

**CITY OF SANTA ANA  
PLANNING COMMISSION AGENDA**

**SEPTEMBER 28, 2009**

**5:30 P.M.**

**AFTERNOON SESSION  
&  
PUBLIC HEARING**

**CITY HALL COUNCIL CHAMBERS  
22 CIVIC CENTER PLAZA  
SANTA ANA, CALIFORNIA**

**CHRISTOPHER LEO**  
Chairman

**ERIC ALDERETE**  
Vice Chairman

**VICTORIA BETANCOURT**

**MARIO TURNER**

**JAMES GARTNER**

**VACANT**  
WARD 6

**PATRICK YRARRAZAVAL**

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If you need special assistance to participate in this Planning Commission meeting, please contact Ellen Smiley, City ADA Program Coordinator, at (714) 647-5340. Please call prior to the meeting date, to allow the City time to make reasonable arrangements for accessibility to this meeting. [Americans with Disabilities Act, Title II, 28 CFR 35.102]

Members of the public are allowed three (3) minutes to speak on each agenda item, but when any group desires to address the committee, the committee may request that its members agree on a spokesperson to make the presentation.

Planning & Building Agency, 20 Civic Center Plaza (M-20)  
P.O. Box 1988, Santa Ana, CA 92702 (714) 667-2700  
The Planning Commission Agenda can be found at <http://www.ci.santa-ana.org/mayor/boardsdef.htm>

## CODE OF ETHICS AND CONDUCT

The people of the City of Santa Ana, at an election held on February 5, 2008, approved an amendment to the City Charter of City of Santa Ana which established the Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees to assure public confidence. A copy of the City's Code can be found on the Clerk of the Council's webpage. The following are the core values expressed:

*Integrity ▪ Honesty ▪ Responsibility ▪ Fairness ▪ Accountability ▪ Respect ▪ Efficiency*

## PUBLIC COMMENTS

Pursuant to Government Code Sec. 54954.3, the public may comment on any agenda item under consideration by the Planning Commission, and on any other matters under the Commission's jurisdiction. To speak, please register by submitting a completed "Request to Speak" form to the Commission Secretary. Speaker forms are available on the speaker's podium and Chamber Lobby.

To speak on an item on the Agenda, enter the Agenda item number on your speaker form. The Chairperson will call your name when that Agenda item is considered.

To speak on an item not on the Agenda, check the Public Comments box on your speaker form. The Chairman will call your name during the Public Comments portion of the meeting.

When speaking, please state your name and address. Limit your remarks to three (3) minutes. The number of speakers and allotted time may be limited at the discretion of the Chairperson.

## AGENDA DESCRIPTIONS

The Agenda descriptions provide the public with a general summary of the items of business to be considered by the Planning Commission. The Motion is a "recommended action". The Commission is not limited in any way by the Motion and may take any action which the Commission deems to be appropriate on an Agenda item. Except as otherwise provided by law, no action shall be taken on any item not appearing in the agenda.

All supporting documentation for this Agenda is available for public review in the Planning Division during the business hours, 8:00 a.m. – 4:00 p.m., Monday through Friday. The Planning Division is located in City Hall, Ross Annex, Second Floor, 20 Civic Center Plaza, Santa Ana, California, telephone number is (714) 667-2700. The current agenda and previously approved minutes are available online at: [http://www.santa-ana.org/city\\_meetings](http://www.santa-ana.org/city_meetings) and the Planning and Building Agency homepage, <http://www.santa-ana.org/pba>.

# PLANNING COMMISSION AGENDA

SEPTEMBER 28, 2009

CITY HALL COUNCIL CHAMBERS  
22 CIVIC CENTER PLAZA  
SANTA ANA, CALIFORNIA

CALL TO ORDER

5:30 P.M.

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

## **BUSINESS CALENDAR**

Matters listed on the Business Calendar are general proposals for new legislation or items requiring discussion.

**A. COMMISSIONER COMMUNICATION DISCLOSURE (REGARDING AGENDIZED PROJECTS)**

**B. NEIGHBORHOOD PROJECT REVIEW NO. 2009-05 (Melanie McCann)**

Filed by the City of Santa Ana, to allow exterior modifications and the construction of a new two-car garage at 826 North Lacy Street, located in the Specific Development No. 19 (SD-19) zoning district.

RECOMMENDATION:

Adopt a resolution approving Neighborhood Project Review No. 2009-05.

**C. NEIGHBORHOOD PROJECT REVIEW NO. 2009-06 (Melanie McCann)**

Filed by the City of Santa Ana, to allow exterior modifications and the construction of a new two-car garage at 830 North Lacy Street, located in the Specific Development No. 19 (SD-19) zoning district.

