

Planning Commission Regular Meeting Agenda Minutes

May 25, 2021

VIRTUAL MEETING
5:30 P.M.



MARK McLOUGHLIN
Chair, Ward 4 Representative

ERIC M. ALDERETE
Citywide Representative

MIGUEL CALDERON
Ward 2 Representative

ALAN WOO
Ward 5 Representative

BOA 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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This meeting was adjourned from the Regular Meeting of May 24, 2021.

CALL TO ORDER

Commissioners:

**Mark McLoughlin, Chair
Thomas Morrissey, Vice Chair
Eric M. Alderete
Miguel Calderon
Thomas Morrissey
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. Excused Absences

Recommended Action: Excuse absent commissioners.

Moved by Commissioner Alderete, seconded by Commissioner Morrissey to Approve the absence of Commissioner Calderon.

YES: 6 – Tom Morrissey, Mark McLoughlin, Bao Pham, Isuri Ramos, Alan Woo, Eric Alderete

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 1 – Miguel Calderon

Status: 6 – 0 – 0 – 1 – **Pass**

Minutes: **Item was moved to the end of the calendar*

BUSINESS CALENDAR

1. General Plan Consistency Finding for the Fiscal Year 2021-2021 Capital Improvement Program (Non-General Fund)

Recommended Action: Adopt a Resolution finding the Fiscal Year 2021-2022 Capital Improvement Program (CIP) Consistent with the Santa Ana General Plan

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

YES: 4 – Mark McLoughlin, Bao Pham, Isuri Ramos, Alan Woo

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 3 – Tom Morrissey, Eric Alderete, Miguel Calderon

Status: 4 – 0 – 0 – 3 – **Pass**

BUSINESS CALENDAR – 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. Legal notice for item no. 1 was published in the OC Reporter on May 12 and notices were mailed on said date. Legal notice for item no. 2 was published in the OC Register on May 12. Legal notice for item no. 3 was published in the OC Register on April 14.

2. **Conditional Use Permit No. 2021-07 – Pedro Gomez, Case Planner**

Project Location: 1951 East Dyer Road, Unit B located in the Specific Development No. 88 (SD-88) zoning district.

Project Applicant: Jaime Hales, representing Avatar Coffee Roasters, on behalf of PR/Broadstone Heritage I, LLC (Property Owner).

Proposed Project: The applicant is requesting approval of Conditional Use Permit No. 2021-07 to allow a Type 41 Alcoholic Beverage Control (ABC) license for the sale of beer and wine for on-premises consumption at a new eating establishment (Avatar Coffee Roasters).

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. 2021-41 will be filed for this project.

Recommended Action: Adopt a resolution approving Conditional Use Permit No. 2021-07 as conditioned.

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

YES: 5 – Tom Morrissey, Mark McLoughlin, Bao Pham, Alan Woo, Eric Alderete

NO: 1 – Isuri Ramos

ABSTAIN: 0 – **ABSENT:** 1 – Miguel Calderon

Status: 5 – 1 – 0 – 1 – **Pass**

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

3. Zoning Ordinance Amendment (ZOA) No. 2021-01 – Ali Pezeshkpour, Case Planner

Project Location: Citywide

Project Applicant: City of Santa Ana

Proposed Project: The City is requesting adoption of 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. The proposal requires adoption of an urgency and standard ordinance to Chapter 41 to enact the code amendments to Sections 41-472 and 41-472.5 of the Santa Ana Municipal Code.

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 15061(b)(3) of the CEQA Guidelines – General Rule. Notice of Exemption/Environmental Review No. 2021-50 will be filed for this project.

Recommended Action: Recommend that the City Council adopt an ordinance approving Zoning Ordinance Amendment 2021-01.

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

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

YES: 6 – Tom Morrissey, Mark McLoughlin, Bao Pham, Isuri Ramos, Alan Woo, Eric Alderete

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 1 – Miguel Calderon

Status: 6 – 0 – 0 – 1 – **Pass**

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

Matter continued from the April 26, 2012 meeting.

Project Location: Citywide

Project Applicant: City of Santa Ana

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 addressing reasonable accommodations, group homes, and accessory dwelling units (ADUs). Specifically, the proposed amendments include establishing uses permitted by right and a reasonable accommodation process to address other facility types, and ADU ordinance refinements related to definitions, development standards, and size limitations.

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 15061(b)(3) of the 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 adopt an Ordinance approving Zoning Ordinance Amendment No. 2021-02.

Minutes: *Chair Mcloughlin opened the Public Hearing. The following individuals spoke on the matter:*

- *Citlali Ruiz spoke in opposition.*
- *Karla Juarez spoke in opposition.*
- *Hilda Ortiz, representing Latino Health Access, spoke in opposition.*
- *Jesus Santana spoke in opposition.*
- *Araceli Robles spoke in opposition.*
- *Sarai (last name not audible) spoke in opposition.*
- *Rosie Ramirez spoke in opposition.*
- *Alma spoke in opposition.*
- *Josefina spoke in opposition.*
- *Alejandra Luciano spoke in opposition.*
- *Idalia Rios spoke in opposition.*
- *Daisy Cruz, representing the Kennedy Commission, spoke in opposition.*
- *Laura Pantoja, representing Latino Health Access, spoke in opposition.*
- *Santos Santana spoke in opposition.*
- *Pricila Medina spoke in opposition.*

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

Commission generally agreed more time is needed to consider the ordinance.

Moved by Commissioner Alderete, seconded by Commissioner Morrissey to continue the item to a date uncertain. Commissioner Ramos suggested that the the item return to the Commission only after it has been reviewed at the Housing Element Roundtable. Commissioner Alderete was agreeable to the suggestion.

YES: 6 – Tom Morrissey, Mark McLoughlin, Bao Pham, Isuri Ramos, Alan Woo, Eric Alderete
NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 1 – Miguel Calderon
Status: 6 – 0 – 0 – 1 – **Pass**

WORK STUDY CALENDAR

5. Planning Commission Training – John Funk, Senior Assistant City Attorney

Moved by Commissioner McLoughlin, seconded by Commissioner Alderete to Continue the item to the next regular meeting.

YES: 6 – Tom Morrissey, Mark McLoughlin, Bao Pham, Isuri Ramos, Alan Woo, Eric Alderete
NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 1 – Miguel Calderon
Status: 6 – 0 – 0 – 1 – **Pass**

STAFF COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

The next virtual meeting of the Planning Commission will be on June 14, 2021 at 5:30 p.m.

FUTURE AGENDA ITEMS

- Variance 2021-01 to exceed sign code standards for the property located at 3630 Westminster Avenue
- Work Study Session: Housing Information

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.

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.