JUL 0 2 2021

HUGH NGUYEN, CLERK-RECORDER

SY: DEPUTY

Recorded in Onicial Records, Orange County

Hugh Nguyen, Clerk-Recorder

202185000518 12:25 pm 07/02/21

424 NC-2 Z01

Office of Planning and Research

1400 Tenth Street, Room 121

Sacramento, CA 95814



JUL 0 2 2021



CITY OF ANAHEIM NOTICE OF DETERMINATION

V

ORANGE COUNTY CLERK-RECORDER DEPARTMENT
BY: DEPUTY

To:

☑ Orange County Clerk Recorder

County Administration South

601 N Ross Street Santa Ana, CA 92701

From:

City of Anaheim

Planning & Building Department 200 S. Anaheim Blvd., MS 162

Anaheim, CA 92805

Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public

Resources Code.

Lead Agency: City of Anaheim

PROJECT TITLE & FILE NUMBER:

General Plan and Zoning Code Update Project

Final Environmental Impact Report (EIR) No. 330

STATE CLEARINGHOUSE NO. 2003041105

Anaheim Housing Opportunities Sites Rezoning Project

Supplemental Environmental Impact Report (SEIR)
 No. 346

Midway Affordable Project (Proposed Project)

- Development Project No. 2021-00059
- Miscellaneous Permit No. 2021-00767
- Tentative Parcel Map No. 2021-123

PROJECT LOCATION: The General Plan and Zoning Code Update Project and the Anaheim Housing Opportunities Project applied citywide to the City of Anaheim, Orange County, California.

The Proposed Project is located at 110 West Midway Drive, in the City of Anaheim, Orange County, California. The 2.36-acre project site is located on Assessor's Parcel Numbers (APNs) 082-185-01, 082-185-47, 082-185-52, 082-185-53, and 082-185-59. In addition, the project site includes South Zeyn Street, which the Applicant is requesting the City to abandon for the proposed project. The project site is located in the south-central portion of the City of Anaheim. It is located at the southwest corner of Anaheim Boulevard and West Midway Drive, and east of a proposed townhome development and Interstate 5 (I-5). The Housing Element identifies the project site as Housing Opportunity Sites 137, 147, 150, and 151; all of which received the RO Overlay Zone as a part of the Anaheim Housing Opportunities Rezoning Project.

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BY:	de	DEPUTY

PROJECT DESCRIPTION: General Plan and Zoning Code Update. In May 2004, the City of Anaheim certified the General Plan and Zoning Code Update Program EIR No. 330 (Program EIR No. 330). Program EIR No. 330 evaluated impacts associated with implementation of the Anaheim General Plan and Zoning Code Update and included a Mitigation Monitoring Program (MMP) No. 122 to mitigate those impacts. The approved and updated General Plan designated the project site for Medium Density Residential land uses.

Anaheim Housing Opportunities Sites Rezoning Project. In September 2013, the City of Anaheim certified Supplemental EIR No. 346 for the Anaheim Housing Opportunities Site Rezoning Project (Rezoning Project). The City also approved a Mitigation Monitoring Program No. 122A (MMP No. 122A) as part of Supplemental EIR No. 346, which supplemented Program EIR No. 330 in the areas of air quality, greenhouse gas (GHG) emissions, noise, and transportation and traffic.

The Rezoning Project implemented a key strategy of the City's 2006-2014 General Plan Housing Element by rezoning 166 Housing Opportunities Sites identified in the Housing Element. The rezoning included the application of an overlay zone to each property: either the Residential Opportunity (RO) Overlay Zone or the Mixed Use (MU) Overlay Zone. Both overlay zones allow "by-right" housing development.

