

Planning Commission Regular Meeting Agenda

June 13, 2022

5:30 P.M.

Council Chamber

22 Civic Center Plaza
Santa Ana, CA



THOMAS MORRISSEY

Chair, Ward 6 Representative

ERIC M. ALDERETE

Citywide Representative

MIGUEL CALDERON

Ward 2 Representative

MARK McLOUGHLIN

Ward 4 Representative

BAO PHAM

*Vice-Chair,
Ward 1 Representative*

ISURI S. RAMOS

Ward 3 Representative

ALAN WOO

Ward 5 Representative

MinhThai

Executive Director

John Funk

Legal Counsel

Fabiola Zelaya Melicher, AICP

Planning Manager

Sarah Bernal

Recording Secretary



In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this Meeting, contact Michael Ortiz, City ADA Program Coordinator, at (714) 647-5624. Notification 48 hours prior to the Meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting. The City Council agenda and supporting documentation can be found on the City's website – www.santa-ana.org/city-meetings.

CALL TO ORDER**Commissioners:**

**Thomas Morrissey, Chair
Bao Pham, Vice-Chair
Eric M. Alderete
Miguel Calderon
Mark McLoughlin
Isuri S. Ramos
Alan Woo**

**Executive Director
Senior Asst. City Attorney
Planning Manager
Recording Secretary**

**Minh Thai
John Funk
Fabiola Zelaya Melicher
Sarah Bernal**

ROLL CALL

Minutes: *Commissioner Ramos arrived at 5:37 p.m.*

PLEDGE OF ALLEGIANCE**PUBLIC COMMENTS** (non agenda items)**CONSENT CALENDAR ITEMS**

a. Minutes

Recommended Action: Approve Minutes from the May 23, 2022 meeting.

Moved by Commissioner Woo, seconded by Commissioner Alderete to Approve.

YES: 6 – Eric Alderete, Miguel Calderon, Mark McLoughlin, Tom Morrissey, Bao Pham, Alan Woo

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 1 – Isuri Ramos

Status: 6 – 0 – 0 – 1 –

****End of Consent Calendar****

BUSINESS CALENDAR

Public Hearing: *The Planning Commission decision on Conditional Use Permits, Variances, Tentative Tract and Parcel Maps, Minor Exceptions, Site Plan Review, and Public Convenience or Necessity Determinations are final unless appealed within 10 days of the decision by any interested party or group (refer to the Basic Meeting Information page for more information). The Planning Commission recommendation on Zoning and General Plan amendments, Development Agreements, Specific Developments, and Specific Plans will be forwarded to the City Council for final determination. Legal notice was published in the OC Reporter on May 25, 2022 and notices were mailed on said date.*

1. Conditional Use Permit No. 2022-05 – Eric Martin, Case Planner

Project Location: 2601 West Edinger Avenue located in the Community Commerical (C1) land use designation zoning district.

Project Applicant: Bao Dinh (Applicant); Than Vo (Property Owner)

Proposed Project: The applicant is requesting approval of Conditional Use Permit No. 2022-05 to allow the sale of alcoholic beverages for on-premise consumption (Type 41-Beer and Wine) at a new eating establishment (Lotus Restaurant).

Environmental Impact: The Planning Commission will consider a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines – Class 1 Existing Facilities. Notice of Exemption, Environmental Review No. 2022-22 will be filed for this project.

Recommended Action: Adopt Resolution No. 2022-19 approving Conditional Use Permit No. 2022-05.

Minutes: *No disclosures were made.*

Case Planner Eric Martin provided a presentation which included a project description, project background and project analysis. Commission discussion ensued regarding business operations.

Recording Secretary reported that two letters in opposition were received.

Chair Morrissey opened the Public Hearing. The applicant spoke in support of the matter. Discussion ensued regarding business operations and timeline for site improvements. There were no other speakers and the Public Hearing was closed.

Moved by Commissioner Woo, seconded by Commissioner Calderon to

Approve.

YES: 7 – Eric Alderete, Miguel Calderon, Mark McLoughlin, Tom Morrissey, Bao Pham, Isuri Ramos, Alan Woo

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 0 – **Status:** 7 – 0 – 0 – 0 – **Pass**

2. Conditional Use Permit No. 2022-09 – Eric Martin, Case Planner

Project Location: 3305 South Bristol Street, Unit A located in the Community Commercial (C1) land use designation zoning district.

Project Applicant: Kevin Kohan (Applicant); Excel Realty Partners, LP (Property Owner).

Proposed Project: The applicant is requesting approval of Conditional Use Permit No. 2022-09 to allow the sale of alcoholic beverages for on-premise consumption (Type 41-Beer and Wine) at a new eating establishment (Board and Brew).

Environmental Impact: In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project is categorically exempt from further review per Section 15301 (Class 1 – Existing Facilities). A Notice of Exemption, Environmental Review No. 2022-22, will be filed for this project.

Recommended Action: Adopt Resolution No. 2022-20 approving Conditional Use Permit No. 2022-09 as conditioned.

