

# REQUEST FOR Planning Commission Action



**PLANNING COMMISSION MEETING DATE:**

**MAY 13, 2019**

**TITLE:**

**PUBLIC HEARING – ENVIRONMENTAL REVIEW  
NO. 2018-75 FOR GENERAL PLAN  
AMENDMENT NO. 2019-01 AND AMENDMENT  
APPLICATION NO. 2019-01 TO FACILITATE  
CONSTRUCTION OF A 226-UNIT MULTIPLE-FAMILY  
RESIDENTIAL DEVELOPMENT LOCATED AT 651  
WEST SUNFLOWER AVENUE  
{STRATEGIC PLAN NOS. 3, 2; 5, 3; 5, 4}**

Ivan Orozco

Prepared by Ali Pezeshkpour, AICP

**PLANNING COMMISSION SECRETARY**

**APPROVED**

- ☐ As Recommended
- ☐ As Amended
- ☐ Set Public Hearing For \_\_\_\_\_

**DENIED**

- ☐ Applicant's Request
- ☐ Staff Recommendation

**CONTINUED TO** \_\_\_\_\_

A blue ink signature of the Executive Director.

Executive Director

A blue ink signature of the Planning Manager.

Planning Manager

## **RECOMMENDED ACTION**

Adopt a resolution recommending that the City Council approve and adopt Mitigated Negative Declaration, Environmental Review No. 2018-75, General Plan Amendment No. 2019-01, and Amendment Application No. 2019-01 for Specific Development No. 94 (SD 94).

### **Executive Summary**

Andrea Maloney, representing Legacy Partners, LLC, is requesting approval of several entitlements to facilitate the development of a 226-unit multiple-family housing community at 651 West Sunflower Avenue. Specifically, the applicant is requesting a general plan amendment to redesignate the property from Low-Density Residential (LR-7) to Urban Neighborhood (UN), and an amendment application to rezone the property from Single-Family Residential (R-1) to Specific Development No. 94 (SD-94). Staff is recommending approval of the project as the proposed development is consistent with similar projects in the vicinity and because the project has been designed to minimize or eliminate impacts on surrounding neighborhoods.

The subject project was scheduled for Planning Commission consideration at the April 22, 2019 meeting. After opening the public hearing, the Planning Commission continued the item to May 13, 2019 to provide the City additional time to review correspondence received addressing the environmental review and public notification for the project.

### **Project Location and Site Description**

The subject site is a 3.59-acre parcel located at the northeast corner of Sunflower Avenue and Flower Street. Surrounding properties include Taft Elementary School to the north, duplexes to the

east, multiple-family residential developments to the south across Sunflower Avenue in the City of Costa Mesa, and multiple-family residential developments to the west across Flower Street. A regional drainage channel abuts the site to the west, and a public art piece is currently installed southwest of the site on an adjacent parcel.

The site is currently improved with a 9,875-square foot, single-story church building with associated parking and landscaping. The building will be demolished as part of the proposed development, and the church has indicated a desire to relocate within Santa Ana. The church currently provides Taft Elementary School an access easement for student drop-off and pick-up, which has existed for several years. The entrance to the access easement is at the eastern most driveway and wraps around the site counter-clockwise to enter the school property and exit onto Sunflower Avenue at the westernmost driveway. The easement will remain after the site is developed with the proposed residential development.

**Table 1: Project Location Information**

Item	Information	
Project Address	651 West Sunflower Avenue	
Nearest Intersection	Sunflower Avenue and Flower Street	
General Plan Designation	<b>Existing:</b> Low-Density Residential (LR-7)	<b>Proposed:</b> Urban Neighborhood (UN)
Zoning Designation	<b>Existing:</b> Single-Family Residential (R-1)	<b>Proposed:</b> Specific Development No. 94 (SD-94)
Surrounding Land Uses	North	Elementary School
	East	Duplexes
	South	Multiple-Family Residential (City of Costa Mesa)
	West	Multiple-Family Residential
Property Size	3.59 acres (156,337 square feet)	
Existing Site Development	The site contains a one-story, 9,875-square foot church building with parking and landscaping.	
Applicable Zoning Code Sections	<b>Existing:</b> SAMC Chapter 41, Article III, Division 3 (Single-Family Residence)	<b>Proposed:</b> SAMC Chapter 41, Article III, Division 26 (Specific Development)
Entitlements	SAMC Chapter 41, Article V, Division II (Amendments and Change to District Boundaries)	

### **Project Background and Chronology**

City records indicate that the site was developed with a church building with Sunday school services in 1968. Several building permits have been issued through the years for minor tenant improvements. Most of the improvements to the site were related to electrical upgrades and site improvements for ADA accessibility.

The Sound Four Square church has indicated that attendance to the church services has lessened through the years. Looking at alternatives for the site, the church began communication with Legacy Partners to identify a possible development of the site. As part of the sale agreement for the property, the Four Square church administration will be allocated ownership rights and assistance for relocation in Santa Ana. Early discussions indicate that the church is seeking to relocate closer to Downtown Santa Ana.

### **Project Description**

The applicant is proposing to clear the site and develop a multiple-family residential development. The development will contain a five-story, 226-unit residential building with 452 parking spaces provided in a six-level parking structure with a partial subterranean level. No tandem parking spaces are proposed within the project. The top garage level will not project above the residential building, ensuring it is adequately screened from view by the entire development. No commercial or mixed-use component is proposed.

#### *Unit Mix*

The unit mix will include studio, one-bedroom, and two-bedroom units. Each unit will contain laundry equipment, in-unit storage, and high-quality finishes. Parking is provided at two spaces per unit, inclusive of guest parking. Additional unit details are provided in Table 2, below.

**Table 2: Applicant Proposed Unit Mix and Unit Square Footage**

<b>Unit Type</b>	<b>Number of Units</b>	<b>(%)</b>	<b>Square Footage of Units</b>
Studios	35	16%	603-613
One-Bedrooms	114	50%	613-751
Two-Bedrooms	77	34%	1,035-1,113
<b>Total (density)</b>	<b>226 (63 units per acre)</b>	100%	-

#### *Design*

The building is designed with contemporary architectural design features. Elements such as stone veneer, multiple brick veneers, metal panels, imagery panels, metal balconies, flat and metal seamed roofs all assist in conveying a modern design. The parking structure is located to the northeast of the site with residential units wrapping around the east, south, and west of the structure in a semi-circle shape design. The community will be developed with extensive onsite amenities, including a central pool, barbecue, and plaza area. There are several designated open spaces surrounding the site for active and passive recreational activities. The eastern and southeastern portions of the site will contain a dog park, residential gardens, and outdoor dining area. The pool will be located in the western courtyard and will be surrounded by furniture and hardscape.

### *Parking*

The project will provide 452 total parking spaces, which represents a gross rate of 2.0 spaces per residential unit. This parking total allows each bedroom to be assigned one full parking space, for a total of 303 parking spaces. The project will also provide 57 guest parking spaces, at a rate of 0.25 parking spaces per unit. A total of 92 extra parking spaces will be available for use by residents and/or guests. The onsite parking is comparable to other projects of a similar scale in Santa Ana. Additional information on how the project compares to recently-approved, under-construction, or entitled projects is available in Table 4 of this report and in Table 7 of Attachment 11.

### *Site Access*

Following negotiations with the Santa Ana Unified School District, the property owner, and developer, the existing access easement for Taft Elementary School will remain but with modifications. A portion of the easement will be designed to provide circulation for both student pick-up and drop-off, fire service access, as well as residential onsite circulation. This easement was analyzed by staff and alternative designs were considered. However, after a site visit to the school site, it was identified that the rear school pick-up and drop-off area was minimally used. The observations and traffic study indicate minimal conflicts between these uses. The proposed configuration is the superior design to meet the needs of the development and the school and generates the least impact to the surrounding community.

The site will be serviced by three driveways. The easternmost driveway will provide access to the school. The driveway will split into two as it reaches the north property line. A new gate will limit access to the school, which will also be used for emergency vehicle access. The two driveways will merge into one as it reaches the western property line. This single driveway will exit onto Sunflower Avenue towards the west property line. The main vehicular entry to the site will be located in the center driveway approach. The main driveway will provide access to the parking garage through a formal entry and motor court design. A designated rideshare waiting area in the motor court will accommodate alternative transportation options for the tenants. There are several parking spaces located at the front for guests and future tenants.

In accordance with the Housing Opportunity Ordinance (SAMC Sec. 41-1904), the developer has opted to pay in-lieu fees to satisfy the inclusionary housing requirement. As part of the City of Santa Ana Housing Opportunity Ordinance, the developer will pay an estimated \$2.81 million in-lieu fee to the City in order to allocate funds to other affordable residential unit developments in the city.

**Table 3: Housing Opportunity Fee Summary**

<b>Habitable Square Footage</b>	<b>Inclusionary Housing Fee</b>	<b>Estimated Fee</b>
187,565	\$15 per square foot	\$2,813,475

\*As measured from the exterior walls of the residential units. This calculation does not include exterior hallways, common areas, landscape, open space or exterior stairways

### **Analysis of the Issues**

The applicant is requesting approval of entitlements to facilitate construction of a five-story multiple-family residential community adjacent to lower-intensity land uses. The project has been designed to reduce its impacts onto the surrounding community. An analysis of issues is presented in Table 4 on the following pages.

**Table 4: Issues Analysis**

<b>Issue</b>	<b>Analysis</b>
Scale	The project has been designed to minimize its aesthetic impact onto the surrounding neighborhood. Courtyards in the southern and eastern portions of the project will minimize the perceived volume of the project from Sunflower Avenue and the duplex community to the east, respectively. In addition, the building's number of stories is scaled on the east elevation, providing a step-down of the structure adjacent to the duplexes. Moreover, the project is set back over 43 feet from the duplex community to the east and is buffered from the community with the two-way onsite drive aisle. The building's northern edge is set back 35 feet from the northern property line adjacent to Taft Elementary School, and a mural on the parking structure and extensive landscaping will minimize the impact of the development on the school. Finally, a shade and shadow analysis indicates that the duplexes will experience partial shade during summer evenings (at approximately 6:00 p.m.) and during winter afternoons (at approximately 3:00 p.m.). There are no anticipated shade impacts to the north, south, or west.
Density	The project proposes a density of 63 units per acre. As proposed, the project would form a component of a tiered range of densities in the vicinity, with similar or more intense projects to the south across Sunflower Avenue in the City of Costa Mesa, and with lower-intensity multiple-family communities to the west and east. The project site does not border any single-family residential neighborhoods. Of the seven surveyed projects entitled, under construction, or completed in Santa Ana analyzed in Table 8 of Attachment 11 of this report, the project is the second-lowest in density, with the overall survey's range of 54 to 94 dwelling units per acre.
Onsite Parking	The City's parking requirements for multiple-family dwellings in SAMC Sec. 41-1322 would require 586 parking spaces, which is 134 spaces more than the proposed 452 onsite parking spaces. The applicants submitted a parking study prepared by Linscott, Law & Greenspan, Engineers (LLG) that was peer-reviewed by the Planning Division and Public Works Agency. The parking study indicates that the proposed development and its location near a major employment center and mixed-use shopping area would generate a demand of 379 parking spaces for the residents, which is 73 parking spaces less than the 452 proposed onsite spaces. This will result in a surplus of 73 parking spaces. The full study is included as Exhibit 12 with this staff report.
Parking Structure Design	The parking structure is designed with one-half level underground and six levels above ground. No portion of the parking structure will project above the residential buildings, ensuring that it is concealed from view from the surrounding neighborhood. In addition, the north elevation of the parking structure will be concealed with murals and artwork where it faces Taft

Issue	Analysis
	Elementary School, and additional landscaping will provide a buffer between the structure and the school.
Compatibility	<p>The area in which the project is proposed contains a mix of multiple-family projects that are similar or more intense than the proposed development, duplexes, single-family homes, mixed-use developments, and commercial land uses. The project site does not abut any single-family properties and is similar in scale and architectural style with the residential developments to the south of the project site in the City of Costa Mesa. The project has been designed to avoid circulation impacts on adjacent neighborhoods by locating all three of its driveways on Sunflower Avenue. Residents and visitors to the site will not be able to access the development through any existing neighborhood streets.</p> <p>A comprehensive landscape plan has been designed to assist with the project's integration into the surrounding streetscape. The landscape plan anticipates the eventual widening of Sunflower Avenue to accommodate a bike lane; once the widening is complete, the ground-floor portion of the project along Sunflower Avenue will maintain privacy and landscaping.</p>
Regional Housing Needs Allocation (RHNA)	The Housing Element Annual Progress Report includes a summary of Santa Ana's progress in meeting its share of the RHNA. There were a total of 1,372 building permits issued for new housing units in 2018, of which 42 percent or 577 housing units are affordable. With these new units, the City substantially exceeds the overall target for Santa Ana's RHNA 204-unit allocation, by over six times. The summary of new housing also exceeds by a multiplier of four the City's adopted Housing Element (2024-2021) goal of developing 405 RHNA units through identified housing opportunity sites.

