



**City of Santa Ana**  
**20 Civic Center Plaza, Santa Ana, CA 92701**  
**Staff Report**  
**September 19, 2023**

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**TOPIC:** Second Extension of Entitlements for the Central Pointe Mixed-Use Development to be Located at 1801 East Fourth Street

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**AGENDA TITLE**

Second Extension of Site Plan Review No. 2020-04 for the Central Pointe Mixed-Use Project to be Located at 1801 East Fourth Street

**RECOMMENDED ACTION**

Adopt a resolution approving a second one-year extension of Site Plan Review No. 2020-04 to November 9, 2024.

**DISCUSSION**

*Background*

On November 9, 2020, the Planning Commission unanimously approved Site Plan Review (SPR) No. 2020-04 by adopting Resolution No. 2020-38 for the Central Pointe mixed-use development, which consists of 644 residential units and 15,130 square feet of commercial space for the property located at 1801 East Fourth Street in the Metro East Mixed Use (MEMU) Overlay Zone (Exhibit 2). Pursuant to Section 8.4 of the MEMU Overlay Zone document, Site Plan Review approvals must be exercised within two years of approval unless the City Council by resolution extends the date on which a MEMU Site Plan Review becomes void for a period or periods not exceeding three years.

Taking into account the results of the global COVID-19 pandemic and its effects on securing funding, labor, and construction materials, the City Council approved the applicant's first request for a one-year entitlement extension on July 19, 2022 (Exhibit 3). The approval of the initial request extended the subject project's entitlements until November 9, 2023. Because the applicant does not anticipate being able to complete the plan check process, pull building permits, and commence construction by November 9, 2023, the applicant is requesting a second one-year entitlement extension.

*Analysis*

As a result of the global COVID-19 pandemic, the California Legislature approved AB 1561, which extended entitlements that were effective prior to March 4, 2020, and that were set to expire before December 31, 2021. Due to the various dates of approval and expiration on November 9, 2020 and November 9, 2022, AB 1561 did not apply to the

subject entitlement. Therefore, an extension by the City Council pursuant to Section 8.4 of the MEMU Overlay Zone was initially requested by the applicant and approved on July 19, 2022.

Recent increases in interest rates beginning the first quarter of 2022 and continuing through 2023, and their impacts on construction loans and land development costs, have resulted in additional delays to the project's ability to complete the plan check process, pull permits, and break ground on the project by the November 9, 2023 deadline that was established by the last City Council-approved entitlement extension. As a result, the applicant is requesting a second one-year entitlement extension pursuant to Section 8.4 of the MEMU Overlay Zone document. In an effort to encourage construction of entitled projects, it is the Planning Division's policy to recommend no more than one-year extensions at a time. The applicant's request is the second of three permissible one-year extensions.

Upon the securing of funding for the project, the applicant intends to obtain all necessary building permits for the project and break ground on the project to effectuate its entitlements within a timely manner. Specifically, the applicant intends to construct the project in two phases. Mechanical, electrical, and plumbing plans are approved for Phase 1. Landscape plans for both Phase 1 and 2 are approved, with architectural plan check expected to be completed for both Phase 1 and 2 in order to pull permits by the end of the 2023 calendar year.

#### *Property Maintenance*

As with many vacant properties in Southern California, the subject site has experienced issues stemming from uncontrolled vegetation, site security, and illegal dumping. In response to community concerns and measures identified by the Planning and Building Agency, the applicant has submitted a vacant property maintenance plan that addresses the issues stemming from the site's ongoing vacancy. These measures include:

- Installation of a construction fence around the perimeter of the site on Fourth Street, Cabrillo Park Drive, Parkcourt Place, and tie-ins to existing fencing along the Santa Ana (I-5) Freeway.
- Clearing the site of overgrown vegetation and weed abatement, scheduled on an as-needed basis with a minimum six-week routine period for monitoring.
- Retention of a security company to conduct bi-weekly site visits to prevent illegal dumping and trespassing.
- Removal of illegally-dumped items within 24 hours of notification.
- Execution of the City's Limited Authorization for Arrest Form to enable the Police Department to better enforce trespass and violations laws.

Full project plans are included with this report as Exhibit 4.

**ENVIRONMENTAL IMPACT**

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

**FISCAL IMPACT**

There is no fiscal impact associated with this action.

**EXHIBIT(S)**

1. Resolution Approving Second One-Year Entitlement
2. Original Resolution Approving Entitlement (No. 2020-038)
3. Resolution Approving First One-Year Entitlement (No. 2022-062)
4. Full Project Plans

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

Approved By: Kristine Ridge, City Manager