

RESOLUTION NO. 2024-XXX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING SITE PLAN REVIEW NO. 2024-02 AS CONDITIONED TO ALLOW A MAJOR RESIDENTIAL ADDITION AND EXTERIOR ALTERATIONS TO AN EXISTING SINGLE-FAMILY HOME AT 701 SOUTH FLOWER STREET (APN: 010-201-21) WITHIN THE HENINGER PARK SPECIFIC DEVELOPMENT (SD-40)

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The Planning Commission of the City of Santa Ana hereby finds, determines, and declares as follows:

- A. Benito Corona (applicant), representing Jaime and Virginia M. Rivero (Property Owners), is requesting approval of Site Plan Review (SPR) No. 2024-02 in order to allow a major residential addition, exterior alterations, and an interior remodel to an existing single-family home for the property addressed as 701 South Flower Street, within the Heninger Park Specific Development (SD-40).
- B. Pursuant to Santa Ana Municipal Code (“SAMC”) Section 41-593.3, any use or development of property within an SD district shall be in compliance with the ordinance adopting the specific development plan for such property.
- C. SAMC Section 41-593.4 requires a review by the Planning Commission of all plans in the SD-40 zoning district for the purpose of ensuring that buildings, structures, and grounds will be in keeping with the given neighborhood and will not be detrimental to the harmonious development of the City or impair the desirability of investment or occupation in that given neighborhood.
- D. The General Provisions of the Heninger Park Specific Development (SD-40) require Planning Commission review through the Site Plan Review process for all new construction within the area defined as SD-40. Moreover, the codified Heninger Park Architectural Design Guidelines requires Planning Commission review and approval for all construction of new residential units, residential additions, and new accessory structures.
- E. Specifically, the Heninger Park Architectural Design Guidelines apply to all new infill development projects and all properties within Heninger Park that have been determined to be eligible or are listed on the Santa Ana Register of Historical Properties (“Register”). These properties are listed in Appendix A of the Heninger Park Architectural Design Guidelines.
- F. SD-40 and the Heninger Park Architectural Design Guidelines note that

properties not listed on the Register or identified in Appendix A of the Heninger Park Architectural Design Guidelines are subject to review by the Planning Commission for conformance with the City of Santa Ana Citywide Design Guidelines.

- G. The subject property is neither listed nor eligible for listing on the Santa Ana Register of Historical Properties, pursuant to Appendix A of the Heninger Park Architectural Design Guidelines. Therefore, staff reviewed the project for compliance with the Santa Ana Citywide Design Guidelines and SD-40 development standards.
- H. The proposed work maintains architectural standards compatible with the existing architectural character of the Heninger Park neighborhood, and is designed to include architecturally appropriate exterior materials, gable treatments, and architectural massing consistent with existing neighborhood fabric and architectural styles found in the area. The overall features and materials would be architecturally compatible with the SACDG, as they include high quality materials that will ensure that the residence ages well for the duration of the building's lifespan. The Heninger Park Architectural Review Committee has reviewed the proposed design and materials for the proposed work.
- I. On October 14, 2024, the Planning Commission held a duly noticed public hearing on SPR No. 2024-02.
- J. The Planning Commission, after considering all of the evidence submitted, finds and determines that the project is in substantial compliance with applicable development standards outlined within the Specific Development Plan No. 40 (SD-40) zoning district and the Santa Ana Citywide Design Guidelines. Specifically, the Planning Commission finds that the proposed residence would meet all required SD-40 development standards, including but not limited to, lot coverage, height, and setbacks. In addition, the residential addition and alterations are designed in an architectural design identified as appropriate within the Heninger Park Architectural Design Guidelines and the Santa Ana Citywide Design Guidelines (i.e., California Bungalow architectural style). The modifications are proposed to be compatible in size, scale, massing, and design to the nearby homes and neighborhood. The proposed work maintains architectural standards compatible with the existing architectural character of the Heninger Park neighborhood, and is designed to include architecturally appropriate exterior materials, gable treatments, and architectural massing consistent with existing neighborhood fabric and architectural styles found in the area. The overall features and materials would be architecturally compatible with the Santa Ana Citywide Design Guidelines, as they include high quality materials that will ensure that the residence ages well for the duration of the building's lifetime.

