to assure plant survival.
3. No use of Queen Palms for the project interior areas.
4. No electrical, mechanical or plumbing apparatus shall be located in required setback areas.
5. All landscaped areas shall be irrigated using an automatic irrigation system. A schematic irrigation system employing pop-up type sprinkler heads, backflow preventer, automatic time clock, and where applicable, a quick coupler adjacent to all trash enclosures shall be provided.
6. On site trees will be spaced in coordination with required existing parkway trees.
7. The development will provide double-staking for all newly planted trees (on and off site).
8. Only low shrubs and/or ground cover shall be planted in landscape areas used for parking overhang.
9. Planting and landscape walls shall be used to screen all appurtenances, such as transformers, meters, trash enclosures, air conditioning units, etc.
10. Phasing of landscape implementation shall be compatible with the construction schedule for the entire project, as per the approved site plan.

11. All fountains and water features throughout the project shall be plumbed for non-potable "gray water" for conversion when such water is available.
12. A xeriphytic landscaping materials and irrigation design shall be used for this project. In addition, the plant palette along the southerly edge of the project shall be compatible with that of Santiago Park, where the park is adjacent to the project.

PART VI. SIGNAGE

A. Intent.

Every sign in the City Place project will be part of a planned sign program which will be submitted for Planning Division review and approval in accordance with the criteria set forth in this Plan and SAMC. The purpose of this section is to set forth permitted sign types and provide minimum standards for signs within the City Place Specific Development Plan. Consequently, this document identifies and specifies those design criteria for the planned sign program which are different than those set forth in the Code. In considering the planned sign program, the provisions of the Plan shall control.

The City Place project is envisioned as a superior quality urban-style mixed-use complex, and architecturally spectacular. Environmental graphic design will be innovative and attractive but never excessive. Tenant identification on the perimeter of the project (i.e. external signage) will be held to a practical minimum. However, it is critical that the internal signage, particularly the signage along the Concourse, be compatible with the kind of exciting dynamic environment which is intended to be created.

B. Sign Message Categories.

The project sign program shall address the following categories of information:

- Project and major facilities identification at site entries
- Tenant identification signage
- Regulatory vehicular signage
- Directional vehicular signage
- Street identification
- Informational pedestrian signage
- Directional pedestrian signage
- Building identification signage
- Site directories and orientation maps
- Service signage
- Parking level and area identification signage
- Visitor directional and informational signage
- Building address signage
- Building/site directories
- Typical door identification signage
- Restroom and telephone identification signage
- Operation information signage

- Loading dock information
- Loading dock numbers
- Construction barricade

C. Physical Sign Types.

Physical classification of project signage will be by the following categories:

1. Freestanding signs.
2. Wall/canopy signs.
3. Projecting signs.
4. Marquee signs (Theater Only).
5. Under canopy/window/hanging signs.

D. General Criteria.

The following design guidelines generally address the design criteria for the sign program.

1. Color and typography of signs will be evaluated on the basis of aesthetics and legibility rather than conformance to strict criteria.
2. Intermittent lights, bare bulbs, neon, illusions of motion, or other mechanical movement are acceptable only within the interior of the project. Such signage could be used with respect to the theatre, or restaurants. Such signs shall not be visible from the perimeter public right-of-way or the residential development in the project.
3. Well designed pageantry systems consisting of flags and banners, festoons, flag canopies and related displays will be permitted on the interior of the City Place project, provided they are consistent with the overall design of the signage plan, and do not create a safety hazard and do not adversely affect adjacent land uses.
4. The sign program shall acknowledge approval of carefully worded on-site circulation directional signage.

E. Criteria For Individual Sign Types - will be determined by the approved sign program. Shall conform to size limitations as outlined in SAMC.

1. Freestanding Signs

Freestanding signs shall conform to SAMC requirements.

2. Wall/Canopy Signs.

- a. All signs need not replicate a specified shape, design or materials. Diversity will be allowed, provided that the signs relate to each other well even though they are configured differently.

3. Projecting Signs.

- a. Within the interior portions of the project, such as along the Concourse, one projecting sign per pedestrian level tenant may be provided.
- b. The project may provide any number of such signs with mixed types so long as the style of the signs area aesthetically compatible. Projecting signs shall be located no closer than 15 feet from one another.
- c. The sign face of each projecting sign shall be compatible with the scale of the space being identified.

4. Marquee Signs.

The theater may have a major marquee sign at the theater entrance. The marquee sign may be large enough to accommodate the informational requirements of the uses being identified, may employ changeable copy and appropriately sized based on unit and frontage.

