City of Santa Ana
Planning Commission Meeting Agenda

JULY 10, 2017
City Council Chamber
22 Civic Center Plaza
Santa Ana, California
5:30 P.M.

LYNETTE VERINO
Chair, Ward 2 Representative

MARK McLOUGHLIN
Vice Chair, Citywide Representative

KENNETH NGUYEN
Ward 3 Representative

CYNTHIA CONTRERAS-LEO
Ward 5 Representative

ERIC ALDERETE
Ward 1 Representative

PHIL BACERRA
Ward 4 Representative

BEATRIZ MENDOZA
Ward 6 Representative

Lisa E. Storck
Legal Counsel

Candida Neal, AICP
Acting Executive Director

Rosa Barela
Acting Recording Secretary

The Planning Commission Agenda can be found online at

Si tiene preguntas en español, favor de llamar a Narcee Perez al (714) 667-2260.
Nếu cần liên lạc bằng tiếng Việt, xin điện thoại cho Tony Lai số (714) 565-2627.

If you wish to submit a comment on any item on the Agenda, please submit to eComments@santa-ana.org by 3 p.m. the day of the meeting; emails received after said time will be on file for public viewing the day after the meeting.

If you need special assistance to participate in this Planning Commission meeting, please contact Michael Ortiz, City ADA Program Coordinator, at (714) 647-5624. 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]
Basic Planning Commission Meeting Information

**Five-Year Strategic Plan (2014-2019)**
Detailed information at: [http://www.santa-ana.org/strategic-planning/](http://www.santa-ana.org/strategic-planning/)

**Vision, Mission and Guiding Principles** - The City of Santa Ana is committed to achieving a shared vision for the organization and its community. The vision, mission and guiding principles (values) are the result of a thoughtful and inclusive process designed to set the City and organization on a course that meets the challenges of today and tomorrow.

**Vision** - The dynamic center of Orange County which is acclaimed for our:
- Investment in youth
- Safe and healthy community
- Neighborhood pride
- Thriving economic climate
- Enriched and diverse culture
- Quality government services

**Mission** – “To deliver efficient public services in partnership with our community which ensures public safety, a prosperous economic environment, opportunities for our youth, and a high quality of life for residents.”

**Guiding Principles**
- Collaboration
- Efficiency
- Equity
- Excellence
- Fiscal Responsibility
- Innovation
- Transparency

**Strategic Plan Goals/Objectives/Strategies:**
- **Goal 1 - Community Safety**
- **Goal 2 - Youth, Education, Recreation**
- **Goal 3 - Economic Development**
- **Goal 4 - City Financial Stability**
- **Goal 5 - Community Health, Livability, Engagement & Sustainability**
- **Goal 6 - Community Facilities & Infrastructure**
- **Goal 7 - Team Santa Ana**

**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 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

**Agenda Information** - The agenda descriptions provide the public with a general summary of the items of business to be considered by the Planning Commission. The Planning Commission is not limited in any way by the “Recommended Action” 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 listed on the agenda.

**Public Comments/Public Input** - Pursuant to Government Code Sec. 54954.3, the public may address the Planning Commission on any and all matters within the Commission’s jurisdiction.

At the discretion of the Chair, at the first Public Comment portion of the meeting, all comments may be considered jointly. The public will be given the opportunity to speak on any and all matters contained on any of the Consent Calendar and Business Calendar items and/or on issues of public interest within the jurisdiction of the Commission. Members of the public shall be given three (3) minutes for each duly noticed hearing (unless the matter is continued prior to taking public testimony). All requests to speak shall be submitted in writing to the Commission Secretary at the beginning of the meeting and before Public Comments begin. Speaker forms will be available at the meeting.

REQUESTS TO SPEAK SHALL NOT BE ACCEPTED AFTER THE PUBLIC COMMENT SESSION BEGINS WITHOUT PERMISSION OF THE CHAIR. When speaking, all persons addressing the Planning Commission shall follow the rules of decorum as detailed on the back of the speaker form. The presiding officer shall have the power and responsibility to enforce decorum and order of the meeting as set forth in Section 2-104(c) of the Santa Ana Municipal Code.

**Consen 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 unless a member of the Commission “pulls” an item(s) from the consent calendar for a separate vote.

**Senate Bill 343** - As required by Senate Bill 343, any non-confidential writings or documents provided to a majority of the Planning Commission members regarding any item on this agenda will be made available for public inspection in the Planning & Building Agency during normal business hours.

**Agenda & Minutes** - Staff reports and documents relating to each agenda item are on file in the office of the Planning & Building Agency and are available for public inspection during regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Thursday and alternate Fridays. The Planning & Building Agency is located in City Hall Ross Annex, 20 Civic Center Plaza, 2nd Floor, Santa Ana, California, (714)667-2700. Council meeting agendas, staff reports, and minutes are available the Friday before a Planning Commission meeting at the following website address: [www.santa-ana.org](http://www.santa-ana.org)
CALL TO ORDER

CHAIR VERINO

COMMISSION MEMBERS ALDERETE, BACERRA, CONTRERAS-LEO, MCLOUGHLIN, MENDOZA, NGUYEN

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS (on non-agenda items)

CONSENT CALENDAR ITEMS

RECOMMENDED ACTION: Approve staff recommendation on the following Consent Calendar Item: A - B.

A. MINUTES FROM THE REGULAR MEETING OF JUNE 12, 2017 {STRATEGIC PLAN NO. 5, 1}

Item carried forward due to the cancellation of the June 26, 2017 meeting.

RECOMMENDED ACTION: Approve Minutes.

B. EXCUSED ABSENCES

RECOMMENDED ACTION: Excuse absent commission members.

*** END OF CONSENT CALENDAR ***
1. SITE PLAN REVIEW NO. 2017-05 TO ALLOW EXTERIOR MODIFICATIONS TO A RESIDENTIAL FOURPLEX LOCATED AT 508 EAST WASHINGTON AVENUE – CARLOS BUSTAMANTE, APPLICANT {STRATEGIC PLAN NO. 5, 3} – Melanie McCann, Case Planner

RECOMMENDED ACTION: Adopt a resolution denying Site Plan Review No. 2017-05.

