



Planning and Building Agency
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Item # 23

City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
January 19, 2021

TOPIC: Appeal Application Nos. 2020-03 and 2020-04 – Central Pointe Mixed-Use Development

AGENDA TITLE:

Public Hearing – Appeal Application Nos. 2020-03 and 2020-04 appealing the decision of the Planning Commission to approve Site Plan Review No. 2020-04 to allow construction of the Central Pointe Mixed-Use Development Project located at 1801 East Fourth Street (Property Owner: Park Center Santa Ana Associates L.P. and Applicant: Waterford Property Company)

RECOMMENDED ACTION

Adopt a resolution denying Appeal Application Nos. 2020-03 and 2020-04 and uphold the Planning Commission's approval of Site Plan Review No. 2020-04.

EXECUTIVE SUMMARY

PLANNING COMMISSION ACTION & BACKGROUND

At its regular meeting on November 9, 2020, and after receiving public testimony on the item, the Planning Commission voted unanimously (6:0:1 Phan abstained) to adopt a resolution approving Site Plan Review No. 2020-04 (SPR) as conditioned. At the meeting, the Planning Commission added Condition No. 9 requiring green rooftops to the extent feasible.

On November 16, 2020, Rebecca Davis with Lozeau Drury, LLP, on behalf of the Supporters Alliance for Environmental Responsibility (SAFER), submitted an appeal application pursuant to Section 41-645 of the SAMC appealing the Planning Commission's approval of Site Plan Review No. 2020-04 based on the failure to comply with the California Environmental Quality Act by failing to prepare a supplemental or tiered environmental impact report (EIR) (Exhibit 1).

On November 19, 2020, John Hanna, on behalf of the Southwest Regional Council of Carpenters (SWRCC), also submitted an appeal application appealing the Planning Commission's approval of Site Plan Review No. 2020-04 based on (1) failure to address affordable housing, (2) failure to include qualified Santa Ana residents, veterans and

graduates or certificate holders of the Santa Ana Unified School District and Rancho Santiago Community College District in the project's construction workforce, and (3) failure to ensure the maximum amount of viable commercial development square footage is provided (Exhibit 2)..

DISCUSSION

On November 9, 2020, the Planning Commission approved Site Plan Review No. 2020-04 as conditioned for Central Pointe, a mixed-use development consisting of two buildings with a total of 644 multi-family residential units, 15,130 square feet of commercial space, 1,318 parking spaces, and associated amenities and open space at 1801 East Fourth Street (Exhibit 3).

Table 1: Project and Location Information

Item	Information	
Project Address	1801 East Fourth Street	
Nearest Intersection	Fourth Street and Cabrillo Park Drive	
General Plan Designation	District Center (DC)	
Zoning Designation	Metro East Mixed-Use Overlay Zone (MEMU), Active Urban (AU) district	
Surrounding Land Uses	Commercial (North)	
	Commercial (East)	
	Commercial (South)	
	Santa Ana (I-5) Freeway and Commercial (West)	
Site Size	8.03 net acres	
Existing Site Development	Vacant	
Use Permissions	Mixed-use projects permitted by MEMU Overlay Section 4.1 Land Uses, Table 3, Section 4.1.3	
Code Sections Affected	Development Standards	MEMU Overlay, Sections 4.1 through 4.8
	Site Plan Review	MEMU Overlay, Sections 8

Project Description

The proposed project contains two buildings that surround an outdoor lawn in the center of the development. Each building includes five stories of residential units and ground-floor commercial space wrapped around seven levels of parking (one subterranean level and six above-grade levels) with a rooftop amenity deck. The total height of the project is approximately 86 feet. The project has a density of 81 dwelling units per acre and a floor area ratio of approximately 2.2. The unit mix varies from studio units, one-bedroom units, two-bedroom units, and three-bedroom units, with 12 different floor plans proposed. Residential common open space includes private balconies or patios, the great lawn, nine courtyards, fitness rooms, clubrooms, and a rooftop amenity deck with a pool and spa. Commercial spaces will line Fourth Street and provide opportunities for new eating establishments, service uses, and/or retail businesses. Publicly accessible open space

includes the linear park along the east side of the development, a plaza at the corner of Fourth Street and Cabrillo Park Drive, and internal paseos. The outdoor areas will be programmed with picnic tables, benches, umbrellas, lawn games, decorative hardscape, a pedestrian trail, and landscaping.

