

**AGENDA**  
**HUNTINGTON BEACH PLANNING COMMISSION**

**TUESDAY, OCTOBER 23, 2012**

**HUNTINGTON BEACH CIVIC CENTER**  
**2000 MAIN STREET**  
**HUNTINGTON BEACH, CALIFORNIA 92648**



**CHAIR JANIS MANTINI**

**VICE-CHAIR MARK BIXBY**  
**COMMISSIONER ERIK PETERSON**  
**COMMISSIONER ROBERT FRANKLIN**

**COMMISSIONER ELIZABETH SHIER BURNETT**  
**COMMISSIONER BARBARA DELGLEIZE**  
**COMMISSIONER TIMOTHY J. RYAN**

**DIRECTOR OF PLANNING AND BUILDING, SCOTT HESS, AICP**  
**LEGAL COUNSEL, MIKE VIGLIOTTA**  
**PLANNING MANAGER, HERB FAULAND**

**THE 7:00 PM PORTION OF THE MEETING IS TELEVISED LIVE ON CABLE TV CHANNEL 3. DVDs OF MEETINGS ARE AVAILABLE FOR PUBLIC CHECKOUT AT THE CENTRAL LIBRARY. COPIES OF STAFF REPORTS AND/OR WRITTEN MATERIALS ON EACH AGENDA ITEM ARE ON FILE IN THE PLANNING AND BUILDING DEPARTMENT, THE CENTRAL LIBRARY AND ON THE CITY'S WEBSITE (WWW.SURFCITY-HB.ORG) FOR PUBLIC INSPECTION. ANY PERSON HAVING QUESTIONS ON ANY AGENDA ITEM MAY CALL THE PLANNING AND BUILDING DEPARTMENT TO MAKE AN INQUIRY CONCERNING THE NATURE OF THE AGENDA ITEM AT (714) 536-5271.**

## Planning Commission Agenda Information Sheet

The following is a brief explanation of the Planning Commission Agenda Structure:

**AGENDA APPROVAL** The Planning Commission will announce if any closed public hearing items will be re-opened and may wish to change the order of the items on the agenda.

**PUBLIC COMMENTS** (FILL OUT REQUEST TO SPEAK FORM) Anyone wishing to address the Planning Commission, only on items not on tonight's agenda, must fill out and mark the appropriate box and submit a form to speak prior to Public Comments. Please be advised that testimony provided on Public Hearing items during Public Comments are not part of the permanent entitlement record. The speaking forms are available at the lower entrance to the Council Chambers. Give the form to the Secretary. Staff will call all speakers by name. There is a four-minute time limit per speaker. Time may not be donated to another. All proceedings are recorded. No action can be taken by the Planning Commission on these comments on this date, unless agendized.

**PUBLIC HEARING ITEMS** (FILL OUT REQUEST TO SPEAK FORM) Public hearings allow citizens the opportunity to speak in favor or against specific items. More detailed information on public hearings may be found on the page attached to the back of this agenda. Complete the form by marking the appropriate box and indicating the hearing item you wish to provide testimony on. Please note if the public hearing items have been closed or are still open for testimony. The agenda and staff report will indicate if the public hearing is open or closed. The Planning Commission at their discretion may re-open a closed public hearing and the Commission will make the announcement during Agenda Approval. The speaking forms are available at the lower entrance to the Council Chambers. Give the form to the Secretary. Staff will call all speakers by name. There is a four-minute time limit per speaker. Individuals may choose to donate their 4 minutes of time to another speaker, and the maximum time donation limit is 8 minutes (2 individuals), for a total of 12 minutes per speaker. Individuals who donate time must be present when the item is being discussed. All proceedings are recorded. If you have documents to distribute, there should be enough copies for all Planning Commissioners, staff, and the public. The documents become part of the public record and will not be returned.

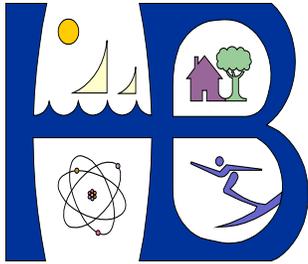
**CONSENT CALENDAR** Consent Calendar items are considered routine items that normally do not require separate consideration. The Planning Commission may make one motion for approval of all items listed under the CONSENT CALENDAR.