Midway Affordable Project. The proposed project would include the demolition of all existing structures on the project site and the development of 86 housing units in one four-story building. The proposed project would include 29 one-bedroom units, 35 two-bedroom units, and 22 three-bedroom units. The proposed project would include 128 parking spaces and provide amenities including a pool, a playground, a dog park, a community room, and a public flex space, and a leasing office. The proposed project required approval of the following requests:

- 1. Miscellaneous Permit to approve the following incentives in exchange for providing 85 units of housing affordable to households earning less than 60 percent of the Area Median Income (AMI): a density bonus of 5 units, and three Tier Two Development Incentives for reduced floor area minimums, reduced interior lot line landscape setbacks, and reduced street frontage setbacks; and,
- 2. Tentative Parcel Map to merge existing lots into one parcel.

APPLICANT:	Alexa Washburn National Core	PHONE NUMBER: 949-394-7996
ADDRESS:	9421 Haven Avenue Rancho Cucamonga, CA	ZIP CODE: 91730

PROJECT APPROVAL: This is to advise that on September 20, 1994 the Anaheim City Council, at its meeting, acting as the lead agency, certified EIR No. 330 in connection with the General Plan and Zoning Code Update Project.

The following determinations were made regarding the General Plan and Zoning Code Update Project:

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BY:______ DEPUTY

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ORANGE COUNTY CLERK-RECORDER DEPARTMENT
BY: _____ DEPUTY



CITY OF ANAHEIM NOTICE OF DETERMINATION

- (a) The project will have a significant effect on the environment.
- (b) An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA
- (c) Mitigation Measures were made a condition of the approval of the project.
- (d) A Statement of Overriding Considerations was adopted for this project.

On September 24, 2014, the Anaheim City Council, at its meeting, acting as the lead agency, certified EIR No. 346 in connection with the Anaheim Housing Opportunities Sites Rezoning Project.

The following determinations were made regarding the Anaheim Housing Opportunities Sites Rezoning Project:

- (e) The project will have a significant effect on the environment.
- (f) An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
- (g) Mitigation Measures were made a condition of approval for the project.
- (h) A Statement of Overriding Considerations was adopted for this project

On June 21, 2021, the Anaheim Planning Commission, at its meeting, acting as the lead agency, approved a resolution determining the Midway Affordable Project is within the scope of and properly described by previously-certified Environmental Impact Report No. 330 and Supplemental Environmental Impact Report No. 346; and approving Miscellaneous Permit No. 2021-00767 and Tentative Parcel Map No. 2021-123 under the conditions imposed. The Planning Commission made the following determinations regarding the Midway Affordable Project:

- (a) Pursuant to CEQA Guidelines Section 15367, the City has discretionary authority over the proposed project and is the Lead Agency in the preparation of the Appendix N: Infill Environmental Checklist and any additional environmental documentation required for the Proposed Project. The Appendix N Checklist utilizes analysis from the previously certified Program Environmental Impact Report (Program EIR) No. 330 for the General Plan and Zoning Code Update, which the Anaheim City Council certified on May 25, 2004. In addition, the Appendix N Checklist also utilizes analysis from the certified Supplemental EIR No.346 to Program EIR No. 330 for the City of Anaheim Housing Opportunities Sites Rezoning Project, which Anaheim City Council certified on September 24, 2013. The Appendix N Checklist collectively refers to Program EIR No. 330 and Supplemental EIR No. 346 as the "Certified EIR". The Appendix N Checklist compares the Proposed Project's effects with the analysis in the Certified EIR and assists the Lead Agency in the evaluation of potential environmental impacts of the proposed project. Project Design Features (PDFs), Standard Conditions/Existing Plans, Programs, or Policies (PPPs), and mitigation measures from the Certified EIR that are applicable to the Proposed Project are included in the Appendix N Checklist;
- (b) Based on the analysis in the Appendix N Checklist, the Planning Commission determined that a

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CITY OF ANAHEIM NOTICE OF DETERMINATION

streamlined review pursuant to Section 15183.3 (Streamlining for Infill Projects) of the California Environmental Quality Act (CEQA) Guidelines is the appropriate environmental review for this request under CEQA; and, that the proposed project would not cause any new specific effects or more significant effect that require additional review under CEQA, or that uniformly applicable development policies would not substantially mitigate.

