

Planning Commission Regular Meeting Agenda Minutes

July 8, 2024

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

Jose Montoya

Legal Counsel

Ali Pezeshkpour, AICP

Planning Manager

Nuvia Ocampo

Recording Secretary



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CALL TO ORDER**Commissioners:**

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

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

**Minh Thai
Jose Montoya
Ali Pezeshkpour, AICP
Nuvia Ocampo**

ROLL CALL

Minutes: *Quorum was reached at 5:35 p.m. with Commissioner Escamilla arriving at 5:37 p.m.*

PLEDGE OF ALLEGIANCE**PUBLIC COMMENTS**

Minutes: *None.*

CONSENT CALENDAR ITEMS**a. Minutes**

Recommended Action: Approve Minutes from June 24, 2024.

b. Excused Absences

Recommended Action: Excuse absent commissioners.

Minutes: *Commissioner Leo abstained from voting as he was absent from the previous meeting.*

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

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

NO: 0 – **ABSTAIN:** 1 – Christopher Leo

ABSENT: 0 – **Status:** 6 – 0 – 1 – 0 – **Pass**

****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, 2024, and notices were mailed on said date.*

1. MODIFICATION OF CONDITIONAL USE PERMIT (CUP) NO. 2005-22 FOR THE PROPERTY LOCATED AT 1441 WEST SEVENTEENTH STREET LOCATED WITHIN THE GENERAL COMMERCIAL (C2) ZONING DISTRICT.

Project Applicant: Beth Aboulafia with Hinman and Carmichael, LLP. and representing Target Corporation (Applicant/Property Owner)

Proposed Project: Applicant is requesting approval of modification of existing Conditional Use Permit No. 2005-22 to allow the sale of distilled spirits, in addition to beer and wine, for off-site consumption at an existing Target retail store.

Environmental Impact: Pursuant to the California Environmental Quality Act (CEQA), the project is categorically exempt from further review pursuant to Section 15301 (class 1 – Existing Facilities) of the CEQA guidelines. A new Notice of Exemption (NOE) will be filed for this project.

Recommended Actions:

1. Adopt a resolution approving Conditional Use Permit No. 2005-22-MOD-1 as conditioned, and
2. Authorize staff to issue a Letter of Public Convenience or Necessity to the State Department of Alcoholic Beverage Control.

Minutes: *Commission had questions for staff.*

Staff answered questions from Commission.

Applicant, Beth Aboulafia, answered questions from Commission.

Moved by Commissioner Benninger, seconded by Commissioner Woo 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**

2. MODIFICATION OF CONDITIONAL USE PERMIT (CUP) NO. 2012-14 FOR THE PROPERTY LOCATED AT 3300 SOUTH BRISTOL STREET LOCATED WITHIN THE PLANNED SHOPPING CENTER (C4) ZONING DISTRICT.

Project Applicant: Beth Aboulafia with Hinman and Carmichael, LLP. and representing Target Corporation (Applicant/Property Owner)

Proposed Project: Applicant is requesting approval of modification of existing Conditional Use Permit No. 2012-14 to allow the sale of distilled spirits, in addition to beer and wine, for off-site consumption at an existing Target retail store.

Environmental Impact: Pursuant to the California Environmental Quality Act (CEQA), the project is categorically exempt from further review pursuant to Section 15301 (class 1 – Existing Facilities) of the CEQA guidelines. A new Notice of Exemption (NOE) will be filed for this project.

Recommended Actions:

1. Adopt a resolution approving Conditional Use Permit No. 2012-14-MOD-1 as conditioned, and
2. Authorize staff to issue a Letter of Public Convenience or Necessity to the State Department of Alcoholic Beverage Control.

Minutes: *Commission had questions for staff.*

Staff answered questions from Commission.

Applicant, Beth Aboulafia, answered questions from Commission.

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**

3. CONDITIONAL USE PERMIT (CUP) NO. 2024-06 AND CONDITIONAL USE PERMIT (CUP) NO. 2024-07 FOR THE PROPERTY LOCATED AT 1303 NORTH BRISTOL STREET FOR THE PROPERTY LOCATED WITHIN THE BRISTOL STREET CORRIDOR SPECIFIC PLAN (SP1) ZONING DISTRICT.

Project Applicant: Jay Higgins, with Raising Cane's Chicken Fingers (Applicant) on behalf of Charles Manh (Property Owner)

Proposed Project: Applicant requests approval of Conditional Use Permit (CUP) No. 2024-06 and Conditional Use Permit (CUP) No. 2024-07 to allow for the construction of a new eating establishment (Raising Cane's Chicken Fingers) with drive-through window services and after-hours operation (between 12:00 a.m. and 5:00 a.m.). The

subject site is comprised of two parcels, Assessor's Parcel No. (APN) 405-272-21 and 405-272-24, which will be merged as part of a ministerial review process.

