

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

January 14, 2019

CALLED TO ORDER

COUNCIL CHAMBER
22 CIVIC CENTER PLAZA
SANTA ANA, CALIFORNIA
5:47 P.M.

ATTENDANCE

COMMISSIONERS Present:
ERIC ALDERETE
DAVID BENAVIDES
CYNTHIA CONTRERAS-LEO, *Vice Chair*
MARK MCLOUGHLIN, *Chair*
ANGIE CANO
KENNETH NGUYEN
LYNETTE VERINO

COMMISSIONERS Absent:
None.

PLANNING & BUILDING AGENCY STAFF Present:
MINH THAI, *Executive Director*
CANDIDA NEAL, *Planning Manager*
LISA STORCK, *Assistant City Attorney*
VINCE FREGOSO, *Principal Planner*
SELENA KELAHER, *Associate Planner*
PEDRO GOMEZ, *Associate Planner*
SARAH BERNAL, *Recording Secretary*

PLEDGE OF ALLEGIANCE

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

CONSENT CALENDAR

A. MINUTES FROM THE REGULAR MEETING OF DECEMBER 10, 2018

MOTION: Approve Minutes.

MOTION: Alderete **SECOND:** Nguyen

VOTE: **AYES:** Alderete Contreras-Leo, McLoughlin, Nguyen, Verino (5)

NOES: None (0)

ABSTAIN: Benavides, Cano (2)*

ABSENT: None (0)

B. EXCUSED ABSENCES

MOTION: Excuse absent commission members: Alderete

MOTION: Alderete **SECOND:** Nguyen

VOTE: **AYES:** Alderete Contreras-Leo, McLoughli, Nguyen, Verino (5)

NOES: None (0)

ABSTAIN: Benavides, Cano (2)*

ABSENT: None (0)

*Commissioners abstained as they were not in attendance at the December 10, 2018 meeting.

*** * * END OF CONSENT CALENDAR * * ***

BUSINESS CALENDAR ITEMS

PUBLIC HEARING

1. DENSITY BONUS AGREEMENT APPLICATION NO. 2018-01 TO ALLOW CONSTRUCTION OF A 93-UNIT MULTI-FAMILY AFFORDABLE RENTAL RESIDENTIAL PROJECT LOCATED AT 609 NORTH SPURGEON STREET – NATIONAL COMMUNITY RENAISSANCE OF CALIFORNIA, APPLICANT

Legal noticed published in the Orange County Reporter on January 4, 2019 and notices mailed on January 4, 2019.

Case Planner Pedro Gomez provided a presentation which included information on the following:

- Project Description
- Site Aerial
- Adjacent Neighborhoods
- Site Plan
- Elevations
- Density Bonus Calculation
- Requested Incentives/Concessions
- Project Analysis

Commission discussion ensued regarding the site plan review process and by-right development. Commissioner Cano suggested that the project be changed from 100% affordable to mixed-income, as originally proposed.

The applicant spoke in support of the project as proposed.

Written communication in opposition to the matter was received from Tim Rush.

Chair McLoughlin opened the Public Hearing.

The below speakers support the project. Statements in support of the matter were generally made regarding the property owner's desire to continue their ministries by providing housing and the benefit the project will have on the community as it provides housing to those in need.

- Ivan Rodriguez
- Kerry Wright
- Ruben Esponda
- Adiel DePano
- Doug Gillen
- Nina Khiv
- Deborah Gillen
- Jose Sanchez

The below speakers oppose the project. Statements in opposition to the matter were generally made regarding safety, inadequate parking, opposition to the demolition of a church, inadequate time for public review, and benefits the two churches renting the property provide to the community.

- Mike Rakhshani
- Jeff Dickman
- Debbie McEwen
- Joel Solis
- Gabriel Hernandez
- Jules (last name not provided)
- Adelina Navarra
- Amelia Sanchez
- Jessica Barnoso
- Amalia Ventura
- Shadi Allamehzede

The applicant responded to speakers' concerns indicating that a community meeting was held on November 27, 2018 and notice was mailed to those residing within a 500' radius of the project site; a community service center located on the project site will be accessible to the neighborhood residents and provide support services to the community.

Chair McLoughlin made a final call for public comments. The following spoke on the matter:

- Jevon Crane – both sides should be considered.

There were no other speakers and the Public Hearing was closed.

Commission discussion ensued regarding the applicant's financing timeline, by-right development, community meetings, and inadequate parking. Commission announced that the matter before them was only to consider the Density Bonus Agreement and generally agreed that there is a need for affordable housing. Commissioner Cano and Nguyen dissented citing concern with inadequate parking and the demolition of a religious building.