Vehicular access to the site is provided from both Parkcourt Place and Fourth Street. Onsite parking includes 18 surface level parking spaces off of Fourth Street for the retail spaces and a multi-level parking structure for each residential building. A total of 1,318 parking spaces are proposed which is a ratio of 2.04 spaces per unit. Offsite improvements include a new signalized intersection and crosswalks at Cabrillo Park Drive and Parkcourt Place. The existing median on Parkcourt Place will be reconstructed to provide a 100-foot left turn pocket to allow for vehicles to turn into the site as well as a dedicated left turn lane from Parkcourt Place to northbound Cabrillo Park Drive. The project will construct an additional westbound right-turn lane at Fourth Street onto the northbound I-5 ramp and a dedicated right-turn lane on Cabrillo Park Drive. In addition, the project will also pay its fair share in modifying the eastbound shared through/right-turn lane to construct a free-right turn lane at the Fourth Street and southbound SR-55 ramp.

The building has been designed with contemporary architectural elements comprised of high quality, long lasting materials such as metal siding, stone veneer, simulated wood siding, fiber cement lap siding, fiber cement panels, stucco, metal and glass railings, and aluminum storefronts.

Table 2: Project Summary

	Building A	Building B
Units	325 units	319 units
Commercial Square Footage (SF)	9,568 SF	5,562 SF
Building SF	286,655 SF	274,145 SF
Unit Mix/Room	19 studios (6%) 162 one-bedrooms (50%) 121 two-bedrooms (37%) 23 three-bedrooms (7%)	20 studios (6%) 164 one-bedrooms (51%) 127 two-bedrooms (40%) 8 three-bedrooms (3%)
Unit SF	518 to 543 SF studios 683 to 778 SF one-bedrooms 1,066 to 1,148 SF two-bedrooms 1,274 to 1,339 SF three-bedrooms	518 to 543 SF studios 683 to 778 SF one-bedrooms 1,066 to 1,148 SF two-bedrooms 1,274 to 1,339 SF three-bedrooms
Height & Stories	8-stories, 85'5"	8-stories, 85'5"

	Building A	Building B
Parking	650 spaces (2.00 spaces per unit)	650 spaces (2.03 space per unit)
Open Space/ Amenities	Ground Level Courtyards 12,650 SF Roof Deck 15,961 SF Fitness and Club Room	Ground Level Courtyards 10,271 SF Roof Deck 15,961 SF Fitness and Club Room

California Environmental Quality Act (CEQA)

The 2007 Metro East Mixed-Use Overlay Zone Environmental Impact Report (EIR) No. 2006-01 (SCH No. 2006031041) and 2018 Subsequent EIR (SEIR) (collectively, MEMU EIR) anticipated potential development of 5,551 residential units, 963,000 square feet of commercial development, and 690,000 of office development. To date and including the Central Pointe development a total of 2,097 residential units and 38,924 square feet of commercial space has been entitled within the Metro East Mixed-Use Overlay. This leaves capacity for an additional 3,454 residential units, 924,076 square feet of commercial space, and 690,000 square feet of office space.

The MEMU EIR analyzed impacts related to aesthetics, agriculture/forestry, air quality, biology, cultural resources, geology/soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population/housing, public services, transportation/traffic, tribal cultural resources, and utilities. The MEMU EIR concluded that there would be significant and unavoidable impacts associated with air quality, noise, and transportation/traffic.

Along with the approval of the Site Plan Review application the Planning Commission found that pursuant to CEQA Guidelines Section 15162 and 15168, no subsequent EIR would be required as the project is within the scope covered by the program EIR or SEIR and no new environmental document is required. The Central Pointe development is within the allowable land uses, overall planned density and building intensity, and geographic area analyzed for environmental impacts within the MEMU EIR.

A traffic impact analysis was prepared for this project by Linscott Law and Greenspan which analyzed the projects impacts on 25 intersections. Of the 25 intersections studied, the intersections of (1) Fourth Street and the I-5 northbound ramp and (2) Fourth Street and the SR-55 southbound ramp are expected to have a significant impact under 2025 cumulative plus project conditions and 2040 buildout plus project conditions. As such, the off-site improvements listed in the project description above apply to the project to reduce impacts below a level of significance. In addition, a health risk assessment (HRA) was prepared by Urban Crossroads to identify any impacts from developing a residential community near a major freeway. The HRA concluded that a less than significant impact to project residents would occur due to the project's proximity to a major freeway.

