

MINUTES OF THE REGULAR MEETING OF THE
PLANNING COMMISSION
ORANGE COUNTY, CALIFORNIA
Wednesday, March 9, 2022, 1:30 P.M.

PLANNING COMMISSION ROOM, FIRST FLOOR
333 W. Santa Ana Blvd., 10 Civic Center Plaza
Santa Ana, California

KEVIN RICE
CHAIRMAN
Third District

CLAUDIA PEREZ
VICE-CHAIRWOMAN
Fourth District

DAVID E. BARTLETT
COMMISSIONER
Fifth District



TRUNG "JOE" HA
COMMISSIONER
First District

DANIEL MORGAN
COMMISSIONER
Second District

ATTENDANCE: Commissioners: Ha, Morgan, Rice, Perez and Bartlett

PRESENT: EXECUTIVE OFFICER Justin Kirk
COUNTY COUNSEL Nicole Walsh
SECRETARY Sharon Gilliam

PLEDGE OF ALLEGIANCE: Commissioner Ha, First District, led the assembly in the Pledge of Allegiance.

I. CONSENT ITEM(S) - Minutes

The minutes of January 26, 2022 were motioned for approval by Commissioner Bartlett, seconded by Commissioner Perez, and approved by a unanimous vote. Commissioner Morgan abstained.

II. DISCUSSION ITEM(S)

ITEM #1 PUBLIC HEARING – PA21-0055 - A REQUEST FOR A USE PERMIT TO ESTABLISH A PLACE OF WORSHIP (TEMPLE) AND EDUCATIONAL FACILITY AND A VARIANCE TO PERMIT A PLACE OF WORSHIP ON A BUILDING SITE OF LESS THAN 40,000 SQUARE FEET. THE NORTH TUSTIN SPECIFIC PLAN (NTSP) REQUIRES THE APPROVAL OF A USE PERMIT BY THE PLANNING COMMISSION FOR CHURCHES, TEMPLES AND OTHER PLACES OF WORSHIP, PER CHAPTER 3.A.4.B.(1) OF THE NTSP AND A USE PERMIT PER CHAPTER 3.A.4.B.(2) OF THE NTSP FOR THE ESTABLISHMENT OF AN EDUCATIONAL FACILITY (A 30-STUDENT PRESCHOOL FOR CHILDREN AGES 3 TO 5 IS PROPOSED AS AN

ACCESSORY USE). THE TEMPLE AND THE PRESCHOOL WILL UTILIZE SHARED PARKING. THE APPLICANT ALSO REQUEST APPROVAL OF A VARIANCE FROM THE NTSP STANDARD THAT REQUIRES SUCH RELIGIOUS FACILITIES BE ON A PARCEL WITH A MINIMUM BUILDING SITE AREA 40,000 SQUARE FEET. THE SUBJECT BUILDING SITE AREA IS 31,680 SQUARE FEET IN AREA – OWNER/APPLICANT – CHABAD OF TUSTIN INC., RABBI SHUEY ELIEZRIE – LOCATION – 18802 EAST 17TH STREET WITH IN THE UNINCORPORATED NORTH TUSTIN SPECIFIC PLAN AREA, WITHIN THE THIRD (3RD) SUPERVISORIAL DISTRICT. (APN 401-081-12).

Recommended Action (s):

1. Receive staff report and public testimony as appropriate.
2. Adopt Negative Declaration PA21-0055; and,
3. Approve Planning Application PA21-0055, a Use Permit for a temple and preschool with shared parking and a Variance to permit a religious facility on a parcel of less than 40,000 square feet building area subject to the attached Findings and Conditions of Approval.

Special Notes:

Kevin Canning, Contract Planner, provided the presentation and answered questions of the Planning Commission. Martin Kinselbaum, Agent, provided a presentation and answered questions of the Planning Commission. Rabbi Shuey Eliezie, Applicant, provided a presentation and answered questions of the Planning Commission. Six members of the public spoke in support of the project. Fifteen members of the public spoke in opposition of the project. One of the members of the public that spoke in opposition, also provided a copy of a petition with 15 signatures objecting to the variance.

The following is the action taken by the Orange County Planning Commission:

The motion for Item #1 was made by Commissioner Rice and seconded by Commissioner Perez to:

1. Adopt Negative Declaration PA21-0055; and,
2. Approve Planning Application PA21-0055, a Use Permit for a temple and preschool with shared parking and a Variance to permit a religious facility on a parcel of less than 40,000 square feet building area subject to the attached Findings and Conditions of Approval.

APPROVE OTHER

DENIED

Unanimous (1) Ha: Y (2) Morgan: Y (3) Rice: Y (4) Perez: Y (5) Bartlett: Y
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

ITEM #2 BROWN ACT PRESENTATION

Special Notes:

Nicole Walsh, Senior Assistant County Counsel, provided a presentation on the Brown Act and answered questions of the Planning Commission.

III. EXECUTIVE OFFICER UPDATE

- Upcoming Planning Commission Items
 - Appeal of a Changed Plan for an addition, remodel and car wash facility – 5th District, March 23, 2022
- Housing comments back to the state & coordinating efforts on the Environmental Assessment

IV. COUNTY COUNSEL UPDATE

- None

V. PLANNING COMMISSIONER COMMENTS

- Planning Commissioners Vacation
 - Commissioner Ha – April (will follow up with an email with exact dates to Planning Commission Secretary)
 - Commissioner Bartlett – May 11, 2022
- Chairman Rice welcomed Justin Kirk, Executive Officer

VI. PUBLIC COMMENTS

- None

VII. ADJOURNMENT

Planning Commission meeting adjourned at 4:09 pm.