MOTION: Adopt a resolution approving Density Bonus Agreement Application No. 2018-01 as conditioned.

MOTION: Alderete **SECOND:** Contreras-Leo

VOTE: **AYES:** Alderete, Benavides, Contreras-Leo, McLoughlin, Nguyen, Verino (6)

NOES: Cano, Nguyen (2)

ABSTAIN: None (0)

ABSENT: None (0)

2. FINAL ENVIRONMENTAL IMPACT REPORT NO. 2018-01, DEVELOPMENT AGREEMENT NO. 2018-01, GENERAL PLAN AMENDMENT NO. 2018-06 AND AMENDMENT APPLICATION NO. 2018-10 FOR THE PROPOSED MULTI-FAMILY DEVELOPMENT LOCATED AT 2525 NORTH MAIN STREET – AC2525 Main Street, LLC, APPLICANT

Matter continued from the meeting held on November 26, 2018 by a vote of 4:1 (Verino absent).

Legal notice published in the Orange County Register on January 4, 2019 and notices mailed on January 4, 2019.

The following disclosures were made:

- Commissioner Contreras-Leo – contacted by the developer.
- Commissioner Alderete – contacted by the developer.
- Commissioner Verino – met with neighborhood leader, Dale Helvig.
- Commissioner Nguyen – received the video presentation from the developer.
- Chair McLoughlin – met with the developer’s representative, Pam Sapetto, and neighborhood leader, Dale Helvig.

Commissioner Cano recused herself from the matter due to a political contribution received from the developer in 2018. She left the meeting and did not return.

Case Planners Fregoso and Kelaher provided a presentation which included information on the following:

- | | |
|--------------------------------|--------------------------------|
| • Entitlements | • Public Participation |
| • Project Overview | • Project Access |
| • Aerial Photo | • Secondary Access |
| • Site Plan | • Traffic |
| • Development Agreement | • Parking |
| • Conceptual Park Improvements | • Density |
| • Environmental Impact Report | • Height |
| • General Plan Amendment | • Neighborhood Characteristics |
| • Amendment Application | • Economic Analysis |

Case Planners Fregoso and Kelaher responded to Commission inquiries regarding parking, the parking management plan, architectural design, cumulative impacts of projects in surrounding area, Walkie-Way site access, current zoning, and the Development Agreement terms. Questions relating to traffic congestion and Level of Service were answered by Ruben Castenada, Public Works Agency.

The applicant's representative, Pam Sapetto, spoke in support of the matter and provided a video presentation.

Written communication in support of the matter was received by the following individuals:

- Lewis & Jeanette Wood (2)
- Tim Johnson
- Alfredo Quitral
- Elizabeth Hansburg

Written communication in opposition of the matter was received by the following individuals:

- Darcie Cancino
- Kelly Medina
- J.J. Janis
- Diane Fradkin
- Laborers International Union of North America, Local Union No. 652
- Bill Bonnett
- Dale Helvig (2)
- Roger Allen
- Flor Barajas-Tena
- Alan Fuller
- Washington Square Neighborhood Association
- Eric Rosenberg
- Angela Solis
- Tim Rush

Chair McLoughlin opened the Public Hearing.

The below speakers support the project and cited the following reasons: project is supported by the Discovery Cube Board, provides additional housing to help alleviate the housing shortage; positive impact on the local economy; located on an arterial road; existing zoning (Professional Office) will produce more traffic than what is being proposed; Housing Accountability Act limits ability of local agencies to deny projects; and Level of Service as a qualitative measure to analyze traffic flow will eventually be eliminated.

- James Walkie Ray
- Jessie Arren
- Lydia Notoola
- Judy Amador
- George Atalla
- Arianne
- Alan
- Jensen
- Matthew Miller
- Gilbert Rojas
- Freddy Arbiso
- Michael A.
- Vanessa Ramirez
- Alex Ramirez
- Bailey Marrs
- Rey Ferdin
- Vince Romo
- Irma Montagalano
- Richard Lopez
- Daniel Ortiz
- Robert Placencio
- Paul Morales
- Veronica Morales
- Yvette Estrada

- Annette Arellano
- Lisa Flores
- Erica Estrada
- Chris
- Cassius Rutherford
- Elizabeth Hansburg
- Tim Johnson

The below speakers oppose the project and expressed concern with the following: Development Agreement terms and conditions; inadequate parking; density; bulk/scale; increased traffic; site access; cumulative impact of other projects; increased noise, discrepancies within the Environmental Impact Report i.e. closure of the I-5 HOV lane, impacts of the Main Place Mall project, air quality, mitigation measures, and traffic impacts; proposed General Plan Amendment from Professional Office to District Center; incompatibility of the project with the surrounding neighborhood; possible decline of the existing neighborhood; unaffordability of the apartment units; removal of the existing palm trees along project site; close proximity of the project to the residential neighborhood; unwillingness of the Developer to work with the neighborhood; questionable actions by the Developer; and campaign contributions made by the Developer to Council members.