The Mitigation Monitoring and Reporting Program of the MEMU EIR applies to the project

and will mitigate impacts below the level of significance.

Analysis of Appeals

Pursuant to Section 41-645 an appeal from a decision of the Planning Commission can be made by an interested party, individual or group. Two appeal applications were received appealing the Planning Commission's decision to approve Site Plan Review No. 2020-04, as conditioned.

Appeal No. 2020-03 - The Supporters Alliance for Environmental Responsibility (SAFER)

The SAFER appellant is requesting that the City Council overturn the Planning Commission's decision based on failure to comply with the California Environmental Quality Act (CEQA) by failing to prepare a supplemental or tiered EIR for the project for the following reasons:

- a. The SAFER appellant contends that City improperly relied on the Metro East Mixed-Use Overlay Program EIR in approving the Central Pointe Project.

Staff Response – In approving the Central Pointe Project, the Planning Commission found that it was adequately evaluated in the previously certified MEMU EIR prepared for the MEMU Overlay. SAFER contends that this was an error, because the MEMU EIR “was a programmatic EIR, not a project-level EIR,” asserting that the project has never been analyzed under CEQA. SAFER is incorrect.

A Program EIR is a type of EIR allowed under the California Environmental Quality Act that is used to evaluate a plan or program having multiple components or actions that are related either geographically, through application of rules or regulations, or as logical parts of a long-term plan. Subsequent activities called for by the Program EIR are compared against the Program EIR and, when consistent with the Program EIR, may be approved without the need for further environmental review.

Once a project is approved, CEQA does not require that it be analyzed anew every time another discretionary action is required to implement the project. Quite the opposite, where an EIR has previously been prepared for a project, CEQA expressly prohibits agencies from requiring a subsequent or supplemental EIR, except in specified circumstances provided in Public Resource Code 21166 and CEQA Guidelines Section 15162. Specifically, an agency may not require a subsequent or supplemental EIR unless:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a

substantial increase in the severity of previously identified significant effects;

- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete shows that the project will have new or more significant impacts or that the project's significant impacts could be reduced by mitigation measures or alternatives that have not been adopted.

As explained by the California Court of Appeal, "Section 21166 comes into play precisely because in-depth review has already occurred, the time for challenging the sufficiency of the original EIR has long since expired and the question is whether circumstances have changed enough to justify repeating a substantial portion of the process." (*Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, 796.)

CEQA Guidelines Section 15168 expressly authorize use of a "program EIR" to evaluate "a series of actions that can be characterized as one large project," and make clear that program EIRs can be used to approve later activities within the scope of the program:

If the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required. Whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based on substantial evidence in the record.

Where environmental review has been conducted through a program EIR, CEQA requires further review only in limited circumstances which are specified in Public Resources Code Section 21166 and CEQA Guidelines Section 15162, *Citizens Against Airport Pollution v. City of San Jose* (2014) 227 Cal.App.4th 788, 802. Moreover, contrary to SAFER's assertions, "substantial evidence is the proper standard where, an agency determines that a project consistent with a prior program EIR presents no significant, unstudied adverse effect."

The MEMU EIR studied the impacts of developing up to 5,551 residential units and 963,000 square feet of commercial development, and 690,000 of office development in the Overlay Zone. The Central Pointe Project, which consists of 644 residential units and 15,130 square feet of commercial space, is entirely consistent with the previously established development standards for the MEMU Overlay Zone, and thus, does nothing more than implement a relatively small portion of the larger project previously analyzed in MEMU EIR. Therefore, the Project is within the scope of the project covered by the MEMU EIR. Moreover, Central Pointe will not have new or more severe environmental impacts than those disclosed in the MEMU EIR and this is supported by substantial evidence. As described in the 2007 EIR Chapter 3, Project Description, the Active Urban zone was described as a highly urbanized environment with residential and commercial opportunities; the site was shown and designated with the Active Urban overlay in Figure 3-4; Table 3-1 listed the development standards for the Active Urban overlay; and Chapter 2 of the SEIR described modification to the MEMU development standards. As described in the Planning Commission staff report and Attachment 10 to the Planning Commission staff report the Project is consistent with the MEMU overlay zone and the development standards for the Active Urban subzone. Accordingly, SAFER's assertions that Central Pointe "has never been analyzed under CEQA" and that the City is required to prepare a tiered EIR for the Project are incorrect.

- b. SAFER states an EIR is required to analyze the Health Risk Impacts and GHG Impacts alleged by SAFER.

