



SPECIFIC DEVELOPMENT No. 79
AMENDMENT APPLICATION 05-07
NS-2699

ORDINANCE NO. NS-2699

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA CREATING SPECIFIC DEVELOPMENT DISTRICT (SD-79) FOR PROPERTY LOCATED AT 1900 NORTH MAIN STREET

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 Cordoba for-sale condominium and live-work project, with ancillary retail space.
- B. The project would demolish the existing surface parking lot for the Bowers Museum and develop the property into a mixed use residential/commercial project. The project would provide 45 for-sale residential units at a gross overall density of 40 dwelling units per acre. The housing mix for the project would consist of lofts, townhouses, and stacked flats. Additionally the first floor of the building fronting Main Street would provide live/work flex space that would allow up to 4,251 square feet of retail area and 2,312 square feet of restaurant uses. It is envisioned that commercial areas in the project would consist of uses such as restaurant, coffee shop, hair salon, wine gallery and professional offices.
- C. The project would be comprised of two residential buildings with a maximum building height of approximately 47-feet. Along Main Street, the two buildings would consist of three- and four-story heights to define a strong urban edge. Extending west, the building would transition to two-story house-like forms near the western boundary of the project site.
- D. A series of four courtyards would connect the buildings on the project site. The courtyard areas would consist of a variety of hardscape materials such as tile, brick, cobblestone and flagstone paving. Additionally, the courtyard areas would be accented with a variety of landscape materials including trees, shrubs and vines. Courtyard amenities would include community fireplaces and fire pits, fountains, building, built-in benches, and potted plants.
- E. A total of 102 parking spaces would be provided in a subterranean parking garage below the two buildings, with access to be provided from 20th Street.
- F. On September 12, 2005, the Planning Commission held a duly noticed public hearing and voted by a vote of 5:0 (Nalle absent) to recommend that the City Council:
 1. Approve and adopt the Mitigated Negative Declaration and Mitigation Monitoring Program, Environmental Review No. 2005-18.
 2. Adopt an ordinance approving Amendment Application No. 2005-07.

3. Adopt an ordinance approving Development Agreement No. 2005-03.
 4. Adopt a resolution approving Tentative Tract Map No. 2005-08 as conditioned. (County Map No. 16848)
 5. Adopt a resolution approving Site Plan Review No. 2005-03.
- G. On October 3, 2005 the City Council of the City of Santa Ana held a duly noticed public hearing and at that time considered all testimony, written and oral.


Section 2. Specific Development Plan No. 79 (SD-79) is hereby adopted as set forth in Exhibit "A," attached hereto and incorporated as though fully set forth herein.

Section 3. Section District Map No. 1-5-10 is hereby amended as set forth in Exhibit "B" attached hereto and incorporated as though fully set forth herein.

Section 4. This ordinance shall not be effective unless and until the Resolution approving Environmental Review No. 2005-18, Tentative Tract Map No. 2005-08, and Site Plan Review No. 2005-03 becomes effective. If said resolution is 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.

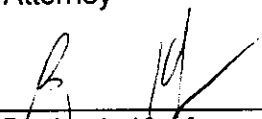
Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City 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 17th day of October 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, Bustamante, Christy, Garcia, Solorio (6)

NOES: Councilmembers: None (0)

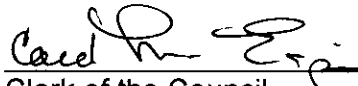
ABSTAIN: Councilmembers: Pulido (1)

NOT PRESENT: 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-2699 to be the original ordinance adopted by the City Council of the City of Santa Ana on October 17, 2005, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: Oct. 26, 2005



Clerk of the Council
City of Santa Ana

Specific Development Plan No. 79

City of Santa Ana

EXHIBIT A

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Specific Development Plan No. 79

Section 1. Applicability of Ordinance

The specific development zoning district for a mixed use project as authorized by Chapter 41, Division 26, Sec. 41-593 et/seq. of the Santa Ana Municipal Code (SAMC), 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 SAMC and any other regulations adopted by City Council shall apply unless expressly stated or superseded by this ordinance.

Section 2. Purpose

The Specific Development Plan No. 79 (SD-79), 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.

SD-79 sets the development and design criteria for a development consisting of approximately 1.1 acres. The purpose of this specific development plan is to permit flexibility in the site planning and design to respond to market conditions while assuring high quality development.

