

Planning Commission Regular Meeting Agenda

November 14, 2022

5:30 P.M.

Council Chamber

22 Civic Center Plaza
Santa Ana, CA

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BAO PHAM

Chair, Ward 1 Representative

MIGUEL CALDERON

*Vice-Chair, Ward 6
Representative*

THOMAS MORRISSEY

Ward 2 Representative

MARK MCLOUGHLIN

Ward 4 Representative

ERIC M. ALDERETE

Citywide Representative

ISURI S. RAMOS

Ward 3 Representative

ALAN WOO

Ward 5 Representative

MinhThai

Executive Director

John Funk

Legal Counsel

Ali Pezeshkpour, AICP

Planning Manager

Chelsea Shafer

Acting Recording Secretary



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CALL TO ORDER

Commissioners:

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

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

Minh Thai
John Funk
Ali Pezeshkpour, AICP
Chelsea Shafer

ROLL CALL

Quorum was reached at 5:37 pm with Vice Chair Calderon, Commissioner Alderete, and Commissioner Morrissey absent with Commissioner Ramos attending virtually.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS (non agenda items)

CONSENT CALENDAR ITEMS

a. Minutes

Recommended Action: Approve the Minutes from the meeting of October 10, 2022.

b. Excused Absences

Recommended Action: Excuse absent commissioners.

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

YES: 4 –, Mark McLoughlin, Isuri Ramos, Alan Woo, Bao Pham **NO:** 0 – **ABSTAIN:** 0 – **ABSENT:** 3 – Eric Alderete, Miguel Calderon, Thomas Morrissey **Status:** 4 – 0 – 0 – 3 – **Pass**

****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 X on X and notices were mailed on said date.*

1. Conditional Use Permit No. 2022-16 - Mario Arellano, Case Planner

Legal Notice was published in the OC Reporter and notices were mailed out on November 2, 2022

Project Location: 1017 S Fairview St located in the Planned Shopping Center (C4) zoning district.

Project Applicant: Caremark Properties, LLC (Property Owner).

Proposed Project: The owner is requesting approval of Conditional Use Permit No. 2022-16 to allow the sale of alcoholic beverages for on-premise consumption (Type 41- Beer and Wine) at a new eating establishment.

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. Notice of Exemption, Environmental Review No. 2022-91 will be filed for this project.

Recommended Action: Adopt a resolution approving Conditional Use Permit No. 2022-16 as conditioned.

Staff provided a brief presentation about the project. Commissioners posed questions to staff. The applicant addressed the questions asked by the Commission and spoke in favor of the recommended action.

No written comment was received for the public comment segment of the

hearing.

There were no comments made during the public comment period of the hearing.

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

YES: 4 –, Mark McLoughlin, Isuri Ramos, Alan Woo, Bao Pham **NO:** 0 – **ABSTAIN:** 0 – **ABSENT:** 3 – Eric Alderete, Miguel Calderon, Thomas Morrissey **Status:** 4 – 0 – 0 – 3 – **Pass**

2. Conditional Use Permit No. 2022-15 - Mario Arellano, Case Planner

Legal notice was published in the OC Reporter and notices were mailed out on September 14, 2022.

Project Location: 2929 South Halladay Street.

Project Applicant: Alexander Lew with Crown Castle, on behalf of T-Mobile (Applicant).

Proposed Project: The applicant is requesting approval of CUP No. 2022-15 to renew the entitlements of an existing 60-foot high major wireless communications facility disguised as a mono-pine.

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. Notice of Exemption, Environmental Review No. 2021-76 will be filed for this project.

Recommended Action: Adopt a resolution approving Conditional Use Permit No. 2022-15 as conditioned.

Staff provided a brief presentation. Alexander Lew (Applicant) provided comment in support of the recommended action and was available for questions posed by the Commission.

No written comment was received for the public comment segment of the hearing.

There were no comments made during the public comment period of the hearing.