**NON-PUBLIC HEARING ITEMS** These items are considered by the Planning Commission separately and require separate motions. These transactions are considered ministerial and public testimony is not heard.

**PLANNING COMMISSION ITEMS / INQUIRIES** Items of business or concern are presented by Planning Commissioners and discussed with staff. Informational updates and reports are made by Commissioners who serve as liaisons to various committees.

**PLANNING ITEMS** Updates and reports from the Planning and Building Director for the information of the Planning Commission and the public.

### **Adjournment**



# AGENDA

## HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, OCTOBER 23, 2012

HUNTINGTON BEACH CIVIC CENTER

2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

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

**CANCELLED – NO STUDY SESSION**

7:00 P.M. – COUNCIL CHAMBERS

**CALL PLANNING COMMISSION MEETING TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** *Shier Burnett, Peterson, Bixby, Mantini, Delgleize, Franklin, Ryan*

**AGENDA APPROVAL**

**A. PUBLIC COMMENTS**

Anyone wishing to speak during PUBLIC COMMENTS must fill out and submit a form to speak. The Planning Commission can take no action on this date, unless the item is agendized. Anyone wishing to speak on items not on tonight's agenda, a closed public hearing item, or on non-public hearing items may do so during PUBLIC COMMENTS. Please note comments on closed public hearing items will not be part of the permanent entitlement record. Speakers on items scheduled for PUBLIC HEARING will be invited to speak during the public hearing. (4 MINUTES PER PERSON, NO DONATING OF TIME TO OTHERS)

**B. PUBLIC HEARING ITEMS**

Anyone wishing to speak during an open PUBLIC HEARING must fill out and submit a form to speak. The public may address the Planning Commission only during the open PUBLIC HEARING items or during PUBLIC COMMENTS. Please review the agenda to determine whether the PUBLIC HEARING item is open or closed. If the PUBLIC HEARING on an item is closed, you will not be permitted to speak during that portion of the agenda and may wish to address your concerns during the PUBLIC COMMENTS portion of the agenda. Speakers on items scheduled for PUBLIC HEARING will be invited to speak during the public hearing. (4 MINUTES PER PERSON, WITH A MAXIMUM TIME DONATION OF 8 MINUTES, FOR A TOTAL OF 12 MINUTES PER SPEAKER)

**PROCEDURE:** Commission Disclosure Statement(s), Staff Report Presentation, Commission Questions, Public Hearing, Discussion/Action.

- B-1. ENTITLEMENT PLAN AMENDMENT NO. 12-007 (AMENDMENTS TO SITE PLAN, FLOOR PLANS, AND ELEVATIONS APPROVED UNDER CONDITIONAL USE PERMIT NO. 02-20/COASTAL DEVELOPMENT PERMIT NO. 02-12/SPECIAL PERMIT NO. 02-04/TENTATIVE TRACT MAP NO. 16338 - PACIFIC CITY RESIDENTIAL) Applicant and Property Owner: Chaim Elkoby, 21002 HB, LLC Request: To amend the site plan, floor plans, and elevations for a 516 unit multi-family residential development originally approved under Conditional Use Permit No. 02-20, Special Permit No. 02-04, Coastal Development Permit No. 02-12, and Tentative Tract Map No. 16338 for the Pacific City project. The Pacific City project is approved for 191,100 square feet of retail, office, restaurant, cultural, and entertainment uses; an eight-story 250 room hotel, spa, and health club; a 2.03 acre open space/park easement; and 516 multifamily residential units above subterranean parking. The applicant proposes to amend plans for the 17.23 acre residential portion only at this time. The proposed modifications include redesigning the cluster building layout, relocating the public open space from the center of the project to the northern edge of Pacific View Avenue while maintaining the previous 2.03 acre size, relocating the pedestrian corridor from the middle to the perimeter, expanding the common recreational area within the project center, rearranging the layout of the two levels of subterranean parking, and complying with the previous Special Permit requests to allow encroachments of retaining walls and private patio wall in the required perimeter residential setback areas and to exceed maximum parking ramp slopes. Access points to the project and the subterranean parking remain the same. The proposed project also includes amendments to the floor plans and elevations. Changes to the elevations, building colors and materials consist of amending the project design from traditional Mediterranean to a contemporary, modern aesthetic. Although the original project was approved as condominiums the applicant intends to lease the units as apartments at this time. Overall, the original count of 516 multi-family units remains the same. Location: 21002 Pacific Coast Highway, 92648 (bounded by Pacific Coast Highway, First Street, Atlanta Avenue, and Huntington Street) Project Planner: Jane James, Senior Planner**