SD-79 specifically establishes for the property the following:

- Permitted uses.
- Development standards, including building height limits, required setbacks, parking, landscaping provisions and enforcement policies.
- Operational standards.
- Maximum authorized development intensity.
- Signage provisions.

Section 3. Objectives

The objectives of SD-79 include provisions of the following:

- A long term development that is of the highest architectural quality and design.
- A landscaping plan that is complementary to a mixed use development and sensitive to the surrounding community.
- A visually harmonious development as viewed both internally and externally.

- 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.
- A circulation system that is responsive to the needs of both vehicular and pedestrian travel.
- Provision of a mixture of high quality housing and ground level commercial uses along North Main Street.
- A mixed use project complimenting a landmark museum to the north and other surrounding cultural amenities.
- A mixed use project blending with adjacent single family neighborhood.

Section 4. Uses Permitted

The categories of land uses to be included within the project area are galleries, eating establishments, offices and retail uses. 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.

A. Permitted Uses.

The following uses are permitted in SD-79:

1. Residential condominiums.
2. Live/work units in compliance with the following standards:
 - a. A Maximum of four live-work units with ground level store fronts along Main Street.
 - b. Residential use is permitted only in combination with individual work space in a manner which provides an integrated working and living environment.
 - c. A live/work unit shall be at least nine hundred (900) square feet in size.
 - d. The residential component of a live/work unit shall meet the following standards:
 - i. It shall have access to separate bathroom facilities, including a water closet, a wash basin, and a bathtub or shower.
 - ii. It shall have separate kitchen facilities including a kitchen sink, cooking appliances and refrigerator. All such facilities shall have a clear working space of at least thirty (30) inches in front.
 - iii. It shall comply with all Housing Code requirements as modified by section 8-2700 of this Code.
 - iv. In-unit laundry facilities shall be required.
 - e. Live/Work Units Permitted Uses:
Live Work Units shall be permitted to have the following allowable primary uses:
 - i. Commercially operated professional studios.
 - ii. Fine art studios and/or galleries.

- iii. Fiber arts studios and/or galleries.
 - iv. Printing, lithography, and calligraphy facilities.
 - v. Photography studios.
 - vi. Ceramic and pottery studios.
 - vii. Glass blowing and sculpturing studios.
 - viii. Home Office and Home-Based Business are permitted.
 - ix. Any use listed above, shall be permitted to have a maximum of one non-resident employees.
3. Galleries with ground level store fronts along Main Street.
 4. Eating establishments, cafes, Coffee Houses, Tea House and bakeries with ground level store fronts along Main Street that do not exceed a total maximum of 1,940 square feet of interior space and 865 square feet of outdoor space collectively. 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. Eating establishments with drive-thru window service or that are exclusively take-out are prohibited.
 5. Retail with ground level store fronts along Main Street.
 6. General offices with ground level store fronts along Main Street including psychologists, insurance agents and real estate.

B. Conditionally Permitted Uses.

The following uses may be permitted in SD-79 subject to the issuance of a conditional use permit.

1. Indoor entertainment uses whether freestanding or part of another permitted or conditionally permitted use. Adult entertainment businesses shall not be permitted.
2. Establishments selling or serving alcoholic beverages.
3. Uses open between Midnight to 5:00 a.m.
4. Establishments selling or serving alcoholic beverages.

C. All other uses not expressly permitted or conditionally permitted in this ordinance are prohibited.

Section 5. Maximum Permitted Building Density/Intensity

The maximum authorized building density is 40 dwelling units per acre and no more than 1.28 floor are ratio (FAR) with a maximum of 66,200 square feet (Attachment A).

Section 6. Development Standards

A. Building Height.

All on-site structures will be subject to a height limitation of 48 feet above ground level, which is defined as the vertical distance measured from the curb level to the highest point of the roof surface. The maximum height for structures within 50 feet of the western property line shall be 32 feet.

B. Setbacks.

1. Front (Main Street)

A minimum three feet (3') to the first building element or structure as measured from the property line. Entry steps to residential units may encroach into this setback area in order to provide a transition between public and private spaces.

2. Side (Twentieth Street)

A minimum six feet three inches (6'3") to the first building element or structure as measured from the property line. Entry steps to residential units may encroach into this setback area in order to provide a transition between public and private spaces.

3. Side (Nineteenth Street)

A minimum five feet one inch (5'1") to the first building element or structure as measured from the property line. Entry steps to residential units may encroach into this setback area in order to provide a transition between public and private spaces.

4. Rear (West Property Line)

A minimum setback of five (5) feet as measured from the property line.

