ORANGE COUNTY PLANNING COMMISSION

SUMMARY MINUTES

HEARING DATE: JANUARY 25, 2012

II. Roll Call

All commissioners were present.

III. Consent Item(s) – Minutes of December 14, 2011

The minutes of December 14, 2011 were moved for approval by Commissioner Hall and seconded by Commissioner Nguyen as submitted, and approved by a unanimous vote.

IV. Discussion Item(s)

ITEM #1 PUBLIC HEARING – PA090025 COOK'S CORNER – APPLICANT/OWNER – COSTAS PAPACHARALAMBOUS – LOCATION – 19026 LIVE OAK CANYON ROAD, TRABUCO CANYON – DISTRICT 3

Review and consider proposed Use Permit and Site Development Permit to establish a sign program and legitimize existing outdoor dining, existing outdoor entertainment and special-events including weekend/holiday/special event outdoor retail sales within the Gateway Commercial District of the Foothill Trabuco Specific Plan area.

Recommended Action:

a) Receive staff report and public testimony as appropriate;

b) Find that Final EIR 531, previously certified by the Board of Supervisors on December 10, 1991, together with Addendum PA090025 adequately satisfies the requirements of CEQA for the proposed project; and,

c) Approve Planning Application PA090025 for a Use Permit and Site Development Permit subject to the attached Findings and Conditions of Approval.

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

The first motion for Item #1 was made by Commissioner Brose and seconded by Commissioner Irons to find that Final EIR 531, previously certified by the Board of Supervisors on December 10, 1991, together with Addendum PA090025 adequately satisfies the requirements of CEQA for the proposed project.

APPROVE ☒ OTHER ☐

DELETED ☐

Unanimous ☒ (1) Nguyen: Y (2) Adams: Y (3) Brose: Y (4) Irons: Y (5) Hall: Y

The second motion for Item #1 was made by Commissioner Adams and seconded by Commissioner Brose to approve Planning Application PA090025 for a Use Permit, subject

to the following conditions as modified by the Commission, in respect to the adjacent religious activities:

1) *Revise Condition 12.3 to read: "Commitment to abide by the following four (4) recommendations noted on page 18 of the Kunzman Associates, Inc Noise Analysis cited in 2. above:*
   1. *Limit permitted hours for outdoor entertainment events to the period from 10:00 AM to 10:00 PM.*
   2. *Prohibit outdoor entertainment events on Easter, Good Friday, and on the six days of Holy Obligation.*
   3. *Make it company policy to keep the doors closed when indoor music is playing.*
   4. *Orient speakers away from sensitive receptors."*

2) *Revise Condition 12.4 to read: "Commitment to end live outdoor music, electronic entertainment activities, and any other amplification sound by 6:00 PM, October 1 - March 31; and by 9:00 PM, April 1 – September 31, annually."*

3) *Revise Condition 12.5 to read: "Commitment to limit live outdoor music and electronic entertainment activities and any other amplification of sound only between the hours of 12:30 PM and 4:30 PM on all Sundays, annually."*

4) *Adding the following condition: "Approval of this permit is conditioned upon provision by the project applicant of the following requirements pertaining to parking during special event activities:*
   1. *Maintain parking patrol/security.*
   2. *Limit the strip of parking area which runs adjacent to Live Oak Canyon Road up to the overflow parking area to motorcycle parking only.*
   3. *Require that the cones proceed all the way to the overflow parking area.*
   4. *Remote overflow parking area to close by 4:00 PM, October 1 - March 31; and by 8:00 PM, April 1 - September 30."*

APPROVE ☒ OTHER ☐

DELETED ☐

Unanimous ☒ (1) Nguyen: Y (2) Adams: Y (3) Brose: Y (4) Irons: Y (5) Hall: Y

The third motion for Item #1 was made by Commissioner Adams and seconded by Commissioner Irons to approve Planning Application PA090025 for a Site Development Permit, subject to the condition that the proposed monument sign on Santiago Canyon Road be revised to be a directional sign, the design of which complies with the County's standards.

APPROVE ☒ OTHER ☐

DELETED ☐

Unanimous ☒ (1) Nguyen: Y (2) Adams: Y (3) Brose: Y (4) Irons: Y (5) Hall: Y

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

Special Notes: Hadi Tabatabaee, the Building Official for the County of Orange, answered questions for the Commission in regards to building code requirements. Dean Brown, from the Planning Consortium and agent for Cook's Corner; and Rhonda Palmeri, the General Manager for Cook's Corner, addressed the Commission and answered their questions. There were an additional four speakers from the public who expressed their support of the proposed project.

ITEM #2 NOMINATION AND ELECTION OF PLANNING COMMISSION OFFICERS FOR 2012

Conduct the nomination and election of officers pursuant to the Orange County Planning Commission Rules of Procedure, approved December 7, 2004.

Recommended Action:

Chair to conduct meeting to nominate and elect new officers, who unless any change occurs, will serve in these capacities until the next year. New Chair will assume office immediately pursuant to the Commission's Rules and Procedures.

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

The first motion for Item #2 was made by Commissioner Adams and seconded by Commissioner Brose to nominate Commissioner Hall as Chair and was carried by a unanimous vote.

APPROVE ☒ OTHER ☐

DELETED ☐

Unanimous ☒ (1) Nguyen: Y (2) Adams: Y (3) Brose: Y (4) Irons: Y (5) Hall: A

The second motion for Item #2 was made by Commissioner Hall and seconded by Commissioner Irons to nominate Commissioner Brose as Vice-Chair and was carried by a unanimous vote.

APPROVE ☒ OTHER ☐

DELETED ☐

Unanimous ☒ (1) Nguyen: Y (2) Adams: Y (3) Brose: A (4) Irons: Y (5) Hall: Y

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

Special Notes: None.

V. Reports from OC Planning

a) Upcoming Agenda Items

February 8, 2012
No items pending; meeting may be cancelled.

February 22, 2012
County-initiated item regarding the Emergency Shelter Zoning Code Amendment. Tentative.

b) Reports on Recent Actions of the Board of Supervisors

As described by County Counsel Mat Miller, the Board of Supervisors adopted an amended Enforceable Obligation Payment Schedule (EOPS), which lists the enforceable obligations of the former redevelopment agency that must be fulfilled.

c) Major Decisions and Proposals of Staff

None.

d) Previous Commission or Commissioner Requests

None.

e) Litigation

The court has not yet made a decision on the Foothill Communities case. The court has requested additional briefing related to spot zoning within the next two weeks.

The judge's ruling upheld the Board of Supervisor's findings regarding the Giracci Vineyards case. The appeal period runs out at the end of next week.

Planning Commission Hearing adjourned at 4:12 p.m.