**STAFF RECOMMENDATION:** Motion to: “Approve Entitlement Plan Amendment No. 2012-007 with findings and suggested conditions of approval (Attachment No. 1).”

- B-2. MITIGATED NEGATIVE DECLARATION NO. 12-004, ZONING MAP AMENDMENT NO. 08-001, CONDITIONAL USE PERMIT NO. 08-014, COASTAL DEVELOPMENT PERMIT NO. 08-008, VARIANCE NO. 11-007, TENTATIVE PARCEL MAP NO. 11-138 (HARMONY COVE MARINA DEVELOPMENT) Applicant/Property Owner: Joe Daichendt, Harmony Cove LLC, c/o TheoryR Properties Request: MND: To analyze the potential environmental impacts associated with the implementation of the proposed project and legislative amendment. ZMA: To amend the existing zoning designation of the land portion of the site from Residential Low Density–Coastal Zone–Flood Plain 2 (RL-CZ-FP2) to Open Space–Parks and Recreation–Coastal Zone–Flood Plain 2 (OS-PR-CZ-FP2). CUP: To permit the development of a 23-boat slip marina, an eating and drinking establishment with outdoor dining and alcoholic beverage sales, ancillary uses to the marina (marina office, retail/rental uses), metered parking, and outdoor display of sale and rental equipment. CDP: To “approve in concept” of the development of a 23-boat slip marina, an eating and drinking establishment with outdoor dining and alcoholic beverage sales, ancillary uses to the marina (marina office, retail/rental uses), metered parking, and outdoor display of sale and rental equipment. VAR: To permit reductions in required setbacks for buildings, rooftop mechanical equipment, backflow prevention device, trash enclosure, and reductions in minimum landscaping requirements. TPM: To subdivide the existing privately-owned portion of the site (1.91 acre parcel) into two parcels (0.94 acre parcel for the marina portion of the site and 0.97 acre for the land portion of the site).**

**Location:** 3901 Warner Avenue, 92649 (2.28-acre site on the north side of Warner Avenue, west of Weatherly Lane) **Project Planner:** Tess Nguyen

**STAFF RECOMMENDATION:** Motion to:

- A. “Approve Mitigated Negative Declaration No. 2012-004 with findings and mitigation measures (Attachment No. 1);”
- B. “Approve Zoning Map Amendment No. 2008-001 with findings for approval (Attachment No. 1) by approving the draft City Council Ordinance No. \_\_\_\_\_ (Attachment No. 2) and forward to the City Council for adoption;”
- C. “Approve Conditional Use Permit No. 2008-014 and Variance No. 2011-007 as modified with findings and suggested conditions of approval (Attachment No. 1);”
- D. “Approve in Concept Coastal Development Permit No. 2008-008 as modified with findings and suggested conditions of approval (Attachment No. 1);”
- E. “Deny Tentative Parcel Map No. 2011-138 with findings (Attachment No. 1).”