### *California Environmental Quality Act*

The applicant submitted a development proposal that requires the approval of several discretionary applications. Given the size and location of the project, as well as the proposed zoning and general plan modifications, environmental review is required pursuant to the California Environmental Quality Act (CEQA). After completion of the Initial Study for the project, it was determined that the proposed development requires preparation and certification of a Mitigated Negative Declaration (MND). The purpose of an MND is to identify the project's effects on the environment and to indicate the manner in which those significant effects can be mitigated or avoided. To determine what potential effects would be caused by the project, the MND examines environmental issues potentially affected by the project, with potentially significant impacts identified in the Noise, Transportation, Hazards and Hazardous Materials, and Tribal Cultural Resources categories. Among these categories, mitigation measures are proposed to reduce the impacts to the "Potentially Significant Unless Mitigation Incorporated" level for noise and vibration generated by construction activities and exposure of residential units adjacent to an arterial roadway, transportation impacts, and tribal cultural resources impact during construction. Mitigation measures will reduce vibration and noise impacts generated by construction activities, will reduce noise inside residential units stemming from the project's proximity to Sunflower Avenue, and will ensure archaeological specialists are available should any artifacts be uncovered during construction.

The MND's traffic study indicates that two nearby intersections, Sunflower Avenue/Main Street and Flower Street/MacArthur Boulevard, will experience Level of Service (LOS) reductions from "D" to "E" with or without the project in Year 2040 traffic conditions. To address transportation impacts, a proposed mitigation measure requires the developer to modify an existing traffic signal at the intersection of Sunflower Avenue and Main Street to provide a southbound right-turn overlap phase to improve intersection efficiencies.

### *General Plan Amendment*

To allow for the construction of a multiple-family residential development on this parcel, a general plan amendment is required. Currently, the land use designation for this site is Low-Density Residential (LR-7), which applies to areas that are predominately developed with single-family residential. This project will require an amendment to the Land Use Element to amend the General Plan Land Use designation of the site to Urban Neighborhood (UN) with a density of 63 dwelling units per acre and a floor area ratio (FAR) of 1.80. The project is consistent with the UN land use designation, which applies primarily to residential or mixed-use areas with pedestrian oriented commercial uses, schools and small parks. The existing intensity standard found in the General Plan for the UN land use ranges from a floor area ratio of 0.5 to 3.0 with the residential density based on a combination of floor area ratio and zoning development standards; the proposed development is consistent with this range and is consistent with the intent, character and intensity standards of the UN land use designation. Additional comparative information is provided in Exhibit 11 attached to this staff report. If approved, the project will support several goals and policies of the Housing Element. The project is consistent with Goal 2, which encourages diversity of quality housing, affordability levels, and living experiences that accommodate Santa Ana's residents and workforce of all household types, income levels and age groups to foster an inclusive community. In addition, the project supports Goal 4, to provide adequate rental supportive services.

### *Amendment Application*

The subject site has Single-Family Residence (R-1) zoning district. Approval of an amendment application to change the zoning district is required for the project. The Specific Development (SD) designation allows flexibility of the uses and development standards that are tailored to a unique and specific project. If the zone change is approved, a series of site-specific objectives, policies and development standards will be used to guide the development of the proposed project such as setbacks, parking and height to allow the exclusive entitlement of the permanent supportive housing project. The SD document has been drafted to be consistent with the project and prohibits future modifications to alter the site, including enlarging or reducing the size of the project. The zone change needs to be approved in conjunction with the proposed General Plan Amendment in order for the project to be consistent with the General Plan. Table 5 below contains a narrative of the Specific Development's proposed development standards.

**Table 5: Specific Development 94 – Major Development Standards Narrative**

Standard	Description
Floor Area Ratio (FAR)	1.80
Minimum Lot Area	3.0 Acres
Minimum Street Frontage	550 Feet
Maximum Building Height	75 Feet
Minimum Building Setbacks	As per approved plans; minimum 5 feet from Sunflower Avenue, Minimum 20 feet from the interior side property line; Minimum 30 feet from the rear property line
Onsite Parking	Minimum 2.0 parking spaces per unit, inclusive of guest parking
Onsite Open Space and Landscaping	Minimum 200 square feet onsite per each residential unit; Minimum 15 percent open space onsite for courtyards, common area amenities, perimeter plaza, and perimeter open space areas.
Public Art	One-half percent (0.5%) of the building's valuation, inclusive of the residential and parking structure components.

### **Economic Analysis**

The proposed development is estimated to generate approximately \$7,000,000 in City permit and school district fees and will create 683 full and part-time jobs during construction and 9 permanent jobs. Following development, the improvements to the site are expected to result in an annual property tax revenue of \$174,400 and annual sales tax revenues of \$48,789. The annual sales tax revenue is forecast based on the community's residents living in close proximity to one of the City's strongest commercial corridors on South Bristol Street. Based on a comprehensive review of taxes and fees generated by the development and City expenses resulting from the development, the net new General Fund revenue is projected to be approximately \$9,869,000 over a 25-year period.

**Table 6: CEQA, Strategic Plan Alignment, and Public Notification & Community Outreach**

CEQA, Strategic Plan Alignment, and Public Notification & Community Outreach	
CEQA	
CEQA Type	Mitigated Negative Declaration (MND) Environmental Review No. 2018-75. No areas of significant and unavoidable impact were determined from the construction or operation of the proposed project (Exhibit 13). The project will require adoption of a Mitigation Monitoring and Reporting Program (MMRP), which contains mitigation measures to address hazards and hazardous materials, noise stemming from construction and proximity to a major roadway, traffic impacts to the intersection of Main Street and Sunflower Avenue, and tribal resources.
Public Notification	A notice of intent and final MND was circulated to interested parties on March 19, 2019 and published in the Orange County Register on March 19, 2019. The final MND was available for public review at the Santa Ana City Hall, City of Santa Ana Main Library, and on the project webpage on the City's website.
Strategic Plan Alignment	

<b>CEQA, Strategic Plan Alignment, and Public Notification &amp; Community Outreach</b>	
Goal(s), Policy or Policies	Approval of this item supports Goal No. 3 Economic Development, Objective No. 2 (Create new opportunities for business/job growth and encourage private development through new General Plan and Zoning Ordinance policies), and Goal No. 5 Community Health, Livability, Engagement and Sustainability, Objective No. 3 (Facilitate diverse housing opportunities and support efforts to preserve and improve the livability of Santa Ana neighborhoods) and Objective No. 4 (Support neighborhood vitality and livability).
<b>Public Notification &amp; Community Outreach</b>	
Required Measures	<p>A community meeting was held on June 6, 2018 at 5:30 p.m. at the Four Square Church (subject site) in accordance with the provisions of the City's Sunshine Ordinance. Two members of the public and Planning Division staff attended. The applicant provided all the required information to the City after the meeting.</p> <p>A public noticed was posted on the project site on April 11, 2019.</p> <p>Notification by mail was mailed to all property owners and occupants within 500 feet of the project site on April 11, 2019.</p> <p>Newspaper posting was published in the Orange County Register on April 12, 2019.</p>
Additional Measures	<p>The applicant has met with the Sandpointe Neighborhood Association several times to discuss the proposed development and to address impacts that could result from the development. The applicants and Sandpointe representatives met in March 2018 and again in March 2019 to review changes to the project, including increasing the onsite parking to 2.0 spaces per unit and reducing the number of units from 240 to the presently-proposed 226. The applicant has also entered into a separate agreement with the Sandpointe Neighborhood Association to contribute funds to develop a website for the Neighborhood Association, to allow use of the proposed development's business and conference center facilities for the Neighborhood Association's board meetings, provide security patrols for the neighborhood, and to contribute funds toward installing lighting for the Sandpointe Neighborhood Association entry monument on MacArthur Boulevard.</p> <p>The City received two letters of support for the project. The first letter was issued by Diane Pritchett on behalf of the South Coast Metro Alliance; the second was issued by Emily Benedick on behalf of the Lakes Costa Mesa Association.</p>

## **Conclusion**

Based on the analysis in this report, staff is supportive of General Plan Amendment No. 2019-01 and Amendment Application No. 2019-01 for the site as redevelopment of the site with a residential community provides additional housing in a prime location that is accessible to retail and employment opportunities with multimodal transportation options. The project will also enhance the City's economic and fiscal viability through the increase in property tax values as well as an increase in sales tax generated from the residents who will live in close proximity to one of the City's largest commercial districts.



Ivan Orozco  
Assistant Planner II



Ali Pezeshkpour, AICP  
Senior Planner

AP/IO:sb

S:Planning Commission/2019/5-13-19/Legacy Sunflower

Exhibits:

1. Planning Commission Resolution
2. Vicinity Zoning and Aerial View
3. Site Photos
4. Overall Site Plan
5. Floor Plans
6. Building Elevations
7. Renderings
8. Landscape Plan
9. Project Density and Parking Comparisons
10. Parking Study
11. Mitigated Negative Declaration (MND) and Technical Appendices

# **EXHIBIT 1**

## RESOLUTION NO. 2019-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF SANTA ANA ADOPT A MITIGATED NEGATIVE DECLARATION (ENVIRONMENTAL REVIEW NO. 2018-75) AND A MITIGATION MONITORING AND REPORTING PROGRAM; ADOPT A RESOLUTION APPROVING GENERAL PLAN NO. 2019-01 TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM LOW-DENSITY RESIDENTIAL TO URBAN NEIGHBORHOOD; AND ADOPT AN ORDINANCE FOR AMENDMENT APPLICATION NO. 2019-01 TO REDESIGNATE THE ZONING DISTRICT FROM SINGLE-FAMILY RESIDENCE TO SPECIFIC DEVELOPMENT NO. 94 FOR THE PROJECT LOCATED AT 651 WEST SUNFLOWER AVENUE

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. Legacy Partners (Applicant) is requesting approval of General Plan Amendment No. 2019-01 to amend the General Plan land use designation of the property located at 651 West Sunflower Avenue from Low-Density Residential (LR-7) to Urban Neighborhood (UN) and to update text portions of the City's Land Use Element to reflect this change in order to facilitate the construction of a 226-unit multiple-family residential community on the 3.59-acre property. Article 5 of Chapter 3 of Division 1 of Title 7 (commencing with Section 65300) of the Government Code requires the City to prepare and adopt a comprehensive, long-term general plan for the physical development of the City, which may be amended by the City Council from time to time.
- B. Applicant is requesting approval of Amendment Application No. 2019-01 pursuant to Section 41-659 et seq. (Division 2 of Article V of Chapter 41) of the Santa Ana Municipal Code to redesignate the subject property from Single-Family Residence (R-1) to Specific Development No. 94 (SD-94).
- C. On April 22, 2019, the Planning Commission of the City of Santa Ana held a duly noticed public hearing. The public hearing was opened, public testimony was taken, and the public hearing was continued to May 13, 2019.
- D. On May 13, 2019, the Planning Commission of the City of Santa Ana held a

duly noticed public hearing. During its deliberations, all interested persons were given full opportunity to be heard and present evidence, and the Planning Commission considered the environmental analysis and mitigation measures described in the draft Mitigated Negative Declaration, Environmental Review No. 2018-75.

- E. The Planning Commission has reviewed the information presented in the Request for Planning Commission Action staff report dated May 13, 2019, including any and all attachments therein.
- F. As part of the recommended action, the City Council will adopt separate resolutions for Mitigated Negative Declaration, Environmental Review No. 2018-75; for General Plan Amendment No. 2019-01; and an ordinance for Amendment Application No. 2019-01 (Attachments 1, 2, and 3).

