



# AGENDA

## Planning Commission February 17, 2021

### 7:00 PM Regular Session

#### Various Teleconference Locations

Anna Pehoushek  
Assistant Community  
Development Director

Mary Binning  
Sr. Assistant City Attorney

Jessica Wang  
Administrative Specialist

DAVE SIMPSON  
Chair

DAVID VAZQUEZ  
Vice Chair

ERNEST GLASGOW  
Commissioner

RICK MARTINEZ  
Commissioner

DOUG WILLITS  
Commissioner

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### SPECIAL NOTICE REGARDING CORONAVIRUS (COVID-19)

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 (superseding the Brown Act related provisions of Executive Order N-25-20 issued on March 12, 2020), which allows a local legislative body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Pursuant to Executive Order N-29-20, please be advised that some, or all, of the City of Orange Planning Commissioners and staff will participate in meetings via teleconference.

In response to the Governor's Executive Orders, and to ensure the health and safety of our residents by limiting contact that could spread the COVID-19 virus, there will be no members of the public in attendance at Planning Commission meetings, except to provide in-person Public Comment as outlined below.

### Public Participation

In place of in-person attendance, the Planning Commission meeting may be viewed in one of the following ways: 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).

In addition, the following options are available to the public to address the Planning Commission on any agenda items or matters within the jurisdiction of the governing body:

#### 1) Public Comments via e-mail

Members of the public can submit their written comments electronically for Planning Commission consideration by emailing them to [PCpubliccomment@cityoforange.org](mailto:PCpubliccomment@cityoforange.org) with the subject line "Public Comment Item # (insert the item number relevant to the comment)" or "Public Comment Non-agenda Item" for general public comments. 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 will be provided to the Commissioners, posted on the City's website, and compiled as part of the record.

**Effective February 17, 2021, written comments will no longer be read aloud.**

#### 2) In-person Comments

Members of the public can provide in-person comments via microphone in the Council Chamber at City Hall. Social distancing measures will be in place, masks are required, and once a participant has made a public

comment, the participant will be asked to exit the building. Public comments are limited to three (3) minutes per speaker.

### **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.

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

NOTE: Any public record that is distributed less than 72 hours prior to the Planning Commission meeting will be made available at the City Clerk's Office and posted on the City's website.

## **1. OPENING**

### **1.1 CALL TO ORDER**

### **1.2 PLEDGE OF ALLEGIANCE**

### **1.3 ROLL CALL**

### **1.4 PUBLIC COMMENTS**

Opportunity for members of the public to address the Commission on matters not listed on the Agenda which are within the subject matter jurisdiction of the Commission. Members of the public can submit their comments in writing for the Commission's consideration by sending them to [PCpubliccomment@cityoforange.org](mailto:PCpubliccomment@cityoforange.org). In addition to electronic comments, members of the public can provide in-person comments via microphone in the Council Chamber. Public Comments are limited to three minutes per speaker. Finally, the public can leave a recorded message by calling (714) 744-7271. Please refer to pages 1 and 2 of the agenda for more information and detailed instructions.

### **1.5 Continued or Withdrawn Items**

### **1.6 Assistant Community Development Director Reports**

### **1.7 Announcement of Appeal Procedures (details found on last page of this agenda)**

## **2. 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.

### **2.1. Approval of meeting minutes of the Planning Commission of the City of Orange for the February 1, 2021 Regular Meeting.**

#### **Recommended Action:**

Approve minutes as presented.

**Attachments:**     [Staff Report](#)  
                              [February 1, 2021, Regular Meeting Minutes](#)

**3. COMMISSION BUSINESS**

**4. CONTINUED HEARINGS**

**5. NEW HEARINGS**

**5.1. Public Hearing: Conditional Use Permit No. 3131-20, Royal Wok Type 41 ABC License, 1868 N. Tustin Street**

**Recommended Action:**

Adopt Planning Commission Resolution No. 10-21 entitled:

A Resolution of the Planning Commission of the City of Orange approving Conditional Use Permit No. 3131-20 for a State of California, Department of Alcoholic Beverage Control, Type 41 License (On-Sale Beer & Wine) for a 3,000 square foot restaurant located at 1868 N. Tustin Street.

