MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, MAY 27, 2008
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

CALL PLANNING COMMISSION MEETING TO ORDER

ROLL CALL: ***P Farley, P Dwyer, P Shier-Burnett, P Livengood, P Shaw, P Speaker, P Scandura***

Commissioner Dwyer was present, but out of the room.

AGENDA APPROVAL

A MOTION WAS MADE BY SCANDURA, SECONDED BY SPEAKER, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF MAY 27, 2008, BY THE FOLLOWING VOTE:

AYES: **Farley, Dwyer, Shier-Burnett, Livengood, Shaw, Speaker, Scandura**
NOES: **None**
ABSENT: **None**
ABSTAIN: **None**

MOTION APPROVED

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. CONDITIONAL USE PERMIT NO. 07-33/NEGATIVE DECLARATION NO. 07-06 (MONTESSORI SCHOOL) – Andrew Gonzales, Assistant Planner

Andrew Gonzales, Assistant Planner, gave an overview of the project and noted that he has received two public comments regarding this Item.

General discussion ensued regarding staggered hours of operation and parking.

Commissioner Shaw asked if the applicant would be willing to move the proposed playground to the north and staff said yes.

Chair Livengood reported that he visited the site and notes that the proposed school's open parking spaces might block Pep Boys' access.

Commissioner Shier-Burnett inquired into the total number of parking spaces provided and staff reported that 495 spaces are projected for the entire shopping center (which includes shared parking).

Commissioner Scandura commented that the Pep Boys store would be next door to the Montessori school and stated his concerns regarding safety and traffic; how will the traffic move in and out of the shopping center? He requested that staff provide more detailed traffic plans at the Public Hearing on June 10th.

Chair Livengood requested that the Planning Commission be provided with larger (11 x 17) diagrams of the proposed site and the recommended landscape plans. Planning Manager Herb Fauland indicated that the larger plans could be delivered to the Planning Commission by Thursday, June 5th.

Commissioner Speaker said that he wants to make sure that staff addresses safety criteria and parking issues on this project.

A-2. CONDITIONAL USE PERMIT NO. 08-06 (APPEAL – HB MOTORCARS ELECTRONIC READERBOARD POLE SIGN) – Andrew Gonzales, Assistant Planner

Andrew Gonzales, Assistant Planner, gave an overview of the project and the primary issues for the Planning Commission's consideration.

Commissioner Farley stated that he appealed this item in order to open discussion, as he feels the proposed readerboard sign is incompatible with the surrounding businesses on Beach Blvd.

Commissioner Shaw asked if the proposed sign would have graphics and staff replied that yes, it is an LCD sign with graphics, but no moving text.

Chair Livengood noted that a similar sign for Sports Chalet was approved because the Sports Chalet building could not be seen from Beach Blvd. He also noted that a similar sign for the La Choza restaurant was denied because it was incompatible with other signs in the area and did not comply with zoning code standards.

Commissioner Dwyer noted that the sign code was updated ten years ago.

Chair Livengood asked if the proposed sign is similar to the one at Goldenwest College and said the focus should be to eliminate driver distraction caused by readerboard signs.

Commissioner Shier-Burnett asked if the Planning Commission could deny this Conditional Use Permit and Planning Manager Herb Fauland said yes, but only with findings and within the mandatory processing timeline.

B. <u>STUDY SESSION ITEMS</u> - NONE

C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS)

Herb Fauland, Planning Manager, advised that the applicant for Item No. B-2 has requested continuance and that Item No. D-1 is a non-public hearing item.

D. PLANNING COMMISSION COMMITTEE REPORTS

D-1. NEIGHBORHOOD COMPATIBILITY COMMITTEE UPDATE – Commissioners Shaw and Dwyer

Commissioner Scandura noted that it Is the Neighborhood Compatibility Committee's purview to help promote compatible design in residential neighborhoods, but that this can be difficult to determine.