Section 2. The Planning Commission has independently reviewed and analyzed the information contained in the Initial Study and the Mitigated Negative Declaration (MND), Environmental Review No. 2018-75, prepared with respect to this project. The MND and Mitigation Monitoring and Reporting Program are included as Attachment 13 to the Request for Planning Commission Action for the project dated May 13, 2019. Pursuant to CEQA Guidelines Section 15074(a), the Planning Commission considered the analysis and conclusion of the MND as well as the mitigations outlined in the Mitigation Monitoring and Reporting Program. The Planning Commission recommends, as a result of its consideration and the evidence presented at the hearings on this matter, that the City Council determine that, as required pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, the MND adequately addresses the expected environmental impacts of this project. On the basis of this review, the Planning Commission recommends that the City Council find that there is no substantial evidence from which it can be fairly argued that the project will have a significant adverse effect on the environment and the MND reflects the independent judgment and analysis of the City Council.

Section 3. This Planning Commission of the City of Santa Ana after conducting the public hearing hereby recommends that the City Council of the City of Santa Ana adopt the Mitigated Negative Declaration, Environmental Review No. 2018-75 and approve the Mitigation Monitoring and Reporting Program, consistent with Public Resources Code section 21081.6; make implementation of the Mitigation Measures contained in the Mitigation Monitoring and Reporting Program a condition of approval of the Project; adopt the Mitigation Monitoring and Reporting Program; and direct that the Notice of Determination be prepared and filed with the County Clerk of the County of Orange in the manner required by law; adopt a resolution approving General Plan Amendment No. 2019-01; and adopt an ordinance approving Amendment Application No. 2019-01 to facilitate construction of the subject development.

Section 4. 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, and other and 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, which approval will not be unreasonably withheld, 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.

ADOPTED this 13<sup>th</sup> day of May, 2019.

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTENTIONS: Commissioners:

---

Mark McLoughlin  
Chairperson

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

By: \_\_\_\_\_  
Lisa Storck  
Assistant City Attorney

## CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, SARAH BERNAL, Commission Secretary, do hereby attest to and certify the attached Resolution No. 2019-xx to be the original resolution adopted by the Planning Commission of the City of Santa Ana on May 13, 2019.

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

\_\_\_\_\_  
Commission Secretary  
City of Santa Ana

# **ATTACHMENT A OF EXHIBIT 1**

RESOLUTION NO. 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING MITIGATED NEGATIVE DECLARATION, ENVIRONMENTAL REVIEW NO. 2018-75 AND GENERAL PLAN AMENDMENT NO. 2019-01 FOR THE PROPERTY LOCATED AT 651 WEST SUNFLOWER AVENUE

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. Article 5 of Chapter 3 of Division 1 of Title 7 (commencing with Section 65300) of the Government Code requires the City to prepare and adopt a comprehensive, long-term general plan for the physical development of the City.
- B. On February 2, 1998, the City of Santa Ana adopted the Land Use Element of the General Plan, which has since been amended from time to time.
- C. Legacy Partners (Applicant) is requesting approval of General Plan Amendment No. 2019-01 to amend the General Plan land use designation of the property located at 651 West Sunflower Avenue from Low-Density Residential (LR) to Urban Neighborhood (UN) and to update text portions of the City's Land Use Element to reflect this change in order to facilitate the construction of a 226-unit multiple-family residential community on the 3.59-acre property.
- D. On January 2, 2019, pursuant to Senate Bill 18, the City mailed consultation letters to all tribes listed on the Native American Heritage Commission (NAHC) Tribal Consultation List. The consultation period has since concluded.
- E. On April 22, 2019, the Planning Commission of the City of Santa Ana held a duly noticed public hearing. The item was continued to the May 13, 2019 Planning Commission hearing, however, the item was opened for public comment.
- F. On May 13, 2019, the Planning Commission of the City of Santa Ana held a duly noticed public hearing and voted to recommend that the City Council adopt a resolution adopting Mitigated Negative Declaration, Environmental Review No. 2018-75 and approving General Plan Amendment No. 2019-01.
- G. On June 4, 2019, the City Council of the City of Santa Ana held a duly noticed public hearing to consider all testimony, written and oral, related to General Plan Amendment No. 2019-01, at which time all persons wishing to testify were heard, the project was fully considered, and all other legal

prerequisites to the adoption of this Resolution occurred.

- H. General Plan Amendment No. 2019-01 has been filed to amend the General Plan to change the land use designation of the property at 651 West Sunflower Avenue from Low-Density Residential (LR) to Urban Neighborhood (UN).

Section 2. The City Council has independently reviewed and analyzed the information contained in the Initial Study and the Mitigated Negative Declaration (MND), Environmental Review No. 2018-75, prepared with respect to this project. The MND and Mitigation Monitoring and Reporting Program are included as Exhibit A in Resolution No. 2019-\_\_ and is posted to the City's website at: <https://www.ci.santa-ana.ca.us/sites/default/files/pb/planning/Legacy%20Sunflower/Legacy%20Sunflower%20MND.pdf> and is also on file with the Planning and Building Agency.

The City Council has independently reviewed and analyzed the information contained in the Initial Study and the Mitigated Negative Declaration (MND), Environmental Review No. 2018-75, prepared with respect to this project and the evidence presented at the hearings on this matter, determined that, as required pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, an MND adequately addresses the expected environmental impacts of this project. On the basis of this review, the City Council finds that there is no evidence from which it can be fairly argued that with the mitigation measures outlined in the Mitigation Monitoring and Reporting Program described in Exhibit A, the project will have a significant adverse effect on the environment. The City Council hereby certifies and approves the MND and directs that the Notice of Determination be prepared and filed with the County Clerk of the County of Orange in the manner required by law.

Pursuant to Title XIV, California Code of Regulations (CCR) § 735.5(c)(1), the City Council has determined that, after considering the record as a whole, there is no evidence that the proposed Project will have the potential for any significant adverse effect on wildlife resources or the ecological habitat upon which wildlife resources depend. The proposed Project exists in an urban environment characterized by paved concrete, roadways, surrounding buildings and human activity. However, pursuant to Fish and Game Code § 711.2 and Title XIV, CCR § 735.5, the payment of Fish and Game Department filing fees in conjunction with this project is at the discretion of the State of California Department of Fish and Wildlife.

Section 3. The City Council hereby finds that the proposed General Plan Amendment is compatible with the objectives, policies, and land use programs specified in the General Plan for the City of Santa Ana in that:

- A. The City of Santa Ana has adopted a General Plan.
- B. The land uses authorized by the General Plan Amendment, and the General Plan Amendment itself, are compatible with the objectives, policies, general land uses, and programs specified in the General Plan, for the following reasons.
  - 1. The existing General Plan land use designations for the project site at 651 West Sunflower Avenue is Low-Density Residential (LR), which

allows single-family homes at a density up to seven (7) units per acre. In order to facilitate the construction of a 226-unit multiple-family residential community with a floor area ratio of 1.81, the land use designation needs to be changed to Urban Neighborhood (UN), which allows for a mix of residential uses and housing types, such as low- to mid-rise multiple family, townhouses, single family dwellings; with some opportunities for live-work, neighborhood serving retail and service, public space and use, and other amenities with a floor area ratio (FAR) of 0.5 to 3.0.

2. The proposed community at 651 West Sunflower Avenue supports several goals and policies of the General Plan. The project is consistent with:
  - i. Housing Element Goal 2, to create diversity of quality housing, affordability levels, and living experiences that accommodate Santa Ana's residents and workforce of all household types, income levels, and age groups to foster an inclusive community. The project will pay approximately \$2,813,475 in in-lieu fees pursuant to Santa Ana Municipal Code Section 41-1904 to provide additional funds for future affordable housing projects, which supports Housing Element Goal 3: Increased opportunities for low and moderate income individuals and families to find quality housing opportunities and afford a greater choice of rental or homeownership opportunities. Further, the project is consistent with several Housing Element policies; Policy HE-2.3 to encourage construction of rental housing for the city's residents and workforce; and Policy HE-3.4 to support the provision of employment training, childcare services, rental assistance, youth services, and other community services that enable households to attain the greatest level of self-sufficiency and independence.
  - ii. Land Use (LU) Element Goal 1, to promote a balance of land uses to address basic community needs. The project is consistent with LU policies 1.2, to maintain and foster a variety of residential land uses in the City; LU policies 4.3 and 4.4, to support land uses which provide community and regional economic and service benefits and that promote the City's image as a regional activity center; and LU policies 5.5 and 5.7, to encourage development that is compatible with and supportive of surrounding land uses and that does not exceed available infrastructure capacity.
  - iii. Land Use (LU) Element Goal 6, to reduce residential overcrowding. The project is in close proximity to major transit corridors on Sunflower Avenue and Main and Bristol streets, as well as the San Diego (I-405) and Costa Mesa (SR-55) freeways. The project site is located in an area with high development intensities near the Bristol Street commercial and office corridor in Santa Ana and near a large employment

center across Sunflower Avenue in the City of Costa Mesa. The multiple-family residential development will complement the mid-rise residential communities and high-rise office towers nearby and supports an already-thriving mixed use portion of the City of Santa Ana.

- iv. Urban Design (UD) Element, Goal 1, to improve the physical appearance of the City through development of districts that project a sense of place, positive community image, and quality environment. The project is consistent with UD policies 1.1 and 1.11, having been designed with high-quality design, materials, finishes, and construction, and integration with visual and physical links among districts, nodes, significant sites, landmarks, and other points of interest. The project will maintain and enhance an existing plaza to the southwest of the project site and will retain a public art installation already in place. The project has been designed with an enduring, contemporary architectural style that complements the existing developments in the vicinity while reducing aesthetic and physical impacts to surrounding land uses. The project site is located on a major arterial roadway and is adjacent to gateways into the City at Main Street/Sunflower Avenue and Bristol Street/Sunflower Avenue, adjacent to the cities of Costa Mesa and Irvine.

- I. The City Council has weighed and balanced the General Plan's policies, both new and old, and has determined that based upon this balancing that General Plan Amendment No. 2019-01 is consistent with the purpose of the General Plan. The proposed General Plan Amendment will not adversely affect the public health, safety, and welfare in that the General Plan Amendment will not result in incompatible land uses on adjacent properties, inconsistencies with any General Plan goals or policies, or adverse impacts to the environment.

Section 3. The City Council of the City of Santa Ana after conducting the public hearing hereby approves General Plan Amendment No. 2019-01. The amendments to the Land Use Element are attached hereto as Exhibit A and incorporated herein by this reference as though fully set forth herein, subject to the Mitigation Monitoring and Reporting Program (MMRP), and upon satisfaction of the conditions set forth in Section 4 below. This decision is based upon the evidence submitted at the above said hearing, which includes, but is not limited to: the Request for Council Action dated June 4, 2019, and exhibits attached hereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

Section 4. This Resolution shall not be effective unless and until Ordinance No. NS-\_\_\_\_\_ (AA No. 2019-01) to rezone the property from Single-Family Residential (R-1) to Specific Development (SD) No. 94 becomes effective. If said ordinance 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 resolution shall be null and void and have no further force and effect.

Section 5. The Applicant agrees to indemnify, hold harmless, and defend the City of Santa Ana, its officials, officers, agents, and employees, from any and all liability, claims, actions or proceedings that may be brought arising out of its approval of this project, and any approvals associated with the project, including, without limitation, any environmental review or approval, except to the extent caused by the sole negligence of the City of Santa Ana.

Section 6. This decision rendered by the City Council of the City of Santa Ana is final and is subject to judicial review pursuant to California Code of Civil Procedure section 1094.6. The Planning and Building Agency shall give direct notice to the Applicant of the City Council's decisions and these findings.

ADOPTED this 4<sup>th</sup> day of June 2019.

\_\_\_\_\_  
Miguel A. Pulido  
Mayor

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

By: \_\_\_\_\_  
Lisa Storck  
Assistant City Attorney

AYES: Councilmembers \_\_\_\_\_  
NOES: Councilmembers \_\_\_\_\_  
ABSTAIN: Councilmembers \_\_\_\_\_  
NOT PRESENT: Councilmembers \_\_\_\_\_

#### CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Norma Mitre, Acting Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2019-XX to be the original resolution adopted by the City Council of the City of Santa Ana on \_\_\_\_\_, 2019.