Minutes: *No disclosures were made.*

Case Planner Eric Martin provided a presentation which included a project description, project background and project analysis. Commission discussion ensued regarding business operations at the applicant's other restaurants.

Chair Morrissey opened the Public Hearing. The applicant's representative spoke in support of the matter. Answered questions regarding business operations. There were no other speakers and the Public Hearing was closed.

Moved by Commissioner Calderon, seconded by Commissioner McLoughlin to Approve.

YES: 7 – Eric Alderete, Miguel Calderon, Mark McLoughlin, Tom Morrissey, Bao Pham, Isuri Ramos, Alan Woo

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 0 – **Status:** 7 – 0 – 0 – 0 – **Pass**

3. Conditional Use Permit No. 2022-10 – Pedro Gomez, Case Planner.

Project Location: 3503 South Harbor Boulevard located in the Professional (P) land use designation zoning district.

Project Applicant: Steve Rawlings (Applicant), Jeffrey Thompson, representing Live Nation Worldwide, Inc. and OC Constellation, LLC (Property Owner).

Proposed Project: The applicant is requesting approval of Conditional Use Permit No. 2022-10 to allow an additional private banquet/event use at an existing entertainment venue (The Observatory).

Environmental Impact: In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the recommended action is exempt from further review under Section 15301 (Class 1 – Existing Facilities). Notice of Exemption, Environmental Review No. 2022-32 will be filed for this project.

Recommended Action: Continue the item to the next regularly scheduled meeting.

Moved by Commissioner McLoughlin, seconded by Commissioner Ramos to Approve.

YES: 7 – Eric Alderete, Miguel Calderon, Mark McLoughlin, Tom Morrissey, Bao Pham, Isuri Ramos, Alan Woo

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 0 – **Status:** 7 – 0 – 0 – 0 – **Pass**

Regular Business**4. Abandonment No. 2021 – 01 – Public Works Agency**

Location: Portion of alley north of Second Street between North Broadway and Sycamore Street located immediately adjacent to the the Southern Counties Gas Company Building at 207 West Second Street.

Applicant: Corbiz, LLC

Proposed Project: The applicant has renovated an area of the the alley to include outdoor patio space and other improvements. The applicant is requesting approval of Abandonment No. 2021-01 to allow the City to vacate the alley space due to the long-term nature of the patio improvements and the absence of the need to use the alley for public access.

Environmental Impact: In accordance with the California Environmental Quality Act, the proposed project is exempt from further review. A Notice of Categorical Exemption, Environmental Review No. 2022-59, will be filed for this project.

Recommended Action: Adopt Resolution No. 2022-21 approving Abandonment 2021-01.

Minutes: *No disclosures were made.*

Principal Civil Engineer Taig Higgins provided a presentation which included a description of the proposed application.

Chair Morrissey called for a recess at 6:12 p.m. to consult with the City Attorney; meeting reconvened at 6:13 p.m. Chair Morrissey recused himself from the item as he has a business interest within 500-feet of the property. Vice Chair Pham assumed Chair responsibilities.

Commission discussion included the proposed the alley's current use, the effects of relinquishing rights of the alley, details of the current licensing agreement, and value of the alley easement.

Moved by Commissioner Woo, seconded by Commissioner McLoughlin to Approve.

YES: 5 – Eric Alderete, Miguel Calderon, Mark McLoughlin, Bao Pham, Alan Woo

NO: 1 – Isuri Ramos

ABSTAIN: 1 – Tom Morrissey

ABSENT: 0 – **Status:** 5 – 1 – 1 – 0 – **Pass**

5. Fairview Bridge Replacement and Street Improvements Project – Public Works Agency

Project Location: Fairview Street from Ninth Street to Sixteenth Street.

Proposed Project: Orange County Flood Control District (OCFCD) is preparing to convey easements over the Santa Ana River to the City of Santa Ana in connection with the City's replacement of the Fairview Street Bridge. OCFCD has requested that the Planning Commission render a determination of general plan conformity for its proposed conveyance of easements to the City in connection with the City's replacement of the Fairview Street Bridge.

Environmental Impact: There is no environmental impact associated with this action

Recommended Action: Adopt Resolution No. 2022-17 approving the Fairview Bridge Replacement and Street Improvements Project for conformance with the City of Santa Ana General Plan Circulation Element (Non-General Fund).

Minutes: *No disclosures were made.*

Senior Civil Engineer Kenny Nguyen provided a description of the proposed

project. Commission discussion included the project's timeline, landscaping, project design, bike lanes, lighting, community engagement, eminent domain, timeline, and the easement process.

Commission expressed interest in modifying the project's artwork to better reflect the community. Staff indicated that the project's design has already been reviewed and approved by City Council and any changes would require additional environmental documents. Staff assured the Commission that community feedback was sought prior to the project's approval and community feedback will be sought prior to construction.

Moved by Commissioner Alderete, seconded by Commissioner Ramos to Approve.

