

RESOLUTION NO. 2024-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING SITE PLAN REVIEW NO. 2023-03 AS CONDITIONED TO ALLOW A MAJOR RESIDENTIAL ADDITION AND EXTERIOR ALTERATIONS TO AN EXISTING SINGLE-FAMILY HOME AND DEMOLITION OF A DETACHED GARAGE, AT 521 SOUTH FLOWER STREET, WITHIN THE HENINGER PARK SPECIFIC DEVELOPMENT (SD-40) ZONING DISTRICT

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. Fidelity Management & Construction Inc., a California Corporation, represented by Johnny Gutierrez (Property Owner), is requesting approval of Site Plan Review (SPR) No. 2023-03 in order to allow a major residential addition and exterior alterations to an existing single-family home and demolition of a detached garage, for the property addressed as 521 South Flower Street, within the Heninger Park Specific Development (SD-40).
- B. Pursuant to Santa Ana Municipal Code (“SAMC”) Section 41-593.3, any use or development of property within an SD district shall be in compliance with the ordinance adopting the specific development plan for such property.
- C. SAMC Section 41-593.4 requires a review by the Planning Commission of all plans for the purpose of ensuring that buildings, structures, and grounds will be in keeping with the given neighborhood and will not be detrimental to the harmonious development of the City or impair the desirability of investment or occupation in that given neighborhood.
- D. The General Provisions of the Heninger Park Specific Development (SD-40) require Planning Commission review through the Site Plan Review process for all new construction within the area defined as SD-40. Moreover, the codified Heninger Park Architectural Design Guidelines requires Planning Commission review and approval for all construction of new residential units, residential additions, and new accessory structures.
- E. The Heninger Park Architectural Design Guidelines apply to all new infill development projects and all properties within Heninger Park that have been determined to be eligible or are listed on the Santa Ana Register of Historical Properties (“Register”). These properties are listed in Appendix A of the Heninger Park Architectural Design Guidelines.

- F. SD-40 and the Heninger Park Architectural Design Guidelines note that properties not listed on the Register or identified in Appendix A of the Heninger Park Architectural Design Guidelines are subject to review of the Planning Commission for conformance with the City of Santa Ana Citywide Design Guidelines.
- G. The subject property is neither listed nor eligible for listing on the Santa Ana Register of Historical Properties, pursuant to Appendix A of the Heninger Park Architectural Design Guidelines. Therefore, the project complies with the Santa Ana Citywide Design Guidelines and SD-40 development standards.
- H. The exterior modifications include expanding the existing 888-square-foot single-family residence by approximately 354 square feet in order to accommodate a new second bathroom and office at the building's rear (east) elevation. The rear addition will be built in a compatible style with the existing Craftsman building. The residence would also be improved by removing a non-original concrete ramp with wood posts near the front porch. All original wood windows would be restored and all casement windows, along with some double-hung windows at secondary facades, would be replaced with new double-hung wood windows to reflect the Craftsman style. The front (west) elevation would also be maintained and restored as needed, which includes existing horizontal siding, wood windows, front porch with brick columns and support beams, and attic vent. The non-compatible front door will be replaced with a door appropriate with the Craftsman style. The detached garage will also be demolished.
- I. On April 22, 2024, the Planning Commission held a duly noticed public hearing on SPR No. 2023-03.
- J. The Planning Commission, after considering all of the evidence submitted, finds and determines that the project is in substantial compliance with applicable development standards outlined within the SD-40 zoning district and the Santa Ana Citywide Design Guidelines. Specifically, the Planning Commission finds that the residence would meet all required SD-40 development standards, including but not limited to, lot coverage, height, and setbacks. In addition, the residential addition and alterations are designed in an architectural design identified as appropriate within the Heninger Park Architectural Design Guidelines and the Santa Ana Citywide Design Guidelines (i.e., Craftsman architectural style). The modifications are proposed to be compatible in size, scale, massing, and design to the nearby homes and neighborhood. The work will maintain architectural standards compatible with the existing architectural character of the Heninger Park neighborhood, and is designed to include architecturally appropriate exterior materials, gable treatments, and architectural massing consistent with existing neighborhood fabric and architectural styles found in the area. The overall features and materials will be architecturally compatible with the Santa Ana Citywide Design Guidelines, as they include high quality materials that will ensure that the residence ages well for the duration of the building's

lifetime.