2. PUBLIC HEARING - MODIFY CONDITIONAL USE PERMIT NO. 2011-09 TO ALLOW THE SALE OF BEER, WINE, AND DISTILLED SPIRITS FOR ON PREMISE CONSUMPTION AT MARISCOS ZAMORA LOCATED AT 3701 W MCFADDEN AVENUE, UNITS G, H, I & J - JOSEFAT ZAMORA, APPLICANT {STRATEGIC PLAN NO. 3, 2} – Escarlet Mar, Case Planner


RECOMMENDED ACTION: Adopt a resolution approving modification to Conditional Use Permit No. 2011-09 as conditioned.

3. REVIEW OF PROPOSED STATE LEGISLATION: SB 35 (WIENER) AFFORDABLE HOUSING - STREAMLINED APPROVAL PROCESS LETTER - Candida Neal

RECOMMENDED ACTION: Direct staff to prepare letter to the author of the Bill and our local representatives voicing the City of Santa Ana concerns with draft legislation SB 35.

*** END OF BUSINESS CALENDAR ***

4. STAFF COMMENTS – Candida Neal, Planning Manager
   • General Plan Update

5. PLANNING COMMISSION MEMBER COMMENTS
ADJOURNMENT - The next meeting of the Planning Commission is scheduled for Monday, July 24, 2017 at 5:30 p.m. in the Council Chamber, 22 Civic Center Plaza, Santa Ana, California.

FUTURE AGENDA ITEMS

• Conditional Use Permit No. 2071-17 to allow the sale of alcoholic beverages for on premise consumption at Mariscos El Capitan located at 1106 South Bristol Street.
• Conditional Use Permit No. 2017-18 to allow an indoor sports facility located at 3400 West Warner Avenue, Unit K.
• Zoning Ordinance Amendment No. 2015-01, General Plan Amendment No. 2015-01 and Amendment Application No. 2015-01 to redesignate the allowable land use of parcels along the Bristol Street Corridor.
• Election of Officers
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MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION OF THE
CITY OF SANTA ANA, CALIFORNIA

JUNE 12, 2017

CALLED TO ORDER
COUNCIL CHAMBER
22 CIVIC CENTER PLAZA
SANTA ANA, CALIFORNIA
5:31 P.M.

ATTENDANCE
COMMISSIONERS Present:
LYNNETTE VERINO, Chair (left at 6:31 p.m.)
MARK MCLoughlin, Vice Chair
ERIC ALDERETE
PHIL BACERRA (arrived at 5:35 p.m.)
CYNTHIA CONTRERAS-LEO
BEATRIZ MENDOZA

COMMISSIONERS Absent:
KENNETH NGUYEN

STAFF Present:
CANDIDA NEAL, Planning Manager
LISA STORCK, Assistant City Attorney
ANN NI, Associate Planner
JERRY GUEVARA, Assistant Planner
SCOTT KUTNER, Senior Community Planner
MARGARITA MACEDONIA, Senior Community Planner
SARAH BERNAL, Recording Secretary

PLEDGE OF ALLEGIANCE
Chairperson Verino

PUBLIC COMMENTS (on non-agenda items) - None

CONSENT CALENDAR

MOTION: Approve staff recommendation on Consent Calendar Items A - B.

MOTION: McLoughlin  SECOND: Contreras-Leo
VOTE: AYES: Alderete, Contreras-Leo, McLoughlin, Mendoza, Verino (5)
NOES: None (0)
ABSTAIN: None (0)
ABSENT: Bacerra, Nguyen (2)
A. MINUTES FROM THE REGULAR MEETING OF MAY 22, 2017

*MOTION:* Approve Minutes.

B. EXCUSED ABSENCES

*MOTION:* Excuse absent commission member(s): Nguyen.

*** END OF CONSENT CALENDAR ***

BUSINESS CALENDAR ITEMS

1. SITE PLAN REVIEW NO. 2017-02
   (Applicant: Tom Lo representing Charles Company)

   On May 22, 2017, the Commission referred the matter to the Design Review Committee
due to concerns with building design and security measures. On May 30, 2017, the
Design Review Committee reviewed the revised plan.

   Associate Planner Ni provided a presentation which included a review of the revised
building design and security plan. Discussion ensued regarding building design and
materials. The applicant spoke in support of the matter and explained the building design
process.

   Commissioner Alderete introduced a motion to approve Site Plan Review No. 2017-02
with the added condition that a 24-hour security plan be provided at the project site.
Commissioner Bacerra introduced a friendly amendment to also include the added
condition that a mural created by a local artist be included on the northern wall of the
north/west corner of the project site. Commission Alderete accepted the friendly
amendment.

*MOTION:* Adopt Resolution No. 2017-22 approving Site Plan Review No. 2017-02
with the added conditions that 1.) a 24-hour security plan be provided at the project
site and 2.) a mural created by a local artist be included on the northern wall of the
north/west corner of the project site.

*MOTION:* Alderete  SECOND: Contreras-Leo

VOTE: AYES: Alderete, Bacerra, Contreras-Leo, McLoughlin, Mendoza,
Verino (6)
NOES: None (0)
ABSTAIN: None (0)
ABSENT: Nguyen (1)
2. PUBLIC HEARING – CONDITIONAL USE PERMIT NO. 2017-16
(Applicant: Smartlink LLC)

Legal notice published in the Orange County Reporter on June 1, 2017 and notices mailed on June 1, 2017.

Assistant Planner Guevara provided a presentation which included a project description, site description and project analysis. Discussion ensued regarding landscaping, maintenance and parking standards. The applicant spoke in support of the matter. Chair Verino opened the Public Hearing. There were no speakers and the Public Hearing was closed.

MOTION: Adopt Resolution No. 2017-23 approving Conditional Use Permit No. 2017-16 as conditioned.

