

Planning Commission Regular Meeting Agenda

March 28, 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

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
*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 March 14, 2022 meeting.

Minutes: *Commissioner McLaughlin abstained as he was absent for the last meeting.*

Commissioner Ramos arrived at 5:43pm. Commissioner Pham arrived after vote.

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

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

NO: 0 – **ABSTAIN:** 1 – Mark McLoughlin
ABSENT: 1 – Bao Pham
Status: 5 – 0 – 1 – 1 – **Pass**

b. Excused Absences

Recommended Action: Excuse absent commissioners.

****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 16, 2022 and notices were mailed on said date.*

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: Adopt a resolution approving Conditional Use Permit No. 2022-06 as conditioned.

Minutes: *Recording Secretary reported that written communication was received and distributed.*

Chair Morrissey opened the Public Hearing. The applicant and architect spoke in support of the matter.

The following individuals spoke on the matter:

- *Julie Humphreys, spoke in opposition.*
- *Ann Etheridge, spoke in opposition.*
- *Ellen Koldewey, spoke in opposition.*
- *Leslie Kato, spoke in opposition.*
- *Jeffery Katz, spoke in opposition.*
- *Tim Rush, spoke in opposition.*
- *Ed Murashie, spoke in opposition.*
- *Eamon Garces, spoke in opposition.*
- *There were no other speakers and the Public Hearing was closed.*

Moved by Commissioner Ramos, seconded by Commissioner Calderon to Approve CUP 2022-06 with added landscaping, including increasing the number of trees, to front yard to screen proposed structure.

Since motion made failed, the Commission discussed having Staff work with the applicant to address the massing, height, visual impacts, location and screening of the accessory structure.

YES: 3 – Miguel Calderon, Isuri Ramos, Alan Woo

NO: 4 – Eric Alderete, Mark McLoughlin, Tom Morrissey, Bao Pham

ABSTAIN: 0 – **ABSENT:** 0 – **Status:** 3 – 4 – 0 – 0 – **Fail**

Moved by Commissioner Pham, seconded by Commissioner Ramos to continue the item to April 25, 2022 Planning Commission meeting. To allow Staff time to evaluate options of reducing the visual impacts by considering other locations of the structure within the site, scale, size massing and screening or combinations of all of these criteria or other methods to address these issues.

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

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

Administrative Matters

End of Business Calendar

STAFF COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

The next meeting of the Planning Commission will be on April 11, 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](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 and reference the topic in the subject line.
- **Mail** to Chrisitna 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.