City of Orange
Planning Commission Meeting
Agenda

MONDAY, MAY 20, 2013

REGULAR SESSION
7:00 PM • City Council Chambers

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

Commissioners:

William G. Steiner, Chair
Patricia "Pat" Buttress, Vice Chair
William "Bill" Cathcart
Adrienne Gladson

Staff:

Leslie Aranda Roseberry,
Planning Manager

Gary Sheatz,
Assistant City Attorney

Sandi Dimick,
Recording Secretary

Anna Pehoushek,
Principal Planner

Robert Garcia,
Associate Planner

Doris Nguyen,
Associate 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

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 Public Participation

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

1.5 Continued or Withdrawn Items: None

1.6 Planning Manager Reports

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 MAY 6, 2013.

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. COMMISSION BUSINESS:

3.1 GENERAL PLAN CONFORMANCE FINDING FOR FY 2013-2014 THROUGH FY 2019-2020 SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM

The Capital Improvement Program (CIP) serves as a single comprehensive plan of proposed capital improvement projects for the budget year FY 2013-2014 and the six years thereafter. In accordance with State law, the City must determine that the CIP is consistent with the General Plan.

NOTE: Staff has reviewed the list of projects identified in the CIP and determined that a number of projects will involve the need for preparation of environmental documentation in accordance with the California Environmental Quality Act (CEQA). Those documents will be prepared during project refinement and finalized prior to the awarding of contracts by the City Council.

RECOMMENDED ACTION:

Find the projects identified within the proposed Seven-Year Capital Improvement Program are consistent with the City's General Plan.

4. NEW HEARINGS:

4.1 ZONE CHANGE 1264-12 – CRAIG DRIVE RAILROAD RIGHT-OF-WAY

The applicant proposes to place a zone on existing, vacant, unzoned property on the south and west sides of the residents along Craig Drive, within the previous railroad right-of-way. No construction or demolition is proposed as part of this action.

LOCATION: **VACANT LOT - APN 094-593-28**

NOTE: Final Program Environmental Impact Report (EIR) No. 1815-09 for the Comprehensive General Plan Update was certified on March 9, 2010 and prepared in accordance with the California Environmental Quality Act. CEQA Guidelines Section 15168(c) allows the use of a previously certified Program EIR to cover "later activities" subject to the following findings:

- The project would not have effects that were not examined in the Program EIR; and
- No new significant impacts (or a substantial increase in the severity of an impact) would occur and no new mitigation measures are required.

Because the land use assumptions of Program EIR No, 1815-09 included the site's existing Low Density Residential 2 to 6 du/acre (LMDR) General Plan Land Use designation, impacts for future potential density increases on the site have been evaluated in the EIR. Table LU-3 of the General Plan Land Use Element identifies Single-Family Residential (R-1-7) as consistent with the LDR General Plan designation. Since the zoning will be changed to Single-Family Residential (R-1-7), consistent with the existing LDR General Plan designation, the proposed activity falls within the scope of the previously approved General Plan, and is adequately described in the previously certified Program EIR No. 1815-09 for purposes of CEQA.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 22-13 recommending that the City Council approve Zone Change 1264-12 to amend the Zoning map to designate an unzoned vacant piece of land to an R-1-7 Zone.

4.2 CONDITIONAL USE PERMIT NO. 2900-13 – WORK IT CARDIO

The applicant proposes a fitness studio for instructional group classes in a commercial center. A Conditional Use Permit is required for the instructional use.

LOCATION: **1632 E. KATELLA**

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 includes no expansion of the existing building.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 23-13 approving the allowance of a 3,000 SF fitness studio for instructional use.

5. ADJOURNMENT:

This meeting is adjourned to the next regularly scheduled meeting on Monday, June 3, 2013.

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.

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.