MOTION: Mendoza SECOND: Alderete
VOTE: AYES: Alderete, Bacerra, Contreras-Leo, McLoughlin, Mendoza, Verino (6)
NOES: None (0)
ABSTAIN: None (0)
ABSENT: Nguyen (1)

WORK STUDY CALENDAR ITEMS

3. NEIGHBORHOOD IMPROVEMENT PROGRAM UPDATE

Senior Community Planners Kutner and Macedonia provided a presentation which included information on the following:

- Statement of Values and Principles for Santa Ana’s Neighborhood Initiatives Program
- Planning Process of Neighborhood Associations
- Santa Ana’s Neighborhood Association Assessment Framework
- Improving Municipal Agency Responsiveness to Local Concerns Through Inter-Agency Teams
- Improving Coordination and Collaboration Between Santa Ana’s Community-Based Organizations
- Santa Ana Resource Network

The following public comment was received:

- Richard Garcia thanked staff for their efforts.
4. **STAFF COMMENTS**

Planning Manager Neal:
- General Plan Advisory Group meeting was held on June 7, 2017.
- Executive Director Haghani’s last day will be on June 15, 2017.
- Senior Planner Soboleske will be retiring.

5. **PLANNING COMMISSION MEMBER COMMENTS**

Commissioner Bacerra
- Reported that eSports Café has hosted numerous events without a banquet facility conditional use permit (CUP); requested that staff contact them to ask if they intend to apply for the appropriate CUP.
  - Planning Manager Neal explained that since the hosted events are open to the public, a banquet facility CUP is not required; staff has contacted eSports café and it was confirmed that they do not intend to apply for a banquet facility CUP.

Chair Verino & Commissioner Mendoza:
- Wished everyone a Happy Father’s Day.

**ADJOURNED** 6:42 P.M. - The next meeting of the Planning Commission is scheduled for Monday, June 26, 2017 at 5:30 p.m. in the Council Chamber, 22 Civic Center Plaza, Santa Ana, California.

Sarah Bernal
Recording Secretary
REQUEST FOR
Planning Commission Action

PLANNING COMMISSION MEETING DATE:
JULY 10, 2017

TITLE:
SITE PLAN REVIEW NO. 2017-05 TO ALLOW EXTERIOR MODIFICATIONS TO A FOUR-UNIT RESIDENCE AT 508 EAST WASHINGTON AVENUE IN THE HISTORIC FRENCH PARK SPECIFIC DEVELOPMENT NO. 19 ZONING DISTRICT {STRATEGIC PLAN NO. 5, 3}

Prepared by Melanie G. McCann

RECOMMENDED ACTION

Adopt a resolution denying Site Plan Review No. 2017-05.

Executive Summary

The applicant, Urban Living Properties LLC, is requesting approval of Site Plan Review No. 2017-05 to legalize exterior repairs and modifications to the existing four-unit residence at 508 East Washington Avenue in Historic French Park.

Table 1: Project and Location Information

<table>
<thead>
<tr>
<th>Item</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Address</td>
<td>508 East Washington Avenue</td>
</tr>
<tr>
<td>Nearest Intersection</td>
<td>Lacy Street and Washington Avenue</td>
</tr>
<tr>
<td>General Plan Designation</td>
<td>Low Density Residential (LR-7)</td>
</tr>
<tr>
<td>Zoning Designation</td>
<td>French Park Historic District Specific Development (SD-19)</td>
</tr>
<tr>
<td>Surrounding Land Uses</td>
<td>Single and Multifamily Residential (North)</td>
</tr>
<tr>
<td></td>
<td>Care Facility (East)</td>
</tr>
<tr>
<td></td>
<td>Care Facility Parking (South)</td>
</tr>
<tr>
<td></td>
<td>Single and Multifamily Residential (West)</td>
</tr>
<tr>
<td>Property Size</td>
<td>6,800 square feet (0.16 acres)</td>
</tr>
<tr>
<td>Existing Site Development</td>
<td>The site contains a four-unit residential development, including one single-story duplex and one two-story duplex with tuck-under parking garages.</td>
</tr>
<tr>
<td>Use Permissions</td>
<td>The site is legal non-conforming.</td>
</tr>
<tr>
<td>Zoning Code Sections Affected</td>
<td>Uses SD-19, Section No. 3</td>
</tr>
<tr>
<td></td>
<td>Development Standards SD-19, Section No. 4</td>
</tr>
</tbody>
</table>
Property Description

The General Plan land use designation for this site is Low Density Residential (LR-7), and is located within the Historic French Park Specific Development No. 19 (SD-19) zoning district. The proposed project site is approximately 6,800 square feet and located east of Lacy Street on East Washington Avenue (Exhibit 1).

While located in the Historic French Park SD-19 Zoning District, the subject property and structures are not listed on the local Santa Ana Register of Historical Properties. In addition, the structures are not within the boundaries of the National Register of Historic Places for French Park Historic District officially listed in 1999.

The four-unit residential development was originally built in 1947, with features of Minimalist Traditional architecture (Exhibits 2 and 3). Typical Minimal Traditional architectural features include hipped or gabled roofs with narrow eaves, multi-light wood windows with wood surrounds, small porches, and an asymmetrical facade design with the front door off center. Features of the residences include a symmetrical cross hipped roof on the front duplex (Units A and B) and a hip roof on the rear duplex (Units C and D). Both structures feature a simple rectangular footprint, hung wood windows and sand stucco exterior. The primary street elevation features a small covered porch entry, framed on either side by tripartite windows with multiple divided lights.

The exterior modifications under consideration for the residential structures at 508 East Washington Avenue have been completed without City permits and include the replacement of exterior windows, doors, stairway, and exterior wall finishing. Specifically, the applicant replaced all existing wood hung wood windows with dark vinyl, to be framed by wood trim and sill surrounds; with the exception of one fixed wood window on the west facing elevation of the rear duplex to remain. On the street facing the primary elevation, the multi-pane tripartite feature windows were replaced with a central single-pane fixed with hung windows, as well as removal of decorative wood shutters. The existing sand finish stucco was modified to result in a smooth stucco finish. Additionally, the following modifications were installed a skylight for the front duplex, new garage doors for the tuck under garages, and wood steps with metal railing for the rear duplex (Exhibit 4).

