

**ACTION MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION OF THE
CITY OF SANTA ANA, CALIFORNIA**

DECEMBER 9, 2019

CALLED TO ORDER

COUNCIL CHAMBER
22 CIVIC CENTER PLAZA
SANTA ANA, CALIFORNIA
5:37 P.M.

ATTENDANCE

COMMISSIONERS Present:
CYNTHIA CONTRERAS-LEO, *Vice Chair*
NORMA GARCIA
MARK MCLOUGHLIN, *Chair*
KENNETH NGUYEN
FELIX RIVERA

COMMISSIONERS Absent:
ANGIE CANO

PLANNING & BUILDING AGENCY STAFF Present:
MINH THAI, *Executive Director*
VINCE FREGOSO, *Planning Manager*
LISA STORCK, *Assistant City Attorney*
SARAH BERNAL, *Recording Secretary*

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS (on non-agenda items): None.

CONSENT CALENDAR

A. MINUTES FROM THE OCTOBER 28, 2019 REGULAR MEETING

MOTION: Approve the minutes.

MOTION: Nguyen **SECOND:** Contreras-Leo

VOTE: **AYES:** Contreras-Leo, McLoughlin, Nguyen, Rivera (4)
 NOES: None (0)
 ABSTAIN: Garcia (1)
 ABSENT: Cano (1)

B. MINUTES FROM THE NOVEMBER 12, 2019 REGULAR MEETING

MOTION: Approve the minutes.

MOTION: Contreras-
Leo **SECOND:** Nguyen

VOTE: **AYES:** Contreras-Leo, McLoughlin, Nguyen, Rivera (4)
 NOES: None (0)
 ABSTAIN: Garcia (1)
 ABSENT: Cano (1)

C. EXCUSED ABSENCES

RECOMMENDED ACTION: Excuse absent Commissioner Cano

MOTION: Nguyen **SECOND:** Rivera

VOTE: **AYES:** Contreras-Leo, Garcia, McLoughlin, Nguyen, Rivera (5)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: Cano (1)

* * * END OF CONSENT CALENDAR * *

BUSINESS CALENDAR ITEMS

PUBLIC HEARING

1. **CONDITIONAL USE PERMIT NOS. 2019-33, 2019-34, AND 2019-35** — Case Planner, Ali Pezeshkpour

LOCATION: The Place Banquet Hall located at 1602 E. First Street in the General Commercial (C2) zone.

REQUEST: The applicant is requesting approval of three conditional use permits to allow (1) the operation of a banquet facility, (2) a Type 47 (On Sale General – Eating Place) Alcoholic Beverage Control (ABC) license for the sale of beer, wine and distilled spirits for

on-premises consumption, and (3) after-hours operation until 1:00 a.m. on Friday, Saturday and Sunday.

Case Planner Pezeshkpour provided a presentation which included information on the added conditions of approval which resulted from a meeting between the applicant and community members.

Recording Secretary reported that written correspondence had been distributed.

Chair McLoughlin opened the Public Hearing at 5:51 p.m. The applicant spoke in support of the matter and answered questions regarding business operations.

The following individuals spoke in support of the matter.

1. Ashely Tinajero, General Manager of Holiday Inn Express
2. Desi Reyes, resident.

The following individuals are members of the neighboring religious facility and spoke in opposition to the matter.

- | | |
|---------------------|------------------|
| 1. Alex Cho | 4. Hosung Lee |
| 2. Esol Lee | 5. Sean Tu |
| 3. Everardo Salinas | 6. Xitali Rivera |

The applicant was provided an opportunity to respond to comments. There were no other speakers and the Public Hearing was closed at 6:21 p.m.

Commission expressed concern with noise, entertainment, parking, and discussed the need for a Type 47 license.

MOTION:

- a. **Adopt Resolution No. 2019-47.** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2019-33 AS CONDITIONED TO ALLOW THE PLACE BANQUET HALL TO OPERATE AT 1602 EAST FIRST STREET;
- b. **Adopt Resolution No. 2019-48.** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2019-34 AS CONDITIONED TO ALLOW THE SALE OF BEER, WINE AND DISTILLED SPIRITS FOR ON-PREMISES CONSUMPTION AT THE PLACE BANQUET HALL LOCATED AT 1602 EAST FIRST STREET; and
- c. **Continue consideration of request for after-hours operation for six months.**

MOTION: Rivera **SECOND:** Garcia

VOTE: **AYES:** Contreras-Leo, Garcia, McLoughlin, Rivera (4)
 NOES: Nguyen (1)
 ABSTAIN: None (0)
 ABSENT: Cano (1)

2. **CONDITIONAL USE PERMIT NO. 2018-16** – Ivan Orozco, Case Planner.

LOCATION: 2500 S. Fairview Street in the Light Industrial (M-1) zone.

REQUEST: The applicant is requesting approval of a conditional use permit to construct a new 60-foot wireless communications facility disguised as a mono-eucalyptus.

Case Planner Orozco provided a staff presentation.

Recording Secretary reported that written correspondence had been distributed.

Chair McLoughlin opened the Public Hearing at 6:45 p.m. The applicant spoke in support of the matter. There were no other public speakers and the Public Hearing was closed at 6:46 p.m.

MOTION: **Adopt Resolution No. 2019-49.** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2018-16 AS CONDITIONED TO ALLOW A NEW 60-FOOT TALL MAJOR WIRELESS COMMUNICATION FACILITY LOCATED AT 2500 SOUTH FAIRVIEW STREET

MOTION: Contreras- **SECOND:** Rivera
 Leo

VOTE: **AYES:** Contreras-Leo, Garcia, Nguyen, McLoughlin, Rivera (5)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: Cano (1)

3. **CONDITIONAL USE PERMIT NO. 2019-37** – Jerry Guevara, Case Planner.