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

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

EXHIBIT A

Draft Land Use Element Changes

# **ATTACHMENT B OF EXHIBIT 1**

## RESOLUTION NO. 2019-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ADOPTING MITIGATED NEGATIVE DECLARATION ENVIRONMENTAL REVIEW NO. 2018-75 AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM RELATIVE TO GENERAL PLAN AMENDMENT NO. 2019-01 FOR THE PROJECT LOCATED AT 651 WEST SUNFLOWER AVENUE

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. Legacy Partners (Applicant) is requesting approval of General Plan Amendment No. 2019-01 to amend the General Plan land use designation of the property located at 651 West Sunflower Avenue from Low-Density Residential (LR) to Urban Neighborhood (UN) and to update text portions of the City's Land Use Element to reflect this change in order to facilitate the construction of a 226-unit multiple-family residential community on the 3.59-acre property.
- B. The provisions of the California Environmental Quality Act of 1970 (CEQA), Public Resources Code Sections 21000 et. seq., as amended, require the evaluation of environmental impacts in connection with proposals for discretionary projects.
- C. Pursuant to the Guidelines for the Implementation of the California Environmental Quality Act, an Initial Study relative to the proposed project concluded that implementation of the project could result in potentially significant effects on the environment and identified mitigation measures that would reduce the significant effects to a less-than-significant level.
- D. The City of Santa Ana prepared an Initial Study and Mitigated Negative Declaration (IS/MND), Environmental Review No. 2018-75 for the proposed project which reflects the City's independent judgement and analysis as lead agency for the project. The Initial Study and Mitigated Negative Declaration concluded that the project would have a less than significant environmental impact with implementation of mitigation measures. Mitigation measures are included to address potential impacts on construction-related noise and vibrations, and traffic.
- E. On March 18, 2019, Notice of Intent to adopt the Initial Study and Mitigated

Negative Declaration, Environmental Review No. 2018-75 was published in the OC Register newspaper, circulated to interested agencies, organizations and parties, and the Orange County Clerk Recorder.

- F. The documents related to the Initial Study and Mitigated Negative Declaration were made available for a 20-day public review and comment period at the Santa Ana City Hall, the Main Library, and on the project webpage on the City's website.
- G. Comments received were addressed in a Response to Comments document that provides sufficient information to demonstrate that the environmental conclusions and mitigation measures remain valid as disclosed in the Mitigated Negative Declaration.
- H. The mitigation measures set forth in Mitigated Negative Declaration are fully enforceable and will be implemented using the Mitigation Monitoring and Reporting Program attached hereto as Exhibit A, and incorporated herein by reference.
- I. On April 22, 2019, the Planning Commission of the City of Santa Ana held a duly noticed public hearing. The item was continued to the May 13, 2019 Planning Commission hearing, however, the item was opened for public comment.
- J. On May 13, 2019, the Planning Commission of the City of Santa Ana held a duly noticed public hearing. During its deliberations, the Planning Commission considered the environmental analysis and mitigation measures described in the draft Mitigated Negative Declaration Environmental Review No. 2018-75 and recommended that the City Council adopt a resolution approving General Plan Amendment No. 2019-01.
- K. On June 4, 2019, the City Council of the City of Santa Ana held a duly noticed public hearing to consider all testimony, written and oral, related to Initial Study and Mitigated Negative Declaration, Environmental Review No. 2018-75, at which time all persons wishing to testify were heard, the project was fully considered, and all other legal prerequisites to the adoption of this Resolution occurred.

Section 2. The City Council has independently reviewed and analyzed the information contained in the Initial Study and the Mitigated Negative Declaration (MND), Environmental Review No. 2018-75, prepared with respect to this project. The MND and Mitigation Monitoring and Reporting Program are attached herein as Exhibit A. The City Council has, as a result of its consideration and the evidence presented at the hearings on this matter, determined that, as required pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, the MND adequately addresses the expected environmental impacts of this project. On the basis of this review, the City Council finds that there is no substantial evidence from which it can be fairly argued that

the project will have a significant adverse effect on the environment and the MND reflects the independent judgment and analysis of the City Council.

The City Council has, as a result of its consideration and the evidence presented at the hearings on this matter, determined that, as required pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, an MND adequately addresses the expected environmental impacts of this project. On the basis of this review, the City Council finds that there is no evidence from which it can be fairly argued that the project will have a significant adverse effect on the environment. The City Council hereby certifies and approves the MND and directs that the Notice of Determination be prepared and filed with the County Clerk of the County of Orange in the manner required by law.

Pursuant to Title XIV, California Code of Regulations (CCR) § 735.5(c)(1), the City Council has determined that, after considering the record as a whole, there is no evidence that the proposed Project will have the potential for any significant adverse effect on wildlife resources or the ecological habitat upon which wildlife resources depend. The proposed Project exists in an urban environment characterized by paved concrete, roadways, surrounding buildings and human activity. However, pursuant to Fish and Game Code § 711.2 and Title XIV, CCR § 735.5, the payment of Fish and Game Department filing fees in conjunction with this project is at the discretion of the State of California Department of Fish and Wildlife.

Section 3. The City Council hereby adopts the Mitigated Negative Declaration, Environmental Review No. 2018-75 and approves the Mitigation Monitoring and Reporting Program attached hereto and incorporated herein as Exhibit A, consistent with Public Resources Code section 21081.6; makes implementation of the Mitigation Measures contained in the Mitigation Monitoring and Reporting Program a condition of approval of the Project. and adopts the Mitigation Monitoring and Reporting Program, and directs that the Notice of Determination be prepared and filed with the County Clerk of the County of Orange in the manner required by law. This decision is based upon the evidence submitted at the above said hearing, which includes, but is not limited to: the Request for Council Action dated June 4, 2019, and exhibits attached hereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

Section 4. Pursuant to Title XIV, California Code of Regulations (CCR) § 735.5(c)(1), the City Council has determined that, after considering the record as a whole, there is no evidence that the proposed project will have the potential for any significant adverse effect on wildlife resources or the ecological habitat upon which wildlife resources depend. The proposed project exists in an urban environment characterized by paved concrete, roadways, surrounding buildings and human activity. However, pursuant to Fish and Game Code § 711.2 and Title XIV, CCR § 735.5, the payment of Fish and Game Department filing fees in conjunction with this project is at the discretion of the State of California Department of Fish and Wildlife.

Section 5. The Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program, as well as all supporting documents are on file and available for public review at Santa Ana City Hall, 20 Civic Center Plaza, Santa Ana, California 92702.

Section 6. 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, and other and 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, which approval will not be unreasonably withheld, 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 7. This decision rendered by the City Council of the City of Santa Ana is final and is subject to judicial review pursuant to California Code of Civil Procedure section 1094.6. The Planning and Building Agency shall give direct notice to the Applicant of the City Council's decisions and these findings.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2019.

---

Miguel A. Pulido  
Mayor

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

By: \_\_\_\_\_  
Lisa Storck  
Assistant City Attorney

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

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

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

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

#### CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, NORMA MITRE, Acting Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2019-xx to be the original resolution adopted by the City Council of the City of Santa Ana on \_\_\_\_\_, 2019.

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

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

## EXHIBIT A

### Mitigated Negative Declaration, Environmental Review No. 2018-75 and Mitigation Monitoring and Reporting Program

<https://www.santa-ana.org/sites/default/files/pb/planning/Legacy%20Sunflower/Final%20MMRP.pdf>

# **ATTACHMENT C OF EXHIBIT 1**

## ORDINANCE NO. NS-XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING AMENDMENT APPLICATION NO. 2019-01 REZONING THE PROPERTY LOCATED AT 651 WEST SUNFLOWER AVENUE FROM SINGLE-FAMILY RESIDENTIAL (R-1) TO SPECIFIC DEVELOPMENT NO. 94 (SD-94) (AA NO. 2019-01) AND ADOPTING SPECIFIC DEVELOPMENT NO. 94 (SD-94) FOR SAID PROPERTY

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

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

- A. Amendment Application No. 2019-01 has been filed with the City of Santa Ana to change the zoning designation of the parcel located at 651 West Sunflower Avenue from Single-Family Residence (R-1) to Specific Development No. 94 (SD-94) zoning designation described in Exhibit A. General Plan Amendment No. 2019-01 was filed concurrently with the Amendment Application for consistency with the General Plan.
- B. The zoning designation of the Specific Development No. 94 (SD-94) would facilitate the development of a 226-unit multiple-family residential community with private community space and supportive service offices and bring the rezoned property into consistency with the General Plan land use designation of Urban Neighborhood (UN).
- C. On April 22, 2019, the Planning Commission of the City of Santa Ana held a duly noticed public hearing. The item was continued to the May 13, 2019 Planning Commission hearing, however, the item was opened for public comment.
- D. On May 13, 2019, the Planning Commission held a duly noticed public hearing and voted to recommend that the City Council adopt an ordinance approving Amendment Application No. 2019-01 which is consistent with the General Plan, as amended by General Plan Amendment No. 2019-01.
- D. The City Council has reviewed applicable general plan policies and has determined that this proposed rezoning is consistent with the purpose of the General Plan.
- E. The City Council, prior to taking action on this ordinance, held a duly noticed public hearing on June 4, 2019.

- F. The City Council also adopts as findings all facts presented in the Request for Council Action dated June 4, 2019 accompanying this matter.
- G. For these reasons, and each of them, Amendment Application No. 2019-01 is hereby found and determined to be consistent with the intent and purpose of Chapter 41 of the Santa Ana Municipal Code, thus changing the zoning district is found to be consistent with the General Plan of the City of Santa Ana and otherwise justified by the public necessity, convenience, and general welfare.

Section 2. The Planning Commission of the City of Santa Ana recommends that the City Council adopt an ordinance rezoning the real property located at 651 West Sunflower Avenue from Single-Family Residence (R-1) to Specific Development No. 94 (SD-94), (AA No. 2019-01). Amended Sectional District Map number 36-5-10 showing the above described change in use district designation, is hereby attached hereto as Exhibit B and incorporated by this reference as though fully set forth herein. This recommendation is based upon the evidence submitted at the above said hearing, which includes, but is not limited to: the Request for Council Action dated June 4, 2019, and exhibits attached thereto; and the public testimony, all of which are incorporated herein by this reference.

Section 3. The City Council has independently reviewed and analyzed the information contained in the Initial Study and the Mitigated Negative Declaration (MND), Environmental Review No. 2018-75 and Mitigation Monitoring and Reporting Program, prepared with respect to this project. The City Council has, as a result of its consideration of the record as a whole and the evidence presented at the hearings on this matter, determined that, as required pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, Environmental Review No. 2018-75 meets all the requirements of CEQA.

Section 4. This ordinance shall not be effective unless and until Resolution No. 2019-\_\_\_\_\_ (Environmental Review No. 2018-75 and General Plan Amendment No. 2019-01) and Ordinance No. 2019-\_\_\_\_\_ (Amendment Application No. 2019-01) are adopted and become effective. If either resolution and/or ordinance are for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or otherwise does 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 the 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.

Section 6. The Applicant agrees to indemnify, hold harmless, and defend the City of Santa Ana, its officials, officers, agents, and employees, from any and all liability, claims, actions or proceedings that may be brought arising out of its approval of this project, and any approvals associated with the project, including, without limitation, any environmental review or approval, except to the extent caused by the sole negligence of the City of Santa Ana.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Miguel A. Pulido  
Mayor

APPROVED AS TO FORM:  
Sonia R. Carvalho  
City Attorney

By: \_\_\_\_\_  
Lisa Storck  
Assistant City Attorney

AYES: Councilmembers \_\_\_\_\_  
NOES: Councilmembers \_\_\_\_\_  
ABSTAIN: Councilmembers \_\_\_\_\_  
NOT PRESENT: Councilmembers \_\_\_\_\_