Project Analysis

The project site is located within the boundaries of the French Park Historic District (SD-19). As detailed in SD-19 zoning district all exterior modification and site improvements are to comply with the Federal Secretary of Interior Standard for Rehabilitation to maintain the historic integrity of the historic neighborhood. In order to ensure architectural consistency, the French Park zoning provisions require that all exterior modifications be reviewed by the French Park Neighborhood Architectural Review Committee. In addition, all major modifications, changes to the primary elevation, or additions are to be approved by the Planning Commission.
Planning staff has reviewed the project for compliance with Historic French Park Design Guidelines and the 10 federal Secretary of the Interior’s Standards for Rehabilitations. The renovations to the historic structure do not meet these nationally recognized rehabilitation standards, including Standard 6 which states: Deteriorated historic features shall be repaired rather than replaced. Where the severity of the deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. The change from wood to vinyl windows and street elevation detailing, as well as smooth stucco finishing are not historically appropriate for the 1940s Minimal Traditional structures at 508 East Washington Avenue. The exterior modifications further compromise the architectural integrity of the existing 1940s structures, rather than preserve the visual characteristics of the local SD-19 historic district as a whole.

The French Park Neighborhood Architectural Review Committee has reviewed the renovations and submitted comments expressing their lack of support for the modifications completed without building permits (Exhibit 5).

**Table 2: Conformance to Development Standards and Design Guidelines**

<table>
<thead>
<tr>
<th>Architectural Features</th>
<th>Required by SD No. 19 &amp; Sec. of Interior Standards for Rehabilitation</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Architectural style</td>
<td>Minimal Traditional</td>
<td>Contemporary Minimal Traditional</td>
</tr>
<tr>
<td>Windows</td>
<td>Wood windows inset, with wood trim and sill. Single hung and fixed operation with no muntins or divided lights, except street elevation with tripartite multi-pane and lights divided by muntins</td>
<td>Dark vinyl windows flush mounted, with wood trim and sill. Single hung and fixed operation, with no muntins or divided lights. Street elevation tripartite single pane with no muntins or divided lights</td>
</tr>
<tr>
<td>Doors</td>
<td>Wood with minimal lights</td>
<td>Wood with one large light (street facing), wood with multiple horizontal lights</td>
</tr>
<tr>
<td>Exterior finishing</td>
<td>Sand stucco</td>
<td>Smooth stucco</td>
</tr>
<tr>
<td>Stairway</td>
<td>Wood steps and metal hand rail</td>
<td>Wood steps, concrete landing and extended metal railing</td>
</tr>
<tr>
<td>Garage doors</td>
<td>Wood panels (manual or roll up)**</td>
<td>Roll up door (material not specified)</td>
</tr>
<tr>
<td>Site Front Walkway</td>
<td>Straight concrete band</td>
<td>Multiple concrete stepping pads</td>
</tr>
<tr>
<td>Exterior lighting</td>
<td>Existing light under door overhang</td>
<td>Existing light under door overhang and downlights within boxed eaves</td>
</tr>
</tbody>
</table>

**Table 3: CEQA, Strategic Plan Alignment and Public Notification & Community Outreach**

<table>
<thead>
<tr>
<th>CEQA Type</th>
<th>Class 1 Categorical Exemption/Sec. 15301 (d) – Existing Facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reason(s) Exempt or Analysis</td>
<td>This exemption applies to projects that consist of the operation, repair, maintenance, permitting, or minor alteration of existing private structures, facilities, involving negligible or no expansion of use. This includes the restoration or rehabilitation of deteriorated or damaged structures, facilities, to meet current standards of public health and safety</td>
</tr>
</tbody>
</table>
CEQA, Strategic Plan Alignment, and Public Notification & Community Outreach

<table>
<thead>
<tr>
<th>Strategic Plan Alignment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goal(s) and Policy(s)</td>
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</table>

<table>
<thead>
<tr>
<th>Public Notification &amp; Community Outreach</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required Measures</td>
</tr>
<tr>
<td>Additional Measures</td>
</tr>
</tbody>
</table>

Conclusion

Based on the analysis provided within this report, staff recommends that the Planning Commission adopt a resolution denying Site Plan Review No. 2017-05.

Melanie G. McCann, AICP
Associate Planner

Exhibits:
1. Vicinity Map
2. Site Photo
3. Site Photo
4. Project Plans
5. French Park Architectural Review Committee letter
6. Resolution
SPR No. 2017-05, URBAN LIVING PROPERTIES
508 E. Washington Avenue.

Exhibit 1 - Vicinity Zoning and Aerial View

EXHIBIT 1
Good day Melanie, the Committee's comments for 508 E. Washington are below. Feel free to email or call me should you have any questions.

Let me first express the Committee's concern that another major rehabilitation project in French Park is well underway and that much of this work is begin done without permit. The Committee is frustrated and unsure about how to resolve this problem. We would like to meet with the City to identify ways to insure staff (at the public counter?) properly notify owners, developers or their representatives about the French Park special zoning and its Design Guideline and to respond quickly to stop illegal work.

Regarding the subject property, French Park only recently received plans for the single and 2-story duplexes months after work had begun. The Committee believes the structures are from the late 1930's or early 1940's. Although not the oldest buildings in French Park they represent one of the many architectural styles identified in the Design Guidelines for our neighborhood. Prior to the ongoing renovation both structures appearance, although degraded, was clearly from the time they were built approximately 70 years ago.

The current renovation has dramatically altered the two buildings and they no longer reflect any of the vintage architectural styles in French Park. The renovation violates the Design Guideline for French Park including but not limited to windows, exterior stucco, roof line and doors. The renovation removed original the wood windows, exterior house and garage doors and altered the roof line. If the Committee had had an opportunity to consider the project before work had begun it would have asked the owner to reveal, repair, or restore the original exterior of the house, to repair the windows or replace them like for like, and install doors typical to the time of the construction of the house. Instead the house is now pseudo modern. New windows are flush to the exterior walls (there is no depth or wood trim), are made of vinyl, and are fixed instead of single or double hung.

The Committee strongly suggests the City halt the illegal construction on these two duplexes. The Committee requests the owner prepare and submit a rehabilitation plan which follows the city's adopted design guideline for the French Park neighborhood to include, but not be limited to:

- Replace the new vinyl windows to match the original wood windows. Google street view offers at least one view of the north-facing elevation to assist with this reconstruction.

- Replace the modern glass and wood panel doors (including the garage doors) with wood doors appropriate to the time the two structures were built.
• Identify the appearance of the original stucco and re-surface the two buildings to reflect that original exterior

• Work with French Park to select a color palette appropriate to the era of the house.