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

YES: 4 –, Mark McLoughlin, Isuri Ramos, Alan Woo, Bao Pham NO: 0 – ABSTAIN: 0 – ABSENT: 3 – Eric Alderete, Miguel Calderon, Thomas Morrissey Status: 4 – 0 – 0 – 3 – Pass

3. Zoning Ordinance Amendment No. 2022-04 and Zoning Ordinance Amendment No. 2022-05- Jerry Guevara, Case Planner

Legal notice was published in the OC Register and notices were mailed out on November 3, 2022.

Project Location: The City of Santa Ana, encompassing 27.3 square miles in Central Orange County.

Project Applicant: City of Santa Ana, Planning and Building Agency.

Proposed Project: At the request of the City Council of the City of Santa Ana, the Planning and Building Agency has prepared two zoning ordinance amendments (ZOAs). The first, ZOA No. 2022-04, proposes to amend sections 41-130, 41-130.5, 41-522, and 41-1341, and adds Article XXI (Outdoor Dining on Private Property) to Chapter 41 (Zoning) of the Santa Ana Municipal Code (SAMC), establishing permit requirements and placement, development, and operational standards for outdoor dining areas on private properties. The second, ZOA No. 2022-05, proposes to amend Section 41-121 and adds Article XXII (Mobile Food Trucks On Private Property) to Chapter 41 of the SAMC, establishing permit requirements and operational standards for mobile food trucks operating on private properties. The proposed changes would apply citywide.

Environmental Impact: Pursuant to the California Environmental Quality Act ("CEQA") and the state CEQA Guidelines, the adoption of these ordinances is exempt from CEQA review pursuant to sections 15060(c)(2) and 15060(c)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, as there is no possibility it will have a significant effect on the environment and it is not a "project," as

defined in Section 15378 of the CEQA Guidelines. As a result, Notice of Exemptions, Environmental Review (ER) No. 2022-88 for ZOA No. 2022-04 and ER No. 2022-99 for ZOA No. 2022-05, will be filed upon adoption of these ordinances.

Recommended Action: 1. Recommend that the City Council adopt an ordinance approving Zoning Ordinance Amendment No. 2022-04 relating to permit requirements and placement, development, and operational standards for outdoor dining areas on private properties; and

2. Recommend that the City Council adopt an ordinance approving Zoning Ordinance Amendment No. 2022-05 relating to permit requirements and operational standards for mobile food trucks on private properties.

Staff provided a brief presentation. Commissioners posed questions to staff.

No written comment was received for the public comment segment of the hearing.

There were no comments made during the public comment period of the hearing.

Administrative Matters

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

STAFF COMMENTS

Staff provided comments to the Commission.

COMMISSIONER COMMENTS

Commissioners provided comments to the staff and to the public.

ADJOURNMENT

The next meeting of the Planning Commission will be on December 12, 2022, at 5:30 PM in the Council Chambers located at 22 Civic Center Plaza, Santa Ana, CA 92701.

The meeting was adjourned at 7:00 pm.

FUTURE AGENDA ITEMS

- Conditional Use Permit 2022-17 for the location of 3601 S Bristol St to demolish an adjacent liquor store building in order to accommodate the expansion of an existing drive-thru restaurant. The scope of work includes a 630-square-foot addition, an additional drive-through lane, relocation of an existing driveway, reconfiguring parking, and new landscaping. The project will require modification of an existing

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conditional use permit for an additional drive-through lane and administrative approval of a voluntary lot merger application.

- Zoning Ordinance Amendment 2022-03 to update regulations on family daycare, regional planned sign programs, business uses requiring stationary emissions permits, massage establishments, industrial uses proposing more than five percent floor area for retail use, and trash enclosures. The update will also include definitions for various office uses.

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

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- 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.

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- 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.

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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** PBAComments@santa-ana.org and reference the topic in the subject line.
- **Mail** to Chelsea Shafer, Acting 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.

