

Planning Commission Regular Meeting Agenda

March 14, 2022

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

Christina Leonard

*Acting Recording
Secretary*



In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this Meeting, contact Michael Ortiz, City ADA Program Coordinator, at (714) 647-5624. Notification 48 hours prior to the Meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting. The City Council agenda and supporting documentation can be found on the City's website – www.santa-ana.org/city-meetings.

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	Christina Leonard

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

Recommended Action: Approve Minutes from February 28, 2022 meeting.

Minutes: *Minutes were approved. Chair Morrissey asked for clarification on verbiage and wording of February 28, 2022 Resolutions. Minutes revised for February 28, 2022 meeting, to accurately reflect the Planning Commission approval.*

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

YES: 5 – Eric Alderete, Miguel Calderon, Tom Morrissey, Isuri Ramos, Alan Woo

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 2 – Mark McLoughlin, Bao Pham

Status: 5 – 0 – 0 – 2 – **Pass**

b. Excused Absences

Recommended Action: Excuse absent commissioners.

Minutes: *Commissioner McLoughlin absent.*

Commissioner Bao arrived at 5:42pm.

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

YES: 6 – Eric Alderete, Miguel Calderon, Tom Morrissey, Bao Pham, Isuri Ramos, Alan Woo

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 1 – Mark McLoughlin

Status: 6 – 0 – 0 – 1 – **Pass**

****End of Consent Calendar****

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 was published in the OC Reporter on March 3, 2022 and notices were mailed on said date.*

- 1. Conditional Use Permit No. 2022-01 and No. 2022-03 Case Planner, Eric Martin** to allow the after-hours sale of alcoholic beverages for off-site consumption at a new storage and warehouse facility with ancillary retail and delivery services.

Project Location: 2420 Cape Cod Way

Project Applicant: Jennifer Oden with Solomon, Saltsman and Jamieson, representing Gopuff (Applicant), on behalf of Rick D. Kagasoff (Property Owner),

Proposed Project: The applicant is requesting approval of Conditional Use Permit (CUP) Nos. 2022-01 and No. 2022-03 to allow the after-hours sale of alcoholic beverages for off-premise consumption (Type 21–General Off-Sale) at a new storage and warehouse facility with ancillary retail and delivery services. Pursuant to Section 41-196 of the Santa Ana Municipal Code (SAMC), establishments wishing to sell alcoholic beverages for off-premise consumption and wishing to sell such beverages between the hours of 12:00 a.m. (midnight) and 7:00 a.m. require approval of respective CUPs.

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. 2022-02 will be filed for this project.

Recommended Action: Adopt a resolution to approve Conditional Use Permit No. 2022-01 and Conditional Use Permit No. 2022-03

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

YES: 6 – Eric Alderete, Miguel Calderon, Tom Morrissey, Bao Pham, Isuri Ramos, Alan Woo

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 1 – Mark McLoughlin

Status: 6 – 0 – 0 – 1 – **Pass**

Minutes: *Recording Security reported that written communication was received.*

Chair Morrissey opened the Public Hearing. The applicant spoke in favor of the matter. There were no other speakers and the Public Hearing was closed.

Administrative Matters

****End of Business Calendar****

STAFF COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

The next meeting of the Planning Commission will be on March 28, 2022 at 5:30 PM in the Council Chambers located at 22 Civic Center Plaza, Santa Ana, CA 92701.

FUTURE AGENDA ITEMS

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:

- **E-mail** PBAComments@santa-ana.org and reference the topic in the subject line.
- **Mail** to Christina Leonard, Recording Secretary, City of Santa Ana, 20 Civic Center Plaza – M20, Santa Ana, CA 92701.

Deadline to submit written comments is 4:00 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.