Should you have questions regarding these comments please feel free to contact me at 714-240-0883.
RESOLUTION NO. 2017-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA ANA DENYING SITE PLAN REVIEW NO. 2017-05 TO ALLOW A MAJOR EXTERIOR MODIFICATION AT THE PROPERTY LOCATED AT 508 EAST WASHINGTON AVENUE

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA ANA AS FOLLOWS:

Section 1. The Planning Commission of the City of Santa Ana hereby finds, determines and declares as follows:

A. Applicant is requesting approval of Site Plan Review No. 2017-05 to allow a major exterior modification at the residential four-plex located at 508 East Washington Avenue.

B. Pursuant to Santa Ana Municipal Code Section 41-593.3, any use or development of property within the SD district shall be in compliance with the ordinance adopting the specific development plan for such property.

C. Santa Ana Municipal Code Section 41-593.4 requires a review by the Planning Commission of all plans for the purpose of ensuring that buildings, structures, and grounds will be in keeping with the neighborhood and will not be detrimental to the harmonious development of the city or impair the desirability of investment or occupation in the neighborhood.


E. The project is deemed to be out of compliance with all applicable development standards outlined within the Specific Development Plan No. 19 (SD-19) zoning district and the Historic French Park Design Guidelines. Specifically, structures within SD-19 are to comply with the Federal Historic Secretary of Standards for Rehabilitation whereby existing architectural features are to be preserved, or if deteriorated beyond repair, repaired like-to-like in design and materials to preserve the context of the historic neighborhood district. Where the severity of the deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. As proposed, the renovation of the structures would change the material and detailing of the existing window from wood to vinyl, and exterior finishing from sand finish stucco to smooth stucco;
changes which are not historically appropriate for the 1940’s Minimal Traditional structures at this property.

F. The Planning Commission finds that the exterior modifications compromise the architectural integrity of the existing 1940’s structures rather than preserve the visual characteristics of the local SD-19 historic district as a whole.

G. All exterior modifications in the SD-19 are to be reviewed by the French Park Neighborhood Architectural Review Committee. Said Committee has reviewed the renovations and submitted comments expressing its lack of support for the modifications as the rehabilitation project. The reasons for non-support are as follows: Applicant proceeded without deference to the Design Guidelines for French Park; the structures no longer reflect the vintage architectural style in the historical neighborhood; and, construction work has been performed without permit.

H. In accordance with the California Environmental Quality Act (CEQA), this project is exempt from further review pursuant to Section 15301. This Class 1 exemption applies to projects consisting of operation, repair, restoration, or minor alteration of existing structures and facilities involving negligible or no expansion. Specifically, the project conforms to Section 15301 (d), which involves the restoration or rehabilitation of deteriorated or damage structures to meet current standards of public health and safety. The proposed exterior modification of the structures will not increase the capacity of the site in any substantive fashion so as to negatively affect the environment or surrounding properties. Based on these criteria and on staff analysis, Categorical Exemption Environmental Review No. 2017-63 will be filed for this project.

Section 2. The Applicant agrees to indemnify, hold harmless, and defend the City of Santa Ana, its officials, officers, agents, and employees, from any and all liability, claims, actions or proceedings that may be brought arising out of its approval of this project, and any approvals associated with the project, including, without limitation, any environmental review or approval, except to the extent caused by the sole negligence of the City of Santa Ana.

Section 3. The Planning Commission of the City of Santa Ana hereby denies Site Plan Review No. 2017-05. This decision is based upon the evidence submitted at the above said meeting, which includes, but is not limited to: the Request for Planning Commission Action dated July 10, 2017, and exhibits attached thereto; and, the public testimony, written and oral, all of which are incorporated herein by this reference.
ADOPTED this 10th day of July, 2017.

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTENTIONS: Commissioners:

_______________________
Lynnette Verino
Chairperson

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By:____________________
Lisa Storck
Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Rosa Barela, Acting Recording Secretary, do hereby attest to and certify the attached Resolution No. 2017-xx to be the original resolution adopted by the Planning Commission of the City of Santa Ana on July 10, 2017.

Date: ____________________
Acting Recording Secretary
City of Santa Ana
Good afternoon Melanie, here are the Committee's comments concerning the most recent submittal for 508 E. Washington.

Windows
The Committee continues to request that wood windows replace the vinyl windows the owner recently installed without permit. The new wood windows should match the original windows as to size, trim and whether they were fixed, double or single hung. Although the owner likely disposed of the several wood windows which remained on the two structures, new wood windows should be easy to fabricate as there are examples of such, from this time period, in French Park.

The Committee does not support the use of vinyl windows on this 70 year old, antique house. Vinyl windows, on an older home, is contrary to the Design Guide adopted by the City for the Historic French Park neighborhood. The neighborhood did not have an opportunity to consider the substantial altering of this wood-frame structure before demolition occurred. If it had had the opportunity to review the project the Committee would have requested the original wood windows be repaired first, or if lost or too severely damaged, then built anew, per the Secretary of Interior Standards for historic preservation.

Garage Doors
The Committee continues to recommend that the replacement garage doors reflect the style of wood door found on other structures of this era in French Park and not the proposed metal and glass doors shown on the plans. The Committee considered a similar proposal for replacement garage doors at 3 duplexes located on the corner of Lacy and Vance. The Committee recommended that the owner install new wood doors using horizontal wood planks. We propose the subject project also use horizontal wood planks to create the door surface.

Staircase Railing and Balusters
The Committee does not support the use of steel for the staircase hand rails or balusters. Instead the Committee recommends the project use cut wood for all parts of the three staircase including the risers and steps. It is recommended that the handrail include a convex curve to accommodate a person's grip.

Exterior Doors
The Committee supports the use of exterior doors which reflect the period of time the two structures were built. There are likely one or two examples of exterior doors from the late 1930's early 1940's in French Park. We ask that the owners review these examples and propose a solid-core door with one or four lights.

Exterior Stucco
The exterior of the single and two story structures likely had a coarse sand stucco finish. Since no information was presented to the Committee by the owner that shows the original mud-coat, the Committee recommends that the new siding not be a smooth finish (as was installed without permit), but instead apply a new coarse sand stucco coat. The Committee asks the applicant examine the mud coats of other similarly-aged structures in French Park and then propose a replacement exterior for the recently applied coating.

