

Planning Commission Regular Meeting Agenda Minutes

May 10, 2021

VIRTUAL MEETING
5:30 P.M.



MARK McLOUGHLIN
Chair, Ward 4 Representative

ERIC ALDERETE
Citywide Representative

BAO PHAM
Ward 1 Representative

MIGUEL CALDERON
Ward 2 Representative

ISURI S. RAMOS
Ward 3 Representative

ALAN WOO
Vice Chair, Representative

THOMAS MORRISSEY
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****a. Minutes**

Recommended Action: Approve Minutes from the April 26, 2021 meeting.
Moved by Commissioner Woo, seconded by Commissioner Calderon to Approve.

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

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 nos. 2 and 3, legal notice was published in the OC Reporter on April 28 and notices were mailed on said date.

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

Matter was continued from the April 12 and April 26 meetings.

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

Proposed Project: The applicant is requesting approval of a conditional use permit to allow after-hours operations until 2:00 a.m. daily at an existing restaurant (La K-trina 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: Adopt a resolution approving Conditional Use Permit No. 2021-06 as conditioned.

Minutes: *Commissioner Ramos recused herself as she resides within 500 feet of the project site.*

Chair McLoughlin opened the Public Hearing. The applicant spoke in support the matter and answered questions regarding business operations. Commission expressed concern with the possibility of increased noise and its affect on the nearby community. There were no other speakers and the Public Hearing was closed.

Moved by Commissioner Pham, seconded by Commissioner Calderon to approve with the following modified conditions:

- **During the six month review period, the Planning Division shall have the ability to modify hours of operation as deemed appropriate based on information provided by staff on the Planning and Code Enforcement divisions and the Police Department.**
- **The applicant shall hire a security guard to patrol and monitor the premises from 9:00 p.m. to 2:00 a.m. daily.**
- **The applicant shall install a web-based closed circuit television system approved by the Police Department for exterior security purposes.**

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

NO: 0 – **ABSTAIN:** 1 – Isuri Ramos

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

2. Conditional Use Permit No. 2013-15 Modification No. 1 – Jerry Guevara, Case Planner.

Project Location: 305 E. 4th Street, Unit 200 located in Specific Development No. 84 (SD-84) / Subzone Downtown (DT) zoning district.

Proposed Project: The applicant is requesting approval of Conditional Use Permit No. 2013-15-MOD-1 to allow an upgrade in the Alcoholic Beverage Control (ABC) license from a Type 41 to a Type 47 license, which would allow the sale of distilled spirits in addition to beer and wine for on-premises consumption at an existing restaurant (Native Son Alehouse).

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. 2013-40 will be filed for this project.

Recommended Action: Adopt a resolution approving Conditional Use Permit No. 2013-15-MOD-1 as conditioned.

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

Moved by Commissioner Woo, seconded by Commissioner Calderon to Approve

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

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

3. Conditional Use Permit No. 2021-04 – Ivan Orozco, Case Planner

Project Location: 3950 South Bristol Street located in the Commercial Residential (CR) zoning district.

Proposed Project: The applicant is requesting approval of a conditional use permit to allow a Type 41 Alcoholic Beverage Control (ABC) license for the sale of beer and wine for on-premises consumption at an existing restaurant (Euro Caffe).

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. 2021-15 will be filed for this project.

Recommended Action: Adopt a resolution approving Conditional Use Permit No. 2021-04 as conditioned.

Minutes: *Chair McLoughlin opened the Public Hearing. The applicant spoke in support of the matter. There were no other speakers 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, Alan Woo, Miguel Calderon, Eric Alderete
NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 0 – **Status:** 7 – 0 – 0 – 0 – **Pass**

BUSINESS CALENDAR

4. Work Study Session: Reasonable Accommodations

Minutes: *The following individuals spoke on the matter:*

- *Karla Juarez does not support this item.*
- *Daisy Cruz does not support this item.*

STAFF COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

The next virtual meeting of the Planning Commission will be on May 24, 2021 at 5:30 PM.

FUTURE AGENDA ITEMS

- Conditional Use Permit 2021-07 to allow the sale of alcoholic beverages for on-premises consumption at a new eating establishment located at 1951 E Dyer Rd Unit# B
- Variance 2021-01 to exceed sign code standards for the property located at 3630 Westminster Avenue
- Zoning Ordinance Amendment No. 2021-01 to require a conditional use permit (CUP) for light processing (recycling) facilities in the Light Industrial (M-1) zoning district
- Work Study Session: Housing Information

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 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.