

RESOLUTION NO. 2022-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING A ONE-YEAR EXTENSION OF SITE PLAN REVIEW NO. 2020-04 FOR THE CENTRAL POINTE MIXED-USE DEVELOPMENT TO BE LOCATED AT 1801 EAST FOURTH STREET

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

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

- A. On November 9, 2020, the Planning Commission unanimously approved Site Plan Review (SPR) No. 2020-04 by adopting Resolution No. 2020-38 for the Central Pointe mixed-use development, which consists of 644 residential units and 15,130 square feet of commercial space for the property located at 1801 East Fourth Street.
- B. Pursuant to Section 8.4 of the Metro East Mixed Use (MEMU) Overlay Zone document, Site Plan Review approvals must be exercised within two years of approval or become void after two years of inactivity unless the City Council by resolution extends the date on which a MEMU Site Plan Review becomes void for a period or periods not exceeding three years.
- C. As a result of the global Covid-19 pandemic, the California Legislature approved AB 1561, which extended entitlements that were effective prior to March 4, 2020, and that were set to expire before December 31, 2021. Due to the various dates of approval and expiration on November 9, 2020 and November 9, 2022, AB 1561 does not apply to the subject entitlement. Therefore, an extension by the City Council pursuant to Section 8.4 of the MEMU Overlay Zone is being requested by the applicant.
- D. Due to difficulties in securing funding, labor, and construction materials stemming from the global Covid -19 pandemic, the applicant has been unable to move forward with the development and is requesting an extension for the Site Plan Review.
- E. It is the Planning Division's policy to recommend no more than one-year extensions at a time, mainly in an effort to encourage the construction of previously approved projects.

- F. Upon the securing of funding for the project, the applicant intends to obtain all necessary building permits for the project by submitting plans for building plan check within the next year.
- G. The applicant filed a request for the extension on May 31, 2022. The extension request came before the City Council on July 19, 2022.
- H. In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the extension for this project is exempt pursuant to Section 15061(b)(3). This determination has been made as it has been determined that the proposed action to extend the existing, approved entitlement does not have the potential to cause a significant effect on the environment, as the existing, approved entitlement has already been evaluated pursuant to CEQA.

**Section 2.** Site Plan Review No. 2020-04 is hereby extended for a period of one (1) year from the original date of expiration to November 9, 2023. This decision is based upon the evidence submitted, which includes, but is not limited to, the Request for Council Action dated July 19, 2022, and exhibits attached thereto, and any public testimony, all of which are incorporated herein by this reference.

**Section 3.** This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution.

ADOPTED this \_\_\_\_ day of July, 2022.

\_\_\_\_\_  
Vicente Sarmiento  
Mayor

APPROVED AS TO FORM:  
Sonia R. Carvalho  
City Attorney

By: John M. Funk  
John M. Funk  
Chief Assistant City Attorney

AYES: Councilmembers \_\_\_\_\_

NOES: Councilmembers \_\_\_\_\_

ABSTAIN: Councilmembers \_\_\_\_\_

NOT PRESENT: Councilmembers \_\_\_\_\_

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, DAISY GOMEZ, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2022-\_\_\_\_\_ to be the original resolution adopted by the City Council of the City of Santa Ana on \_\_\_\_\_, 2022.

Date: \_\_\_\_\_

\_\_\_\_\_  
Clerk of the Council  
City of Santa Ana