(c) The resolutions approving the proposed project included all applicable mitigation measures from the Appendix N Checklist as conditions of approval.

Authorized Signature – Planning Department	07/02/2021 Date	
Susan Kim, Principal Planner	714-765-4958	
Print Name & Title	Staff Phone Number & Extension	
Fish & Wildlife Fees Applicable:		
 □ Negative Declaration/Mitigated Negative Declaration □ Environmental Impact Report □ Check □ Credit Card ☑ Previously Paid – See attached NOD receipt dated 05/26/2004 		

County Clerk \$50 Processing Fee:

□ Check

☑ Credit Card

•	ı,	Environmental Quality Act		
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To:		Office of Planning and Re	esearch From:	(Public Agency)
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subm	itted to Ci	earinghouse)	Contact Person	Area Code/Telephone/Extension
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oject o	n	May 25, 2004 and has	made the following determi	nations regarding the above described project:
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Attachment A

MAY 2 6 2004

City of Anahelm General Plan and Zoning Code Update FILED

MAY 2 6 2004

DEPUTY

TOM DALT, BLERK-RECORDER

TOM DAY CLERK-RECORDER
DEPUTY

Notice of Determination
Project Location and Description

This project included the following:

(1) ENVIRONMENTAL IMPACT REPORT NO. 330:

- a. <u>LOCATION</u>: Citywide. The City of Anaheim and its sphere-of-influence are surrounded by the Cities of Fullerton, Placentia, and Yorba Linda to the north; Riverside County to the east; the Cities of Orange, Garden Grove, Stanton, and unincorporated Orange County to the south; and, the Cities of Cypress and Buena Park to the west. The City encompasses over 32,243 acres of land and includes approximately 2,460 acres of unincorporated area within its sphere-of-influence. (See Attachment B)
- b. <u>DESCRIPTION:</u> Certification of EIR No. 330, including a Statement of Findings and Facts and Statement of Overriding Considerations. Draft Environmental Impact Report No. 330 has been prepared in conjunction with General Plan Amendment No. 2004-00419, Zoning Code Amendment No. 2004-00029, Reclassification No. 2004-00117, Amendment No. 5 to The Anaheim Resort Specific Plan No. 92-2 (SPN 2004-00023), Amendment No. 2 to the Northeast Area Specific Plan No. 94-1 (SPN 2004-00024), and other related actions and circulated for public/responsible agency review in compliance with the California Environmental Quality Act (CEQA) and the State and City of Anaheim CEQA Guidelines. The Draft EIR indicates that the following impacts can be mitigated to an acceptable level with the incorporation of the recommended mitigation measures (as refined): Biological Resources, Cultural Resources, Geology and Solls, Hazards and Hazardous Materials, Hydrology and Water Quality, Police and Fire, and Public Services and Facilities. Project impacts that are partially mitigated, but not to a level of insignificance, include: Air Quality, Noise, and, Traffic and Circulation. The Response to Comments document includes responses that address the public/responsible agency comments on the Draft EIR and refinements to the text of the EIR.

(2) COMPREHENSIVE GENERAL PLAN UPDATE:

- a. LOCATION: Citywide. See above description. (See Attachment B)
- b. <u>DESCRIPTION</u>: Comprehensive update of the City of Anaheim General Plan, including revisions to the existing Land Use Element (including new and re-named land use designations); Redevelopment Element (now incorporated into the Economic Development Element); Circulation Element (which would now contain the existing Scenic Highways Element); Open Space and Conservation Elements (incorporated into the Green Element); Growth Management Element; Parks, Recreation and Community Services Element (incorporated into the Green Element); Noise Element; and, Safety and Seismic Safety Element (combined into one Safety Element); and further, in addition to the topics addressed in the existing General Plan elements, creation of new goals, policies and programs to address community design, economic development, and public services and facilities in the form of new elements for each topic.