5. Signs Under Canopies And Marquees.

The area of any sign under a canopy or marquee shall not exceed Santa Ana Municipal Code. Such signs shall meet all minimum Building Code height clearances.

6. Temporary Identification Signs.

- a. Per Santa Ana Municipal Code
- b. Per Santa Ana Municipal Code
- c. Per Santa Ana Municipal Code

7. Submission Of City Place Plan Signing Design Program.

Project applicant shall submit a planned project sign program for review by the Planning Division in accordance with the standard Planning Division procedures and this Plan.

PART VII. LIGHTING

Street lighting can be used to help unify the City Place and add to the "festive" atmosphere being sought. On-site parking lot and building light fixtures may vary from one sub-area to the next but illumination levels shall remain consistent and not compete with street lighting and signage. Appropriate special lighting effects that will be compatible with the overall design concept are encouraged.

Street lighting and parking lot parking contribute to the safety and security of the project. Unique lighting fixtures may provide easy identification of the project for motorists. Lighting potentially visible from adjacent property shall be subdued and incorporate cut-off shields or be oriented to the interior of the project. Lighting shall not interfere with vehicular traffic.

A. Street Lighting/Exterior To The Project. (Public Right-of-Way)

1. All street lighting along Main Street, Memory Lane and Lawson shall be of singular design placed at regular intervals, mounted atop concrete or metal standard and installed per City specifications as required.
2. Light standards, poles, and ballards shall be of common design with durable finishes and materials to create unity along the project perimeter, in accordance with the City's commercial development standards.

B. On-Site Parking Lot, Pedestrian Lighting, Concourse Drive.

1. Pedestrian scale lighting should illuminate entry ways, courtyards, parking lots and other such areas.
2. Lighting should be used to enhance landscaping and reinforced architecture, with dramatic uplighting or wall shadow effects with plant materials encouraged.
3. Parking lot light fixtures and bollards shall be consistent in styling with the design theme proposed for that sub-area of the project.
4. The use of neon and other specialized lighting effects that would reinforce the attractiveness of the project to pedestrian traffic and incorporate the design theme of the project may be used.
5. The use of white or clear string lighting in trees around outdoor pedestrian areas may be used.
6. Washing large wall areas with light to create shadows from landscape materials may be used.

7. Lighting along the Concourse Drive shall be carried out as part of the unified scheme to help create festive recreational atmosphere.

C. On-Site Building Lighting.

1. Service area lighting for large uses shall be contained within service yard boundaries with light sources concealed.
2. Building illumination and architectural lighting will be creative and reinforce the design theme. Indirect wall lighting or "raw wall washing" overhead downlighting, will be utilized throughout the commercial development.
3. In residential areas, warm simple lighting will be employed. These components could include uplighting of building entrances and courtyard trees, subtle soft lighting effects, washing of walls with light from concealed ground sources.
4. In residential areas the use of specialized lighting effects such as neon and internally illuminated signs shall be avoided as shall any blinding, bright or flashy effects.
5. Lighting shall not cast any glare onto adjacent lots and streets outside the perimeters of the City Place project in such a manner as to decrease the safety of pedestrian and vehicular movement.
6. Architectural lighting should be used to articulate the particular building design.

- D. Required Minimum Maintained Illuminance Levels shall be Per Santa Ana Municipal Code and approved by the Police Department.

PART VIII. OPERATIONAL STANDARDS

1. Unless herein permitted to the contrary, all commercial activity shall be conducted within a building.
2. All activity on the site shall be designed, built, operated, and verified in compliance with the mitigation monitoring program of the certified final Environmental Impact Report for this project.
3. Should special assessment, Mello Roos, or other financing be utilized, written disclosure of such financing shall be disclosed in writing to all purchasers and lessees within the project.
4. The following study shall be reviewed, approved and from time to time modified and approved by the City shall be implemented and maintained throughout the project:
 - Trash operations plan
5. All residential units within the project shall be built, subdivided and sold for individual ownership.
6. All trash consolidation areas within the project including residential shall be maintained and operated for the recycling of solid waste materials to the satisfaction of the Public Works Agency.
7. The trash pick-up operational plan (letter agreement with the City) shall be incorporated into the CC&R's of the project.
8. All circulation and parking operational procedures for the entire project including but not limited to the bollards, loading zones, parking management, and trash pick-up shall be maintained by the project management and included by reference in the CC&R's.
9. The CC&R's shall include provisions to prohibit the construction of walls in the townhouse two car garage that will disrupt the ability to park resident vehicles in both spaces.
10. The CC&R's shall prohibit recreational vehicle parking or storage on-site.
11. The CC&R's shall contain provisions to preclude exposed television, ham radio, dish, or other antenna and mechanical equipment.