LOCATION: Hopper & Burr Café located at 202 W. Fourth Street in the Specific Development No. 84 (SD-84) zone.

REQUEST: The applicant is requesting approval of a conditional use permit to allow a Type 41 (On Sale Beer and Wine – Eating Place) Alcoholic Beverage Control (ABC) license for the sale of beer and wine for on-premises consumption.

Case Planner Guevara provided a staff presentation.

Chair McLoughlin opened the Public Hearing at 6:50 p.m. The applicant spoke in support of the matter. There were no other public speakers and the Public Hearing was closed at 6:51 p.m.

MOTION: Adopt Resolution No. 2019-50. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2019-37 AS CONDITIONED TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION AT HOPPER AND BURR RESTAURANT LOCATED 202 WEST FOURTH STREET

MOTION: Nguyen **SECOND:** Contreras-Leo

VOTE: **AYES:** Contreras-Leo, Garcia, McLoughlin, Nguyen, Rivera (5)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: Cano (1)

4. **CONDITIONAL USE PERMIT NO. 2019-37** – Pedro Gomez, Case Planner.

LOCATION: The Estate on Second located at 207 W. Second Street in the Specific Development No. 84 (SD-84) zone.

REQUEST: The applicant is requesting approval of a conditional use permit to allow a Type 47 (On Sale General – Eating Place) Alcoholic Beverage Control (ABC) license for the sale of beer wine and distilled spirits for on-premises consumption.

Case Planner Gomez provided a staff presentation.

Chair McLoughlin opened the Public Hearing at 6:55 p.m. There were no public speakers and the Public Hearing was closed at 6:55 p.m.

MOTION: Adopt Resolution No. 2019-51. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2019-39 AS CONDITIONED TO ALLOW A TYPE 47 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR ON-PREMISE SALE AND CONSUMPTION OF BEER, WINE AND DISTILLED SPIRITS FOR AN EXISTING BANQUET FACILITY, LOCATED AT 207 WEST SECOND STREET, UNIT A AND B

MOTION: Rivera **SECOND:** Nguyen

VOTE: **AYES:** Contreras-Leo, Garcia, McLoughlin, Nguyen, Rivera (5)
 NOES: None (0)
 ABSTAIN: None (0)

ABSENT: Cano (1)

5. **AMENDMENT APPLICATION NO. 2018-09** – Vince Fregoso, Case Planner.

LOCATION: Calvary Church located at 1010 N. Tustin Avenue and 1100-B N. Tustin Avenue in the Professional (P) zone.

REQUEST: The applicant is requesting approval of an amendment application to change the zoning of the property from Professional (P) to Specific Development No. 95 (SD-95). In conjunction with the request, the applicant is also requesting approval of Mitigated Negative Declaration No. 2009-19.

Vice-Chair Contreras-Leo disclosed that she spoke with Pastor Michael Welles regarding the project.

Case Planner Fregoso provided a staff presentation. Commission discussion ensued regarding community outreach and parking.

Recording Secretary reported that written correspondence had been distributed.

Chair McLoughlin opened the Public Hearing at 7:06 p.m. The following individuals representing Calvary spoke in support of the matter.

1. Adrienne Gladson
2. Eric Wakeling
3. Michael Welles

There were no other public speakers and the Public Hearing was closed at 7:12 p.m.

MOTION: Recommend that the City Council adopt an ordinance: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA REZONING TWO PROPERTIES LOCATED AT 1010 AND 1100-B NORTH TUSTIN AVENUE FROM PROFESSIONAL (P) TO SPECIFIC DEVELOPMENT NO. 95 (SD-95) (AA NO. 2018-09) AND ADOPTING SPECIFIC DEVELOPMENT NO. 95 (SD-95) FOR SAID PROPERTIES

MOTION: Nguyen **SECOND:** Contreras-Leo

VOTE: **AYES:** Contreras-Leo, Garcia, McLoughlin, Nguyen, Rivera (5)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Cano (1)

WORK STUDY CALENDAR

6. DISCUSSION ON RECENT CHANGES TO CALIFORNIA STATE LAW REGARDING ACCESSORY DWELLING UNITS

Associate Planner Soto provided a PowerPoint presentation which included information on the following.

- What is an ADU?
- What is a JADU?
- Existing Local Ordinance
- Legislative Changes
- Local Ordinance

*****END OF WORK STUDY CALENDAR * * ***

COMMENTS

7. STAFF COMMENTS

- Executive Director Thai welcomed new Commissioner Garcia, thanked the Commission, and wished everyone Happy Holidays.

8. COMMISSION MEMBER COMMENTS

- Vice Chair Contreras-Leo welcomed new Commissioner Garcia, thanked staff and wished everyone Happy Holidays.
- Commissioner Nguyen welcomed new Commissioner Garcia, thanked staff and wished everyone Happy Holidays.
- Commissioner Garcia thanked staff and wished everyone Happy Holidays.

7:51 P.M. ADJOURNMENT – The meeting scheduled for December 23, 2019 and January 13, 2020 are cancelled. The next regular meeting will be held on January 27, 2020 at 5:30 p.m. in Council Chambers, 22 Civic Center Plaza, Santa Ana, California.

Sarah Bernal
Recording Secretary

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