#### CERTIFICATE OF ATTESTATION AND ORIGINALITY

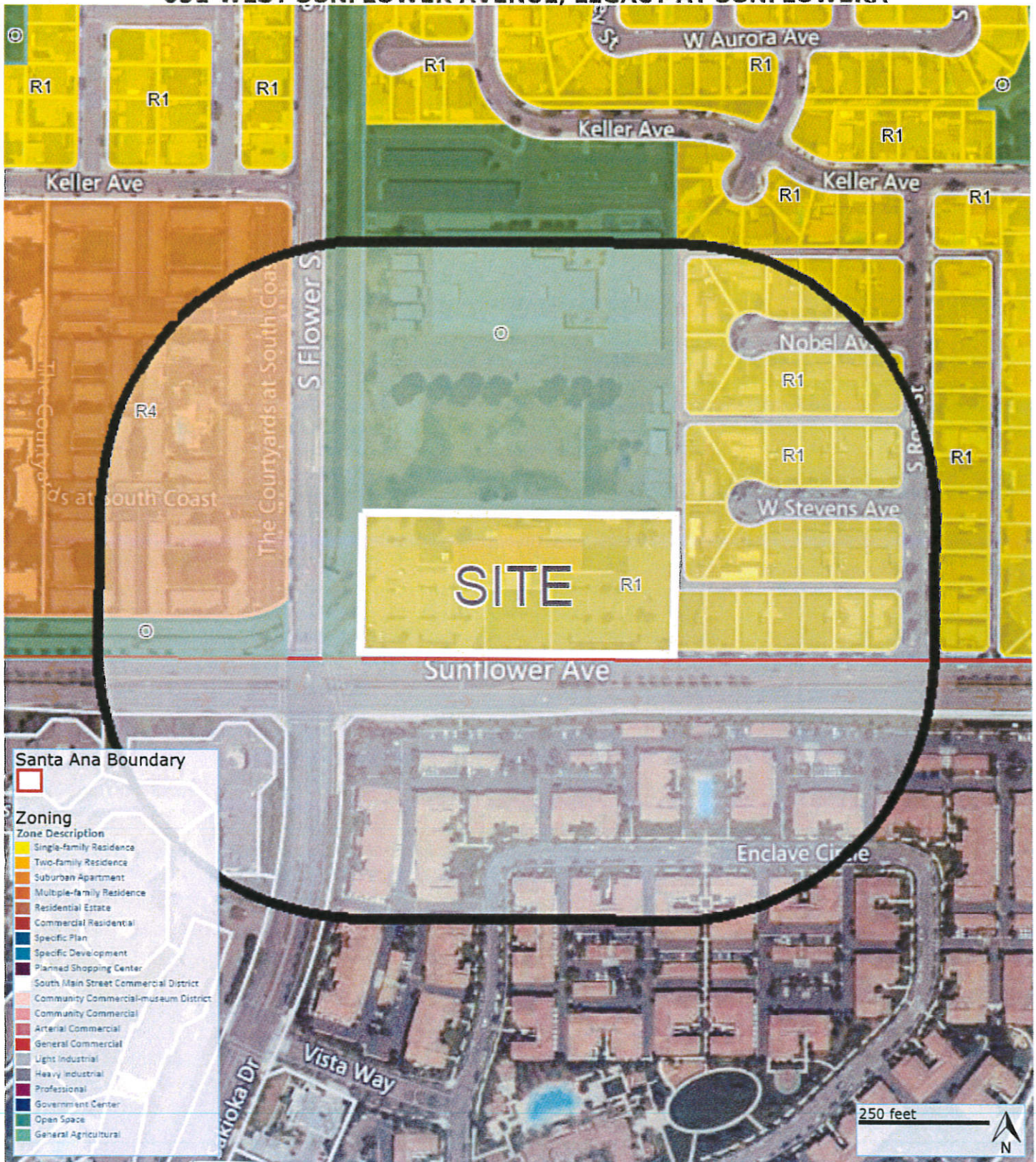
I, NORMA MITRE, Acting Clerk of the Council, do hereby attest to and certify that the attached Ordinance No. NS-\_\_\_\_\_ to be the original ordinance adopted by the City Council of the City of Santa Ana on \_\_\_\_\_, 2019 and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

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

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

## **EXHIBIT 2**

**GPA NO. 2019-01, AA NO. 2019-01  
651 WEST SUNFLOWER AVENUE, LEGACY AT SUNFLOWER**



**- VICINITY ZONING AND AERIAL VIEW**



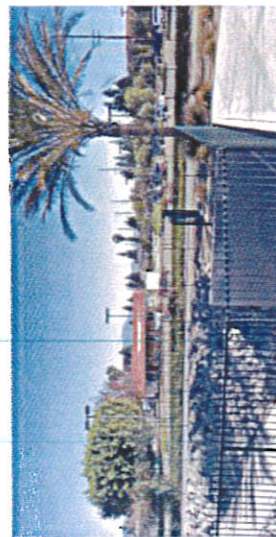
## **EXHIBIT 3**



1 - EXISTING SOUTHEAST CORNER (ALONG SUNFLOWER AVE)



2 - EXISTING SOUTHWEST CORNER (ALONG SUNFLOWER AVE)



3 - EXISTING NORTHWEST CORNER (ALONG FLOWER ST)



4 - EXISTING NORTHEAST CORNER (ALONG NOBEL AVE)



5 - EXISTING RESIDENTIAL USE DIRECTLY SOUTH



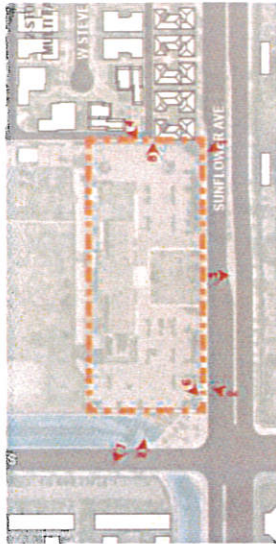
6 - EXISTING RESIDENTIAL USE SOUTHWEST



7 - EXISTING RESIDENTIAL USE DIRECTLY WEST



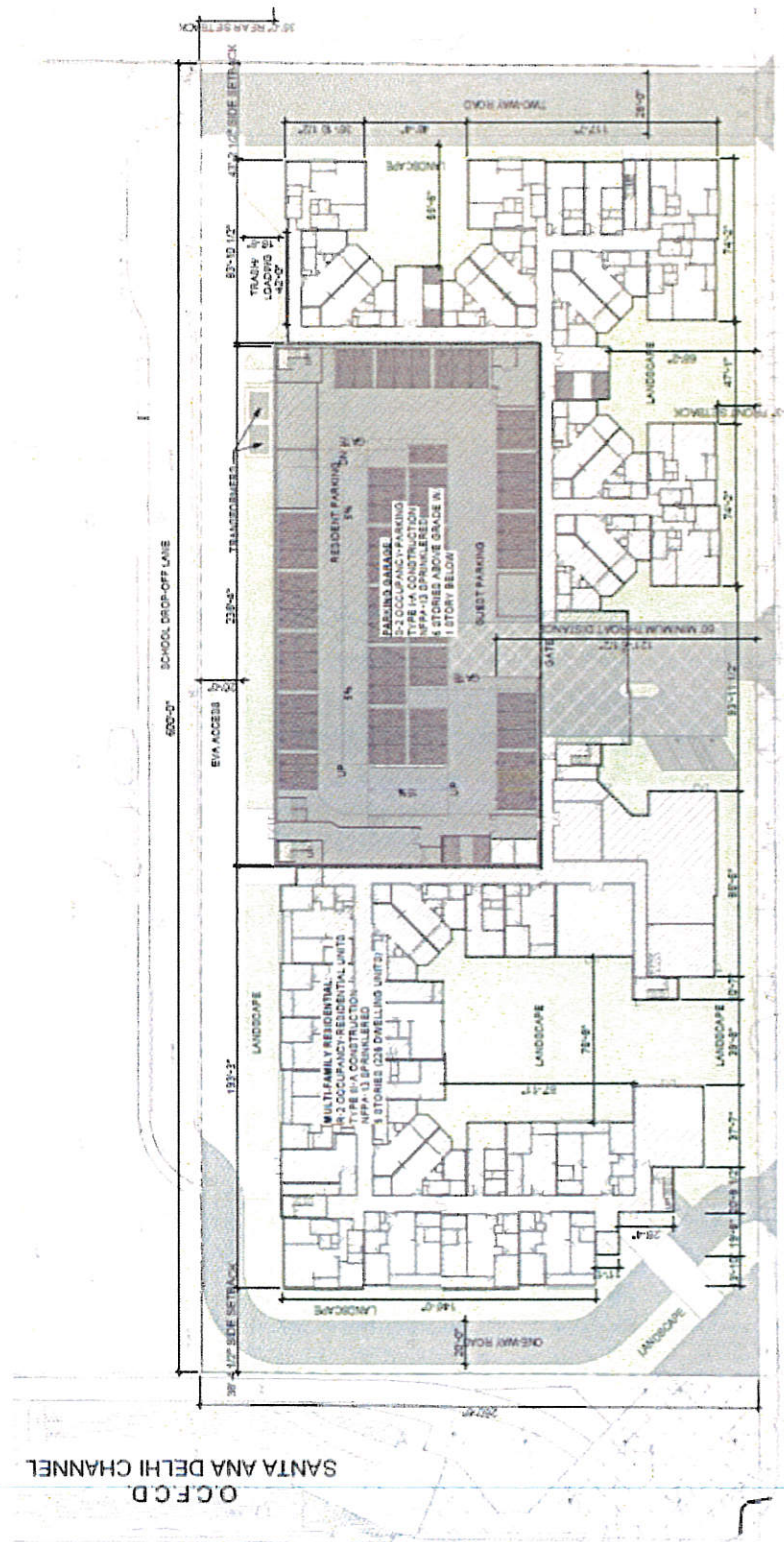
8 - EXISTING RESIDENTIAL USE DIRECTLY EAST



