

Planning Commission Regular Meeting Agenda Minutes

April 26, 2021

5:30 P.M,

VIRTUAL MEETING



MARK McLOUGHLIN

Chair, Ward 4 Representative

ERIC M. ALDERETE

Citywide Representative

MIGUEL CALDERON

Ward 2 Representative

ALAN WOO

Ward 5 Representative

BAO PHAM

Ward 1 Representative

ISURI S. RAMOS

Ward 3 Representative

THOMAS MORRISSEY

*Vice Chair,
Ward 6 Representative*

MinhThai

Executive Director

John Funk

Legal Counsel

Ali Pezeshkpour, AICP

Principal Planner

Sarah Bernal

Recording Secretary



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CALL TO ORDER

Commissioners:

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

**Executive Director
Senior Asst. City Attorney
Principal Planner
Recording Secretary**

**Minh Thai
John Funk
Ali Pezeshkpour
Sarah Bernal**

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS (non agenda items)

CONSENT CALENDAR ITEMS

1. Minutes

Recommended Action: Approve Minutes from the April 12 meeting.
Moved by Commissioner Woo, seconded by Commissioner Calderon to Approve.

YES: 7 – Tom Morrissey, Mark McLoughlin, Bao Pham, Isuri Ramos, Eric Alderete, Miguel Calderon, Alan Woo

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 0 – **Status:** 7 – 0 – 0 – 0 – **Pass**

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. For item no. 1, legal notice was published in the OC Reporter on March 31 and notices were mailed on said date. For item no. 2, legal notice was published in the OC Reporter on April 14 and notices were mailed on said date. For item no. 3, legal notice was published in the OC Register on April 14.

2. Conditional Use Permit No. 2021-06 – Jerry Guevara, Case Planner.

The Applicant has requested this item be continued.

Location: 2106 North Tustin Avenue located in the Arterial Commercial (C5) zoning district.

Proposed Project: The applicant is requesting approval of Conditional Use Permit No. 2021-06 to allow after-hours operations until 2:00 a.m., daily, at an existing restaurant (Chiles and Beer Restaurant).

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/Existing Facilities. Notice of Exemption, Environmental Review No. 2021-24 will be filed for this project.

Recommended Action: Continue the matter to the April 26, 2021 meeting.

Minutes: *Commissioner Ramos abstained due to the project's proximity to her residence (disclosed at previous meeting).*

Moved by Commissioner Morrissey, seconded by Commissioner Alderete to Continue to May 10, 2021.

YES: 6 – Tom Morrissey, Mark McLoughlin, Bao Pham, Eric Alderete, Miguel Calderon, Alan Woo

NO: 0 – **ABSTAIN:** 1 – Isuri Ramos

ABSENT: 0 – **Status:** 6 – 0 – 1 – 0 – **Pass**

3. Conditional Use Permit No. 2021-05 – Gissel Enriquez, Case Planner

Location: 400 E. 17th Street located in the Community Commercial (C-1) zoning district.

Proposed Project: The applicant is requesting approval of Conditional Use Permit No. 2021-05 to allow an existing retail market (Chevron Extra Mile) to operate 24 hours per day, seven days per week.

Environmental Impact: The Planning Commission will consider a determination that the project is categorically exempt from California Environmental Quality Act CEQA Guidelines pursuant to 15301 of the CEQA Guidelines - Class 1/Existing Facilities. Notice of Exemption, Environmental Review No. 2021-23 will be filed for this project.

Recommended Action: Adopt a resolution approving Conditional Use Permit No. 2021-05 as conditioned.

Minutes: *Chair McLoughlin opened the Public Hearing. The applicant spoke in support of the matter. There were no other callers and the Public Hearing was closed.*

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

YES: 7 – Tom Morrissey, Mark McLoughlin, Bao Pham, Isuri Ramos, Eric Alderete, Miguel Calderon, Alan Woo

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 0 – **Status:** 7 – 0 – 0 – 0 – **Pass**

4. Zoning Ordinance Amendment No. 2021-02 – Ali Pezeshkpour, Case Planner.

Location: Citywide

Proposed Project: The City is requesting adoption of Zoning Ordinance Amendment No. 2021-02 -to amend various sections of Chapter 41 (Zoning) of the Santa Ana Municipal Code (SAMC) relating to lodging-related land use definitions and reasonable accommodations.

Environmental Impact: The Planning Commission will consider a determination that the project is exempt from CEQA review pursuant to Sections 15060(c)(2) and 15060(c)(3) of the State CEQA Guidelines – General Rule. Notice of Exemption/Environmental Review No. 2021-40 will be filed for this project.

Recommended Action: Recommend that the City Council approve ZOA No. 2021-02 to amend various sections of Chapter 41 (Zoning) of the Santa Ana Municipal Code relating to lodging-related land use definitions and reasonable accommodations.

Minutes: *Commission expressed concern with the proposed ordinance negatively affecting those living in one home with multiple families. Executive Director indicated that staff can modify the language to address the concerns and bring back to the Commission at a later date for review.*

Chair McLoughlin opened the Public Hearing. There were no speakers. The Public Hearing was closed.

Commission generally agreed that a Work Study session on the matter would be beneficial.

Moved by Commissioner Woo, seconded by Commissioner Ramos to Continue the item to May 24, with a Work Study session on May 10.

YES: 7 – Tom Morrissey, Mark McLoughlin, Bao Pham, Isuri Ramos, Eric Alderete, Miguel Calderon, Alan Woo

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 0 – **Status:** 7 – 0 – 0 – 0 – **Pass**

BUSINESS CALENDAR

5. Commission discussion regarding Call for Election of the Office of Chairperson

Recommended Action: Discuss the request. If the Planning Commission desires, it can exercise the process authorized under Section 12(b) of the Bylaws to conduct a Preliminary Review and to conduct the election for the office of Chairperson at the next regular meeting. The initial step of calling for the Preliminary Review of a matter not otherwise before the Commission requires three (3) affirmative votes by the members of the Planning Commission. In the event of three votes, the matter will be scheduled for the next regularly scheduled meeting, in accordance with Section 12(b) of the Bylaws.

Minutes: *Commissioner Alderete withdrew his request to Call for Election of the Office of the Chairperson. No action was taken.*

STAFF COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

The next virtual meeting of the Planning Commission will be on May 10, 2021 at 5:30 PM.

FUTURE AGENDA ITEMS

- Conditional Use Permit No. 20313-15 to modify an existing CUP to upgrade license from Type 41 to Type 47 for the property located at 305 E. 4th Street #200
- Variance No. 2021-01 to exceed sign code standards for the property located at 3630 Westminster Avenue
- Conditional Use Permit No. 2021-04 to allow the sale of beer and wine for on-premises consumption at an existing restaurant for the property located at 3950 S. Bristol Street

MEETING INFORMATION

If you would like to learn how to use Zoom before the meeting, visit [Zoom Video Tutorials](#).

1. Connecting directly from your computer:

- 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 is

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.

2. Connecting via the Zoom App:

- 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.

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.

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:

Visit the City's [Public Portal](#)

- Scroll down to the list of meetings and locate the meeting you are interested in.
- Select the COMMENT icon to the right of "Meeting Title" (under the Options tab) and follow the prompt

E-mail PBAComments@santa-ana.org and reference the topic in the subject line.

Mail to Sarah Bernal, Recording Secretary, City of Santa Ana, 20 Civic Center Plaza – M20, Santa Ana, CA 92701.

Deadline to submit written comments is 5:00 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.

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.