Front yard Screen Wall
The Committee supports a low screen wall to hide the existing gas meters. Instead of a smooth stucco finish the Committee recommends a coarse finish. The Committee does not support the proposed rusted metal accent pieces.

Feel free to email or call me should you have any questions.

Thank you,

Jeff Dickman
Historic French Park, Architectural Review Committee
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REQUEST FOR
Planning Commission Action

PLANNING COMMISSION MEETING DATE:
JULY 10, 2017

TITLE:
PUBLIC HEARING – FILED BY JOSEFAT ZAMORA TO MODIFY CONDITIONAL USE PERMIT NO. 2011-09 TO ALLOW THE SALE OF BEER, WINE, AND DISTILLED SPIRITS FOR ON-PREMISE CONSUMPTION AT MARISCOS ZAMORA RESTAURANT LOCATED AT 3701 WEST MCFADDEN AVENUE, UNIT G, H, I, and J {STRATEGIC PLAN NO. 3, 2}
Prepared by Escarlet Mar

RECOMMENDED ACTION

Adopt a resolution approving modification to Conditional Use Permit No. 2011-09 as conditioned.

Executive Summary

Josefat Zamora, owner of Mariscos Zamora Restaurant, is requesting approval of modification to Conditional Use Permit No. (CUP) 2011-09 to allow the sale of beer, wine and distilled spirits for on-premise consumption at an existing eating establishment located at 3701 West McFadden Avenue, Unit G, H, I, and J. The subject site is currently entitled under Conditional Use Permit No. 2011-09 to sell beer and wine for on-premise consumption, provide entertainment, and for after-hours operation. Staff is recommending approval of the applicant’s modification request due to the site’s location away from sensitive land uses and the restaurant’s history of compliance with the City codes and regulations that require it to operate as a bona-fide eating establishment. In addition, staff recommends modification to delete the previously approved conditions and replace with standards for on-premise alcohol sales outlined in Section 41-196 (g) of the Santa Ana Municipal Code (SAMC).

Table 1: Project and Location Information

<table>
<thead>
<tr>
<th>Item</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Address</td>
<td>3701 West McFadden Avenue, Unit G, H, I, and J</td>
</tr>
<tr>
<td>Nearest Intersection</td>
<td>Harbor Boulevard and McFadden Avenue</td>
</tr>
<tr>
<td>General Plan Designation</td>
<td>District Center (DC)</td>
</tr>
<tr>
<td>Zoning Designation</td>
<td>Harbor Mixed Use Transit Corridor Specific Plan (SP-2)-Transit Node</td>
</tr>
<tr>
<td>Surrounding Land Uses</td>
<td>North Commercial</td>
</tr>
<tr>
<td></td>
<td>East Commercial</td>
</tr>
<tr>
<td></td>
<td>South Commercial</td>
</tr>
</tbody>
</table>
Modification to CUP No. 2011-09  
July 10, 2017  
Page 2

<table>
<thead>
<tr>
<th>Item</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Size</td>
<td>West</td>
</tr>
<tr>
<td>Existing Site Development</td>
<td>The site contains two commercial buildings surrounded by shared surface parking.</td>
</tr>
<tr>
<td>Use Permissions</td>
<td>Restaurant use is allowed by right; alcohol sales are allowed with approval of a conditional use permit.</td>
</tr>
<tr>
<td>Zoning Code Sections Affected</td>
<td>Uses</td>
</tr>
<tr>
<td></td>
<td>Operational Standards</td>
</tr>
</tbody>
</table>

**Project Description**

Mariscos Zamora Restaurant currently sells beer and wine for on-premise consumption. The restaurant will continue to operate as a bona fide eating establishment with no other modifications to its entitlements. The proposed alcoholic beverages will continue to be stored within the kitchen area and will consist of less than five percent of the floor area. No display area for alcoholic beverages and no construction or expansion of square footage are proposed at this time.

**Table 2: Operational Standards**

<table>
<thead>
<tr>
<th>Standards</th>
<th>Required by SAMC</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eating Establishment Type</td>
<td>Bona-Fide</td>
<td>Complies</td>
</tr>
<tr>
<td>Hours of Operation for ABC Sales</td>
<td>8:00 am to 12:00 am, unless otherwise allowed by an after-hours CUP</td>
<td>10:00 am to 2:00 am Daily, as provided by the existing CUP</td>
</tr>
<tr>
<td>Window Display</td>
<td>25% of Window Coverage</td>
<td>Complies</td>
</tr>
<tr>
<td>Live Entertainment</td>
<td>Entertainment Permit</td>
<td>Allowed by existing CUP but new entertainment permit required</td>
</tr>
<tr>
<td>Alcohol Storage and Display</td>
<td>5% of G.F.A.</td>
<td>0.05 % of G.F.A.</td>
</tr>
<tr>
<td>Exterior Telephone</td>
<td>Prohibited</td>
<td>None</td>
</tr>
</tbody>
</table>

**Project Background**

Mariscos Zamora Restaurant opened in December 2000. In 2006 the owners of the subject site requested an amendment to the original CUP No. 1997-15 for the operation of a Type 41 alcoholic beverage control license allowing the sale and on-premise consumption of beer and wine in suites H and I. Subsequently, the owners requested an amendment to the original CUP to allow the expansion of the restaurant into adjacent Suite J; it was approved on September 25, 2006.

In 2011 the owner of the restaurant requested to expand into Suite G and amend an existing condition of approval to extend hours of alcohol sales until 2:00 a.m. On November 2, 2011 the Zoning Administrator approved modification to the CUP to allow live entertainment. However, the applicant's request to extend the hours of alcohol sales until 2:00 a.m. was denied.
The applicant appealed the Zoning Administrator's denial and on December 12, 2011, the Planning Commission approved Appeal No. 2011-01 to allow extended hours of alcohol sales. The current application to modify the CUP would allow the sale of beer, wine, and distilled spirits for on-premise consumption through a Type 47 ABC license.

**Project Analysis**

CUP requests are governed by Sec. 41-638 of the SAMC. CUPs may be granted when it can be shown that the proposed project will not adversely impact the community. If these findings can be made, then it is appropriate to grant the conditional use permit. Conversely, the inability to make these findings would result in a denial. Staff has prepared the following analysis, which in turn forms the basis for the recommendation contained in this report.

