

Planning Commission Regular Meeting Agenda

June 12, 2023

5:30 P.M.

Council Chamber

22 Civic Center Plaza
Santa Ana, CA

Members of the public may attend this meeting in-person or join via Zoom.

Join from your computer: <https://zoom.us/j/85191434489>

Join from your mobile phone via Zoom App. **Meeting ID: 85191434489**

Dial in from a mobile phone or landline. **(669) 900- 6833; Meeting ID: 85191434489**

*For viewing only: www.youtube.com/cityofsantaanavideos. **Please note:** There is up to a 30 second delay when viewing the meeting via YouTube. If you plan to provide a public comment during the meeting, please join the meeting via Zoom.

For detailed participation and commenting options, please review the instructions provided at the end of this agenda.

To download or view each item, select either Download PDF or View Item Details to the right of the agenda title.



BAO PHAM

Chair, Ward 1 Representative

ISURI S. RAMOS

*Vice-Chair
Ward 3 Representative*

MANUEL ESCAMILLA

Ward 2 Representative

JENNIFER OLIVA

Ward 6 Representative

CHRISTOPHER LEO

Citywide Representative

CARL BENNINGER

Ward 4 Representative

ALAN WOO

Ward 5 Representative

Minh Thai

Executive Director

Jose Montoya

Legal Counsel

Pedro Gomez, AICP

Senior Planner

Nuvia Ocampo

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:

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

**Executive Director
Assistant City Attorney
Senior Planner
Recording Secretary**

**Minh Thai
Jose Montoya
Pedro Gomez, AICP
Nuvia Ocampo**

ROLL CALL

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.

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

BUSINESS CALENDAR

Regular Business

- 1 GENERAL PLAN CONSISTENCY FINDING FOR THE FISCAL YEAR 2023-2024 CAPITAL IMPROVEMENT PROGRAM**

Environmental Impact: Pursuant to the California Environmental Quality Act (CEQA), this action is categorically exempt from further review per Section 15306 (Class 6 – Information Collection) of the CEQA Guidelines. This exemption consists of basic data collection, research and resource evaluation activities, which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action, which a public agency has not yet approved, adopted, or funded.

Recommended Action: Adopt a resolution finding the Fiscal Year 2023-2024 Capital Improvement Program (CIP) consistent with the General Plan.

2 GENERAL PLAN CONSISTENCY FINDING FOR ABANDONMENT NO. 2023-01 – ALLEY VACATION ADJACENT TO 2383 NORTH FLOWER STREET

Project Location: 2383 North Flower Street located within the single-family residential (R1) zone.

Project Applicant: Colin Donnelly and Caroline La

Proposed Project: Applicant is requesting approval of Abandonment No. 2023-01 to allow the City to vacate a portion of a public right-of-way (alley) easement located directly south of and adjacent to their property. The City currently holds a public easement over the portion to be vacated or prospective use for the portion to be vacated. Should this portion of the alley be vacated, the public easement will be terminated and will revert to the owners of 2383 North Flower Street.

Environmental Impact: Pursuant to Section 15378 of the California Environmental Quality Act (CEQA) and the CEQA Guidelines, this action is not a project and is therefore exempt from further CEQA review. The action will not result in a direct or reasonably foreseeable indirect physical change in the environment, as there is no possibility it will have a significant effect on the environment. As a result, Environmental Review No. 2023-27 will be filed for this action.

Recommended Action:

Adopt a resolution finding Abandonment No. 2023-01 to be consistent with the General Plan

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 2, 2023 and notices were mailed on said date.*

3. CONDITIONAL USE PERMIT NO. 2023-13 FOR THE PROPERTY LOCATED

AT 2204 WEST MCFADDEN AVENUE LOCATED WITHING THE SINGLE FAMILY RESIDENTIAL (R1) ZONING DISTRICT.

Project Location: 2204 West McFadden Avenue located within the single-family residential (R1) zone.

Project Applicant: Stephen Holte

Proposed Project: Applicant is requesting approval of Conditional Use Permit (CUP) No. 2023-12 to allow for the establishment of a new private college-preparatory high school and Variance No. 2023-02 to allow for a fence that would exceed the permissible height standards for fences located within the front yard area.

Environmental Impact: Pursuant to the California Environment Quality Act (CEQA), the project is categorically exempt from further review per Sections 15301 (Class 1 – Existing Facilities) and Section 15314 (Class 14 – Minor Additions to Schools) of the CEQA Guidelines. The project proposes to establish a school with minimal tenant improvements within an existing building previously occupied by a school. As such, a Notice of Exemption, Environmental Review No. 2022-127, will be filed for this project.

Recommended Action: Adopt a resolution approving Conditional Use Permit No. 2023-12 and Variance No. 2023-02 as conditioned.

4. CONDITIONAL USE PERMIT NO. 2023-11 FOR THE PROPERTY LOCATED AT 201 EAST FOURTH STREET LOCATED WITHING THE TRANSIT ZONING CODE (SD84) ZONE.

Project Location: 201 East Fourth Street located within the Transit Zoning Code (SD84) zone.

Project Applicant: Brian Kim

Proposed Project: The applicant is requesting approval of Conditional Use Permit (CUP) No. 2023-11 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 proposed 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. Categorical Exemption ER No. 2023-52 will be filled for this project.

Recommended Action: Adopt a Resolution approving Conditional Use Permit No. 2023-11.

Administrative Matters

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

WORK STUDY SESSION

End of Work Study Session Calendar

STAFF COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

The next meeting of the Planning Commission will be on June 26, 2023 at 5:30 PM in the Council Chambers located at 22 Civic Center Plaza, Santa Ana, CA 92701.

FUTURE AGENDA ITEMS

- Modification to Conditional Use Permit No. 2019-41 for the property located at 2230 North Tustin Avenue.
- Revocation of Conditional Use Permit No. 2019-07 for the property located at 2158 South Bristol Street.

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 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.