

Planning Commission Regular Meeting Agenda Minutes

July 10, 2023

5:30 P.M.

Council Chamber

22 Civic Center Plaza
Santa Ana, CA



BAO PHAM

Chair, Ward 1 Representative

ISURI S. RAMOS

*Vice-Chair,
Ward 3 Representative*

CHRISTOPHER LEO

Citywide Representative

MANUEL J. ESCAMILLA

Ward 2 Representative

CARL BENNINGER

Ward 4 Representative

JENNIFER OLIVA

Ward 6 Representative

ALAN WOO

Ward 5 Representative

Minh Thai

Executive Director

John Funk

Legal Counsel

Ali Pezeshkpour, AICP

Planning Manager

Nuvia Ocampo

Recording Secretary



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CALL TO ORDER**Commissioners:**

**Bao Pham, Chair
Manuel J. Escamilla
Christopher Leo
Carl Benninger
Jennifer Oliva
Isuri S. Ramos
Alan Woo**

**Executive Director
Chief Asst. City Attorney
Planning Manager
Recording Secretary**

**Minh Thai
John Funk
Ali Pezeshkpour, AICP
Nuvia Ocampo**

ROLL CALL

Minutes: *Quorum was reached at 5:32 pm with Commissioner Escamilla arriving at 5:36 pm.*

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

Recommended Action: Approve Minutes from the last meeting.

b. Excused Absences

Recommended Action: Excuse absent commissioners.

Minutes:

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

YES: 6 – Bao Pham, Alan Woo, Christopher Leo, Manuel J. Escamilla, Jennifer Oliva, Carl Benninger

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 1 – Isuri Ramos

Status: 6 – 0 – 0 – 1 –

****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 June 28, 2023 and notices were mailed on said date.*

1. CONDITIONAL USE PERMIT NO. 2023-14 FOR THE PROPERTY LOCATED AT 700 NORTH MAIN STREET, UNIT A LOCATED IN THE CIVIC/PROFESSIONAL DISTRICT (CPD) OF THE MIDTOWN SPECIFIC PLAN (SP-3).

Project Applicant: Robert Paetz with Fat of the Land (Applicant and Business Owner), on behalf of Jacqueline Poladian and The Jacqueline Poladian Living Trust (Property Owners).

Proposed Project: Applicant is requesting approval of Conditional Use Permit (CUP) No. 2023-14 to allow the operation of a Type-41 Alcoholic Beverage Control (ABC) license for the sale of beer and wine for on-site consumption at a new 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 Class I, Section 15301 (Existing Facilities). Categorical Exemption ER No. 2023-59 will be filed for this project.

Recommended Action:

- Adopt a resolution approving Conditional Use Permit No. 2023-14 as conditioned.

Minutes: *Public comment was received prior to meeting.
Commission had questions for staff.
Applicant answered questions of Commission.*

Moved by Commissioner Leo, seconded by Commissioner Benninger to Approve.

YES: 6 – Bao Pham, Alan Woo, Christopher Leo, Manuel J. Escamilla, Jennifer Oliva, Carl Benninger

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 1 – Isuri Ramos

Status: 6 – 0 – 0 – 1 – **Pass**

Administrative Matters

2. ELECTION OF OFFICERS FOR THE PLANNING COMMISSION FOR THE 2023-2024 TERM.

Recommended Action:

Elect a Chairperson for the 2023-2024 term; and

Elect a Vice Chairperson for the 2023-2024 term.

Minutes: *Commissioner Benninger nominated Commissioner Bao Pham for Chair.*

Moved by Commissioner Benninger

YES: 6 – Bao Pham, Alan Woo, Christopher Leo, Manuel J. Escamilla, Jennifer Oliva, Carl Benninger

NO: 0 – **ABSTAIN:** 0 – **ABSENT:** 1 – Isuri Ramos

Status: 6 – 0 – 0 – 1 – **Pass**

Minutes: *Commissioner Leo nominated Commissioner Jennifer Oliva for Vice-chair.*

Moved by Commissioner Leo

YES: 6 – Bao Pham, Alan Woo, Christopher Leo, Manuel J. Escamilla, Jennifer Oliva, Carl Benninger

****End of Business Calendar****
STAFF COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

The next meeting of the Planning Commission will be on July 24, 2023 at 5:30 PM in the Council Chambers located at 22 Civic Center Plaza, Santa Ana, CA 92701.

Minutes: *Meeting was adjourned at 6:17 pm.*

FUTURE AGENDA ITEMS

CONFIRMATION OF TOPICS FOR FUTURE WORK STUDY SESSION

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

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** PBAecomments@santa-ana.org and reference the topic in the subject line.
- **Mail** to Nuvia Ocampo, 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.