(3) COMPREHENSIVE ZONING CODE UPDATE:

- a. LOCATION: Citywide. See above description. (See Attachment B)
- DESCRIPTION: Comprehensive amendment to the City of Anaheim Municipal Code, Title 18 (Zoning Code), including, but not limited to, the update of all residential, commercial and

approximately 60 acres located within the Northeast Area Specific Plan Area as follows (all acreage and frontage numbers are approximate): (See Attachment E)

- Thirteen (13) properties situated on 23.77 acres with frontages on White Star Avenue, Armando Street, La Mesa Street, and Kraemer Place. Property addresses include 1000-1010, 1040, 1021, 1050-1086, and 1041 North Kraemer Place; 2671, 3025-3035 East La Mesa Avenue; 2929-2931 East White Star Avenue; 1015, 1020, 1030-1045, and 1050 North Armando Street;
- Three (3) properties situated on 16.99 acres located 1,698 feet east of the centerline of Shepard Street, having a frontage of 461 feet on the south side of La Palma Avenue and a maximum depth of 1,180 feet. Property addresses include 3362, 3364, and 3366–3370 East La Palma Avenue;
- iii. Eleven (11) properties situated on 4.42 acres located on the north of La Palma Avenue, east of Lakeview Avenue, and at the southeast corner of La Palma Avenue and Lakeview Avenue, including four (4) properties located 276 feet east of the centerline of Lakeview Avenue and having a frontage of 331 feet on the north side of La Palma Avenue, and seven (7) properties located at the southeast corner of La Palma Avenue and Lakeview Avenue, having a frontage of 689 feet on the south side of La Palma Avenue, and 197 feet on the east side of Lakeview Avenue. Property addresses include 4506, 4510, 4520, 4527, 4530, 4531, 4545, 4600, 4601 and 4616–4618 East La Palma; and.
- iv. Three (3) properties situated on 15 acres located 578 feet west of the centerline of Imperial Highway, having a frontage of 561 feet on the south side of La Palma Avenue. Property addresses include 5500, 5510, and 5620 East La Palma Avenue.
- b. <u>DESCRIPTION</u>: Amendment to the Northeast Area Specific Plan (SP94-1) and its associated Development Area (DA) boundaries to be consistent with the revised General Plan land use designations proposed as part of the General Plan Update, as follows: (I) from DA 5 (Commercial) to DA 2 (Expanded Industrial); (II) from DA 3 (La Palma Core) to DA 5 (Commercial); (III) from DA 5 (Commercial) to DA 2 (Expanded Industrial); and, (iv) from DA 5 (Commercial) to DA 2 (Expanded Industrial).

(7) TERMINATION OF DEVELOPMENT AGREEMENT NO. 91-01:

- a. LOCATION: The Development Agreement No. 91-01 encompasses approximately 3,179 acres (the Mountain Park Specific Plan No. 90-4 area), including 2,339 acres which have been annexed to the City of Anaheim and 840 acres of unincorporated land located within the County of Orange in the City of Anaheim's sphere-of-influence (approximately 172 acres of the Mountain Park site have been developed with the Eastern Transportation Corridor (SR-241) which bisects the westem portion of the site). The subject site is generally located in Gypsum Canyon, bordered on the north by the Riverside (SR-91) Freeway and the Gypsum Canyon Road interchange, on the west by The Summit of Anaheim Hills and Sycamore Canyon developments, on the south by unincorporated property within the County of Orange in the City of Orange's sphere-of-influence, and on the east by the 697-acre Cypress Canyon Specific Plan area. (See Attachment C)
- b. <u>DESCRIPTION</u>: Termination of Development Agreement No. 91-01 between the City of Anahelm and The Irvine Company to permit the Planning Commission and City Council to consider modifications to the Mountain Park property as part of the General Plan Update and the anticipated amendment to the Mountain Park Specific Plan later this year. Said Development Agreement relates to the development and implementation of the Mountain Park Specific Plan which provides for the development of up to 7,966 residential dwelling units, 179 acres of commercial uses, schools, parks, public facilities and open space, as more specifically described in the Specific Plan.

industrial zone classifications, permitted uses, and development standards; deletion of obsolete zoning classifications; and introduction of new zoning classifications, including but not limited to, Mixed Use, to implement the updated General Plan.

