

**CITY OF SANTA ANA
PLANNING COMMISSION
REGULAR MEETING AGENDA**

**AUGUST 10, 2020
5:30 P.M.**

VIRTUAL MEETING

MARK McLOUGHLIN
Chair, Citywide Representative

CYNTHIA CONTRERAS-LEO
Vice Chair, Ward 5 Representative

FELIX RIVERA
Ward 2 Representative

V. THAI PHAN
Ward 4 Representative



Minh Thai
Executive Director

Lisa E. Storck
Legal Counsel

Vince Fregoso, AICP
Planning Manager

NORMA GARCIA
Ward 1 Representative

KENNETH NGUYEN
Ward 3 Representative

THOMAS MORRISSEY
Ward 6 Representative

Sarah Bernal
Recording Secretary

**Si tiene preguntas en español, favor de llamar a Narcee Perez al (714) 667-2260.
Nếu cần liên lạc bằng tiếng Việt, xin điện thoại cho Tony Lai số (714) 565-2627.**

Translation Services: For translation services in other languages, contact Sarah Bernal at sbernal@santa-ana.org no later than 48 hours prior to the scheduled meeting.

Special Assistance: If you need special assistance to participate in this meeting, please contact Michael Ortiz, ADA Program Coordinator, at (714) 647-5624. Please call prior to the meeting date, to allow the City time to make reasonable arrangements for accessibility to this meeting [Americans with Disabilities Act, Title II, 28 CFR 35.102].

Due to Governor Gavin Newsom's Executive Order and the City Council's Proclamation of Local Emergency, we can no longer offer an in-person meeting location for the community to attend public meetings.

To watch the open meeting.:

- Visit the City's website santa-ana.org/city-meetings and select the active link for the current Planning Commission meeting
- Visit the City's YouTube site at youtube.com/cityofsantaanavideos/live

To provide a phone comment:

- You may comment by phone while the meeting is in progress by calling 669-900-9128. Enter Meeting ID: 315 965 149# when prompted. While the item that you would like to comment on is being discussed, dial *9 to let us know that you want to speak. You will have 3 minutes to state your name, whether you are in support of or in opposition to the item, and why. *If you are calling in and watching YouTube, please turn your volume down on YouTube to limit any feedback when you speak.*

To provide a written comment:

- You may submit a comment by e-mail at ecomments@santa-ana.org (reference "Planning Commission Public Comment for Agenda Item No. #" in the subject line). Make sure to include your name, whether you are in support of or in opposition to the item and why. Comments received by 5:00 p.m. on the day of the meeting will be distributed to the Commission prior to the start of the meeting and will also be posted on our website at www.santa-ana.org/cc/city-meetings. The Clerk will provide a summary report of the comments received on each item. Comments received after 5:00 p.m. may not be distributed to the Commission but will be posted on the City's website at the earliest possible opportunity after the meeting.

Basic Planning Commission Meeting Information

The Planning Commission Agenda can be found online at

<https://www.santa-ana.org/cc/city-meetings>

Planning Commission: The Santa Ana Planning Commission consists of seven residents of the city who are appointed by Santa Ana City Councilmembers. The Commission meets regularly on the second and fourth Monday of each month. Meetings begin at 5:30 p.m., unless otherwise noted.

The Planning Commission is responsible for providing input to the City Council on long-range planning. Santa Ana's long-range planning goals are embodied in the General Plan. The General Plan and the amendments to it are reviewed by the Planning Commission and adopted by the City Council. The General Plan is implemented through the City's development regulations.

The Planning Commission has the authority to approve or deny applications concerning development within the City. The category of applications includes Tentative Tract Maps, Conditional Use Permits, Minor Exceptions, and Variances. The Planning Commission also makes recommendations to the City Council on all applications for amendments to Zoning and the General Plan.

Agenda and Staff Reports: An agenda along with staff reports are provided for each Planning Commission meeting. The Planning Commission agenda and staff reports is posted at least 72 hours prior the meeting on the City's website at www.santa-ana.org/cc/city-meetings, and on the posting boards outside the Civic Center entrance, Council Chamber, and Library. If you have any questions regarding any item of business on the agenda for this meeting, or any of the staff reports or other documentation relating to any agenda item, please contact the Planning and Building Agency at 714-667-2732.

