

Planning Commission Minutes

August 9, 2021

5:30 P.M.

Council Chamber

22 Civic Center Plaza
Santa Ana, CA



THOMAS MORRISSEY

Chair, Ward 6 Representative

ERIC M. ALDERETE

Citywide Representative

MIGUEL CALDERON

Ward 2 Representative

MARK MCLOUGHLIN

Ward 4 Representative

BAO PHAM, Vice-Chair

Ward 1 Representative

ISURI S. RAMOS

Ward 3 Representative

ALAN WOO

Ward 5 Representative

MinhThai

Executive Director

John Funk

Legal Counsel

Fabiola Zelaya Melicher, AICP

Planning Manager

Sarah Bernal

Recording Secretary



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CALL TO ORDER

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

Executive Director	Minh Thai
Senior Asst. City Attorney	John Funk
Planning Manager	Fabiola Zelaya Melicher
Recording Secretary	Sarah Bernal

ROLL CALL**PLEDGE OF ALLEGIANCE****PUBLIC COMMENTS** (non agenda items)**CONSENT CALENDAR****a.** Minutes

Recommended Action: Approve Minutes from the June 28, 2021 meeting.

b. Excused Absences

Recommended Action: Excuse absent commissioners.

Moved by Commissioner McLoughlin, seconded by Commissioner Woo to Approve Consent Calendar items A.

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

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

Minutes: **Item B not considered as all Commissioners were in attendance**

End of Consent Calendar

BUSINESS CALENDAR

Public Hearings: *The Planning Commission decision on Public Hearing items such as 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 Public Hearing items such as 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 the below Public Hearing item(s) was published in the OC Reporter on July 30 and notices were mailed on July 28.

1. Public Hearing – Conditional Use Permit No. 2021-10 (Ivan Orozco, Case Planner)

Project Location: 309 West Third Street located in the Transit Zoning Code (DT-Subzone) zoning district.

Project Applicant: Oscar Olivares with El Indio Botanas y Cerveza (Applicant), on behalf of Civic Center Realty, Inc. (Property Owner)

Proposed Project: The applicant is requesting approval of Conditional Use Permit No. 2021-10 to allow the sale of beer, wine, and distilled spirits (Type 47 Alcoholic Beverage Control license) for on-premises consumption at an existing eating establishment (El Indio Botanas y Cerveza).

Environmental Impact: The Planning Commission will consider a determination that the project is exempt from further review pursuant to Section 15301 of the CEQA Guidelines (Class 1 - Existing Facilities). Environmental Review No. 2021-67 will be filed for this project.

Recommended Action: Adopt a resolution approving Conditional Use Permit No. 2021-10 as conditioned.

Minutes: *Chair Morrissey recused himself as he owns a business within 500 feet of the project site. Recording Secretary reported that written communication was received and distributed to the Commission. Commission expressed concern with recent reports of the establishment serving distilled spirits without authorization and exceeding maximum occupancy levels.*

Vice Chair Pham opened the Public Hearing. The applicant spoke in support of the matter and addressed claims regarding serving distilled spirits and exceeding

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

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

YES: 6 – Mark McLoughlin, Bao Pham, Isuri Ramos, Alan Woo, Eric Alderete, Miguel Calderon

NO: 0 – **ABSTAIN:** 1 – Tom Morrissey

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

Administrative Matters

2. Historic Resources Commission Representative

Recommended Action: Elect a representative from the Planning Commission to serve on the Historic Resources Commission for the 2021-2022 term.

Minutes: *Nominate Commissioner McLoughlin to the Historic Resources Commission.*

Moved by Commissioner Woo, seconded by Commissioner Pham to Nominate Commissioner McLoughlin to the Historic Resources Commission for the 2021-2022 term.

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

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

End of Business Calendar

WORK STUDY SESSION CALENDAR

3. Santa Ana General Plan and Program Environmental Impact Report Update (Melanie McCann, Principal Planner)

Minutes:

The following individual spoke on the matter:

- *Rich Gomez, representing the Southwestern Carpenters Union, provided a general comment.*

End of Work Study Session Calendar

STAFF COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

The next meeting of the Planning Commission will be on August 23, 2021 at 5:30 PM in the Council Chambers located at 22 Civic Center Plaza, Santa Ana, CA 92701

FUTURE AGENDA ITEMS:

- Review of Conditional Use Permit No. 2019-10 for the property located 1801 S. Main St., Units D & E - Mariscos Hector #1
- Conditional Use Permit 2021-12 to renew the entitlements of an existing major wireless communications facility located at 2151 East Santa Clara Avenue
- Work Study Session: Billboard Ordinance
- Work Study Session: Santa Ana General Plan Update

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

Members of the public may attend this meeting in-person or join via Zoom.

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](https://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.