(4) AMENDMENT NO. 2 TO THE CYPRESS CANYON SPECIFIC PLAN NO. 90-3 (Reclassification No. 2004-00117):

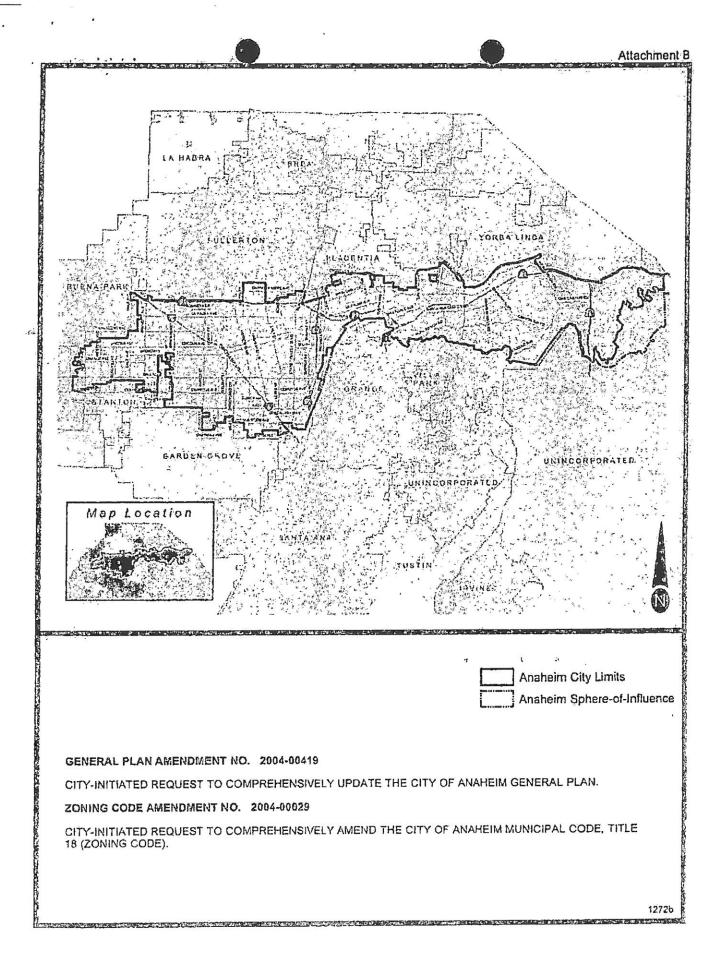
- a. LOCATION: The subject property is an approximately 663 acre area known as the Cypress Canyon Specific Plan (SP90-3) area, generally bounded by the Cleveland National Forest to the east, the Riverside (SR-91) Freeway to the north, unincorporated open space within the City's sphere-of-influence to the south, and the Mountain Park Specific Plan Area to the west (the western boundary of the Cypress Canyon Specific Plan area is approximately 5,712 feet east of the Gypsum Canyon Road/Santa Ana Canyon Road intersection). (See Attachment C)
- b. <u>DESCRIPTION</u>: Reclassification of subject properties from the Cypress Canyon Specific Plan (SP90-3) to the OS (Open Space) Zone to be consistent with the Open Space land use designation proposed as part of the General Plan Update. One approximately 15-acre parcel will retain 140 dwelling units in the Low-Medium Density Residential designation in the RM-3 Zone.

