



# AGENDA

## Planning Commission December 05, 2022

### 7:00 PM Regular Session

Anna Pehoushek  
Assistant Community  
Development Director

Mary Binning  
Sr. Assistant City Attorney

Jessica Garcia  
Administrative Assistant

City Council Chamber  
300 E. Chapman Avenue  
Orange, CA 92866

DAVID VAZQUEZ  
Chair

ERNEST GLASGOW  
Vice Chair

DAVE SIMPSON  
Commissioner

RICK MARTINEZ  
Commissioner

JONATHAN TRAPESONIAN  
Commissioner

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Welcome to the Planning Commission meeting. Regular meetings of the City of Orange Planning Commission are held the first and third Monday of each month at 7:00 p.m.

#### Agenda Information

The agenda contains a brief general description of each item to be considered. Written materials relating to an item on the agenda that are provided to the Planning Commission after agenda packet distribution and within 72 hours before it is to consider the item will be made available for public inspection in the City Clerk's Office located at 300 E. Chapman Avenue, Orange, during normal business hours; at the Planning Commission meeting; and made available on the City's website.

#### Public Participation

Planning Commission meetings may be viewed on Spectrum Cable Channel 3 and AT&T U-verse Channel 99 or streamed live and on-demand on the City's website at [www.cityoforange.org](http://www.cityoforange.org).

Pursuant to Government Code Section 54954.3, members of the public may address the Planning Commission on any agenda items or matters within the jurisdiction of the governing body by using any of the following methods:

##### 1) In-person

To speak on an item on the agenda, complete a speaker card indicating your name and address, and identifying the agenda item number or subject matter you wish to address. The card should be given to City staff prior to the start of the meeting. General comments are made during the "Public Comments" section at the beginning of the meeting. Public Comments are limited to three (3) minutes per speaker unless a different time limit is announced. It is requested that you state your name for the record, then proceed to address the Commission. All speakers shall observe civility, decorum, and good behavior.

*(Continued on page 2)*

**2) Written Public Comments via e-mail or eComment**

Members of the public can submit their written comments electronically for the Planning Commission's consideration by emailing them to [PCpubliccomment@cityoforange.org](mailto:PCpubliccomment@cityoforange.org) with the subject line "Public Comment Item #(insert the corresponding item number)" or "Public Comment Non-agenda Item" for general public comments. The public can also submit written comments on the City's eComment page by visiting the City's website and clicking on the eComment link for this meeting. To ensure distribution to the Planning Commission prior to consideration of the agenda, we encourage the public to submit comments by 3:00 p.m. the day of the meeting. All public comments received for this agenda will be provided to the Commissioners, posted on the City's website, and compiled as part of the record.

**3) Public Comments via recorded voicemail message**

Finally, the public can record their comments by calling (714) 744-7271 no later than 4:00 p.m. the day of the meeting. Recorded messages will not be played at the meeting, but will be provided to the Planning Commission and the caller's position will be summarized in the minutes.

Please contact the City Clerk's Office at (714) 744-5500 with any questions.

ADA Requirements: In compliance with the Americans with Disabilities Act, if you need accommodations to participate in this meeting, contact the Clerk's office at (714) 744-5500. Notification at least 48 hours in advance of meeting will enable the City to make arrangements to assure accessibility to this meeting.

***REMINDER: Please silence all electronic devices while Planning Commission is in session.***

**APPEAL PROCEDURE**

Any final determination by the Planning Commission may be appealed, and such appeal must be filed within 15 calendar days after the Planning Commission action. This appeal shall be made in written form to the Community Development Department, accompanied by an initial appeal deposit of \$1,000.00.

The City Clerk, upon filing of said appeal, will set petition for public hearing before the City Council at the earliest date. All owners of property located within 300 feet of the project site will be notified by the City Clerk of said hearing. For additional information, please call (714) 744-7220.

If you challenge any City of Orange decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on this agenda or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

**1. OPENING/CALL TO ORDER****1.1 PLEDGE OF ALLEGIANCE****1.2 ROLL CALL****2. PUBLIC COMMENTS**

At this time, members of the public may address the Commission on matters not listed on the Agenda which are within the subject matter jurisdiction of the Commission, provided that NO action may be taken on off-agenda items unless authorized by law. Public Comments are limited to three (3) minutes per speaker.

**3. 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. There will be no separate discussion of said items unless members of the Planning Commission, staff or the public request specific items removed from the Consent Calendar for separate action.

**3.1. Approval of meeting minutes of the Planning Commission of the City of Orange for the November 7, 2022 Regular Meeting.****Recommended Action:**

Approve minutes as presented.