Environmental Impact: Pursuant to the California Environmental Quality Act (CEQA), the project is exempt from additional review pursuant to Section 15303 (Class 3 – New Construction) of the CEQA guidelines. Environmental Review No. 2023-72 will be filed for this project.

Recommended Actions:

1. Adopt a resolution approving Conditional Use Permit No. 2024-06 for drive-through window service, as conditioned.
2. Adopt a resolution approving Conditional Use Permit No. 2024-07 for after-hours operation, as conditioned.

Minutes: *Commission had questions for staff.*

Staff answered questions from Commission.

Commission had questions for the applicant.

Applicant, Jay Higgings, answered questions from Commission.

Resident, Nicole Redding, raised questions about the partition walls, and dirt and dust being an environmental hazard.

Resident, Andrew, raised questions about the increase in traffic and the waste that may accumulate.

Resident, Katlan, spoke in opposition to the project.

Moved by Commissioner Woo, 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**

4. ZONING ORDINANCE AMENDMENT (ZOA) NO. 2024-01 FOR PROPERTY LOCATED AT 3100, 3110, 3120, 3130, AND 3400 WEST LAKE CENTER DRIVE (COLLECTIVELY REFERRED TO AS 3100 WEST LAKE CENTER DRIVE) LOCATED WITHIN SPECIFIC DEVELOPMENT NO. 58 (SD-58)

Project Applicant: Jeffrey Reese representing C.J. Segerstrom & Sons (Applicant)

Proposed Project: Applicant is requesting approval of Zoning Ordinance Amendment (ZOA) No. 2024-01 modifying Specific Development No. 58 (SD-58) to establish permitted and conditionally permitted light industrial land uses, accompanying development standards, as well as additional zoning text updates, in order to facilitate the construction of three industrial buildings, approximately 112,230 square feet, 121,645 square feet, and 79,369 square feet in size, for a new industrial park development ("South Coast Technology Center"). The subject site is comprised of several parcels, including Assessor's Parcel Nos. (APNs) 414-272-09, 414-272-10, and 414-261-01.

Environmental Impact: Pursuant to the California Environmental Quality Act (CEQA),

the project is exempt from CEQA pursuant to Section 15183 of the CEQA Guidelines (Projects Consistent with a Community Plan or Zoning). Environmental Review No. 2023-109 will be filed for this project.

Recommended Actions:

1. Recommend that the City Council adopt an ordinance approving Zoning Ordinance Amendment (ZOA) No. 2024-01 modifying various sections of the Specific Development No. 58 (SD-58) zoning district.

Minutes: *Commission had questions for staff.*

Staff answered questions from Commission.

Public Works Agency Development Manager, Monica Sutter, answered questions regarding the streets and re-pavement.

Applicant, Jeffrey Reese, answered questions from Commission.

Commissioner Leo had questions regarding the vacancy rate.

Applicant, Jeff Reese, answered questions from the Commission,

Resident, Randy Wetmur, spoke in favor of the project.

Resident, Bobby James, spoke in favor of the project./ Labor union

CARE representative, Zach Strasters, spoke in favor of the project.

Resident, Wanyae McDonalds, spoke in favor of the project.

Resident, Raymond Jackson, spoke in favor of the project.

Labor union representative, John Tafoya, spoke in favor of the project.

Resident, Jonathan Dailey, spoke in favor of the project.

Resident, Danny Osborne, spoke in favor of the project.

Moved by Commissioner Benninger, seconded by Commissioner Woo 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**

Administrative Matters

5. ELECTION OF OFFICERS FOR THE PLANNING COMMISSION FOR THE 2024-2025 TERM.

Recommended Actions:

- Elect a Chairperson for the 2024-2025 term.
- Elect a Vice Chairperson for the 2024-2025 term.

Minutes: *Commissioner Benninger nominated Chair Pham, Chair Pham declined nomination,*

Commissioner Woo nominated Commissioner Ramos for Chair, Commissioner Ramos declined nomination.

Chair Pham nominated Vice Chair Oliva for Chair, Vice Chair accepted nomination.

Commissioner Woo nominated Commissioner Ramos for Vice Chair, Commissioner Ramos accepted nomination.

Moved by Commissioner Pham, to Appoint Vice Chair Oliva as Chair for the 2024-2025 term.

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**

Moved by Commissioner Woo, to Appoint Commissioner Ramos as Vice Chair.

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

- **Update on Comprehensive Zoning Code Update Workshops**

Minutes: *Planning Manager, Ali Pezeshkpour, provided a brief update on the upcoming Zoning Code Update community workshops.*

COMMISSIONER COMMENTS

Minutes: *Commission had comments for staff.*

ADJOURNMENT

The next meeting of the Planning Commission will be on July 22, 2024 at 5:30 PM in the Council Chambers located at 22 Civic Center Plaza, Santa Ana, CA 92701.

Minutes: *Meeting was adjourned at 8:00 p.m.*

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](#) 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 3:30 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.