



City of Orange Planning Commission Meeting Agenda

MONDAY, FEBRUARY 6, 2012

Commissioners:

William G. Steiner, Chair
Patricia "Pat" Buttress, Vice Chair
Adrienne Gladson
Raymond Grangoff

ADMINISTRATIVE SESSION

6:45 PM • Weimer Conference Room
(located behind the Council Chambers)

The Commission holds an Administrative Session to receive general information from the staff and conduct an initial review of the Minutes of prior meetings. The Session is open to the public; however, no public testimony is taken and no decisions are made. Following the Administrative Session, the Regular Session will begin at 7:00 p.m. in the City Council Chambers.

REGULAR SESSION

7:00 PM • City Council Chambers

Staff:

Leslie Aranda Roseberry,
Planning Manager

Gary Sheatz,
Assistant City Attorney

Sandi Dimick,
Recording Secretary

Jennifer Le,
Senior Planner

Robert Garcia,
Associate Planner

Chad Ortlieb,
Senior Planner

Location:

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

Mailing Address

P.O. Box 449
Orange, CA 92866-1591

Telephone Number:
(714) 744-7220

If you are interested in addressing the Planning Commission on any item on this agenda, please **PRINT** today's date, your full name, address (with zip code) and phone number (optional) as well as the agenda item number on a yellow card provided on the table at the front door. Submit the completed card to the recording secretary at the front of the chambers. The Chair will call your name and allow you to speak when the item is considered. When you speak to the Commission, state your full name and address for the record. Members of the public must direct their questions to the Chair and not to other members of the Commission, the staff, or the audience. Speaking time is limited to three (3) minutes per person, so please organize your comments accordingly.

Regular Planning Commission meetings will be broadcast live on Time Warner Cable, Channel 3 and AT&T U-Verse, Channel 99 on the 1st and 3rd Mondays. You may also stream the meeting LIVE on the internet by logging onto the City of Orange website at www.cityoforange.org, clicking on Council Online; scroll down to find the meeting date & click on Video to watch. Upcoming event dates will become "In Progress" video links when the meeting begins. Click the link to watch the live event.

If a legal holiday falls on the 1st or 3rd Monday, the meeting will be held on Wednesday of that week.

NOTE: Any public record that is distributed less than 72 hours prior to the Planning Commission meeting will be made available at the Planning Commission meeting and at the City Clerk counter at City Hall, 300 E. Chapman Avenue, Orange, CA 92866.

PLEASE SILENCE ALL ELECTRONIC DEVICES

ADMINISTRATIVE SESSION – WEIMER ROOM

- Review of Agenda
- Policy/Procedural information
- Review of minutes
- Adjourn to Regular Session in Council Chambers

In compliance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof, the Agenda will be made available in appropriate alternative formats to persons with a disability. Please contact the Planning Division either in person at 300 E. Chapman Ave., Orange, CA. or by calling (714) 744-7220 no later than 10:00 AM on the City business day preceding the scheduled meeting. If you need special assistance to participate in this meeting, please contact the City Clerk's office at (714) 744-5500. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title 11].

REGULAR SESSION – COUNCIL CHAMBERS

1. OPENING

1.1 Call to Order:

1.2 Flag Salute:

1.3 Roll Call:

1.4 Commission Reorganization:

Election of Chairperson and Vice-Chairperson

1.5 Public Participation:

Opportunity for members of the public to address the Commission on matters not listed on this agenda.

1.6 Continued or Withdrawn Items: None

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

2. CONSENT CALENDAR

2.1 APPROVAL OF MINUTES FROM THE REGULARLY SCHEDULED MEETING OF DECEMBER 19, 2011

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. NEW HEARINGS

3.1 ORDINANCE AMENDMENT – HOMELESS SHELTER ORDINANCE

The City is proposing to modify Title 17 (Zoning) of the Orange Municipal Code to allow homeless shelters as a permitted use in the M-1 and M-2 zoning districts, subject to certain requirements and standards. State law requires the City to establish zones where such facilities are permitted by right.

LOCATION: Citywide

NOTE: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15305 (Class 5 – Minor Alterations to Land Use Limitations). This exemption applies to projects involving minor alterations to land use limitations in areas with an average slope of less than 20%, which do not result in changes in land use or density.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 07-12 recommending the City Council approve an Ordinance amending Title 17 (Zoning) of the Orange Municipal Code to allow homeless shelters in the M-1 and M-2 Zoning districts, subject to certain development standards and requirements.

3.2 ZONE ORDINANCE NO. 19-11 – AMENDMENT TO CHAPTER 17.20.240 OF THE ORANGE MUNICIPAL CODE

The City proposes to amend Chapter 17.20.240 of the Orange Municipal Code regulating electromagnetic and radio frequency interference to update the Code in compliance with federal law.

LOCATION: Citywide

NOTE: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15305 (Class 5 – Minor Alterations in Land Use Limitations) because the project involves a minor amendment to the text of the zoning code which would not result in any changes in land use or density.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 08-12 recommending the City Council adopt Ordinance No. 19-11, amending Chapter 17.20.240 of the Orange Municipal Code regulating electromagnetic interference and radio frequency interference.

3.3 **CONDITIONAL USE PERMIT NO. 2839-11 – ASIANA GRILL**

The applicant proposes to sell beer, wine and sake under a California Department of Alcoholic Beverage Control Type 41 license in association with an approximately 2,000 square foot restaurant use.

LOCATION: 1273 N. Tustin, Unit A

NOTE: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15301 (Class 1 – Existing Facilities) because the project only involves the licensing of alcohol sales and no new construction is proposed in association with the request.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 06-12 approving an ABC Type 41 license (On-Sale Beer and Wine – Eating Place) with a Finding of Public Convenience or Necessity.

3.4 **CONDITIONAL USE PERMIT NO. 2847-12 – FUTURES IN EDUCATION (HALSTROM HIGH SCHOOL)**

The applicant is proposing one-to-one instruction learning. The applicant provides students in grades 7 through 12 instruction in a full curriculum of subjects.

LOCATION: 3111 N. Tustin Street, Suite 120

NOTE: This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15301 (Class 1 – Existing Facilities) because the project consists of a new use at an existing facility with no expansion of the existing facility.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 09-12 allowing the one-to-one instruction learning school.

4. ADJOURNMENT

This meeting is adjourned to the next regularly scheduled meeting on Wednesday, February 22, 2012.

APPEAL PROCEDURES

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.