Staff Response – Health Risk Impacts: SAFER argues that an EIR is required to study alleged health risks to future residents of the Central Pointe Project. However, as explained by the California Supreme Court, "CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents." Thus, impacts to future residents of the project caused solely by existing environmental conditions are not required to be evaluated in a CEQA document.

The City nonetheless required the preparation of a Health Risk Assessment to identify any impacts from developing a residential community near a major freeway. As noted in the Health Risk Assessment the Project applicant has agreed to install and maintain MERV (minimum efficiency reporting value) 13 air filtration systems in the proposed multi-family residential dwelling units. Contrary to SAFER's assertion, the Health Risk Assessment looked at both potential cancer risks and non-cancer risks and concluded that a less than significant impact to Project residents would occur.

Greenhouse Gas (GHG) Impacts: SAFER takes issue with the methodology utilized in the MEMU EIR to evaluate GHG impacts, but SAFER failed to raise such issues before the MEMU EIR was certified, and it is too late to do so now. Further,

while SAFER suggests that the MEMU EIR's analysis should only be applied to projects that will become operational through 2020, the Subsequent MEMU EIR was not prepared until 2018, and clearly indicated it was analyzing GHG impacts based on a 2040 buildout year. Because GHG impacts from the entire buildout of the entire MEMU Overlay, including the Central Pointe Project site, were already quantified and analyzed in the MEMU EIR, SAFER's assertion that a new CEQA document is required to analyze such impacts is incorrect.

- c. SAFER alleges an EIR is required due to the existence of "new information" that could not have been known when the MEMU EIR was certified.

Staff Response – As discussed above, when a project is within the scope of a previously certified EIR (including a program EIR), a lead agency may require a subsequent EIR only in one of the three situations set forth in Public Resources Code Section 21166 and CEQA Guidelines Section 15162. As none of the three situations are met, including no new information that could not have been known when the MEMU EIR was certified, this comment is incorrect.

Air Quality: SAFER alleges that the City is required to prepare a new CEQA document to evaluate alleged "impacts related to indoor air quality, and in particular, emissions of the cancer-causing chemical formaldehyde," and submits a report from Francis J. Offerman PE, CIH discussing such emissions. SAFER claims that because Mr. Offerman relies, in part, on a 2020 study, that such alleged impacts constitute new information which "could not have been known with the exercise of reasonable diligence at the time the 2007 MEMU EIR or the 2018 MEMU SEIR were certified." But Mr. Offerman's own CV (which was attached to the comments) shows numerous papers and presentations on the alleged risk of formaldehyde emissions from wood products that date prior to the MEMU SEIR, as early as 2010.

In addition, Mr. Offerman's assertions regarding the alleged impacts of formaldehyde emissions from building materials do not rise to the level of substantial evidence, given that such emissions are already the subject of extensive regulation at both the state and federal level, including stringent emission limits that the U.S. EPA and California Air Resources Board have determined are protective of human health. Furthermore, Mr. Offerman's analysis appears to assume the same level of emissions will be present, year after year, notwithstanding the fact that formaldehyde is readily biodegradable and complete degradation of formaldehyde can be accomplished in less than 30 days.

Bird Collisions: SAFER argues that the potential for birds to be harmed by flying into windows constitutes "significant new information" requiring the preparation of a subsequent EIR, merely because new studies related to that issue and the extent of bird decline in general have come out in recent years. SAFER submits comments from ecologist Shawn Smallwood, Ph. D. The information submitted by

SAFER contradicts its assertion that this is a new issue that could not have been raised prior to the certification of the MEMU EIR. Dr. Smallwood's own letter indicates that window collisions have been known to be one of the largest sources of human-caused bird mortality for years, and cites numerous studies attempting to quantify such fatalities going back to 1976. Thus, this alleged impact could have been raised prior to the certification of the MEMU EIR, and clearly does not trigger the need for further analysis under CEQA Guidelines Section 15162.

- d. SAFER asserts potential impacts related to hazardous materials are not mitigated.

Staff Response – SAFER notes that the MEMU EIR Mitigation Monitoring and Reporting Program (MMRP) requires that the Project site be investigated for evidence of hazardous materials contamination “prior to issuance of grading permits,” and argues that such measure improperly defers mitigation. But again, it is too late to challenge the adequacy of the analysis done in the MEMU EIR or the sufficiency of the mitigation measures adopted when the Overlay was approved.