**Attachments:**     [Staff Report](#)  
                              [Attachment 1 - Planning Commission Resolution No. PC 10-21 Approval Draft](#)  
                              [Attachment 2 - Vicinity Map](#)  
                              [Attachment 3 - Applicant Letter of Explanation](#)  
                              [Attachment 4 - Orange Police Department Vice Unit's Memorandum dated October 26, 2020](#)  
                              [Attachment 5 - Planning Commission Evaluation Map](#)  
                              [Attachment 6 - Draft Letter to ABC for Finding of Public Convenience or Necessity.docx](#)  
                              [Attachment 7 - Floor Plan](#)  
                              [Attachment 8 - Menu](#)

**5.2. Public Hearing: General Plan Amendment No. 2019-001, Zone Change No. 1298-19, Mitigated Negative Declaration No. 1868-19, Major Site Plan Review No. 0976-19, Variance No. 2251-19, Design Review No. 4977-19, Administrative Adjustment No. 0274-19, Orange County Ronald McDonald House, 383 S. Batavia Street and 802 W. Culver Avenue**

**Recommended Action:**

Adopt the following Resolutions:

Planning Commission Resolution No. PC 05-21 entitled:

A Resolution of the Planning Commission of the City of Orange recommending to the City Council approval of Mitigated Negative Declaration No. 1868-19 and associated Mitigation Monitoring and Reporting Program for the construction of a 17,325 square foot addition to the Orange County Ronald McDonald House located at 383 S. Batavia Street and conversion of a historic single-family residence at 802 W. Culver Avenue to an associated office

Planning Commission Resolution No. PC 06-21 entitled:

A Resolution of the Planning Commission of the City of Orange recommending to the City Council approval of General Plan Amendment No. 2019-001, a request to change the General Plan Designation of a 60,670 square foot site from Low Density Residential (LDR) to Public Facilities and Institutions (PFI) on a site located at 383 S. Batavia Street and 802 W. Culver Avenue

Planning Commission Resolution No. PC 07-21 entitled:

A Resolution of the Planning Commission of the City of Orange recommending to the City Council approval of Zone Change No. 1298-19, a request to change the Zoning designation of a 60,670 square foot site from Single-Family Residential (R-1-6) to Public Institution (PI) on a site located at 383 S. Batavia Street and 802 W. Culver Avenue

Planning Commission Resolution No. PC 08-21 entitled:

A Resolution of the Planning Commission of the City of Orange recommending to the City Council approval of Major Site Plan Review No. 0976-19, Variance No. 2251-19, Design Review No. 4977-19, and Administrative Adjustment No. 0274-19 for the construction of a 17,325 square foot addition to the Orange County Ronald McDonald House located at 383 S. Batavia Street and conversion of a historic single-family residence at 802 W. Culver Avenue to an associated office

**Attachments:**

[Staff Report](#)

[Attachment 1 Planning Commission Resolution No. PC 05-21](#)

[Attachment 2 Planning Commission Resolution No. PC 06-21](#)

[Attachment 3 Planning Commission Resolution No. PC 07-21](#)

[Attachment 4 Planning Commission Resolution No. PC 08-21](#)

[Attachment 5 Vicinity Map](#)

[Attachment 6 Site and Surrounding Photographs](#)

[Attachment 7 Historic Resource Survey Forms](#)

[Attachment 8 DRC Meeting Minutes](#)

[Attachment 9 Public Comments Received at DRC Meetings](#)

[Attachment 10 Final Mitigated Negative Declaration No. 1868-19](#)

[Attachment 11 Mitigation Monitoring and Reporting Program](#)

[Attachment 12 Project Plans](#)

[Attachment 13 Revised Design Elements](#)

[Attachment 14 Design Progression](#)

### **5.3. Public Hearing: Accessory Dwelling Unit Ordinance Update**

**Recommended Action:**

Adopt Planning Commission Resolution No. PC 09-21 entitled:

A Resolution of the Planning Commission of the City of Orange recommending that the City Council adopt Ordinance No. XX-21 updating accessory dwelling unit provisions of the Orange Municipal Code in response to recent changes in state law and effect other changes related thereto.

**Attachments:**     [Staff Report](#)  
[Attachment 1 - Planning Commission Resolution No. PC 09-21 with proposed City Council Ordinance No. XX-21](#)  
[Attachment 2 – Department of Housing and Community Development Accessory Dwelling Unit Handbook](#)  
[Attachment 3 - Government Code Section 65852.2.](#)  
[Attachment 4 - Government Code Section 65852.22.](#)

## **6. ADJOURNMENT**

The next Regular Planning Commission Meeting will be held on Monday, March 1, 2021 at 7:00 p.m. via various teleconference locations.

I, Kim Kinsler, Administrative Assistant, of 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 North 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: February 12, 2021

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 prior to the meeting will enable the City to make arrangements to assure accessibility to this meeting.

### 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.