- Suzanne Blav
- Gary Crane
- Patty Maize
- Rory Kirk
- Clay
- Phil Schaefer
- Rob Richardson
- Edward Ganz
- Lisa Ganz
- Brian Poteraj
- Sharon Gullikson
- Thomas Cartnegan
- Christine Denny-Helvig
- Jeff Dresser
- Gary Hendricks
- Peter Katz
- Genelle Johnson
- David Pockett
- Esther Lopez
- Frank Lopez
- Sue McDonald
- Kelly Medina
- Adriana De La Rosa
- Justin Chapman
- Paul Maag
- Peggy Steggell
- Steve Gorgone
- Madrigal Cancino
- Patricia Coleman
- Darcie Cancino
- Dale Helvig
- Karyn Igar
- Deborah Hicks
- Jeffrey Katz
- Mike Plantamura
- Marilyn Fuller
- John Fradkin
- Bill Bonnett*
- Art Mendelsohn
- Noah Garrison
- Cathy Morehead
- Steve Swytak
- Michael O'Valle
- Jane Chapman
- David Slaton
- Dimitri Luja
- Michelle O'Valle

*submitted a petition opposing the project with over 500 signatures.

The following speaker maintained a neutral position commenting that if the project is approved, local licensed carpenters should be hired to construct the building.

- Rich Gomez

There were no other speakers and the Public Hearing was closed.

The applicant's representative, Pam Sapetto, spoke further in support of the matter and requested that the Commission approve the project.

Commission discussion ensued.

A majority of the Commission did not express support for the project. Commission generally cited the following as reasons for not supporting the project: too dense, inadequate parking, incompatible with the nearby Park Santiago neighborhood, and strong opposition from the neighborhood residents.

Commissioners Alderete and Benavides dissented, citing the following as reasons for supporting the project: improves economic development, is situated in a prime location, and will provide 1.6 million which will be used for affordable housing.

MOTION:

Recommend that the City Council:

- 1. Adopt a resolution certifying Final Environmental Impact Report No. 2018-01 (SCH No. 2018021031), adopt environmental findings of fact pursuant to the California Environmental Quality Act, adopt a Statement of Overriding Considerations, adopt Mitigation Monitoring and Reporting Program and approve the proposed project.**
- 2. Adopt an ordinance approving the Development Agreement No. 2018-01.**
- 3. Adopt a resolution approving General Plan Amendment No. 2018-06.**
- 4. Adopt an ordinance approving Amendment Application No. 2018-10 for Specific Development No. 93.**

MOTION: Benavides **SECOND:** Alderete

VOTE: **AYES:** Alderete, Benavides (2)

NOES: Contreras-Leo, McLoughlin, Nguyen, Verino (4)

ABSTAIN: Cano (1)*

ABSENT: None (0)

**Commissioner Cano recused.*

***Vote taken by roll call. Motion Fails.*

MOTION:

Recommend that the City Council deny the following:

1. Adopt a resolution certifying Final Environmental Impact Report No. 2018-01 (SCH No. 2018021031), adopt environmental findings of fact pursuant to the California Environmental Quality Act, adopt a Statement of Overriding Considerations, adopt Mitigation Monitoring and Reporting Program and approve the proposed project.
2. Adopt an ordinance approving the Development Agreement No. 2018-01.
3. Adopt a resolution approving General Plan Amendment No. 2018-06.
4. Adopt an ordinance approving Amendment Application No. 2018-10 for Specific Development No. 93.

MOTION: Contreras-
Leo

SECOND: Nguyen

VOTE: AYES: Contreras-Leo, McLoughlin, Nguyen, Verino (4)

NOES: Alderete, Benavides (2)

ABSTAIN: Cano (1)*

ABSENT: None (0)

**Commissioner Cano recused.*

***Vote taken by roll call.*

*****END OF BUSINESS CALENDAR*****

COMMENTS

3. STAFF COMMENTS: None.

4. COMMISSION MEMBER COMMENTS

All Commissioners welcomed Commissioner Benavides and Commissioner Cano as new members and thanked staff.

Commissioner Nguyen

- Encouraged everyone to celebrate Vietnamese New Year on February 9 in Little Saigon

11:59 P.M. ADJOURNMENT –The next regular meeting is scheduled for Monday, January 28, 2019 at 5:30 p.m. in the Council Chamber, 22 Civic Center Plaza, Santa Ana, California.