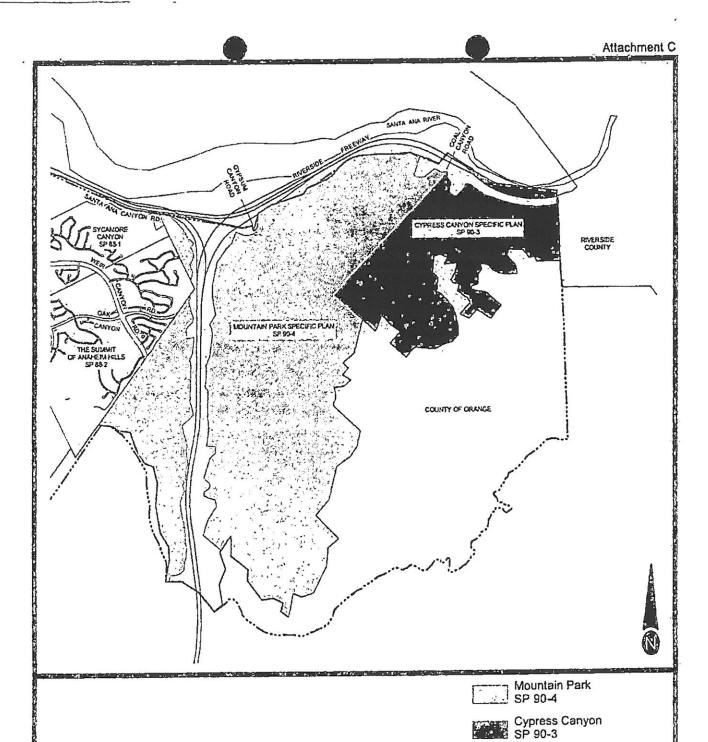
(5) AMENDMENT NO. 5 TO THE ANAHEIM RESORT SPECIFIC PLAN NO. 92-2 (SPN 2004-00023):

- a. LOCATION: The Anaheim Resort Specific Plan encompasses approximately 555 acres generally located adjacent to and southwest of Interstate 5 between Ball Road and Orangewood Avenue within The Anaheim Resort. The proposed amendment area is located immediately south of the existing Specific Plan boundaries and encompasses approximately 26 acres along the east and west sides of Harbor Boulevard between Orangewood Avenue and the southern City limits including properties fronting along the following streets (all frontage numbers are approximate): 1,363 feet adjacent to the west side and 2,641 feet adjacent to the east side of Harbor Boulevard; 626 feet adjacent to the south side of Orangewood Avenue, east and west of the centerline of Harbor Boulevard; 371 feet adjacent to the north and south sides of Wilken Way, west of the centerline of Harbor Boulevard; 190 feet adjacent to the north side and 608 feet adjacent to the south side of Wilken Way, east of the centerline of Harbor Boulevard; and, 850 feet adjacent to the north side of Chapman Avenue, east of the centerline of Harbor Boulevard. Property addresses include 2101-2207 South Harbor Boulevard, 2100-2340 South Harbor Boulevard, 500-510, and 614 West Orangewood, 450, 460, and 620 West Wilken Way, and 421, 503, and 531 West Chapman Avenue. (See Attachment D)
- b. <u>DESCRIPTION</u>: Amendment to the boundaries of the Anaheim Resort Specific Plan to incorporate subject properties, and reclassify these properties from the CG (Commercial, General), CH (Commercial, Heavy), CL (Commercial, Limited), PLD-M (Perking/Landscape District Manufacturing), and RS-A-43,000 (Residential, Agricultural) zones to the Anaheim Resort Specific Plan (SP92-2) zone (including establishing zoning and development standards for the expanded area) to be consistent with the Commercial Recreation land use designation proposed as part of the General Plan Update.

(6) AMENDMENT NO. 2 TO THE NORTHEAST AREA SPECIFIC PLAN NO. 94-1 (SPN 2004-00024):

a. <u>LOCATION</u>: The Northeast Area Specific Plan consists of approximately 2,645 acres generally located in the Santa Ana Canyon, bounded by the City of Placentla to the north, the Orange (SR-57) Freeway to the west, the Riverside (SR-91) Freeway and Santa Ana River to the south, and Imperial Highway to the east. The proposed amendment would encompass





RECLASSIFICATION NO. 2004-00117

CITY-INITIATED REQUEST TO RECLASSIFY SUBJECT PROPERTIES FROM THE CYPRESS CANYON SPECIFIC PLAN (SP90-3) TO THE OS (OPEN SPACE) ZONE.