Section 2. Pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project is exempt from further review pursuant to CEQA Guidelines Section 15301 (Class 1/Existing Facilities). The project consists of an addition to an existing structure resulting in an increase of no more than 10,000 square feet. Moreover, the project is in an area where all public services and facilities are available to allow for the maximum development permissible in the General Plan, and the area in which the project is located is not considered environmentally sensitive. Based on this analysis, Notice of Exemption, Environmental Review No. 2024-12 will be filed for this project.

Section 3. The Property Owner 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, referendum, and other 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 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 4. The Planning Commission of the City of Santa Ana, after conducting the public hearing, hereby approves Site Plan Review No. 2023-03, as conditioned in Exhibit A, attached hereto and incorporated herein, for the project located at 521 South Flower Street. This decision is based upon the evidence submitted at the above-referenced hearing, including but not limited to: The Request for Planning Commission Action dated April 22, 2024, and exhibits attached thereto; and the public testimony, written and oral, all of which are incorporated herein by this reference.

[Signatures on the following page]

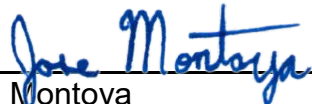
ADOPTED this 22nd day of April, 2024 by the following vote.

AYES: Commissioners: Carl Benninger, Manuel J. Escamilla, Christopher Leo,
Jennifer Oliva, Bao Pham, Isuri Ramos, Alan Woo (7)
NOES: Commissioners:
ABSENT: Commissioners:
ABSTENTIONS: Commissioners:



Bao Pham
Chairperson

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

By: _____
Jose Montoya
Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, NUVIA OCAMPO, Recording Secretary, do hereby attest to and certify the attached Resolution No. 2024-07 to be the original resolution adopted by the Planning Commission of the City of Santa Ana on April 22, 2024.

Date: 8/8/2024

Nuvia Ocampo
Nuvia Ocampo
Recording Secretary
City of Santa Ana

EXHIBIT A

Conditions of Approval for Site Plan Review No. 2023-03

Site Plan Review (SPR) No. 2023-03 to allow a major residential addition and exterior alterations to an existing single-family home and demolition of a detached garage, is approved subject to compliance, to the reasonable satisfaction of the Planning Manager, with all applicable sections of the Santa Ana Municipal Code, the California Building Standards Code, and all other applicable regulations:

The Applicant shall comply with each and every condition listed below in order to exercise the rights conferred by this SPR. Failure to comply with each and every condition may result in the revocation of the final building permit.

1. The addition and exterior alterations shall comply with the approved plans for the SPR No. 2023-03.
2. Any amendment to the SPR No. 2023-03, including modifications to approved materials, finishes, architecture, site plan, landscaping, and square footage shall be submitted to the Planning Division for review. At that time, staff will determine if administrative relief is available or if the Site Plan Review Application must be amended.
3. The existing non-conforming front yard fence shall be ~~removed~~ repaired, repainted, and all visible rust removed prior to issuance of building permits. If the Property Owner wishes to replace the fence, a new front yard fence application shall be submitted to the Planning staff for review and approval, along with a new Neighborhood Review application indicating proposed materials, dimensions, height, and design. The new front yard fence shall not exceed three (3) feet or 36 inches in height. **Amended by the Planning Commission on April 22, 2024.**
4. Property Owner shall receive Planning staff approval for the exact materials and finishes to be used prior to installation to ensure quality and compatibility with the existing Craftsman style residence.
5. Prior to permit issuance, a landscape plan shall be submitted to Planning staff for review and approval. The proposed landscape shall meet the minimum landscape standards, including but not limited to, providing a side yard landscaping strip/area along the southern property line. **Added by the Planning Commission on April 22, 2024.**