KEY MAP

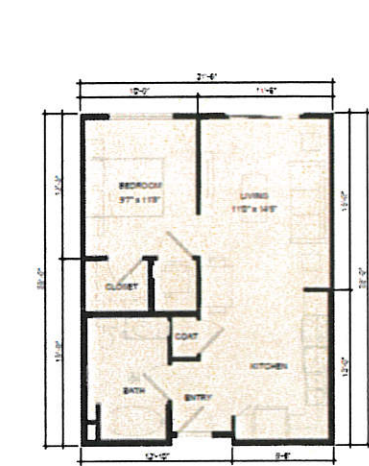
# SITE PHOTOS 651 WEST SUNFLOWER AVENUE GPA NO. 2019-01, AA NO. 2019-01

## **EXHIBIT 4**

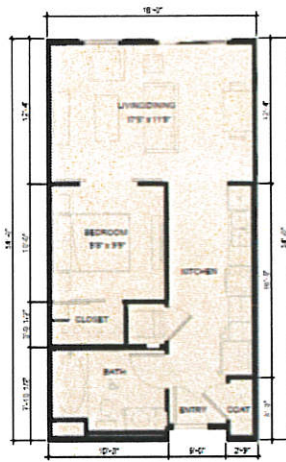


OVERALL SITE PLAN  
 651 WEST SUNFLOWER AVENUE  
 GPA NO. 2019-01, AA NO. 2019-01

## **EXHIBIT 5**



UNIT 01  
STUDIO  
688 SF



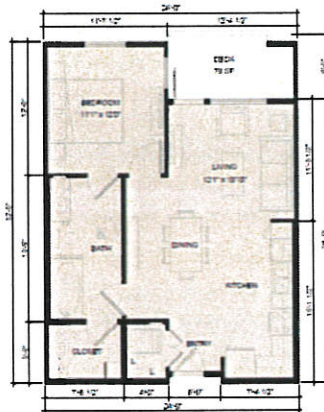
UNIT 02  
STUDIO  
943 SF



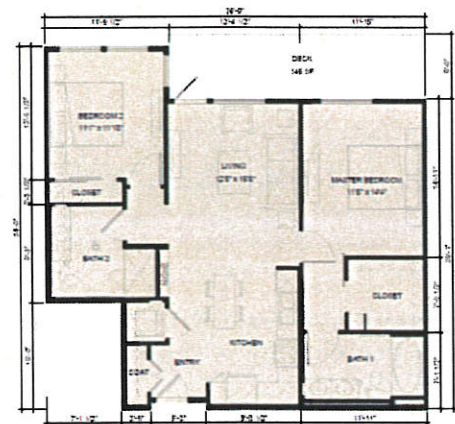
UNIT A1  
1BD / 1BA  
875 SF



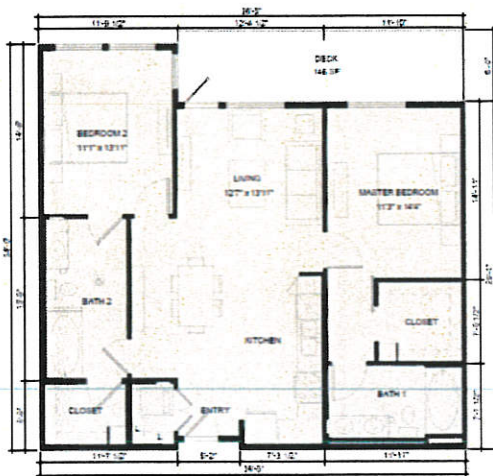
UNIT A2  
1BD / 1BA  
976 SF



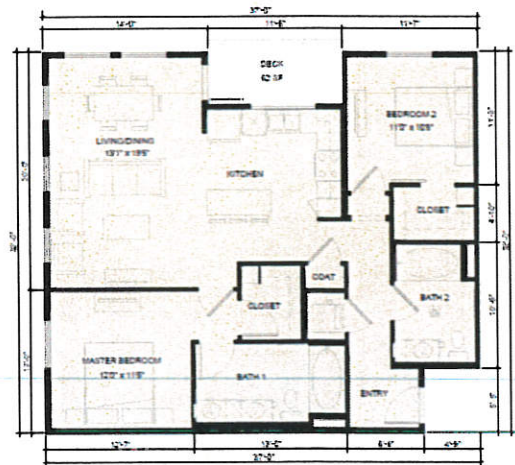
UNIT A3  
1BD / 1BA  
1008 SF



UNIT B1  
2BD / 2BA  
1488 SF



UNIT B2  
2BD / 2BA  
1418 SF



UNIT B3  
2BD / 2BA  
1418 SF

FLOOR PLANS  
651 WEST SUNFLOWER AVENUE  
GPA NO. 2019-01, AA NO. 2019-01

## **EXHIBIT 6**



BUILDING ELEVATIONS  
 651 WEST SUNFLOWER AVENUE  
 GPA NO. 2019-01, AA NO. 2019-01

## **EXHIBIT 7**

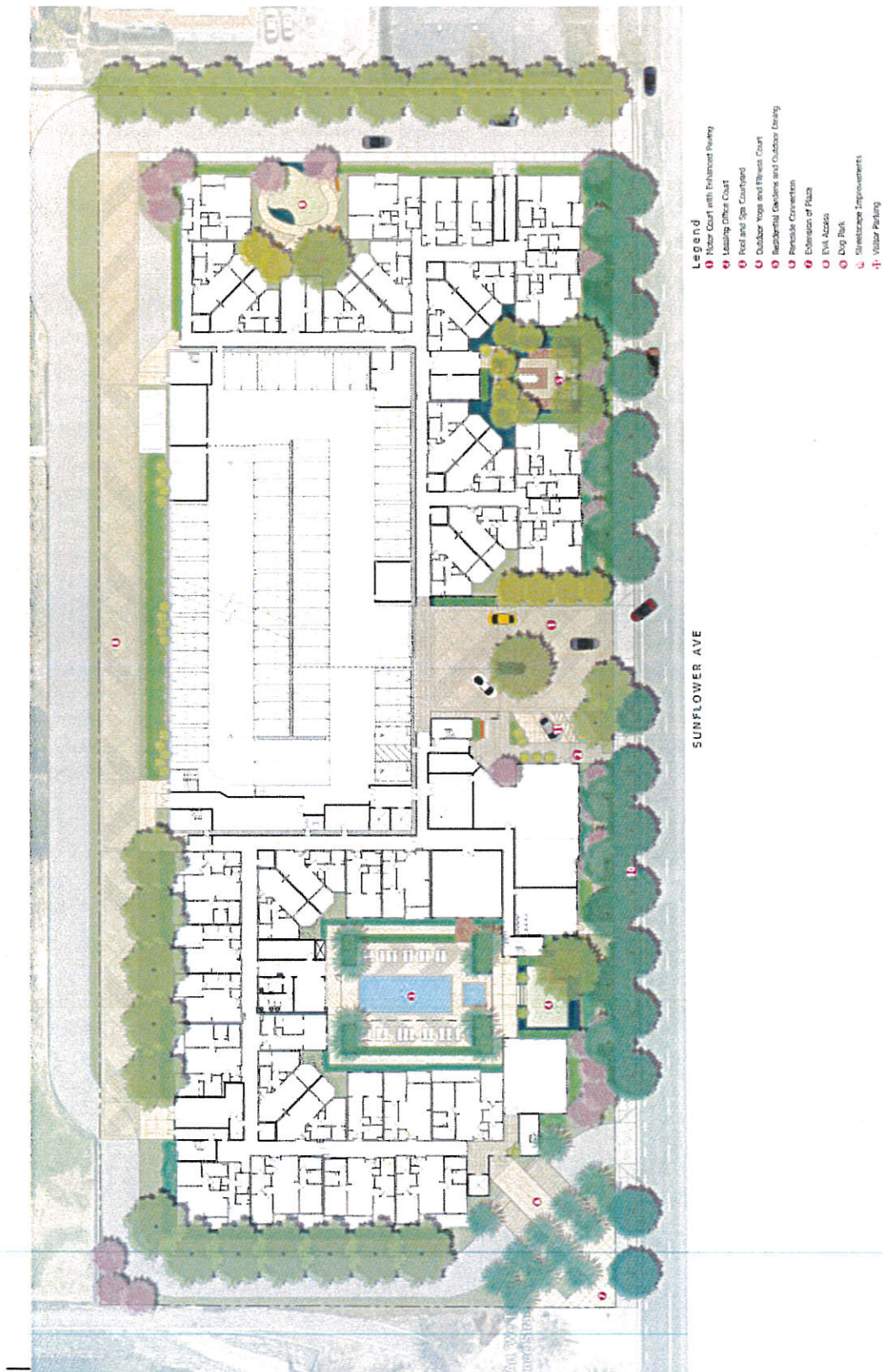


RENDERINGS  
651 WEST SUNFLOWER AVENUE  
GPA NO. 2019-01, AA NO. 2019-01



RENDERINGS  
651 WEST SUNFLOWER AVENUE  
GPA NO. 2019-01, AA NO. 2019-01

## **EXHIBIT 8**



LANDSCAPE PLAN  
 651 WEST SUNFLOWER AVENUE  
 GPA NO. 2019-01, AA NO. 2019-01

## **EXHIBIT 9**

**Table 7: Santa Ana Multi-Family Project Parking Supply and Ratio**

Project Name	Units	Parking			Parking Ratio		Tandem Parking	
		Total	Residential	Guest	Total	Residential	Number	Percent
The Marke	300	660	600	60	2.2	2.0	262	44%
Prisma (301)	182	364	328	36	2.0	1.8	234	71%
Elan	603	1,209	1,209	-	2.0	2.0	70	6%
The Madison	260	468	468	-	1.8	1.8	104	22%
The Line	228	359	342	17	1.6	1.5	-	-
<i>Legacy Sunflower (Proposed)</i>	226	452	395	57	2.0	1.75	-	-
Notes: Parking Ratio Total = Total Parking Spaces / Units Residential Ratio = Residential Parking Spaces / Units Percent Tandem Stalls = Number of Tandem Stalls / Units								

**Table 8: Project Density and Height Compared to Approved Multiple-Family Projects**

Project	Density	Zone	Status	Height
The Line 3630 Westminster Avenue	58 du/ac	Harbor Mixed Use Transit Corridor Specific Plan	Under Construction	5 levels + 6 levels of parking
The Marke 100 East MacArthur Boulevard	74 du/ac	Specific Development No. 76	Constructed	5 Levels
Prisma (The 301) 301 East Jeanette Lane	91 du/ac	Specific Development No. 59	Constructed	5 Levels
The Madison 200 North Cabrillo Park Drive	94 du/ac	Metro East Mixed Use Overlay Zone	Entitled 2018	7 Levels
Elan 1660 East First Street	94 du/ac	Metro East Mixed Use Overlay Zone	Entitled 2018	7 Levels
Legacy Square	54 du/ac	Transit Zoning Code (SD-84)	Under Review	5 Levels
<i>Legacy at Sunflower (proposed)</i>	63 du/ac	<i>SD-94 (proposed)</i>	<i>Proposed</i>	<i>5 levels + 6.5 levels of parking</i>

## **EXHIBIT 10**



January 23, 2019

Mr. Tim O'Brien  
Legacy Partners  
5141 California Avenue, Suite 100  
Irvine, CA 92617

LLG Reference No. 2.18.3982.1

Subject: **Parking Demand Analysis for  
Legacy Sunflower Apartments**  
Santa Ana, California

**Engineers & Planners**  
Traffic  
Transportation  
Parking

**Linscott, Law &  
Greenspan, Engineers**  
2 Executive Circle  
Suite 250  
Irvine, CA 92614  
949.825.6175 T  
949.825.6173 F  
www.llgengineers.com

Pasadena  
Irvine  
San Diego  
Woodland Hills

Dear Mr. O'Brien:

As requested, Linscott, Law, & Greenspan, Engineers (LLG) is pleased to submit this Parking Demand Analysis for the proposed Legacy Sunflower Apartments Project (hereinafter referred to as Project). The project proponent, Legacy Partners, proposes to develop up to 226 apartment units within five stories, consisting of 35 studio units, 114 one-bedroom units, and 77 two-bedroom units. The Project site is located on the northeast corner of Flower Street and Sunflower Avenue in the City of Santa Ana, California and is currently occupied by Sound Chapel.

Pursuant to our discussions and understanding of the City of Santa Ana requirements, the preparation of a parking study is required in order to validate that the proposed Project can adequately meet its parking demand needs. This report evaluates the Project's parking needs based application of City code, as well as a comparison to LLG's previous field studies of actual parking demand at existing sites with similar characteristics.

This study focused on the following tasks:

- a) Calculates the proposed Project parking requirements based on the application of the City of Santa Ana Municipal Code parking ratios; identifies any Code-based surplus or deficiency by comparing Code requirements against the proposed supply;
- b) Compared actual field study parking requirements for multifamily residential uses at various locations to the requirements set forth by City Code. In addition,

Philip M. Linscott, PE (1924-2000)  
Jack M. Greenspan, PE (Ret.)  
William A. Law, PE (Ret.)  
Paul W. Wilkinson, PE  
John P. Keating, PE  
David S. Shender, PE  
John A. Boorman, PE  
Clare M. Look-Jaeger, PE  
Richard E. Barretto, PE  
Keith D. Maberry, PE

An LG2W8 Company Founded 1989

compared peak parking ratios for apartment complexes referenced in the *Parking Generation* (4<sup>th</sup> Edition) published by the Institute of Transportation Engineers (ITE), and *Shared Parking* (2<sup>nd</sup> Edition) published by the Urban Land Institute (ULI), as well as other reference materials for the cities of Ontario and Rancho Cucamonga, San Bernardino County, and Riverside County;

- c) Based on the parking requirement comparison assessment as stated above, calculated the average, 85<sup>th</sup> Percentile and 95<sup>th</sup> Percentile design-level peak parking demands and validated the adequacy of the proposed parking supply.

Our method of analysis, findings, and recommendations are detailed in the following sections of this report.

## PROJECT LOCATION AND DESCRIPTION

The Project site is a rectangular shaped parcel of land totaling 3.59-acres and is currently occupied by Sound Chapel located on the northeast corner of Flower Street and Sunflower Avenue in the City of Santa Ana, California. The project site is currently zoned as LR-7 (Low Density Residential) and is proposed to be amended to SD (Special Development). **Figure 1**, located at the rear of this letter report, presents a Vicinity Map, which illustrates the general location of the subject property in the context of the surrounding street system.

The Project will include the development of a 226-unit apartment complex within five stories, consisting of 35 studio units, 114 one-bedroom units, and 77 two-bedroom units. Parking is proposed via a multi-level parking structure consisting of 452 spaces. **Table 1** provides a summary of the proposed Project components.

**Figure 2** presents the site plan for the proposed Project prepared by TCA Architects.

## PARKING DEMAND ANALYSIS

### Parking Requirements per City Code Requirements

To determine the number of parking spaces required to support the proposed Project, the parking requirement was calculated based on parking information published in the *City of Santa Ana Municipal Code Article XV – Off-Street Parking*. The following parking ratio was used to determine the required parking:

- a) The minimum off-street parking requirements for each dwelling unit in multiple-family dwellings are as follows: one (1) space in a garage or carport.

- b) Each multi-family dwelling site shall provide off-street parking spaces, in addition to the minimum requirements of subsection (a) of this section, in an amount not less than the number of bedrooms on the site. Such spaces may be open or covered and may be assigned to particular units or not so assigned. Bachelor units shall be considered as one-bedroom units.
- c) In addition to the minimum requirements of subsections (a) and (b) of this section, each multiple-family dwelling site shall provide guest parking, identified as such, in an amount of spaces not less than twenty-five (25%) percent of the minimum required spaces under subsections (a) and (b) of this section, but in no case less than three (3) spaces.

**Table 2** presents the code parking requirement for the Project. Review of *Table 2* identifies that the Project would require 379 spaces. With a proposed parking supply of 452 parking spaces, the Project is projected to have a parking surplus of 73 spaces when compared to the City's parking requirements. Given these results, the Project is anticipated to provide adequate parking based on direct application of City code.

