

**ACTION MINUTES OF THE REGULAR METING
OF THE SANTA ANA PLANNING COMMISSION**

MAY 26, 2020

CALLED TO ORDER

VIRTUAL MEETING
CITY HALL, ROSS ANNEX
20 CIVIC CENTER PLAZA, ROOM 1600
SANTA ANA, CALIFORNIA
5:54 P.M.

ATTENDANCE

COMMISSIONERS Present:
ANGIE CANO
NORMA GARCIA
MARK MCLOUGHLIN, *Chair*
KENNETH NGUYEN
V. THAI PHAN
FELIX RIVERA

COMMISSIONERS Absent:
CYNTHIA CONTRERAS-LEO, *Vice Chair*

PLANNING & BUILDING AGENCY STAFF Present:
MINH THAI, *Executive Director*
VINCE FREGOSO, *Planning Manager*
LISA STORCK, *Assistant City Attorney*
ALI PEZESHKPOUR, *Senior Planner*
IVAN OROZCO, *Assistant Planner II*
JERRY GUEVARA, *Assistant Planner I*
SARAH BERNAL, *Recording Secretary*

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS (on non-agenda items): None.

CONSENT CALENDAR ITEMS

**All votes were taken by roll call.*

A. MINUTES FROM THE APRIL 27, 2020 REGULAR MEETING

MOTION: *Approve the minutes.*

MOTION: Nguyen **SECOND:** Rivera

VOTE: **AYES:** Cano, Garcia, McLoughlin, Nguyen, Phan, Rivera (6)
NOES: None (0)

ABSTAIN: None (0)
ABSENT: Contreras-Leo (1)

B. MINUTES FROM THE MAY 11, 2020 REGULAR MEETING

MOTION: *Approve the minutes.*

MOTION: Nguyen **SECOND:** Garcia

VOTE: **AYES:** Cano, Garcia, McLoughlin, Nguyen, Phan, Rivera (6)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: Contreras-Leo (1)

C. EXCUSED ABSENCES

MOTION: *Excuse absent commission members: Contreras-Leo*

MOTION: Rivera **SECOND:** Nguyen

VOTE: **AYES:** Cano, Garcia, McLoughlin, Nguyen, Phan, Rivera (6)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: Contreras-Leo (1)

BUSINESS CALENDAR ITEMS

**All votes were taken by roll call.*

RESOLUTIONS

1. GENERAL PLAN CONSISTENCY FINDING FOR THE FISCAL YEAR 2020-2021 CAPITAL IMPROVEMENT PROGRAM

Jason Gabriel, Public Works Agency, provided a staff presentation.

MOTION: Adopt Resolution No. 2020-18. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA FINDING THE FISCAL YEAR 2020-2021

CAPITAL IMPROVEMENT PROGRAM CONSISTENT WITH THE SANTA ANA GENERAL PLAN

MOTION: Cano **SECOND:** Nguyen

VOTE: **AYES:** Cano, Garcia, McLoughlin, Nguyen, Phan, Rivera (6)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Contreras-Leo (1)

PUBLIC HEARING - Legal notice was published in the Orange Counter Reporter on May 15, 2020 and notices were mailed at least 10 days prior to the meeting.

2. **FINAL ENVIRONMENTAL IMPACT REPORT NO. 2020-01, GENERAL PLAN AMENDMENT NO. 2020-02 AND AMENDMENT APPLICATION NO. 2020-01**

Matter continued from the May 11, 2020 meeting by a vote of 5:0 (Phan abstained and Contreras-Leo absent).

Commissioner Phan recused herself due to a conflict of interest.

LOCATION: 2300, 2310 and 2320 South Redhill Avenue located in the Light Industrial (M1) zoning district.

REQUEST: The applicant is requesting certification of a final environmental impact report, environmental findings of fact pursuant to the California Environmental Quality Act, adoption of a Statement of Overriding Considerations, and adoption of a Mitigation Monitoring and Reporting Program. Other land use entitlements requested include a general plan amendment to redesignate the property from Professional and Administrative Office (PAO) to District Center (DC) and to update portions of the City’s Land Use Element to reflect this change in order to allow for development of this project, and an amendment application to rezone the property from Light Industrial (M-1) to Specific Development No. 96 (SD-96).

Case Planner Guevara provided an update addressing written comments, open space, and car lifts. Discussion ensued regarding car lifts, open space, economic impacts, community outreach, and the recent decision by the Airport Land Use Commission (ALUC) on the project.

Recording secretary reported out on written communication received for this item.

Chair McLoughlin opened the Public Hearing. The applicant spoke in support of the matter. There were no other speakers and the Public Hearing was closed.

Further discussion ensued regarding parking, project design, and project name.

Chair McLoughlin re-opened the Public Hearing to accommodate speaker Diane Fradkin who commented on park in-lieu fees. There were no other speakers and the Public Hearing was closed.

Commissioner Nguyen motioned to approve the matter with a friendly amendment to review and research changing the name of the project based on the market analysis. Commissioner Cano seconded the motion.

Chair McLoughlin stated that he would like the concerns regarding economic impact, parkland space, and project name relayed to City Council.