RECOMMENDATION:

Adopt a resolution approving Neighborhood Project Review No. 2009-06.

**D. NOTICE OF INTENT TO APPEAL TENTATIVE PARCEL MAP NO. 2009-01**

(Matt Foulkes)

Filed by Peter Pham to subdivide a residential property into two separate parcels at 1013 South Elliott Place located in the Single Family Residential (R1) zoning district.

**RECOMMENDATION:**

Set the item for Planning Commission hearing on October 12, 2009.

**CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered to be routine by the Planning Commission and will be enacted by one motion without discussion. Persons wishing to speak regarding a Consent Calendar matter should file a "Request to Speak" form with the Commission Secretary. (See Agenda Description for instructions on Public Testimony.)

**E. MINUTES**

**RECOMMENDATION:**

Approve the minutes of the regular meeting of September 14, 2009.

**F. RECORDING SECRETARY REPORT**

Pursuant to the Brown Act, the September 14, 2009 Notice for the Regular Meeting was posted on the door of the City Hall Council Chambers at 22 Civic Center Plaza on September 11, 2009 at 8:43 a.m.

**RECOMMENDATION:**

Instruct the Commission Secretary to enter posting into the minutes.

**G. RESIDENTIAL RELOCATION NO. 2009-01**

(Melanie McCann)

Filed by the City of Santa Ana to allow the relocation of a residence for the property located at 826 North Lacy Street.

**RECOMMENDATION:**

Confirm the Zoning Administrator's action approving Residential Relocation No. 2009-01 as conditioned.

**H. RESIDENTIAL RELOCATION NO. 2009-02 (Melanie McCann)**

Filed by the City of Santa Ana to allow the relocation of a residence for the property located at 830 North Lacy Street.

**RECOMMENDATION:**

Confirm the Zoning Administrator's action approving Residential Relocation No. 2009-02 as conditioned.

**I. RESIDENTIAL RELOCATION NO. 2009-03 (Melanie McCann)**

Filed by the City of Santa Ana to allow the relocation of a residence for the property located at 717 East Third Street.

**RECOMMENDATION:**

Confirm the Zoning Administrator's action approving Residential Relocation No. 2009-03 as conditioned.

**\*\*\* END OF CONSENT CALENDAR \*\*\***

**PROCEDURAL RULES**

**PUBLIC HEARINGS**

Public hearings provide individuals the opportunity to be heard regarding an intended action of the Planning Commission related to land use.

**1. VARIANCE NO. 2009-03 (Matt Foulkes)**

*(Continued by Planning Commission: August 24, 2009 to September 28, 2009)*

Filed by JC International Services, to allow a check cashing facility within 1,000 feet of an existing check cashing facility at 1647 East First Street, Suite A, located in the General Commercial (C2) zoning district.

**PUBLISHED IN THE ORANGE COUNTY REPORTER:** August 14, 2009

**PUBLICLY NOTICED:** August 14, 2009

**RECOMMENDATION:**

Continue to October 12, 2009 per applicant's request.

2. **APPEAL NO. 2009-01 FOR CONDITIONAL USE PERMIT NO. 2009-13**  
(Alejandro Flores)

Filed by Leticia O. Aguilar, requesting to allow a Type 20 ABC license (off-premise sale of beer and wine) for Carniceria Rubio's Market at 1041 West First Street located in the Community Commercial (C1) zoning district.

**PUBLISHED IN THE ORANGE COUNTY REPORTER:** September 18, 2009  
**PUBLICLY NOTICED:** September 18, 2009

RECOMMENDATION:

1. Deny Appeal No. 2009-01.
2. Adopt a resolution denying Conditional Use Permit No. 2009-13.

3. **GENERAL PLAN AMENDMENT NO. 2009-01** (Melanie McCann)

Filed by the City of Santa Ana to update the City of Santa Ana General Plan Housing Element for the planning period 2006 through 2014.

**PUBLISHED IN THE ORANGE COUNTY REPORTER:** September 18, 2009

RECOMMENDATION:

Recommend that the City Council:

1. Approve and adopt the Negative Declaration, Environmental Review No. 2009-51.
2. Adopt a resolution approving General Plan Amendment No. 2009-01.

4. **Public Comments (for items not on the agenda)**

**STAFF AND COMMISSION COMMENTS**

**At this time**, staff and Commission may comment on non-agenda matters. **NO** action may be taken on off-agenda scheduled items unless authorized by law.

5. **Staff Comments**

6. **Planning Commission Comments**

7. **Excuse of Absences**

8. **Adjournment**