Although the Project is providing adequate number of parking spaces based on City Code requirement, the following section provides further justification that the City Code requirement is highly conservative when compared to the actual peak parking demand at similar existing sites.

### **Comparison of Parking Ratios**

Notwithstanding the requirements of City Code, the actual parking requirements for multifamily residential uses have been found to be less than the City's own Code requirement as represented the City of Santa Ana Municipal Code. This aspect is illustrated by LLG's previous field studies of actual parking demand at existing sites similar to the project, in addition to parking demand/empirical ratio compilations from other sources.

**Table 3** presents a comparison of site development and parking ratios from various sources. The upper portion of *Table 2* presents twelve (12) comparable sites in Fullerton, Orange, Santa Ana, Irvine, Costa Mesa, Monrovia, Laguna Niguel, and Pasadena. Additional detail for the comparable sites is also provided inclusive of the location, development summary, parking facility type, parking supply, presence of ground floor retail, survey period, empirically derived peak parking ratio and peak hour, and the Saturday daytime peak parking ratio and peak hour.

*Table 3* indicates that the total number of apartments units for each site ranges from 142 units to 481 units and includes a unit mix of studios, one-bedroom units, two-bedroom units, and/or three-bedroom units. Parking facilities at these locations include parking

structures, parking garages, and surface lots, with a combined parking supply for residents and the public/guests ranging from 223 spaces to 1,020 spaces. In addition to on-site parking, on-street parking is also available at two (2) of the facilities. More specifically, items 6 and 7 are mixed-use developments and have a retail component within their site.

*Table 3* further indicates that parking demand surveys/observations were conducted on one to two “typical” weeknights (Tuesday, Wednesday, and Thursday) at nine of the comparable sites, and on a Saturday at three of the sites. These survey time periods were selected for analyses because parking needs are the greatest during these times; more specifically, peak demand for residential uses typically occurs during weeknights compared to weekday daytime and weekend conditions. This parking demand characteristic is evident from the hourly parking profiles in the *Shared Parking* (2<sup>nd</sup> Edition) publication by the Urban Land Institute (ULI) that indicate 90% to 100% parking occupancy between 6:00 PM and 12:00 AM/midnight, and the *Parking Generation* (4<sup>th</sup> Edition) publication by the Institute of Transportation Engineers (ITE) that reports 92% to 100% parking occupancy between 10:00 PM and 6:00 AM for low/mid-rise apartments (the only residential type with this data), and that parking demand is greater during these weekday overnight hours compared to a Saturday condition. Based on these considerations, it is concluded that the empirical basis for the peak parking ratios reported on *Table 3* coincides with, and is representative of, the absolute peak parking condition for each of the surveyed sites.

The tenant and guest peak parking ratio (spaces per DU) for each of the twelve comparable sites under absolute peak conditions (occurring on a weeknight, as explained above) and Saturday daytime conditions (where available) are presented on *Table 3*. The array of absolute peak parking rates yields an average ratio of 1.35 spaces per unit, an 85<sup>th</sup> percentile ratio of 1.48 spaces per unit, and a 95<sup>th</sup> percentile ratio of 1.61 spaces per unit. Saturday parking ratios are less, and range between 0.97 and 1.13 spaces per unit, occurring from noon to 3:00 PM. It should be noted that the city code requirement of 379 spaces when compared to the Project’s total of 226 apartment units, translates to a peak parking ratio of 1.68 spaces per dwelling unit, which is greater than the aforementioned peak parking ratios stated above.

Given that these sites are comparable in terms of apartment unit mix (i.e. one-bedroom, two-bedroom, three-bedroom, etc.) and nine (9) of the sites come within under 100 total units compared to the proposed Project, LLG concludes that the parking ratios derived from the twelve comparable sites are accurate representations for the unique parking characteristics of the proposed Project that are not reflected in the City Code ratio.

ITE's *Parking Generation* publication, and ULI's *Shared Parking* publication, as well as other reference materials for the cities of Ontario and Rancho Cucamonga, San Bernardino County, and Riverside County, provide peak parking ratios for apartment complexes, as summarized in the lower portion of *Table 3*. These parking ratios range from 1.37 spaces per unit (average ratio per ITE for high-rise apartments similar to the Project) to 1.66 spaces per unit (field studies in Ontario and Rancho Cucamonga).

In order to provide more context behind the location and parking-related characteristics for the most relevant sites in *Table 3*, we have compiled the following information with regards to land use setting, proximity to public transit, and availability of off-site parking (i.e., on-street spaces, nearby off-site parking spaces):

**Project/Legacy Sunflower Apartments: 651 Sunflower Avenue, Santa Ana**

There is no on-street parking or other public parking facilities located along the Project frontage. There are existing bus stops located nearby, specifically at the intersections of Flower Street/Sakioka Drive at Sunflower Avenue. There is no Park & Ride facility in the nearby vicinity of Legacy Sunflower Apartments. The adjoining land uses to Legacy Sunflower Apartments consist of mostly residential, with an existing elementary school directly north of the Project site.

**Main Street Village: 2555 Main Street, Irvine (1.42 spaces per DU)**

There is no on-street parking or other public parking facilities in the immediate vicinity of the site. There are existing bus stops located nearby, specifically at the intersections of Siglo/Main Street and Jamboree Road/Main Street. The nearest Park & Ride lot is located about 1.5 miles to the southeast of Main Street Village, near the intersection of Culver Drive at Sandburg Way. The adjoining land uses to Main Street Village consist of mostly office and residential uses.

**Paragon at Old Town: 700 S. Myrtle Avenue, Monrovia (1.48 spaces per DU)**

On-street parking is generally permitted in the vicinity of the site, most notably along Myrtle Avenue (north of Walnut Avenue), Olive Avenue, Walnut Avenue, and Ivy Avenue. The nearest existing bus stop is located at the intersection of Primrose Avenue/Walnut Avenue. An existing Park & Ride lot and Metro Light Rail station is located about 0.7 miles to the south of Paragon at Old Town, near the intersection of Myrtle Avenue/Duarte Road. The adjoining land uses to Paragon at Old Town consist of shopping/food uses to the north, residential uses to the east, and office/warehouse building to the south and west.

**Trio Apartments: 44 N. Madison Avenue, Pasadena (1.22 spaces per DU)**

On-street parking is generally permitted in the vicinity of the site, most notably along Madison Avenue, Colorado Boulevard, and Union Street. Further, several paid public parking lots are located nearby, including on the west side of Madison Avenue and a

few south of Colorado Boulevard. Existing bus stops are located at the intersection of El Molino Avenue/Union Street, as well as various bus stops located Colorado Boulevard. An existing Park & Ride lot is located about 0.5 miles to the northwest of Trio Apartments, near the intersection of Marengo Avenue/Walnut Street. Further, existing Metro Light Rail stations are located at Lake Street/I-210 Freeway (about 0.5 miles from Trio Apartments) and near Raymond Avenue/Holly Street (about 0.5 miles from Trio Apartments). The adjoining land uses to Trio Apartments consist of mostly office and commercial uses.

**Adagio on the Green: 2660 Oso Parkway, Mission Viejo (1.45 spaces per DU)**

There is no on-street parking or other public parking facilities in the immediate vicinity of the site. Existing bus stops are located nearby, specifically at the intersections of Country Club Drive/Oso Parkway and Marguerite Parkway/Oso Parkway. There is no Park & Ride facility in the nearby vicinity of Adagio on the Green. The adjoining land uses to Adagio on the Green consist of mostly residential uses, with a golf course to the north and south of Oso Parkway and some commercial uses.

**Skye at Laguna Niguel: 28100 Cabot Road, Laguna Niguel (1.49 spaces per DU)**

There is no on-street parking or other public parking facilities in the immediate vicinity of the site. The nearest existing bus stop is located at the intersection of Cabot Road/Crown Valley Parkway. An existing Park & Ride lot and Metrolink train station is located immediately east of the SR-73 Freeway, along Forbes Road (about 0.2 miles from Skye at Laguna Niguel). The adjoining land uses to Skye at Laguna Niguel consist of mostly residential uses, with commercial uses to the east.

**Apex Laguna Niguel: 27960 Cabot Road, Laguna Niguel (1.28 spaces per DU)**

There is no on-street parking or other public parking facilities in the immediate vicinity of the site. The nearest existing bus stop is located at the intersection of Cabot Road/Crown Valley Parkway. An existing Park & Ride lot and Metrolink train station is located about 0.3 miles to the southeast from Apex Laguna Niguel, along Forbes Road. The adjoining land uses to Apex Laguna Niguel consist of mostly residential uses, with commercial uses to the east.

Based on the above descriptions of six existing sites, locational and parking-related characteristics are similar and comparable to the Project (i.e., not located in a TOD/Transit-Oriented Development, with no off-site parking nearby, which can reduce on-site parking needs), with their empirical parking demand ratios considered to be indicative of the Project's potential parking needs. The Project will be providing a supply of 452 spaces, which, when divided by 226 dwelling units, corresponds to a parking supply ratio of 2.0 spaces per dwelling unit. This supply ratio of 2.0 spaces per dwelling units is 30% to 65% greater than the empirical ratios from the six comparable sites most similar to the Project.

### **Project Parking Supply versus Demand**

The bottom portion of *Table 3* estimates the project's parking needs based on the application of the average, 85<sup>th</sup> percentile, and 95<sup>th</sup> percentile parking rates from comparable sites. For the 226 units as now proposed, it is estimated that the average demand would be 305 spaces, the 85<sup>th</sup> percentile demand would be 334 spaces, and the 95<sup>th</sup> percentile demand would be 364 spaces. Comparing the 95<sup>th</sup> percentile demand of 364 spaces against the proposed supply of 452 spaces yields a surplus of 88 spaces.

Given these results, we conclude that the proposed parking supply of 452 spaces is adequate to accommodate the parking needs for the Legacy Sunflower Apartment Project. In addition, on-site management of the project will utilize best management practices to insure that all tenants understand that parking of vehicles is only permitted on site and is a condition of the rental agreement.

### **SUMMARY OF FINDINGS AND CONCLUSIONS**

1. The Legacy Sunflower Apartment Project is proposing to construct a podium style apartment project consisting of up to 226 apartment units within five stories, consisting of 35 studio units, 114 one-bedroom units, and 77 two-bedroom units. Parking is proposed via a multi-level parking structure consisting of 452 spaces.
2. This parking demand analysis validates that the proposed parking supply of 452 spaces is adequate to accommodate the parking needs of the Project.
3. Direct application of City of Santa Ana Municipal Code parking requirements to the proposed Project (226 DU) results in a total parking requirement of 379 parking spaces. With a proposed parking supply of 452 spaces, a code surplus of 73 spaces is calculated. Given these results, the Project is anticipated to provide adequate parking based on direct application of City code.
4. Based on a comparison of parking ratios between twelve (12) sites within the cities of Fullerton, Orange, Santa Ana, Irvine, Costa Mesa, Monrovia, Laguna Niguel and Pasadena, a 95<sup>th</sup> Percentile "design-level" parking ratio of 1.61 was applied to the proposed 226 units which results in a parking demand of 364 spaces. With a proposed parking supply of 452 spaces, a surplus of 88 spaces is calculated.

5. Based on the above findings, we conclude that based on the application of the 95<sup>th</sup> Percentile "design-level" parking ratio of 1.61 derived from twelve (12) comparable sites, adequate parking would be provided on site to accommodate the proposed Project.
6. Given these parking demand analysis results, we conclude that the Project's proposed parking supply of 452 spaces is **more than adequate** when compared to the requirements of City Code (*code surplus of 73 spaces*) and application of comparable parking ratios from twelve (12) sites within the cities of Fullerton, Orange, Santa Ana, Irvine, Costa Mesa, Monrovia, Laguna Niguel and Pasadena (*minimum surplus of 88 spaces*).

We appreciate the opportunity to prepare this parking analysis for Legacy Sunflower Apartments. Should you have any questions or need additional assistance, please do not hesitate to call us at (949) 825-6175.

