



City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
December 6, 2022

TOPIC: First One-Year Extension for Variance Nos. 2017-05 and 2017-06 for the Madison Mixed-Use Development Project Entitled at 200 N Cabrillo Park Drive

AGENDA TITLE:

First One-year Extension of Variance No. 2017-05 and Variance No. 2017-06 for the Madison Mixed-Use Development Project Located at 200 North Cabrillo Park Drive

RECOMMENDED ACTION

Adopt a resolution approving a one-year extension of Variance No. 2017-05 and Variance No. 2017-06.

DISCUSSION

On June 5, 2018, the City Council approved Appeal No. 2017-05, reversing the Planning Commission's decision to deny Site Plan Review No. 2016-03, Variance No. 2017-05, and Variance No. 2017-06 for a reduction in parking and increased side yard setback, which facilitated the construction of a seven-story mixed-use development project with up to 260 units for the property located at 200 North Cabrillo Park Drive.

Pursuant to Section 41-647 of the Santa Ana Municipal Code (SAMC), entitlements such as variances automatically become void should the property owner fail to institute an action to comply with the provisions of the entitlements within two years of its approval. This section also allows the property owner to request an extension of the entitlement up to a period of three years from the date of the expiration.

The subject entitlements were in effect until June 5, 2020; however, due to difficulties stemming from the COVID-19 global pandemic, which affected the development industry worldwide, the applicant experienced delays in moving the project forward and constructing the new mixed-use development. During this time, a state of local emergency stemming from the COVID-19 pandemic was declared, which provided relief to residential developers by extending approvals of residential entitlements to December 31, 2022.

The applicant submitted construction drawings for plan check on August 14, 2022. Permits have not yet been issued; as a result, the applicant is requesting a one-year extension of the variances to ensure the entitlements remain valid by the time permits

are ready for issuance. Since the applicant is currently working with staff to complete the plan check process, the Planning Division recommends that the entitlements for the development be extended for a period of one year to December 31, 2023.

ENVIRONMENTAL IMPACT

In accordance with the California Environmental Quality Act, the approval of the time extension is exempt from CEQA per Section 15061 (b)(3). This determination has been made as it has been determined that the proposed action to extend the existing, approved entitlement does not have the potential to cause a significant effect on the environment, as the existing, approved entitlement has already been evaluated pursuant to CEQA.

FISCAL IMPACT

There is no fiscal impact associated with this action.

EXHIBIT(S)

1. Resolution
2. Resolution No. 2018-038
3. Full project plans

Submitted By: Minh Thai, Executive Director of the planning and Building Agency

Approved By: Kristine Ridge, City Manager