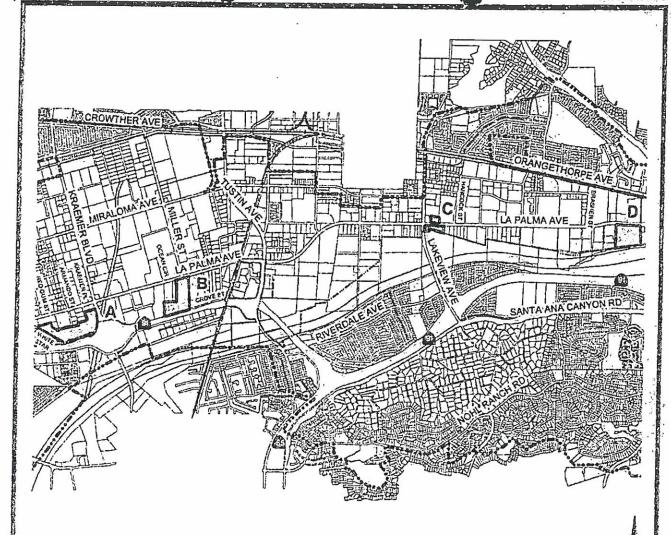
DEVELOPMENT AGREEMENT 91-01

SUBJECT REQUEST IS TO TERMINATE DEVELOPMENT AGREEMENT NO. 91-01 BETWEEN THE CITY OF ANAHEIM AND THE IRVINE COMPANY RELATED TO THE DEVELOPMENT AND IMPLEMENTATION OF THE MOUNTAIN PARK SPECIFIC PLAN.

Date: April 19, 2004 Scale: Graphic

Anaheim Sphere-of-Influence

1227e

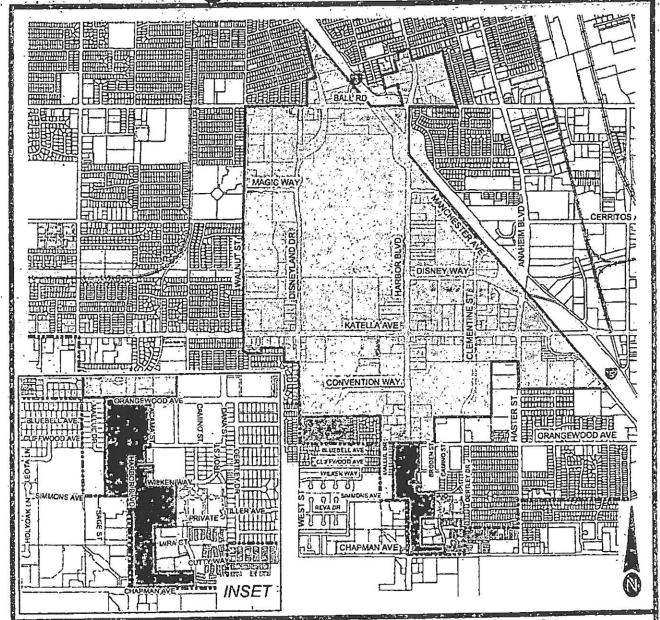




Subject Properties Date: April 19, 2004 Scale: Graphic

SPECIFIC PLAN AMENDMENT NO. SPN 2004-00024 (AMENDMENT NO. 2 TO THE NORTHEAST AREA SPECIFIC PLAN NO. 94-1)

CITY-INITIATED REQUEST TO AMEND THE NORTHEAST AREA SPECIFIC PLAN (SP94-1) AND ITS ASSOCIATED DEVELOPMENT AREA BOUNDARIES TO BE CONSISTENT WITH THE REVISED GENERAL PLAN LAND USE DESIGNATIONS PROPOSED AS PART OF THE GENERAL PLAN UPDATE, AS FOLLOWS: (A) FROM DA 5 (COMMERCIAL) TO DA 2 (EXPANDED INDUSTRIAL); (B) FROM DA 3 (LA PALMA CORE) TO DA 5 (COMMERCIAL); (C) FROM DA 5 (COMMERCIAL) TO DA 2 (EXPANDED INDUSTRIAL).