Very truly yours,

**Linscott, Law & Greenspan, Engineers**

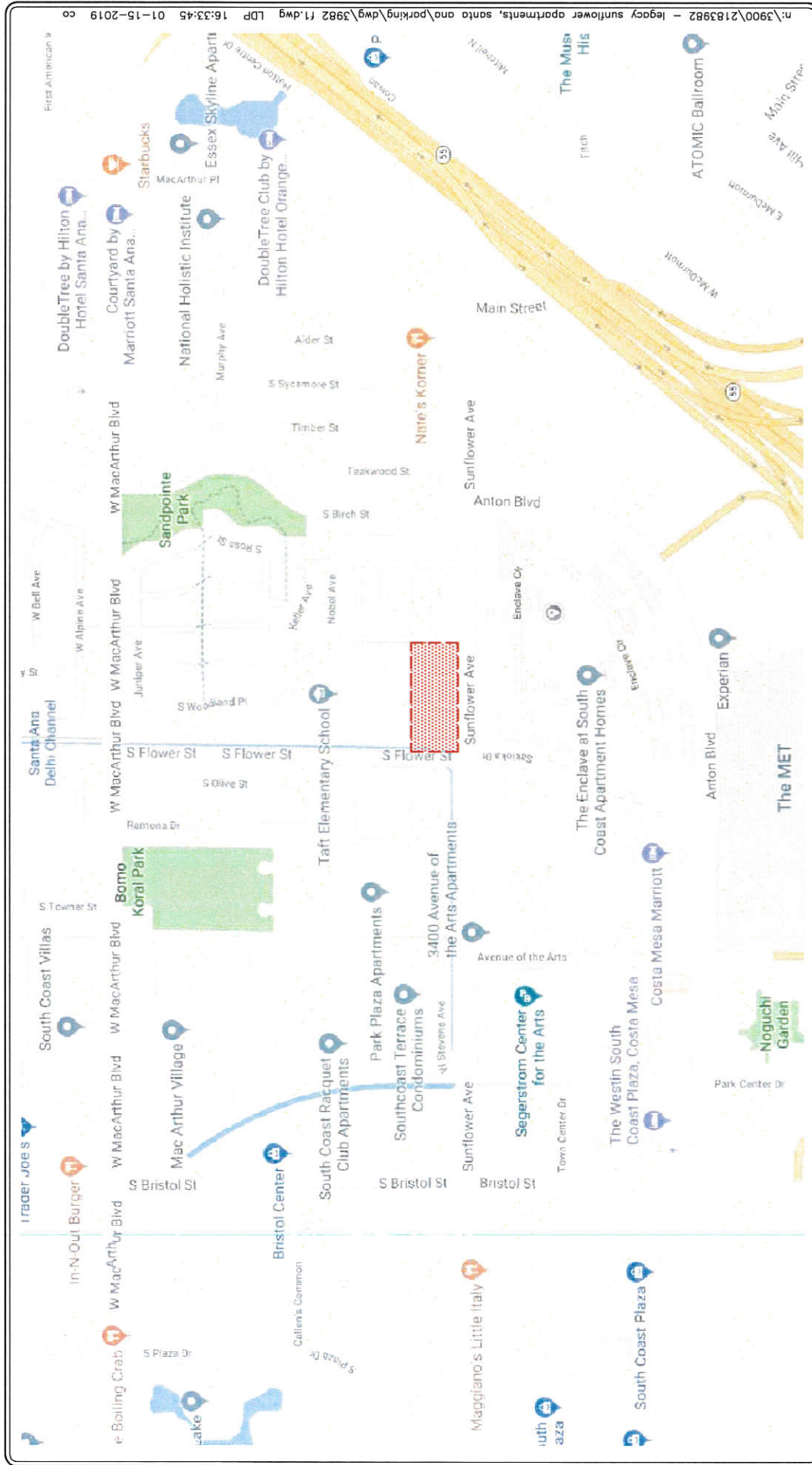


Keil D. Maberry, P.E.  
Principal



cc: Shane S. Green, P.E., Transportation Engineer III

Attachments



SOURCE: GOOGLE

KEY  
 PROJECT SITE



LINSCOTT  
 LAW &  
 GREENSPAN  
 engineers

**FIGURE 1**

**VICINITY MAP**  
 LEGACY SUNFLOWER APARTMENTS, SANTA ANA

O.C.F.C.D.  
SANTA ANA DELHI CHANNE



FIGURE 2

**PROPOSED SITE PLAN**  
LEGACY SUNFLOWER APARTMENTS, SANTA ANA

**SOURCE: TCA ARCHITECTS**

**LEGACY SUNFLOWER APARTMENTS, SANTA ANA**

Land Use / Project Description	Project Development Totals
<b><u>Legacy Sunflower Apartments</u></b>	
○ Studio Units	35 Units
○ 1 Bedroom Units	114 Units
○ 2 Bedroom Units	<u>77 Units</u>
<b><i>Total Residential Units:</i></b>	<b><i>226 Units</i></b>
<b><u>Parking Structure</u></b>	
○ Basement 1	10 spaces
○ Level 1	65 spaces
○ Level 2	71 spaces
○ Level 3	76 spaces
○ Level 4	76 spaces
○ Level 5	76 spaces
○ Roof	<u>78 spaces</u>
<b><i>Total Parking Supply:</i></b>	<b><i>452 spaces</i></b>

<sup>1</sup> Source: Legacy Sunflower Site Plan prepared by TCA Architects, 12/21/18.

**TABLE 2**  
**CITY CODE PARKING REQUIREMENT<sup>2</sup>**  
**LEGACY SUNFLOWER APARTMENTS, SANTA ANA**

Land Use / Project Description	Units	City of Santa Ana Code Parking Requirement	Spaces Required
<b><u>Legacy Sunflower Apartments</u></b>			
○ Studio Units	35 Units	1 space per bedroom	35
○ 1 Bedroom Units	114 Units	1 space per bedroom	114
○ 2 Bedroom Units	<u>77 Units</u>	1 space per bedroom	<u>154</u>
<i>Total</i>	<i>226 Units</i>		<i>303</i>
Guest parking	--	25% of total parking required (303 x 0.25)	76
<b>Total Parking Code requirement</b>			<b>379</b>
<b>Proposed Parking Supply</b>			<b>452</b>
<b>Parking Surplus/Deficiency (+/-)</b>			<b>+73</b>

<sup>2</sup> Source: City of Santa Ana Municipal Code, Section 41-1322 – Multiple-family dwellings.

**TABLE 3**  
**COMPARABLE SITE DEVELOPMENT AND PARKING RATIO SUMMARY**  
**LEGACY SUNFLOWER APARTMENTS, SANTA ANA**

Comparable Site	City	Address	Development Summary	Parking Facility	Parking Supply	Retail	Survey Period	Tenant & Guest Peak Parking Ratio - Spaces per DU (Peak Hour)	Tenant & Guest Saturday Daytime Peak Parking Ratio (Peak Hour)
1	Anton Residential Mid-Rise Building	Costa Mesa	580 Anton Boulevard 250 Unit Luxury Apartments • 80 2 Bedroom Units • 170 Studio/1 Bedroom Units	Structure	438 Spaces • Residents - 330 sp. • Guests - 108 sp.	--	--	1.75 (Peak Hour N/A)	--
2	Main Street Village [a]	Irvine	2555 Main Street 481 Unit Apartments • 265 1 Bedroom Units • 200 2 Bedroom Units • 16 3 Bedroom Units	Structure	1,020 Spaces • Residents - 847 sp. • Public/Guests - 173 sp.	--	Wednesday & Thursday 10PM-12AM	1.42 (@ 12:00 AM)	--
3	279 Unit Complex [b]	Irvine	-- 279 Unit Apartments • 2 Studio Units • 162 1 Bedroom Units • 115 2 Bedroom Units	Gated Structure	600 Spaces	--	Tuesday 6PM-1AM	1.36 (Peak Hour N/A)	--
4	403 Unit Complex [b]	Irvine	-- 403 Unit Apartments • 326 1 Bedroom Units • 77 2 Bedroom Units	Gated Structure	643 Spaces	--	Tuesday 6PM-1AM	1.29 (Peak Hour N/A)	--
5	460 Unit Complex [b]	Orange	-- 460 Unit Apartments • 256 1 Bedroom Units • 204 2 Bedroom Units	Gated Structure, Gated Surface Lot	784 Spaces	--	Tuesday 6PM-1AM	1.4 (Peak Hour N/A)	--
6	183 Unit Complex [b]	Fullerton	-- 183 Unit Apartments • 129 1 Bedroom Units • 54 2 Bedroom Units	Gated Residential Structure	223 Residential Spaces	Yes	--	1.1 (Peak Hour N/A)	--
7	250 Unit Complex [b]	Santa Ana	-- 250 Unit Apartments • 108 1 Bedroom Units • 145 2-3 Bedroom Units	Gated Residential Structure	453 Residential Spaces	Yes	--	0.94 (Peak Hour N/A)	--
8	Paragon at Old Town [a]	Monrovia	700 S. Myrtle Avenue 163 Unit Apartments • 82 1 Bedroom Units • 81 3 Bedroom Units	Surface Lot, On-Street Parking	404 Spaces • Residents - 329 sp. • Public/Guests - 75 sp.	--	Wednesday & Thursday 6PM-12AM	1.48 (@ 11:00 PM)	--
9	Trio Apartments [a]	Pasadena	44 N. Madison Avenue 304 Unit Apartments • 46 Studio Units • 141 1 Bedroom Units • 117 2 Bedroom Units	Surface Lot, On-Street Parking	480 Spaces • Residents - 450 sp. • Public/Guests - 30 sp.	--	Wednesday & Thursday 10PM-12AM	1.22 (@ 12:00 AM)	--
10	Adagio on the Green [d]	Mission Viejo	2660 Oso Parkway 256 Unit Apartments	Garage, Surface Lot	512 Spaces • Residents - 424 sp. • Public/Guests - 88 sp.	--	Wednesday & Thursday 7PM-2AM Saturday: 12PM-3PM, 7PM-2AM	1.45 (@ 12:00 AM)	0.97 (@ 2:00 PM & 3:00 PM)
11	Skye at Laguna Niguel [d]	Laguna Niguel	28100 Cabot Road 142 Unit Apartments • 97 1 Bedroom Units • 45 2 Bedroom Units	Garage	294 Spaces • Residents - 240 sp. • Public/Guests - 54 sp.	--	Wednesday & Thursday 7PM-2AM Saturday: 12PM-3PM, 7PM-2AM	1.49 (@ 11:00 PM)	1.07 (@ 12:00 PM)
12	Apex Laguna Niguel [d]	Laguna Niguel	27960 Cabot Road 284 Unit Apartments • 32 Studio Units • 161 1 Bedroom Units • 91 2 Bedroom Units	Garage	539 Spaces • Residents - 461 sp. • Public/Guests - 78 sp.	--	Wednesday & Thursday 7PM-2AM Saturday: 12PM-3PM, 7PM-2AM	1.28 (@ 2:00 AM)	1.13 (@ 3:00 PM)
Average:								1.35	
85th Percentile:								1.48	
95th Percentile:								1.61	
Additional Parking Ratio References:									
ITE Parking Generation, 4th Edition High-Rise Apartment									
Average:								1.37	
85th Percentile:								1.52	
ULI Shared Parking: Residential (Rental) Units								1.65	
Field Studies in Ontario and Rancho Cucamonga [c]								1.58 - 1.66	
American Community Survey (ACS) in Ontario [c]								1.62	
Household Surveys in San Bernardino and Riverside [c]								1.45	
Parking Calculation Using Empirical Rates Above (226 DU's for Legacy Sunflower Apartments)									
Average Demand (1.35 x 226 DUs):								305	
85th Percentile Demand (1.48 x 226 DUs):								334	
95th Percentile Demand (1.61 x 226 DUs):								364	

**Notes:**

[a] Source: *Parking Demand Analysis for the Proposed Fifth Avenue/Huntington Drive Mixed-Use Project City of Monrovia, California*, prepared by LLG, Oct. 2012

[b] Source: *Parking Study for AMLI Orange Apartment Project*, prepared by IBI Group, Nov. 2012

[c] Source: *Parking Reform Made Easy*, Richard W. Wilson, 2013

[d] Source: Counts collected by LLG on December 2016.

# **EXHIBIT 11**

The Legacy Sunflower Mitigated Negative Declaration and technical appendices may be accessed at:

Santa Ana City Hall Planning Counter, First Floor  
20 Civic Center Plaza  
Santa Ana, CA 92701

or

Santa Ana Main Library  
26 Civic Center Plaza  
Santa Ana, CA 92701

or

<https://www.santa-ana.org/pb/planning-division/major-planning-projects-and-documents/legacy-sunflower>

---