The purpose of regulating establishments that sell alcoholic beverages is to set forth operating practices and procedures, and to minimize impacts to surrounding areas. Staff has reviewed the applicant’s request and has determined that modification to the CUP will not be detrimental to the health, safety, and welfare of the community.

The CUP modification will not be detrimental to the health, safety, and welfare of the community. Mariscos Zamora Restaurant is an established restaurant business with a history of service to the community and visitors of the City. The existing eating establishment and the sale of distilled spirits (in addition to beer and wine) will enhance the economic viability of the area and create a more attractive dining opportunity for visitors and residents in the community by allowing the restaurant to offer a full menu of food and beverages to its customers.

The restaurant is located away from sensitive land uses such as residences, schools, and parks, and is in compliance with all applicable regulations and conditions imposed on an established bona fide public eating establishment pursuant to Chapter 41 of the SAMC. Finally, the CUP modification will be consistent with several goals and policies of the General Plan, including Goal 2 of the Land Use Element, which encourages land uses that enhance the City’s economic and fiscal viability. Mariscos Zamora Restaurant will continue to provide an additional amenity as part of the restaurant operations by serving alcoholic beverages to guests and residents of the city.

**Table 3: Police Department Analysis and Criteria for Recommendation**

<table>
<thead>
<tr>
<th>Police Grid No. and Rank</th>
<th>Police Grid No. 66; ranked 24 out of 103 Police Reporting Grids (22nd percentile)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Threshold for High Crime</td>
<td>This reporting district is below the 20 percent threshold established by the State for high crime</td>
</tr>
<tr>
<td>Police Department Recommendation</td>
<td>The Police Department contends that the operational standards applicable to on-premise ABC licenses will mitigate any potential impacts to the surrounding community and therefore does not oppose the granting of a CUP modification.</td>
</tr>
</tbody>
</table>
The Police Department reviews CUP applications for the sale and service of alcoholic beverages in order to ensure that the potential crime and nuisance behaviors associated with alcohol consumption are mitigated to the greatest extent possible. For on-sale licenses, the Police Department analyzes the crime rate in the area using the standards and definitions contained in the Business and Professions Code § 23948.4(c)(2), which also are utilized by the State Department of Alcoholic Beverage Control. This section defines “reported crimes” as criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors, except traffic citations.

The Police Department then compares the number of such crimes in the reporting district as compared to the number of crimes in other reporting districts. In keeping with the standard used by the State Department of Alcohol Beverage Control and Business and Professions Code, should the Police Department determine that the reporting district has a 20 percent greater number of reported crimes than the average number found in all reporting districts, the Police Department will consider this information in making its recommendation.

Table 4: CEQA, Strategic Plan Alignment and Public Notification & Community Outreach

<table>
<thead>
<tr>
<th>CEQA, Strategic Plan Alignment, and Public Notification &amp; Community Outreach</th>
<th>CEQA</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEQA Type</td>
<td>General Rule [§15061 (b) (3)]</td>
</tr>
<tr>
<td>Reason(s) Exempt or Analysis</td>
<td>This exemption applies to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. This is an existing eating establishment already selling alcoholic beverages and no alterations are being proposed at this time.</td>
</tr>
<tr>
<td>Strategic Plan Alignment</td>
<td>Approval of this item supports the City’s efforts to meet Goal #3 (Economic Development) Objective #2 of creating new opportunities for business/job growth and encourage private development through new General Plan and Zoning Ordinance policies.</td>
</tr>
<tr>
<td>Public Notification &amp; Community Outreach</td>
<td>Required Measures</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
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</tr>
<tr>
<td></td>
<td>Additional Measures</td>
</tr>
</tbody>
</table>
Conclusion

Based on the analysis provided within this report, staff recommends that the Planning Commission approve modification to Conditional Use Permit No. 2011-09 as conditioned.

Escarlet Mar
Planning Technician

EM: sb
M:\Discretionary Projects\CUP-2011-09-ABC_MOD (Mariscos Zamora)

Exhibits:  1. General Vicinity and Existing Land Use Map
           2. Site Photo
           3. Site Plan
           4. Floor Plan
           5. Resolution
Modification to CUP 11-09
3701 West McFadden Avenue, Unit G, H, I, and J

Exhibit 1: General Vicinity and Existing Land Use Map

EXHIBIT 1

MODIFICATION TO CUP 2011-09
MARISCOS ZAMORA RESTAURANT ON-SALE ABC
3701 WEST MCFADDEN, UNIT G, H, I, and J

SITE PHOTO
EXHIBIT 2
RESOLUTION NO. 2017-XX

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SANTA ANA APPROVING MODIFICATION
TO CONDITIONAL USE PERMIT NO. 2011-09 AS
CONDITIONED TO ALLOW THE SALE OF ALCOHOLIC
BEVERAGES FOR ON-PREMISE CONSUMPTION AT
MARIACOS ZAMORA RESTAURANT LOCATED AT 3701
WEST MCFADDEN AVENUE, UNIT G, H, I, AND J

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF
SANTA ANA AS FOLLOWS:

Section 1. The Planning Commission of the City of Santa Ana hereby finds,
determines and declares as follows:

A. Conditional Use Permit No. 2011-09 came before the Zoning
Administrator of the City of Santa Ana on April 27, 2011 for a duly noticed
public hearing. On May 18, 2011, the Zoning Administrator approved
Conditional Use Permit No. 2011-09 as conditioned.

B. On November 2, 2011, the Zoning Administrator approved modifications to
Conditional Use Permit No. 2011-09 to allow live entertainment but denied
the request to extend the hours of alcohol sales until 2:00 a.m. On
December 12, 2011, the Planning Commission granted Appeal No. 2011-
11 to allow extended hours of alcohol sales until 2:00 a.m.

C. Josef Zamora ("Applicant"), representing Mariscos Zamora Restaurant,
is requesting approval of modification to Conditional Use Permit No. 2011-
09 to allow the sale of alcoholic beverages (beer, wine, and distilled
spirits) for on-premise consumption for the property located at 3701 West
Mcfadden Avenue, Unit G, H, I, and J.