Proposed Anaheim Resort
Specific Plan Expansion Area

Existing Anaheim Resort
Specific Plan Area

Date: April 19, 2004 Scale: Graphic

SPECIFIC PLAN AMENDMENT NO. SPN 2004-00023 (AMENDMENT NO. 5 TO THE ANAHEIM RESORT SPECIFIC PLAN NO. 92-2)

CITY-INITIATED REQUEST TO AMEND THE BOUNDARIES OF THE ANAHEIM RESORT SPECIFIC PLAN TO INCORPORATE SUBJECT PROPERTIES, AND RECLASSIFY THESE PROPERTIES FROM THE CG (COMMERCIAL, GENERAL), CH (COMMERCIAL, HEAVY). CL (COMMERCIAL, LIMITED), PLD-M (PARKING/LANDSCAPE DISTRICT - MANUFACTURING), AND RS-A-43,000 (RESIDENTIAL, AGRICULTURAL) TO THE ANAHEIM RESORT SPECIFIC PLAN (SP92-2) AND (INCLUDING ESTABLISHING ZONING AND DEVELOPMENT STANDARDS FOR THE EXPANDED AREA) TO BE CONSISTENT WITH THE COMMERCIAL RECREATION LAND USE DESIGNATION PROPOSED AS PART OF THE GENERAL PLAN UPDATE.

1223d

STATE OF CALIFORNIA - THE RESOURCES AGENCY DEPARTMENT OF FISH AND GAME ENVIRONMENTAL FILING FEE CASH TESTS DFG 753.50 (6-03)	5.26.04 TH# 161930	249605
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HUGH NGUYEN CLERK-RECORDER

BIRTH AND DEATH RECORDS
FICTITIOUS BUSINESS NAMES
MARRIAGE LICENSES/RECORDS
NOTARY REGISTRATION
ORANGE COUNTY ARCHIVES
PASSPORTS
PROPERTY RECORDS

CITY OF ANAHEIM P.O. BOX 3222 ANAHEIM, CA 92803

Office of the Orange County Clerk-Recorder

Memorandum

SUBJECT: NOTICE OF DETERMINATION - EIR - PRIOR FILING

The attached notice was received, filed and a copy was posted on 07/02/2021

It remained posted for 30 (thirty) days.

Hugh Nguyen Clerk - Recorder In and for the County of Orange

By: Denise Calderas

Deputy

Public Resource Code 21092.3

The notice required pursuant to Sections 21080.4 and 21092 for an <u>environmental impact report</u> shall be posted in the office of the County Clerk of each county *** in which the project will be located and shall remain posted for a period of 30 days. The notice required pursuant to Section 21092 for a negative declaration shall be so posted for a period of 20 days, unless otherwise required by law to be posted for 30 days. The County Clerk shall post notices within 24 hours of receipt.

Public Resource Code 21152

All notices filed pursuant to this section shall be available for public inspection, and shall be posted *** within 24 hours of receipt in the office of the County Clerk. Each notice shall remain posted for a period of 30 days.

*** Thereafter, the clerk shall return the notice to the local lead agency *** within a notation of the period it was posted. The local lead agency shall retain the notice for not less than nine months.

Additions or changes by underline; deletions by ***

Orange County Clerk-Recorder's Office Hugh Nguyen

601 N. Ross Street 92701

County

Finalization: 20210000368468

7/2/21 12:25 pm

424 NC-2

Item	Title		Count
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DOC#	2021850008	518	50.00

Total 50.00

Time Recorded 12:25 pm

Payment Type Amount
Check tendered 50.00
192

Amount Due

0.00

THANK YOU
PLEASE RETAIN THIS RECEIPT
FOR YOUR RECORDS

WWW.ocrecorder.com

