

Planning Commission Regular Meeting Agenda

April 25, 2022

5:30 P.M.

Council Chamber

22 Civic Center Plaza
Santa Ana, CA

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THOMAS MORRISSEY
Chair, Ward 6 Representative

ERIC M. ALDERETE
Citywide Representative

BAO PHAM
*Vice-Chair,
Ward 1 Representative*

MIGUEL CALDERON
Ward 2 Representative

ISURI S. RAMOS
Ward 3 Representative

MARK McLOUGHLIN
Ward 4 Representative

ALAN WOO
Ward 5 Representative

MinhThai
Executive Director

John Funk
Legal Counsel

Fabiola Zelaya Melicher, AICP
Planning Manager

Christina Leonard
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
Senior Asst. City Attorney
Planning Manager
Recording Secretary**

**Minh Thai
John Funk
Fabiola Zelaya Melicher
Christina Leonard**

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS (non agenda items)

CONSENT CALENDAR ITEMS

a. Minutes

Recommended Action: Approve Minutes from April 11, 2022 meeting.

b. Excused Absences

Recommended Action: Excuse absent commissioners.

c. CUP No. 2022-04 – Compass Bible Church (2909 S. Daimler Street)

Recommended Action: Adopt a resolution denying Conditional Use Permit No. 2022-04.

****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 and Register on April 13, 2022 and notices were mailed on April 13 & 14, 2022*

1. Conditional Use Permit No. 2022-06 – Pedro Gomez, Case Planner

Project Location: 2221 N. Heliotrope Drive

Project Applicant: Chan Quang and Quynh Dinh Kieu (Property Owners)

Proposed Project: The applicant is requesting approval of Conditional Use Permit (CUP) No. 2022-06 to allow the construction of an accessory structure 23' – 4" in height within the rear yard of an existing single-family residence located at 2221 North Heliotrope Drive. Pursuant to Section 41-232.5 of the Santa Ana Municipal Code (SAMC), accessory buildings more than fifteen feet in height or more than one story require approval of a CUP.

Environmental Impact: Pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project is exempt from further review pursuant to Section 15303 of the CEQA Guidelines (Class 3/New Construction or Conversion of Small Structures) because the project involves the construction of a small accessory structure. Based on this analysis, Notice of Exemption, Environmental Review No. 2022-11 will be filed for this project.

Recommended Action: Item to be continued. Date TBD

2. Density Bonus Agreement Application No. 2022-01 – Pedro Gomez, Case Planner

Project Location: 1411 North Broadway

Project Applicant: Brateil Aghasi, representing WISEPlace, on behalf of WISEPlace, a California nonprofit public benefit corporation (Property Owner).

Proposed Project: The applicant proposes to construct a 48-unit permanent supportive housing community. In order to facilitate the construction of the project, the applicant is requesting approval of Density Bonus Agreement (DBA) No. 2022-01 to utilize waivers from development standards and/or development concessions as permitted pursuant to California Government Code sections 65915 through 65918 and as implemented by the Santa Ana Municipal Code (SAMC) Sections 41-1600 through 41-1607.

Environmental Impact: In accordance with the California Quality Environmental

Act (CEQA), the recommended action is exempt from CEQA per Section 15194 (Affordable Housing Exemption). This exemption applies to development projects for affordable housing that meet the threshold criteria set forth in Section 15192; are not located on a site more than five acres in area; are located within an urbanized area with a population density of at least 5,000 persons per square mile, and immediately adjacent to qualified urban uses; and that consist of the construction of 100 or fewer residential housing units that are affordable to low-income households. Therefore, no additional environmental review is required. Based on this analysis, a Notice of Exemption, Environmental Review No. 2022-05 will be filed for this project.

Recommended Action: Item to be continued to May 9, 2022

3. Public Facilities Naming No. 2022-01 – Timothy Pagano, Project Manager

Project Location: 415 and 423 South Raitt Street

Project Applicant: City of Santa Ana (Timothy Pagano, Community Services Manager)

Proposed Project: Staff is requesting Planning Commission approval of PFN No. 2022-01 to name the empty lot at 415 and 423 South Raitt Street to El Refugio Park upon completion of the project. Pursuant to Santa Ana Municipal Code (SAMC) Section 33-5, the Planning Commission is responsible for public facilities naming requests, with City Council consent review thereafter.

Environmental Impact: In accordance with the California Environmental Quality Act and the CEQA Guidelines, the recommended action is exempt from further review per Section 15061 (b)(3). This general rule exemption is allowed provided it can be determined with certainty that the proposed project will not have a significant effect on the environment. As the project consists of naming of a public facility, the general rule exemption is applicable. Notice of Exemption for Environmental Review No. 2022-18 will be filed for this project.