D. Santa Ana Municipal Code Section 41-196 requires a conditional use
permit for the sale of alcoholic beverages for on-site consumption of
alcoholic beverages that is ancillary to the primary restaurant use.

E. The Planning Commission determines that the following findings, which
must be established in order to grant this Conditional Use Permit
pursuant to Santa Ana Municipal Code Section 41-638, have been
established for Conditional Use Permit No. 2011-09 to allow for sale of
alcoholic beverages for on-premise consumption:
1. That the proposed use will provide a service or facility which will contribute to the general well being of the neighborhood or the community.

   The sale of alcoholic beverages for on-premise consumption at this location will continue to provide an ancillary service to the restaurant's customers by allowing them the ability to purchase a variety of alcoholic beverages with their food. This will thereby benefit the community by providing a restaurant with an additional and complementary food-related amenity. Standards are applicable to the alcoholic beverage control license which will mitigate any potential impacts created by the use and ensure that the use will not negatively affect the surrounding community.

2. That the proposed use under the circumstances of the particular case will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity.

   The sale of alcoholic beverages for on-premise consumption at this location will not be detrimental to persons residing or working in the vicinity because operational standards applicable to the alcoholic beverage control license will mitigate any potential negative or adverse impacts created by the use. This is primarily a restaurant use and the addition of alcohol will be ancillary to the main use. Moreover, the restaurant's location away from sensitive land uses reduces any potential impacts to others in the immediate vicinity. Finally, the sale of alcohol in the restaurant will continue to be incidental to the primary use as an eating establishment and will occur within the premises.

3. That the proposed use will not adversely affect the present economic stability or future economic development of properties surrounding the area.

   The proposed use will not adversely affect the economic stability of the area; the offering of alcoholic beverages will allow Mariscos Zamora Restaurant, a locally-owned restaurant, will continue to remain economically viable and compete with nearby full-service restaurants in the vicinity and contribute to the overall success of the City of Santa Ana.

4. That the proposed use shall comply with the regulations and conditions specified in Chapter 41 for such use.

   The sale of alcohol beverages will continue to be in compliance with all applicable regulations and conditions imposed on a restaurant selling alcoholic beverages for on-
premise consumption pursuant to Chapter 41 of the Santa Ana Municipal Code. The facility will be maintained as a full-service, bona-fide eating establishment, having suitable kitchen facilities and supplying an assortment of foods commonly ordered at various hours of the day. Additionally, the restaurant will utilize less than five (5) percent of the gross floor area for the display and/or storage of alcoholic beverages, which is the maximum threshold established by the Santa Ana Municipal Code.

5. That the proposed use will not adversely affect the General Plan or any specific plan of the City.

The sale of alcoholic beverage for on-premise consumption at this location will not adversely affect the General Plan. The granting of this conditional use permit supports several policies contained in the General Plan. Policy 2.2 of the Land Use Element encourages land uses that accommodate the City’s needs for goods and services. Providing a variety of full-service restaurants that feature alcoholic beverages on their menus offers additional dining options for Santa Ana residents and visitors. Finally, Policy 5.5 of the Land Use Element encourages development that is compatible with and supporting of surrounding land uses. Mariscos Zamora Restaurant is located in a multi-tenant commercial center and its operation is compatible with the surrounding commercial businesses.

F. In accordance with the California Environmental Quality Act (CEQA) the recommended action is exempt from CEQA per Section 15061(b)(3). This exemption applies to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The project proposes to continue to allow the on-premise sale of alcoholic beverages at a full-service restaurant within an existing structure. It has been found by the City that the use will not create any adverse impacts such as noise, traffic, or safety concerns. The cumulative impact of this project will not be significant as the use will be complementary with the nearby commercial uses in the area. There is no reasonable possibility that the project will have a significant effect on the environment due to the facility having the necessary infrastructure to operate the proposed use. Categorical Exemption Environmental Review No. 2011-32 will be filed for this project.

Section 2. The applicant agrees to indemnify, hold harmless, and defend the City of Santa Ana, its officials, officers, agents, and employees, from any and all liability, claims, actions or proceedings that may be brought arising out of its approval of this
project, and any approvals associated with the project, including, without limitation, any environmental review or approval, except to the extent caused by the sole negligence of the City of Santa Ana.

Section 3. The Planning Commission of the City of Santa Ana after conducting the public hearing hereby approves modification to Conditional Use Permit No. 2011-09 as conditioned in "Exhibit A" attached hereto and incorporated herein for the project located at 3701 West McFadden Avenue, Unit G, H, I, and J. This decision is based upon the evidence submitted at the abovesaid hearing, which includes, but is not limited to: the Request for Planning Commission Action dated July 10, 2017, and exhibits attached thereto; and the public testimony, all of which are incorporated herein by this reference.

ADOPTED this 10th day of July, 2017 by the following vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:
ABSTENTIONS: Commissioners:

Lynnette Verino
Chairperson

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: __________________________
Lisa Storck
Assistant City Attorney
CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, ROSA BARELA, Acting Recording Secretary, do hereby attest to and certify the attached Resolution No. 2017-XX to be the original resolution adopted by the Planning Commission of the City of Santa Ana on July 10, 2017.

Date: ______________________

Acting Recording Secretary
City of Santa Ana
Exhibit A

Conditions for Approval for Modification to Conditional Use Permit No. 2011-09

Modification to Conditional Use Permit No. 2011-09 for a restaurant located at 3701 West McFadden Avenue is approved subject to compliance, to the reasonable satisfaction of the Planning Manager, with all applicable sections of the Santa Ana Municipal Code, the California Administrative Code, the California Building Standards Code and all other applicable regulations.

The Applicant must comply in full with each and every condition listed below prior to exercising the rights conferred by this conditional use permit.

The Applicant must remain in compliance with all conditions listed below throughout the life of the conditional use permit. Failure to comply with each and every condition may result in the revocation of the conditional use permit.

A. Planning Division

1. Submit a planned sign program for review and approval to include regulation of temporary signs, window signs, freestanding and wall sign as permitted by Chapter 41-860.

2. There shall be no outdoor sales or consumption of alcohol.

3. The applicant shall submit interior tenant improvement plans to the City of Santa Ana prior to the release of the ABC license to legalize all removal of non-load bearing walls to combine Units G, H, I, and J.
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