YES: 6 – Eric Alderete, Miguel Calderon, Mark McLoughlin, Bao Pham, Isuri Ramos, Alan Woo

NO: 1 – Tom Morrissey

ABSTAIN: 0 – **ABSENT:** 0 – **Status:** 6 – 1 – 0 – 0 – **Pass**

6. Summarily Vacate a Portion of Santa Ana Boulevard – Public Works Agency

Project Location: 1247 West Santa Ana Boulevard in the Commercial (C) land use designation zoning district.

Proposed Project: The City of Santa Ana is the current owner of the property at 1247 West Santa Ana Boulevard. The property will be sold to Rafael and Yolanda Ramos, both the owners of the property at 415 North Bristol Street. The sale includes a strip of land that is being vacated.

Environmental Impact: In accordance with the California Environmental Quality Act, the proposed project is exempt from further review. A Notice of Categorical Exemption, Environmental Review No. 2022-23, will be filed for this project.

Recommended Action: Adopt Resolution No. 2022-22 approving to Summarily Vacate a Portion of Santa Ana Boulevard.

Minutes: *No disclosures were made.*

Senior Civil Engineer Sean Thomas provided a description of the proposed application.

Commission discussion included ownership of the site, the Surplus Lands Act,

funding source used to acquire the property, requirements from proceeds of the sale of the property, public notification process, proposed use of the site, and landscape.

Moved by Commissioner Alderete, seconded by Commissioner Calderon to Approve.

YES: 6 – Eric Alderete, Miguel Calderon, Mark McLoughlin, Tom Morrissey, Bao Pham, Isuri Ramos

NO: 1 – Alan Woo

ABSTAIN: 0 – **ABSENT:** 0 – **Status:** 6 – 1 – 0 – 0 – **Pass**

****End of Business Calendar****

WORK STUDY SESSION

7. Planning Commission Training

Minutes: *Item will be continued to the next meeting.*

****End of Work Study Session Calendar****

STAFF COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

The next meeting of the Planning Commission will be on June 27, 2022 at 5:30 PM in the Council Chambers located at 22 Civic Center Plaza, Santa Ana, CA 92701.

FUTURE AGENDA ITEMS

- Tract Map 2022-02; Density Bonus Agreement 2022-02; Site Plan Review 2022-03 to subdivide two existing lots for 35 townhome units. Request also includes a density bonus

agreement to allow four onsite moderate-income units and a concession on onsite open space, and a site plan review to allow a mixed-use development in the Metro East Mixed-Use Overlay Zone for the property located at 1814 & 1818 E. First Street.

APPEAL INFORMATION

The formal action by the Planning Commission shall become effective after the ten-day appeal period, unless the City Council in compliance with section 41-643, 41-644 or 41-645 holds a public hearing on the matter, then the formal action will become effective on the day following the hearing and decision by the City Council. An appeal from the decision or requirement of the Planning Commission may be made by any interested party, individual, or group. The appeal must be filed with the Clerk of the Council, accompanied by the required filing fee, and a copy sent to the Planning Department, within ten days of the date of the Commission's action, by 5:00 p.m. If the final day to appeal falls on a City Hall observed holiday or a day when City hall is closed, the final day to appeal shall be extended to the next day City Hall is open for public business. Please note: Under California Government Code Sec. 65009, if you challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the Planning Commission or City Council at or before the hearing.

MEETING INFORMATION

If you would like to learn how to use Zoom before the meeting, visit [Zoom Video Tutorials](#).

1. Connecting directly from your computer:

- Click on the link on top of this agenda OR
- Go to [Zoom.us](#) and click "Join a Meeting" at the top. Enter the Meeting ID. The Meeting ID is listed at the top of this agenda.

To speak during the meeting: When you wish to comment on an item that is being discussed, click on the button next to your name to virtually raise your hand and let us know you wish to speak. You will have 3 minutes.

2. Connecting via the Zoom App:

- Download the free Zoom Cloud Meetings app from your favorite app store.
- Launch the app and click on the blue Join a Meeting button. Enter the Meeting ID, your name, and the blue Join button. The Meeting ID is listed at the top of this agenda.

To speak during the meeting: When you wish to comment on an item that is being discussed, click on the button next to your name to virtually raise your hand and let us know

you wish to speak. You will have 3 minutes.

3. Dialing in from a mobile phone or landline:

- Dial (669) 900-9128. When prompted, enter the meeting ID. The Meeting ID is listed at the top of this agenda.

To speak during the meeting: When you wish to comment on an item that is being discussed, press *9 on your phone to virtually raise your hand. You will have 3 minutes.

Submit a written comment

You are invited to submit a written comment in one of the following ways:

- **E-mail** PBAecomments@santa-ana.org and reference the topic in the subject line.
- **Mail** to Sarah Bernal, Recording Secretary, City of Santa Ana, 20 Civic Center Plaza – M20, Santa Ana, CA 92701.

Deadline to submit written comments is 4:00 p.m. on the day of the meeting. Comments received after the deadline may not be distributed to the Commission but will be made part of the record.