**Attachments:** [Staff Report](#)  
[November 7, 2022 Regular Meeting Minutes](#)

**4. ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR REPORTS****5. COMMISSION BUSINESS****5.1. Appeal No. 0560-22; an appeal of Design Review Committee approval of Design Review No. 5077-22 allowing construction of a new duplex unit at 529 S. Grand Street****Recommended Action:**

The Planning Commission shall consider the record and such additional evidence as may be offered and may affirm, reverse, or modify, in whole or in part, the action that was appealed. Staff will return to the Commission at a subsequent meeting with a Resolution reflecting the action taken.

**Attachments:** [Staff Report](#)  
[Attachment 1 Appeal No. 0560-22](#)  
[Attachment 2 Vicinity Map](#)  
[Attachment 3 Project Plans with Site Photos](#)  
[Attachment 4 Design Review Committee Minutes, October 5, 2022](#)  
[Attachment 5 Design Review Committee Staff Report, October 5, 2022](#)

**5.2. Appeal No. 559-22, AMAROK (Sunbelt Rentals)****Recommended Action:**

The Planning Commission shall consider the record and such additional evidence as may be offered and may affirm, reverse, or modify, in whole or in part, the action that was appealed.

**Attachments:**     [Staff Report](#)  
                          [Attachment 1 Vicinity Map](#)  
                          [Attachment 2 Applicant Letter of Justification](#)  
                          [Attachment 3 Community Development Director Determination](#)  
                          [Attachment 4 AMAROK Appeal](#)  
                          [Attachment 5 Fence Layout](#)

**6. NEW HEARINGS****6.1. Public Hearing: Conditional Use Permit No. 3187-22, Pitfire Pizza, 1623 W. Katella Avenue, Suite 102 and CEQA exemption finding.****Recommended Action:**

Adopt Planning Commission Resolution No. 31-22 entitled:  
A Resolution of the Planning Commission of the City of Orange approving Conditional Use Permit No. 3187-22, for a State of California Department of Alcoholic Beverage Control Type 47 License (On Sale General - Eating Place) at a proposed restaurant and expanded patio located at 1623 W. Katella Avenue, Suite 102.

**Attachments:**     [Staff Report](#)  
                          [Attachment 1 Planning Commission Resolution No. 31-22](#)  
                          [Attachment 2 Vicinity Map](#)  
                          [Attachment 3 Applicant Letter of Explanation and Menu](#)  
                          [Attachment 4 Site Photos](#)  
                          [Attachment 5 CUP No. 2738-08 Resolution No. PC 12-09](#)  
                          [Attachment 6 Community Development Director Determination ADR No. 0201-22](#)  
                          [Attachment 7 Orange Police Department Memorandum dated September 7, 2022](#)  
                          [Attachment 8 Planning Commission Evaluation Map](#)  
                          [Attachment 9 Project Plans](#)

**6.2. Public Hearing: Conditional Use Permit No. 3126-20, Design Review No. 5016-20, and Minor Site Plan Review No. 1020-20, In-N-Out Burger and CEQA exemption finding.****Recommended Action:**

Adopt Planning Commission Resolution No. 32-22 entitled:

A Resolution of the Planning Commission of the City of Orange approving Conditional Use Permit No. 3126-20, Design Review No. 5016-20, and Minor Site Plan Review No. 1020-20 to construct a new fast-food drive-through restaurant with associated site improvements located at 3520 The City Way East.

**Attachments:**     [Staff Report](#)  
                          [Attachment 1 Planning Commission Resolution No. PC 32-22](#)  
                          [Attachment 2 Vicinity Map](#)  
                          [Attachment 3 Design Review Committee Staff Report Dated  
November 7, 2022](#)  
                          [Attachment 4 Landscape Development Standards Reference Table](#)  
                          [Attachment 5 Proposed Development Plans](#)  
                          [Attachment 6 Color and Materials Board](#)

## 7.     **ADJOURNMENT**

The next Regular Planning Commission Meeting will be held on Monday, December 16, 2022 at 7:00 p.m., in the Council Chamber.

I, Jessica Garcia, Administrative Assistant for the City of Orange, hereby declare, under penalty of perjury, that a full and correct copy of this agenda was posted pursuant to Government Code Section 54950 et. seq., at the following locations: Orange Civic Center kiosk and Orange City Clerk's Office at 300 E. Chapman Avenue, Police facility at 1107 N. Batavia, Orange Main Public Library at 407 E. Chapman Avenue, and uploaded to the City's website [www.cityoforange.org](http://www.cityoforange.org).

Date posted: December 1, 2022.