

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.

You may watch the meeting live in the following ways:

- 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.

You may provide a comment in the following ways:

- Send an e-mail to 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. The deadline to submit comments is 5:00 p.m. **on the day of the meeting**. Comments received by the deadline 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. Comments received after the deadline may not be distributed to the Commission but will be posted on the City's website at the earliest possible opportunity after the meeting; or
- Join the Zoom Webinar directly at: <https://us02web.zoom.us/j/315965149>; or
- Call 669-900-9128 and enter Meeting ID: 315 965 149# when prompted. Callers can begin joining the speaker que by 5:00 p.m. on the day of the meeting. While the item that you would like to comment on is being discussed, dial *9 to let us know that you want to speak. After the clerk confirms the last three digits of caller's phone number and unmutes them, the caller must press *6 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.*

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

**OCTOBER 12, 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

Sarah Bernal
Recording Secretary

NORMA GARCIA
Ward 1 Representative

KENNETH NGUYEN
Ward 3 Representative

THOMAS MORRISSEY
Ward 6 Representative

**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: If you require translation services to participate in this meeting, please 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].

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 to 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.

Submission 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): Individuals may comment on an agenda item in the following ways: (1) 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**; or (2) You may join the Zoom Webinar directly at: <https://us02web.zoom.us/j/315965149>; or (3) 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. After you are called upon, you must press *6 to unmute yourself. Please state your name, whether you are in support or opposition to an item and why. You will have 3 minutes to speak.

CONSENT CALENDAR

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

A. MINUTES FROM THE SEPTEMBER 28, 2020 REGULAR MEETING.

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

B. EXCUSED ABSENCES

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

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

BUSINESS CALENDAR

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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 September 30, 2020 and notices were mailed on said date. .

1. **ENVIRONMENTAL REVIEW NO. 2018-13, SITE PLAN REVIEW NO. 2020-03, VARIANCE NO. 2020-06 AND AMENDMENT APPLICATION NO. 2020-04 – Pedro Gomez, Case Planner.**

LOCATION: 409 and 509 East Fourth Street located in the Transit Zoning Code (Specific Development No. 84), Downtown subzone and Urban Neighborhood 2 subzone.

REQUEST: The applicant is requesting approval of the following land use entitlements: (1) a site plan review to allow a mixed-use development project over four stories in height, (2) a variance to deviate from allowable building size and massing and (3) an amendment application to rezone Site B from Urban Neighborhood 2 (UN-2) subzone to Urban Center (UC) subzone. In addition, the applicant is requesting approval and adoption of an addendum to the Environment Impact Report (EIR) for the Transit Zoning Code Project (SCH NO. 2006071100) and adoption of a mitigation monitoring and reporting program for the Site Plan Review, Variance, and Amendment Application.

ENVIRONMENTAL DETERMINATION: In accordance with the California Environmental Quality Act (CEQA), the Planning Commission of the City of Santa Ana hereby finds, determines, and declares that based on the substantial evidence set forth in the record, including but not limited to the 2010 EIR and the 2020 Addendum, an addendum is the appropriate document for disclosing the changes to the subject properties, and that none of the conditions identified in Public Resources Code section 21166 and State CEQA Guidelines section 15162 requiring subsequent environmental review have occurred.

RECOMMENDED ACTIONS:

- a) **Adopt a Resolution.** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING AND ADOPTING AN ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT FOR THE TRANSIT ZONING CODE PROJECT (SCH NO. 2006071100) FOR SITE PLAN REVIEW NO. 2020-03 AND VARIANCE NO. 2020-06 AND ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE 4TH AND MORTIMER MIXED-USE DEVELOPMENT PROJECT LOCATED AT 409 AND 509 EAST FOURTH STREET;

- b) **Adopt a Resolution.** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING SITE PLAN REVIEW NO. 2020-03 AS CONDITIONED FOR A NEW MIXED-USE RESIDENTIAL AND COMMERCIAL DEVELOPMENT FOR THE PROPERTIES LOCATED AT 409 EAST FOURTH STREET (SITE A) AND 509 EAST FOURTH STREET (SITE B);
- c) **Adopt a Resolution.** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING VARIANCE NO. 2020-06 AS CONDITIONED TO ALLOW AN INCREASE IN THE ALLOWABLE BUILDING SIZE AND MASSING ON SITE B AS PART OF A NEW MIXED-USE RESIDENTIAL AND COMMERCIAL DEVELOPMENT FOR THE PROPERTIES LOCATED AT 409 EAST FOURTH STREET (SITE A) AND 509 EAST FOURTH STREET (SITE B);
- d) **Recommend that the City Council adopt a Resolution:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING AND ADOPTING AN ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT FOR THE TRANSIT ZONING CODE PROJECT (SCH NO. 2006071100) FOR AMENDMENT APPLICATION NO. 2020-04 AND ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE 4TH AND MORTIMER MIXED-USE DEVELOPMENT PROJECT LOCATED AT 409 AND 509 EAST FOURTH STREET; and
- e) **Recommend that the City Council adopt an Ordinance:** AN ORDINANCE OF THE CITY COUNCIL APPROVING AMENDMENT APPLICATION NO. 2020-04 MODIFYING THE SUB-ZONING DESIGNATION OF THE PROPERTIES LOCATED AT 501, 507, 509, 515, AND 519 EAST FOURTH STREET AND THOSE AT 502, 506, 510, 514, 520 EAST FIFTH STREET FROM SPECIFIC DEVELOPMENT NO. 84, URBAN NEIGHBORHOOD 2 (UN-2) SUB-ZONE, TO THE URBAN CENTER (UC) SUB-ZONE

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

WORK STUDY CALENDAR

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2. REVIEW AND DISCUSS THE PROPOSED DEVELOPMENT PROJECT LOCATED AT 1801 EAST FOURTH STREET – Selena Kelaher

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

COMMENTS

3. STAFF COMMENTS

4. COMMISSION MEMBER COMMENTS

ADJOURNMENT – The next regular meeting will be held via teleconference on Monday, October 26 at 5:30 p.m.