E. PUBLIC COMMENTS

Peter Haddad, Montessori School consultant, spoke regarding Item No. A-1 and noted that the plans will be revised to clarify and address potential parking conflicts.

Sally Cardin, Montessori School consultant, spoke in favor of Item No. A-1, noting that the morning play times will be staggered to ensure reduced noise levels.

Wayne Carvalho, Montessori School consultant, spoke in favor of Item No. A-1.

Shawn Record, applicant on Item No. A-2, asked for the Planning Commission's consideration in favor of the readerboard sign.

F. PLANNING COMMISSION COMMENTS

Vice Chair Shier Burnett noted that two good examples of schools contained within shopping centers can be found at La Petit School at Beach Blvd and Adams Avenue and at the Montessori School in Fountain Valley at Brookhurst Street and Ellis Avenue.

Commissioner Dwyer noted that Planning Commission members who are named on the Planning Commission Goals list for specific projects should make every effort to attend public meetings regarding those projects or delegate another Commissioner to attend in their stead.

Commissioner Farley asked that the plans on Item No. A-2 be revised to show the new location of the readerboard sign when that item comes before the Planning Commission at the June 10, 2008 meeting.

6:12 P.M. – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Shier-Burnett

	P	P	P	P	P	P	P
ROLL CALL:	**Farley,**	**Dwyer,**	**Shier-Burnett,**	**Livengood,**	**Shaw,**	**Speaker,**	**Scandura**

AGENDA APPROVAL

A MOTION WAS MADE BY SCANDURA, SECONDED BY SPEAKER, TO APPROVE THE PLANNING COMMISSION AGENDA OF MAY 27, 2008, BY THE FOLLOWING VOTE:

AYES: **Farley, Dwyer, Shier-Burnett, Livengood, Shaw, Speaker, Scandura**
NOES: **None**
ABSENT: **None**
ABSTAIN: **None**

MOTION APPROVED

A. ORAL COMMUNICATIONS – NONE

B. PUBLIC HEARING ITEMS

B-1. GENERAL PLAN AMENDMENT NO. 07-002/ NEGATIVE DECLARATION NO. 08-002 (2008-2014 HOUSING ELEMENT UPDATE) **Applicant:** City of Huntington Beach **Request:** GPA: To update the General Plan Housing Element for the 2008-2014 planning period pursuant to California Government Code Section 65588; ND: To analyze the potential environmental impacts associated with the proposed Housing Element Update. **Location:** Citywide **Project Planner:** Jennifer Villasenor

STAFF RECOMMENDATION: Motion to:

A. "Approve Negative Declaration No. 08-002 with findings."

B. "Approve General Plan Amendment No. 07-002 and forward Resolution No. 1621 to the City Council for adoption."

Jennifer Villasenor, Associate Planner, gave an overview and timeline of the project and noted that consultant Karen Warner was available to answer questions.

Commissioner Farley asked if the existing housing sites would be rezoned and staff replied that the timeframes varied but the target date for project completion is December 2009. Farley also said that this amendment addresses housing only, and no analysis of parking, traffic or utilities has been planned.

Commissioner Dwyer commented on the Ripcurl and Bella Terra II projects and noted that the proposed housing for these developments would be high income,

not low income. Jennifer Villasenor noted that 10%-15% of the low income housing would be provided by developers.

Commissioner Shaw discussed mobile home preservation efforts.

Commissioner Scandura said the City's goal should be to provide committed assistance; he also said that the City should be more proactive in pursuing this goal, in order to meet RHNA (Regional Housing Needs Assessment) goals.

THE PUBLIC HEARING WAS OPENED.

Roseann Andrus, representing Child Care Connections, spoke in favor of Item No. B-1 and gave a brief presentation.

WITH NO ONE ELSE PRESENT TO SPEAK, THE PUBLIC HEARING WAS CLOSED.

Vice Chair Shier-Burnett thanked Roseann Andrus of Child Care Connections and staff for their efforts on this project.