Moreover, SAFER has not identified any evidence that hazardous materials are present on the site, and even when contamination is known to exist, there is nothing improper about a mitigation measure that requires such contamination be investigated and remediated after project approval.

- e. SAFER attests that a VMT analysis is required for the Project.

Staff Response – CEQA Guidelines Section 15007, states that “amendments to the guidelines apply prospectively only,” and that “if a document meets the content requirements in effect when the document is set out for public review, the document does not need to be revised to conform to any new content requirements in Guideline amendments taking effect before the document is finally approved.” Thus, under the Guidelines, any EIR that was publicly circulated prior the City's adoption of VMT analysis in 2019 – like the MEMU EIR – is not required to include the VMT analysis now mandated by Section 15064.3.

Moreover, this determination is consistent with longstanding case law where the court said a responsible agency was not required to prepare a supplemental EIR to comply with a new statute requiring additional traffic analysis, noting “fairness and the need for finality” require that the adequacy of an EIR “be measured against those regulations in effect” when the EIR was presented for public review. (*Long Beach Savings & Loan Ass'n v. Long Beach Redevelopment Agency* (1986) **188 Cal. App. 3d 250, 261 n.12.**)

As discussed above, the MEMU EIR was not only publicly circulated, but certified long before the VMT requirements took effect. Accordingly, the VMT requirements are inapplicable.

- f. Further review is required because the Central Pointe Project will have effects not examined in the MEMU EIR.

Staff Response – As explained above, where a project is within the scope of a previously certified program EIR, “no new environmental document is required” unless the project will have “new significant environmental effects or a substantial increase in the severity of previously identified significant effects” than were disclosed in the program EIR. CEQA Guidelines Sections 15162 and 15168(c)(2). SAFER nonetheless argues that a subsequent EIR must be prepared because the MEMU EIR disclosed certain unavoidable impacts. SAFER is incorrect.

As explained by the Court of Appeal:

To hold that a project-specific EIR must be prepared for all activities proposed after the certification of the program EIR, even where the subsequent activity is ‘within the scope of the project described in the program EIR’ . . . would be directly contrary to one of the essential purposes of program EIR’s, i.e., to streamline environmental review of projects within the scope of a previously completed program EIR.

And as also demonstrated in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 234 Cal.App.4th 214, 239 explaining, a case involving a program EIR that disclosed significant and unavoidable impacts, “CEQA does not require the Department to engage in a public process when it determines whether the impacts from a site-specific project were addressed and adequately mitigated in the program EIR. And if the Department finds the impacts were addressed, it need not prepare a new environmental document at all.”

Since, the Central Pointe Project is within the scope of the MEMU EIR and will not have any new or more severe impacts than those disclosed, the City is not required to prepare a new CEQA document.

Appeal No. 2020-04 - Southwest Regional Council of Carpenters (SWRCC)

The SWRCC appellant is requesting that the City Council overturn the Planning Commission’s decision based on (1) failure to address affordable housing, (2) failure to include qualified Santa Ana residents, veterans and graduates or certificate holders of the Santa Ana Unified School District and Rancho Santiago Community College District in the Project’s construction workforce, and (3) failure to ensure the maximum amount of viable commercial development square footage is provided. The SWRCC represents 55,000 carpenters in six states and hundreds of Santa Ana residents.

- a. The SWRCC appellant states that, “the Planning Commission failed to adequately address affordable housing. The City’s municipal code requires that the proposed

development materially assist in accomplishing the goal of providing affordable housing opportunities throughout the City. The Commission failed to address this issue and the Project may not qualify to come under the Santa Ana Housing Opportunity Ordinance, Santa Ana Municipal Code Section 41-1607 and Public Resources Code Section 15162.”

Staff Response – The Project does not include on site affordable housing units and is not required to pay an in lieu fee. The Housing Opportunity Ordinance (HOO) Chapter 41, Article XVIII.I was amended by the City Council on September 1, 2020. As amended, Section 1902(a) and (b) the HOO now only applies when a residential project which proposes a residential density above the General Plan permitted density. The Central Pointe Mixed-Use Project is consistent with the General Plan District Center land use designation. No General Plan Amendment is required for the Project. Therefore, the HOO (on site units or in lieu fee) does not apply. Furthermore, Santa Ana Municipal Code Section 41-1607, entitled “Deviations from density bonus and affordable housing provisions,” applies to projects seeking a density bonus or waivers and modifications from development standards. The Project does not seek a density bonus and complies with the development standards of the Metro East Mixed-Use overlay zone.