MOTION:

Recommend that the City Council:

- a) **Adopt a Resolution.** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA (1) ADOPTING ENVIRONMENTAL FINDINGS OF FACT AND A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE PROPOSED PROJECT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, (2) CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2019080011), (3) ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, AND (4) APPROVING THE PROPOSED MIXED-USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT KNOWN AS THE BOWERY LOCATED WITHIN THE CITY OF SANTA ANA AT 2300, 2310, AND 2320 SOUTH REDHILL AVENUE.
- b) **Adopt a Resolution.** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING GENERAL PLAN AMENDMENT NO. 2020-02 AMENDING THE LAND USE ELEMENT TO DISTRICT CENTER FOR THE PROPERTY LOCATED AT 2300, 2310, AND 2320 SOUTH REDHILL AVENUE; and
- c) **Adopt an Ordinance.** AN ORDINANCE OF THE CITY COUNCIL APPROVING AMENDMENT APPLICATION NO. 2020-01 REZONING THE PROPERTY LOCATED AT 2300, 2310, AND 2320 SOUTH REDHILL AVENUE FROM LIGHT INDUSTRIAL (M-1) TO SPECIFIC DEVELOPMENT NO. 96 (SD-96) AND ADOPTING SD-96 FOR SAID PROPERTY.

MOTION: Nguyen **SECOND:** Cano

VOTE:: **AYES:** Cano, Garcia, McLoughlin, Nguyen, Rivera (5)
 NOES: None (0)
 ABSTAIN: Phan (1)
 ABSENT: Contreras-Leo (1)

*Commissioner Phan rejoined the meeting at 7:12 p.m.

3. **CONDITIONAL USE PERMIT NO. 2019-41 AND VARIANCE NO. 2019-05**

LOCATION: 2230 North Tustin Avenue located in Arterial Commercial (C-5) zoning district.

REQUEST: The applicant is proposing to construct a new two-story 2,600-square-foot commercial building with a convenience store on the first floor and office area on the second floor, as well as a 2,160-square-foot fueling canopy with eight fueling stations. In order to facilitate the construction of the project, the applicant is requesting approval a conditional use permit to allow a new service station, and a variance to allow construction of a driveway within 150 feet of a street intersection.

Commissioner Garcia recused herself due to a conflict of interest.

Case Planner Orozco provided a staff presentation. Discussion ensued regarding alcohol sales, landscape on the perimeter wall, ingress and egress, and site proximity to the nearby bus stop and school.

Recording secretary reported out on written communication received for this item.

Chair McLoughlin opened the Public Hearing. The applicant spoke in support of the matter and answered questions regarding hours of operation and site access.

The following individuals spoke on the matter:

- Mike Tardif, oppose.
- Kent Mueller, oppose
- Stephanie Colton, oppose
- Dale Helvig, oppose
- Philip (no last name), support
- Steven Bram, support
- Lacy (no last name), support

There were no other speakers and the Public Hearing was closed.

Further discussion ensued regarding outreach to the neighboring school. Staff indicated a letter from the school was submitted which expressed no concerns other than the selling of alcohol; staff confirmed alcohol would not be sold.

Commissioner Nguyen motioned to approve the matter as recommended. A friendly amendment was made by Commissioner Phan to amend condition no. 3 to require an extensive planting of vines be added to the perimeter wall; it was accepted by Commissioner Nguyen. Chair McLoughlin commented on the need to limit delivery hours during the hours of school operation. It was agreed that a condition would be added to limit fuel deliveries to the hours of 6:00 p.m. and 10:00 p.m., daily.

MOTION:

- a) **Adopt Resolution No. 2020-19 as amended.** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2019-41 AS CONDITIONED TO ALLOW CONSTRUCTION OF A SERVICE STATION IN THE ARTERIAL COMMERCIAL (C-5) ZONING DISTRICT FOR THE PROPERTY LOCATED AT 2230 NORTH TUSTIN AVENUE; and
- b) **Adopt Resolution No. 2020-20 as amended.** A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA APPROVING VARIANCE NO. 2019-05 AS CONDITIONED TO ALLOW CONSTRUCTION OF A DRIVEWAY WITHIN 150 FEET OF AN INTERSECTION IN THE ARTERIAL COMMERCIAL (C-5) ZONING DISTRICT FOR THE PROPERTY LOCATED AT 2230 NORTH TUSTIN AVENUE.

MOTION: Nguyen **SECOND:** Rivera

VOTE:: **AYES:** McLoughlin, Nguyen, Phan, Rivera (4)
 NOES: Cano (1)
 ABSTAIN: Garcia (1)
 ABSENT: Contreras-Leo (1)

*****END OF BUSINESS CALENDAR*****

COMMENTS

4. STAFF COMMENTS:

- Executive Director Thai: Reported that City Hall plans to re-open on June 1. Planning Commission meetings will continue to be virtual. New computer application to view agenda materials will be available soon.
- Planning Manager Fregoso: Planning Commission meeting on June 8 is canceled.

5. COMMISSION MEMBER COMMENTS:

- Commissioners Nguyen, Phan, and Chair McLoughlin thanked staff.

8:32 P.M. – The next Regular meeting of June 8 is canceled. The next regular meeting will be held on Monday, June 22, 2020 at 5:30 p.m.

Sarah Bernal
Recording Secretary