Commissioner Dwyer said that he thought the project's goals were utopic.

Commissioner Farley thanked staff and Consultant Karen Warner, and noted that the City was attempting to reach the stated goals.

Chair Livengood thanked staff for their hard work on this project.

Commissioner Scandura said that he believes goal setting for providing low and mid-income housing needs to be more aggressive and noted that the funding would be available, provided by In-Lieu fees and joint ventures with developers.

A MOTION WAS MADE BY SHIER-BURNETT, SECONDED BY FARLEY, TO APPROVE NEGATIVE DECLARATION NO. 08-002 WITH FINDINGS AND APPROVE GENERAL PLAN AMENDMENT NO. 07-002 AND FORWARD RESOLUTION NO. 1621 TO THE CITY COUNCIL FOR ACTION, BY THE FOLLOWING VOTE:

AYES:	**Farley, Dwyer, Shier-Burnett, Livengood, Shaw, Speaker, Scandura**
NOES:	**None**
ABSENT:	**None**
ABSTAIN:	**None**

MOTION APPROVED

FINDINGS FOR APPROVAL - NEGATIVE DECLARATION NO. 08-002:

1. Negative Declaration No. 08-002 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of 30 days. Comments received during the comment period were considered by the Planning Commission prior to action on the Negative Declaration and General Plan Amendment No. 07-002.

2. There is no substantial evidence in light of the whole record before the Planning Commission that the project will have a significant effect on the environment. The Housing Element is a policy document that is consistent with growth identified in the 1996 General Plan and includes policies and programs to help conserve, improve and develop housing within the City, including affordable housing. Its policies and programs are consistent with the other General Plan elements. The specific environmental effects of future development discussed in the Housing Element policies and programs will be evaluated as individual project proposals or plans are submitted, with any needed mitigation measures or conditions of approval identified at that time.

B-2. CONDITIONAL USE PERMIT NO. 07-44/COASTAL DEVELOPMENT PERMIT NO. 07-18 (APPEAL – HERMAN RESIDENCE) **Applicant:** Greg Howell **Appellant:** Commissioner John Scandura **Request**: CDP: To permit the demolition of an existing dwelling and construction of an approximately 6,208 sq. ft., 35 ft. tall single-family dwelling with a 602 sq. ft. attached garage; CUP: To permit a single-family dwelling with (a) an approximately 1,107 sq. ft. 3rd floor habitable area, (b) an approximately 148 sq. ft. third story deck, and (c) an overall building height exceeding 30 ft. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/ privacy issues, such as window alignments, building pad height, and floor plan layout. **Location:** 3292 Falkland Circle, 92649 (terminus of Falkland Circle, east of Channel Lane) **Project Planner:** Andrew Gonzales

STAFF RECOMMENDATION: Motion to: "Continue Coastal Development Permit No. 07-018/ Conditional Use Permit No. 07-044 to the June 24, 2008 Planning Commission meeting."

Chair Livengood reported that per the staff recommendation and the applicant's request, a continuance has been requested.

A MOTION WAS MADE BY SCANDURA, SECONDED BY SPEAKER, TO CONTINUE COASTAL DEVELOPMENT PERMIT NO. 07-018/CONDITIONAL USE PERMIT NO. 07-044 TO THE JUNE 24, 2008 PLANNING COMMISSION MEETING, WITH THE PUBLIC HEARING OPEN, BY THE FOLLOWING VOTE:

AYES:	**Farley, Dwyer, Shier-Burnett, Livengood, Shaw, Speaker, Scandura**
NOES:	**None**
ABSENT:	**None**
ABSTAIN:	**None**

MOTION APPROVED

C. CONSENT CALENDAR - NONE

D. NON-PUBLIC HEARING ITEMS

D-1. GENERAL PLAN CONFORMANCE NO. 08-02 (GOTHARD STREET VACATION) **Applicant:** City of Huntington Beach **Request:** To determine if vacation of a City easement on a portion of property previously condemned for the Gothard Street widening is in conformance with the goals, objectives, and policies of the General Plan. **Location:** East side of Gothard Street approximately 150 feet west of Main Street **Project Planner:** Hayden Beckman

STAFF RECOMMENDATION: Motion to: "Adopt Resolution No. 1622 approving General Plan Conformance No. 08-002 with findings."