Recommended Action: Adopt a resolution approving Public Facilities Naming (PFN) No. 2022-01 to name the empty lot at 423 South Raitt Street to El Refugio Park.

4. Conditional Use Permit No. 2021-09 – Pedro Gomez, Case Planner

Project Location: 2525 N. Grand Avenue, Unit A

Project Applicant: Blanca Toriz, on behalf of El Cangrejo Nice 3 (applicant)

Proposed Project: The applicant is requesting approval of Conditional Use Permit (CUP) No. 2021-09 to upgrade an existing Type 41 on-sale beer and wine license to a Type 47 on-sale beer, wine and distilled spirits, for on-premise consumption at an existing eating establishment.

Environmental Impact: Pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project is exempt from further review

pursuant to Section 15301 of the CEQA Guidelines (Class 1/Existing Facilities) because the project involves negligible expansion of an existing use. Based on this analysis, Notice of Exemption, Environmental Review No. 2022-16 will be filed for this project.

Recommended Action: .Adopt a resolution approving Conditional Use Permit No. 2021-09

5. Tentative Tract Map No. 2022-01 – Ali Pezeshkpour, Case Planner

Project Location: 830 South Harbor Boulevard

Project Applicant: Kim Prijatel with City Ventures, representing property owner MAS Investments LP

Proposed Project: The applicant is requesting approval of a tentative tract map (TM) to permit the subdivision of a proposed 23, three-story attached townhome development. Pursuant to SAMC Section 34-127, the City of Santa Ana Planning Commission is responsible for approving tentative tract maps. Staff is recommending approval of the applicant's request due to the project's compliance with the zoning and all corresponding development standards.

Environmental Impact: Pursuant to the California Environmental Quality Act (CEQA), proposed development project has been determined to be adequately evaluated in the previously certified EIR No. 2014-01 as per Sections 15162 and 15168 of the CEQA guidelines. The project entails construction of an infill residential community whose scope and impacts were evaluated to ensure conformance to the Environmental Impact Report (SCH No. 2013061027) prepared and certified for the SP-2 zoning district. Environmental Review No. 2021-52 will be filed for the project.

Recommended Action: Adopt a resolution approving Tentative Tract Map No. 2022-01 (County Map No. 19142) as conditioned.

6. Zoning Ordinance Amendment No. 2022-01 – Ali Pezeshkpour, Case Planner

Project Location: Citywide

Project Applicant: City of Santa Ana (Ali Pezeshkpour, Principal Planner)

Proposed Project: The City of Santa Ana is proposing to repeal Article XII (Off-Premise Commercial Advertising Signs) of Chapter 41 (Zoning) of the Santa Ana Municipal Code (SAMC) and adopt a new ordinance that would allow the construction of new digital billboards and reconstruction of existing billboards with digital displays, subject to certain location and development standards.

Environmental Impact: A Mitigated Negative Declaration (MND) including one technical study evaluating air quality and greenhouse gas, was prepared for the project. No areas of significance or unavoidable impacts were determined to occur from the construction or operation of the proposed project with the

implementation of mitigation measures (Exhibit 1). The MND was available for public review and comment for 30 days as required by CEQA between March 7 and April 6, 2022. One comment was received from the City of Orange. Written responses to the comments were prepared and incorporated into the environmental document.

The project requires adoption of a Mitigation Monitoring and Reporting Program (MMRP), which will reduce all identified impacts to less than significant with implementation of the MMRP. Based on the environmental checklist form completed for the proposed project and supporting environmental analysis, the project would have no impact or a less than significant impact on the following environmental issue areas: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Energy, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Utilities and Service Systems, and Wildfire. The proposed project's impacts on the following issue areas would be less than significant with the implementation of mitigation: Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Tribal Cultural Resources. All impacts would be less than significant after mitigation.

Recommended Action: Recommend that the City Council approve and adopt Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, Environmental Review No. 2022-19 Recommend that the City Council adopt an ordinance approving Zoning Ordinance Amendment (ZOA) No. 2022-01 to repeal Article XII of Chapter 41 of the Santa Ana Municipal Code and adopt a new off-premise commercial advertising signs (billboards) ordinance, and to modify thresholds for development project plan approvals for billboards.

Administrative Matters

End of Business Calendar

STAFF COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

The next meeting of the Planning Commission will be on May 09, 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

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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.

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- 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.

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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.

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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.