The items on the agenda are arranged in four categories:

1. **Consent Calendar:** These are relatively minor in nature, do not have any outstanding issues or concerns, and do not require a public hearing. All consent calendar items are considered by the Commission as one item and a single vote is taken for their approval, unless an item is pulled from the consent calendar for individual discussion. There is typically no Commission discussion of consent calendar items unless requested.
2. **Business Items:** Items in this category are general in nature and may require Commission action. Public input may be received at the request of the Commission.
3. **Public Hearings:** This category is for case applications that require, by law, a hearing open to public comment because of the discretionary nature of the request. Public hearings are formally conducted and public input/testimony is requested at a specific time. This is your opportunity to speak on the item(s) that concern you.
4. **Work Study Session:** Items in this category are generally items requiring discussion. No action will be taken.

Public Hearing Procedure: The Planning Commission will follow the following procedure for all items listed as public hearing items:

1. The Chair will ask for presentation of the staff report;
2. The Commission will have the opportunity to question staff in order to clarify any specific points;
3. The public hearing will be opened;
4. The applicant/project representative will be allowed to make a presentation, for a maximum of 15 minutes.
5. Members of the audience will be allowed to speak, for a maximum of 3 minutes per speaker.
6. The applicant will be given an opportunity to respond to comments made by the audience;

7. The public hearing will be closed; and
8. Discussion of the proposal will return to the Commission with formal action taken to approve, conditionally approve, deny, or continue review of the application.

Appeals: The formal action by the Planning Commission regarding Conditional Use Permits, Variances, Tentative Tract and Parcel Maps, Minor Exceptions, Site Plan Review, and Public Convenience or Necessity Determinations are final and 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.

Submittal of information for dissemination or presentation

Written Materials/Handouts: Any member of the public who desires to submit documentation in hard copy form may do so prior to the meeting or at the time he/she addresses the Planning Commission. Please provide 15 copies of the information to be submitted and file with the Recording Secretary at the time of arrival to the meeting. This information will be disseminated to the Planning Commission at the time testimony is given.

Large Displays/Maps/Renderings: Any member of the public who desires to display freestanding large displays or renderings in conjunction with their public testimony is asked to notify the Planning and Building Agency at 714-667-2732 no later than noon on the day of the scheduled meeting.

Electronic Documents/Audio-Visuals: Any member of the public who desires to display information electronically in conjunction with their public testimony is asked to submit the information to the Planning and Building Agency at 714-667-2732 no later than noon on the day of the scheduled meeting.

Code of Ethics and Conduct: The people of the City of Santa Ana, at an election held on February 5, 2008, approved an amendment to the City Charter which established the Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees to assure public confidence. A copy of the City's Code can be found on the Clerk of the Council's webpage. The following are the core values expressed: Integrity · Honesty · Responsibility · Fairness · Accountability · Respect · Efficiency

Senate Bill 343: As required by Senate Bill 343, any non-confidential writings or documents provided to a majority of the Planning Commission members regarding any item on this agenda will be made available for public inspection in the Planning & Building Agency during normal business hours.

**CITY OF SANTA ANA
PLANNING COMMISSION
MEETING AGENDA**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS (non-agenda items): You may submit written comments by email to ecomments@santa-ana.org (reference "Planning Commission Public Comment for non-agenda item" in the subject line). The deadline to submit comments is 5:00 p.m. on the day of the meeting. Comments will be viewable on the City Meetings web page. The Clerk will provide a summary report of the comments received. You may comment by phone while the meeting is in progress by calling 669-900-9128. Enter Meeting ID: 315 965 149# when prompted. While the item that you would like to comment on is being discussed, dial *9 to let us know that you want to speak. Please state your name and comment. You will have 3 minutes to speak.

CONSENT CALENDAR

You may submit written comments by email to ecomments@santa-ana.org (reference "Planning Commission Public Comment for Agenda Item #" in the subject line). The deadline to submit comments is 5:00 p.m. on the day of the meeting. Comments will be viewable on the City Meetings web page. The Clerk will provide a summary report of the comments received. You may comment by phone while the meeting is in progress by calling 669-900-9128. Enter Meeting ID: 315 965 149# when prompted. While the item that you would like to comment on is being discussed, dial *9 to let us know that you want to speak. Please state your name, whether you are in support or opposition to an item and why. You will have 3 minutes to speak.