C. Minimum Unit Size

The minimum square footage for a residential unit is 982 square feet excluding flex or commercial space.

D. Parking

1. All parking shall be subterranean.

2. Dwelling units shall be provided with two assigned parking spaces per unit, which assigned spaces shall be sold and conveyed as a part of each residential condominium unit.

3. Each live-work unit shall provide 1 employee/customer parking space.

4. In addition to the minimum requirements of subsections D.1., D.2. and D.3. of this section, each multiple-family dwelling project shall provide guest parking, identified as such, in an amount of spaces not less than ten (10) percent of the minimum required spaces under subsections D.2. and D.3. of this section.

5. The dedicated commercial space shall provide one parking space per 1,000 square feet.

E. Walls and Screening.

1. Any wall or fence shall be constructed in compliance with SAMC.
2. Any equipment, whether on the roof, side of building, or ground, shall be screened. The method of screening shall be architecturally integrated with the building in terms of materials, color, shape, and size.

F. Landscape/Hardscape Standards.

The final design satisfying the following requirements shall be subject to review and approval of the Planning Manager:

1. A minimum of four outdoor courtyards with no courtyard less than 1,200 square feet and the total area for all courtyards a minimum of 6,900 square feet.
2. A minimum of four outdoor water features shall be provided within the project.
3. Additionally, a minimum of one outdoor fireplace shall be provided.
4. Courtyard areas shall incorporate seating, benches, patio furniture and landscaping to provide visual interest and additional amenities within these areas. All seating, benches, street furniture surfaces, pedestrian-level walls and similar amenities shall be made of a durable material such as concrete or painted iron and be designed to minimize effects from vandalism, weather and incorporate graffiti resistant coatings.
5. All areas not used for buildings, parking or storage shall be landscaped using the guidelines consistent with the City's Landscape Standards. All landscaped areas shall be irrigated using an automatic irrigation system. The project shall provide landscaping consistent with the landscape plan. A six-inch raised concrete curb shall be required around all landscape planters unless approved by City Landscape Associate.
6. Pedestrian amenities shall be provided such as lighting, planters, drinking fountains, unit pavers, and bicycle racks.
7. All landscaping shall be constructed in compliance with Attachment B. All required setback areas shall be landscaped except for approved walkways, driveways and courtyards. Further, the landscape plan shall be fully implemented prior to the issuance of any certificate of occupancy.

G. Architectural Design Features.

The final design satisfying the following requirements shall be subject to review and approval of the Planning Manager:

- Exterior Materials: Exterior materials and finishes to comply with site plan review approvals granted through the Planning Commission or City Council. Exterior enclosure(s) and similar ancillary structures are to match the texture, materials and color palette of the proposed building.
- Design Features: Any new additions shall be in keeping with the original design in terms of scale, rooflines, materials, and color.
- Lighting Standards/fixtures: A minimum of 1 foot candle of light shall be provided throughout the parking area. Specifications of light standards/fixtures and photometrics plan shall be submitted to Planning Division and Police Department for approval.
- There shall be no glare or spillover lighting into adjacent properties.
- The ceiling of the parking structure shall be painted white and be maintained to improve illumination and enhance safety within the parking structure.

The Executive Director of the Planning and Building Agency may approve minor modifications to the standards specified in this SD-79, provided that such changes are consistent with the purposes, scope and intention with this document. The Executive Director has the sole and absolute discretion to determine what constitutes a "minor modification."

Section 7. Signage.

- A. All signage shall comply with the Santa Ana Municipal Code unless explicitly identified below.
- B. A comprehensive sign program for the entire site, including but not limited to freestanding, wall, directional and permanent temporary signs and graphics shall be submitted and approved by the Planning Division prior to the issuance of any sign permit.
- C. For signage purposes the Main Street elevation shall be considered the primary elevation and Nineteenth and Twentieth Streets the secondary.

Section 8. Refuse Collection Area.

Areas to handle the refuse for the development site shall be integrated into the subterranean garage. At minimum, the project shall provide two refuse collection areas measuring a minimum of 11' x 7'. Such collection areas shall be enclosed and viewable with a durable material such as concrete block with metal doors. In addition, each collection area shall provide a 'chute' to allow refuse from the upper floors to collect within these areas.

Section 9. Telephone, Electrical, Water, Gas and Cable.

- A. All "on-site" utilities shall be placed underground.
- B. Transformers of terminal equipment shall be visually screened from view from streets and adjacent properties.
- C. 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.