Section 2. Pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project is exempt from further review pursuant to CEQA Guidelines

Section 15301 (Class 1/Existing Facilities). The project consists in an increase of less than 50% of structure before addition. Moreover, the project is in an area where all public services and facilities are available to allow for the maximum development permissible in the General Plan, and the area in which the project is located is not considered environmentally sensitive. Based on this analysis, Notice of Exemption, Environmental Review No. 2024-81 will be filed for this project.

Section 3. The Applicant shall indemnify, protect, defend and hold the City and/or any of its officials, officers, employees, agents, departments, agencies, authorized volunteers, and instrumentalities thereof, harmless from any and all claims, demands, lawsuits, writs of mandamus, referendum, and other proceedings (whether legal, equitable, declaratory, administrative or adjudicatory in nature), and alternative dispute resolution procedures (including, but not limited to arbitrations, mediations, and such other procedures), judgments, orders, and decisions (collectively “Actions”), brought against the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof, that challenge, attack, or seek to modify, set aside, void, or annul, any action of, or any permit or approval issued by the City and/or any of its officials, officers, employees, agents, departments, agencies, and instrumentalities thereof (including actions approved by the voters of the City) for or concerning the project, whether such Actions are brought under the Ralph M. Brown Act, California Environmental Quality Act, the Planning and Zoning Law, the Subdivision Map Act, Code of Civil Procedure sections 1085 or 1094.5, or any other federal, state or local constitution, statute, law, ordinance, charter, rule, regulation, or any decision of a court of competent jurisdiction. It is expressly agreed that the City shall have the right to approve the legal counsel providing the City’s defense, and that Applicant shall reimburse the City for any costs and expenses directly and necessarily incurred by the City in the course of the defense. City shall promptly notify the Applicant of any Action brought and City shall cooperate with Applicant in the defense of the Action.

Section 4. The Planning Commission of the City of Santa Ana, after conducting the public hearing, hereby approves Site Plan Review No. 2024-02, as conditioned in Exhibit A, attached hereto and incorporated herein, for the project located at 701 South Flower Street. This decision is based upon the evidence submitted at the above-referenced hearing, including but not limited to: The Request for Planning Commission Action dated October 14, 2024, and exhibits attached thereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

ADOPTED this 14th day of October, 2024 by the following vote.

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTENTIONS: Commissioners:

Jennifer Oliva
Chairperson

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: 

Melissa M. Crosthwaite
Senior Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, NUVIA OCAMPO, Recording Secretary, do hereby attest to and certify the attached Resolution No. 2024-XXX to be the original resolution adopted by the Planning Commission of the City of Santa Ana on October 14, 2024.

Date: _____

Recording Secretary
City of Santa Ana

EXHIBIT A

Conditions of Approval for Site Plan Review No. 2024-02

Site Plan Review No. 2024-02 to allow a major residential addition, exterior alterations, and an interior remodel to an existing single-family home is approved subject to compliance, to the reasonable satisfaction of the Planning Manager, with all applicable sections of the Santa Ana Municipal Code, the California Building Standards Code, and all other applicable regulations:

The Applicant must comply with each and every condition listed below prior to exercising the rights conferred by this site plan review.

The Applicant must remain in compliance with all conditions listed below throughout the life of the site plan review. Failure to comply with each and every condition may result in the revocation of the site plan review.

1. Any amendment to the SPR No. 2024-02, including modifications to approved materials, finishes, architecture, site plan, landscaping, and square footage must be submitted to the Planning Division for review. At that time, staff will determine if administrative relief is available or if the Development Project Review or Site Plan Review Application must be amended.
2. Prior to building permit issuance, the applicant will submit a formal landscape plan for staff review. The landscape plan must demonstrate compliance with landscape guidelines pursuant to SAMC Section 41-609.
3. Stucco siding shall be a minimum of sand/float finish.
4. All windows must be hung window type to maintain architectural consistency with the existing structure.
5. Window trim must be wood to maintain architectural consistency with the existing structure.
6. After project occupancy, landscaping and hardscape materials must be maintained as shown on the approved landscape plans.