

# Planning Commission Regular Meeting Agenda Minutes

August 28, 2023

5:30 P.M.

## Council Chamber

22 Civic Center Plaza  
Santa Ana, CA



### **BAO PHAM**

*Chair, Ward 1 Representative*

### **JENNIFER OLIVA**

*Vice-Chair,  
Ward 6 Representative*

### **CHRISTOPHER LEO**

*Citywide Representative*

### **MANUEL J. ESCAMILLA**

*Ward 2 Representative*

### **CARL BENNINGER**

*Ward 4 Representative*

### **ISURI S. RAMOS**

*Ward 3 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  
Jennifer Oliva  
Christopher Leo  
Carl Benninger  
Manuel J. Escamilla  
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 5:33 PM with Commissioner Escamilla arriving at 5:38 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.

**c. Resolution affirming Planning Commission denial of modification to Conditional Use Permit No. 2019-41 and Conditional Use Permit No. 2023-03 on June 26, 2023 for the Property Located at 2230 N. Tustin Avenue located in the Arterial Commercial (C5) zoning district.****Recommended Action:**

- Adopt a resolution affirming Planning Commission denial of modification to Conditional

Use Permit No. 2019-41 and Conditional Use Permit No. 2023-03 on June 26, 2023 for the Property Located at 2230 N. Tustin Avenue located in the Arterial Commercial (C5) zoning district.

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

**YES:** 6 – Bao Pham, Isuri Ramos, Alan Woo, Christopher Leo, Jennifer Oliva, Carl Benninger

**NO:** 0 – **ABSTAIN:** 0 – **ABSENT:** 1 – Manuel J. Escamilla

**Status:** 6 – 0 – 0 – 1 – **Table**

*\*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 August 16, 2023 and notices were mailed on said date.*

- DENSITY BONUS AGREEMENT NO. 2023-01 FOR THE PROPERTY LOCATED AT 1212 EAST FOURTH STREET LOCATED WITHIN THE CORRIDOR (CDR) DISTRICT OF THE TRANSIT ZONING CODE/SPECIFIC DEVELOPMENT NO. 84 (SD84).**

**Project Applicant:** Oscar Uranga with Unison Real Estate Group, LLC  
(Applicant and Property Owner)

**Proposed Project:** Applicant is proposing to construct a 15-unit rental residential development, with one unit proposed as affordable to very-low income households. In order to facilitate the construction of the project, the applicant is requesting approval of Density Bonus Agreement (DBA) No. 2023-01 to utilize waivers from development standards and/or development concessions as permitted pursuant to California Government Code sections 65915 through 65918 as implemented by the Santa Ana Municipal Code (SAMC) Sections 41-1600 through 41-1607.

**Environmental Impact:** Pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project is exempt from further review. Categorical Exemption, Environmental Review (ER) No. 2022-04 will be filed for this project.

**Recommended Action:**

- Adopt a resolution approving Density Bonus Agreement No. 2023-01 as conditioned.

**Moved by Commissioner Escamilla, seconded by Commissioner Pham to Approve.**

**YES:** 5 – Bao Pham, Isuri Ramos, Alan Woo, Manuel J. Escamilla, Jennifer Oliva

**NO:** 2 – Christopher Leo, Carl Benninger

**ABSTAIN:** 0 – **ABSENT:** 0 – **Status:** 5 – 2 – 0 – 0 – **Pass**

**Minutes:** *Commission had questions for staff.*

*Two public comments were received prior to the meeting, both in opposition to the project.*

*Resident, Dale Helvig, spoke in opposition to the project.*

*Resident, Ben Salazar, spoke in favor of the project.*

*Resident, Desi Reyes, expressed concerns about parking.*

**2. CONDITIONAL USE PERMIT NO. 2023-13 FOR THE PROPERTY LOCATED AT 300 EAST FOURTH STREET, UNIT 103 WITHIN THE DOWNTOWN DISTRICT (DT) OF THE TRANSIT ZONING CODE/SPECIFIC DEVELOPMENT NO. 84 (SD-84)**

**Project Applicant:** Daniel Anguiano with Loosies Pizza (Applicant and Business Owner), on behalf of Ronald Rangel (Property Owner)

**Proposed Project:** The applicant is requesting approval of Conditional Use Permit (CUP) No. 2023-13 to allow the sale of alcoholic beverages for on-premises consumption through a Type 41(Beer and Wine) Alcoholic Beverage Control (ABC) license at an existing eating establishment located at 300 E. 4th Street, Unit 103. Pursuant to Section 41-196 of the Santa Ana municipal code (SAMC), establishments wishing to sell alcoholic beverages for on-premises consumption 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 Class I, Section 15301 (Existing Facilities) of the CEQA Guidelines. Categorical Exemption, Environmental Review (ER) No. 2023-66 will be filed for this project.

**Recommended Action:**

- Adopt a resolution approving Conditional Use Permit No. 2023-13 as conditioned.

**Minutes:** *Commission had questions for staff.*

*Resident, Ben Salazar spoke in favor of this item.*

**Moved by Commissioner Benninger, seconded by Commissioner Oliva to Approve.**

**YES:** 7 – Bao Pham, Isuri Ramos, Alan Woo, Christopher Leo, Manuel J. Escamilla, Jennifer Oliva, Carl Benninger

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

**3. CONDITIONAL USE PERMIT NO. 2023-17 FOR THE PROPERTY LOCATED AT 2401 SOUTH PULLMAN STREET LOCATED WITHIN THE LIGHT INDUSTRIAL (M1) ZONING DISTRICT.**

**Project Applicant:** Ariana Diverio with EMI Strategies, representing Del Amo Motorsports of Orange County (Applicant) and Pullman, LP (Property Owner)

**Proposed Project:** The applicant is requesting approval of Conditional Use Permit (CUP) No. 2023-17 to allow the construction of a 60-foot-high double-faced digital billboard. Pursuant to Section 41-1110 of the Santa Ana Municipal Code (SAMC), digital boards require the approval of a CUP.

**Environmental Impact:** Pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the project has been determined to be adequately analyzed in a previously prepared Mitigated Negative Declaration (SCH No. 202203020). As such, a notice of Determination, Environmental Review No. 2022-9 will be filed.

**Recommended Action:**

- Adopt a resolution approving Conditional Use Permit No. 2023-17 as conditioned.

**Minutes:** *Commission had questions for staff.*

**Moved by Commissioner Benninger, seconded by Commissioner Escamilla to Approve.**

**YES:** 7 – Bao Pham, Isuri Ramos, Alan Woo, Christopher Leo, Manuel J.

Escamilla, Jennifer Oliva, Carl Benninger

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

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

### **STAFF COMMENTS**

**Minutes:** *Staff had comments for the Commission*

### **COMMISSIONER COMMENTS**

**Minutes:** *Commission had comments for staff. Commission congratulated and thanked Chief Assistant Attorney Funk for his contribution and new role with the City of Downey.*

### **ADJOURNMENT**

The next meeting of the Planning Commission will be on September 11, 2023 at 5:30 PM in the Council Chambers located at 22 Civic Center Plaza, Santa Ana, CA 92701.

**Minutes:** *Meeting was adjourned at 7:38 PM.*

### **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](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:

- **E-mail** [PBAcomments@santa-ana.org](mailto:PBAcomments@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.***