- b. SWRCC attests that, “The Planning Commission failed to adequately address the well being of the community in ensuring that qualified Santa Ana residents, veterans and graduates or certificate holders of the Santa Ana Unified School District and Rancho Santiago Community College District are provided a process to be included as part of the workforce constructing the Project.”

Staff Response – The Planning Commission’s responsibilities include decisions regarding land use and zoning as prescribed by ordinance. There is no City ordinance requiring workforce agreements for private development projects.

- c. SWRCC states, “Failure of the Planning Commission to ensure the maximum amount of viable commercial development on the project...The failure to require the maximum viable square footage of commercial space will lead to greater vehicle trips from the residents to commercial areas both within Santa Ana...areas that are already inundated with traffic, and also Tustin, sending sales tax revenue out of Santa Ana. This traffic increase is due to inadequate commercial sites that will exist to serve these new residents was not adequately studied by the commission, something required under California environmental laws.”

Staff Response – The Metro East Mixed-Use Overlay, Active Urban subzone permits mixed-use development. The Project proposes 644 residential units and 15,130 square feet of commercial space. The Metro East Mixed-Use Overlay does not require a minimum amount of commercial square footage for a mixed-use development. As presented to the Planning Commission the applicant retained the

services of two economic consultants, The Concord Group and RSG, to prepare a market and fiscal impact analysis for the Project. To validate the findings of the analysis, the City retained AECOM to peer review the applicant's study.

The applicant's study noted that the proposed 15,130 square feet would be sufficient to serve the Project and MEMU area. The City's peer review estimates that the Project could support between 10,000 and 21,000 square feet of commercial space; therefore, the proposed 15,130 square feet is within this range. Additionally, the proportion of commercial space to the overall size of the development is similar to the proportions approved for nearby mixed-use projects. The Project proposes 2.6 percent of the total building square footage as commercial space. The three mixed-use projects within a half-mile of the Project site either under construction or in the pipeline (The Madison, AMG First Point, and Elan) provide a similar proportion of commercial space at 1.4 to 3.5 percent of the total building square footage, while the Nineteen01 project provided a lower ratio. This site is approximately ½ mile from Seventeenth Street, a main commercial corridor which contains a mixture of commercial uses, such as restaurants, dry cleaners, service stations and supermarkets. Additionally, a retail center located south of the site on East Fourth Street, although partially vacant, also provides retail opportunities in the MEMU zone.

Finally, a Traffic Impact Analysis was prepared for the proposed Project and reviewed by the City's Public Works Agency. The recommendations of the study will be implemented with the construction of the Project.

Table 3: Public Notification & Community Outreach

Public Notification and Community Outreach each	
Required Measures	A community meeting was held on August 15, 2019 at 6:00 p.m. at Creekside Plaza, 505 N. Tustin Ave., Suite 243 in accordance with the provisions of the City's Sunshine Ordinance. Invitations/notices were mailed to property owners and occupants/tenants in a 500-foot radius from the project site. Approximately 15 members of the public attended, as well as two City staff. The applicant provided all the required information to the City after the meeting. Details from the community meeting were posted to the project's webpage at https://www.santa-ana.org/pb/planning-division/major-planning-projects-and-monthly-development-project-reports/central-pointe
	On January 8, 2021 notification by mail was mailed to all property owners, occupants, and other interested parties within 500 feet of the project site in accordance with SAMC requirements. Newspaper posting was published in the Orange County Reporter in accordance with SAMC requirements.

Additional Measures	On October 22, 2020, the applicant provided an email update on the project to the members of the public that attended the Sunshine meeting.
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CONCLUSION

Based on the analysis provided within this report, staff recommends that the City Council adopt a resolution denying Appeal Application Nos. 2020-03 and 2020-04, upholding the Planning Commission's approval of Site Plan Review No. 2020-04.

FISCAL IMPACT

There is no fiscal impact associated with approval of this action.

EXHIBIT(S)

1. Appeal Application No. 2020-03 – Supporters' Alliance for Environmental Responsibility
2. Appeal Application No. 2020-04 – Southwest Regional Council of Carpenters
3. Planning Commission Staff Report
4. Resolution Denying Appeal Application Nos. 2020-03 and 2020-04
5. Plan Set

Submitted By:

Minh Thai, Executive Director of Planning and Building Agency

Approved By: Kristine Ridge, City Manager