Hayden Beckman, Planning Aide, gave a brief overview of the project.

Commissioner Speaker asked what would happen to this portion of land if the project is approved and staff replied that the property owner has received approval for a Lot Line adjustment.

A MOTION WAS MADE BY SCANDURA, SECONDED BY SHAW, TO ADOPT RESOLUTION NO. 1622, APPROVING GENERAL PLAN CONFORMANCE NO. 08-002 WITH FINDINGS, BY THE FOLLOWING VOTE:

AYES:	**Farley, Dwyer, Shier-Burnett, Livengood, Shaw, Speaker, Scandura**
NOES:	**None**
ABSENT:	**None**
ABSTAIN:	**None**

MOTION APPROVED

FINDINGS OF APPROVAL

GENERAL PLAN CONFORMANCE NO. 08-002

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the proposed project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15306 of the CEQA Guidelines because the project involves information collection which does not result in major disturbance to an environmental resource.

FINDINGS OF APPROVAL – GENERAL PLAN CONFORMANCE NO. 08-002:

1. The proposed vacation of the easement on a 1,400 square foot property fronting Gothard Street is consistent with the following goals, objectives and policies of the General Plan:

   A. Land Use Element

   LU Goal 2: *"Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services."*

Gothard Street currently provides sufficient access to the surrounding industrial and residential uses. As a result of the past widening and realignment, the subject property is no longer necessary to support the circulation pattern of the adjacent areas.

LU Goal 4: "*Achieve and maintain high quality architecture, landscape, and public open spaces in the City.*"

The vacation of the easement would result in a transfer of land to the property owner and allow for private purposes, including improvements to the unimproved site that would advance the visual character of the Gothard Street corridor.

LU Policy 9.1.3:*"Require that multi-family residential projects be designed to convey a high level of quality and distinctive neighborhood character as discussed below.*

(e) Include an adequate landscape setback along the street frontage that is integrated with abutting sidewalks and provides continuity throughout the neighborhood."

The subject property fronts Gothard Street and as an unimproved site does not contribute to integration or continuity of aesthetic character throughout the adjacent areas. Vacation of the easement will allow the remnant parcel to be incorporated into the adjacent development and used to provide the required 15 foot landscaping buffer along Gothard street frontage, as set forth by the Holly Seacliff Specific Plan, and possibly additional guest parking.

B. Circulation Element

CE Objective 1.1: *"Balance the circulation system with the circulation demands generated by the implementation of the City's Land Use Element."*

CE Goal 2:*"Provide a circulation system which supports existing, approved, and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections."*

The subject easement is no longer needed and its vacation will not have a detrimental impact on the circulation system.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

E. PLANNING ITEMS

E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING
Scott Hess, Director of Planning - reported on the items from the previous City Council meeting.

E-2. CITY COUNCIL ITEMS FOR NEXT MEETING
Scott Hess, Director of Planning – reported on the items scheduled for the next City Council meeting.

E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING
Mary Beth Broeren, Planning Manager – reported on the items scheduled for the next Planning Commission meeting

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS – NONE

F-2. PLANNING COMMISSION COMMENTS

Commissioner Speaker noted that a motion should be read out loud in its entirety prior to the Planning Commission taking a vote.

Commissioner Scandura thanked staff for their efforts on the Housing Element Update.

ADJOURNMENT: Adjourned at 7:46 PM to the next regularly scheduled meeting of June 10, 2008.

APPROVED BY:

Scott Hess, Secretary

Tom Livengood, Chair