RECOMMENDED ACTION: **Approve staff recommendation on the following Consent Calendar Item: A – B.**

A. MINUTES FROM THE JULY 27, 2020 REGULAR MEETING

RECOMMENDED ACTION: ***Approve the minutes.***

B. EXCUSED ABSENCES

RECOMMENDED ACTION: ***Excuse absent commission members.***

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

BUSINESS CALENDAR

You may submit written comments by email to ecomments@santa-ana.org (reference "Planning Commission Public Comment for Agenda Item #" in the subject line). The deadline to submit comments is 5:00 p.m. on the day of the meeting. Comments will be viewable on the City Meetings web page. The Clerk will provide a summary report of the comments received. You may comment by phone while the meeting is in progress by calling 669-900-9128. Enter Meeting ID: 315 965 149# when prompted. While the item that you would like to comment on is being discussed, dial *9 to let us know that you want to speak. Please state your name, whether you are in support or opposition to an item and why. You will have 3 minutes to speak.

PUBLIC HEARING

APPEAL OF PLANNING COMMISSION ACTIONS: 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. **NOTICE:** Legal notice was published in the Orange County Reporter on July 31, 2020 and notices were mailed at least 10 days prior.

1. CONDITIONAL USE PERMIT NO. 2020-14 – Fernanda Arias, Case Planner.

LOCATION: 104 East Fourth Street located in the Specific Development No. 84 (SD-84) zoning district.

REQUEST: The applicant is requesting approval of a conditional use permit to allow an existing restaurant with an existing on-premises Alcoholic Beverage Control (ABC) license to remain open until 2:00 a.m. and sell alcoholic beverages until 2:00 a.m., seven days per week.

ENVIRONMENTAL DETERMINATION: 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 – Exiting Facilities. A Notice of Exemption, Environmental Review No. 2020-44 will be filed for this project.

RECOMMENDED ACTIONS: Adopt a Resolution. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2020-14 AS CONDITIONED TO ALLOW AFTER-HOURS OPERATION FOR THE EL RINCON MEXICANO RESTAURANT LOCATED AT 104 EAST FOURTH STREET

2. CONDITIONAL USE PERMIT NO. 2020-16 – Kathy Khang, Case Planner.

LOCATION: 1641 East Saint Andrew Place located in the Specific Development No. 69 (SD-69) zoning district.

REQUEST: The applicant is requesting approval of a conditional use permit to allow a Type 21 (Off-Sale General) Alcoholic Beverage Control (ABC) license for the sale of beer, wine and distilled spirits for off-premises consumption at a new establishment. In addition, the proposed ancillary uses include a warehousing component that will be through a Type 14 (Public Warehouse) ABC license, with instructional seminar tastings that will be through a Type 86 (Instructional Tasting) ABC license. In conjunction with the request, the applicant is also requesting a Public Convenience and Necessity (PCN) Letter due to an overconcentration of licenses in the census tract.

ENVIRONMENTAL DETERMINATION: 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 – Existing Facilities. A Notice of Exemption, Environmental Review No. 2020-46 will be filed for this project.

RECOMMENDED ACTIONS: Adopt a Resolution. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2020-16 AS CONDITIONED TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION WITH ANCILLARY WAREHOUSING AND INSTRUCTIONAL SEMINAR TASTINGS AT A NEW ESTABLISHMENT LOCATED AT 1641 EAST SAINT ANDREW PLACE.

3. **CONDITIONAL USE PERMIT NO. 2020-20** – Ivan Orozco, Case Planner.

LOCATION: 2100 South Fairview Street located in the Light Industrial (M-1) zoning district.

REQUEST: The applicant is requesting approval of a conditional use permit to renew the entitlements of an existing 65-foot high major wireless communications facility disguised as a mono-pine.

ENVIRONMENTAL DETERMINATION: 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 – Existing Facilities. A Notice of Exemption, Environmental Review No. 2019-109 will be filed for this project.

RECOMMENDED ACTIONS: Adopt a Resolution. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2020-20 AS CONDITIONED TO RENEW THE ENTITLEMENTS OF AN EXISTING 65-FOOT TALL MAJOR WIRELESS COMMUNICATION FACILITY LOCATED AT 2100 SOUTH FAIRVIEW STREET

ADMINISTRATIVE MATTERS

4. **DISCUSSION ON THE PLANNING DIVISION’S PUBLIC NOTICING PROCEDURES**

5. **ELECTION OF OFFICERS FOR THE PLANNING COMMISSION FOR THE 2020-2021 TERM**

RECOMMENDED ACTIONS:

- a) **Elect a Chairperson for the 2020-2021 term;**
- b) **Elect a Vice Chairperson for the 2020-2021 term; and**
- c) **Elect a Representative from the Planning Commission to the Historic Resources Commission for the 2020-2021 term.**

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

COMMENTS

6. STAFF COMMENTS

7. COMMISSION MEMBER COMMENTS

ADJOURNMENT – The next regular meeting will be held on Monday, August 24 at 5:30 p.m.