- B-3. DRAFT MITIGATED NEGATIVE DECLARATION NO. 08-13, GENERAL PLAN AMENDMENT NO. 08-05, ZONING MAP AMENDMENT NO. 08-05, TENTATIVE TRACT MAP NO. 17238, CONDITIONAL USE PERMIT NO. 08-26 (LAMB RESIDENTIAL SUBDIVISION) **Applicant:** Michael Adams, Michael C. Adams Associates, and Thomas Grable, Tri Pointe Homes, LLC **Property Owner:** Fountain Valley School District **Request:** **MND:** To analyze the potential environmental impacts associated with the implementation of the proposed project. **GPA:** To amend the existing Land Use Element designation of an approximately 11.65-acre site from Public with an underlying designation of Residential Low Density (P-RL) to Residential Low Density (RL-7), which allows a maximum density of seven units per net acre. **ZMA:** To amend the existing zoning designation of an approximately 11.65-acre site from Public-Semipublic (PS) to Residential Low Density (RL) to be consistent with the proposed General Plan Land Use Element designation. **TTM/CUP:** To permit (a) the subdivision of an approximately 11.65-acre site to accommodate 81 numbered lots with reduced lot sizes for new detached single-family homes and eight lettered lots A-H for streets with reduced widths and landscaping; and (b) development of an 81 unit single-family residential subdivision proposed as a Planned Unit Development (PUD) with varying lot sizes (min. 3,659 square feet, max. 6,695 square feet) that average approximately 3,600 square feet (45 feet wide by 80 feet deep) in lieu of the minimum 6,000 square feet and 60 feet wide standard for RL (Residential Low Density) lots, including associated infrastructure and site improvements, and mutual benefits that include offsite sewer, water and storm drain improvements. 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:** 10251 Yorktown Avenue, 92646 (north side of Yorktown Avenue, east of Brookhurst Street) **Project Planner:** Jane James**

**STAFF RECOMMENDATION:** Motion to:

- A. “Approve Mitigated Negative Declaration No. 08-13 with findings and mitigation measures (Attachment No. 1);”
- B. “Approve General Plan Amendment No. 08-05 by approving draft City Council Resolution No. \_\_\_\_\_ (Attachment No. 7) and forward to the City Council for adoption;”
- C. “Approve Zoning Map Amendment No. 08-05 with findings (Attachment No. 1) by approving draft City Council Ordinance No. \_\_\_\_\_ (Attachment No. 8) and forward to the City Council for adoption;”
- D. “Approve Tentative Tract Map No. 17238 with findings and suggested conditions of approval (Attachment No. 1);”
- E. “Approve Conditional Use Permit No. 08-26 with findings and suggested conditions of approval (Attachment No. 1).”

**C. CONSENT CALENDAR**

**C-1. PLANNING COMMISSION MINUTES DATED January 24, 2012**

**RECOMMENDED ACTION:** Motion to: “Approve the January 24, 2012, Planning Commission Minutes as submitted.”

**C-2. PLANNING COMMISSION MINUTES DATED March 13, 2012**

**RECOMMENDED ACTION:** Motion to: “Approve the March 13, 2012, Planning Commission Minutes as submitted.”

**C-3. PLANNING COMMISSION MINUTES DATED March 15, 2012**

**RECOMMENDED ACTION:** Motion to: “Approve the March 15, 2012, Planning Commission Minutes as submitted.”

**C-4. PLANNING COMMISSION MINUTES DATED March 27, 2012**

**RECOMMENDED ACTION:** Motion to: “Approve the March 27, 2012, Planning Commission Minutes as submitted.”

**C-4. PLANNING COMMISSION MINUTES DATED April 24, 2012**

**RECOMMENDED ACTION:** Motion to: “Approve the April 24, 2012, Planning Commission Minutes as submitted.”

**D. NON-PUBLIC HEARING ITEMS - NONE**

**E. PLANNING ITEMS**

**E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING**

**E-2. CITY COUNCIL ITEMS FOR NEXT MEETING**

**E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING**

**F. PLANNING COMMISSION ITEMS**

**F-1. PLANNING COMMISSION REQUEST ITEMS - NONE**

**F-2. PLANNING COMMISSION COMMENTS**

**Commissioner Shier Burnett –  
Commissioner Peterson –  
Vice-Chairperson Bixby –  
Chairperson Mantini –  
Commissioner Delgleize –  
Commissioner Franklin –  
Commissioner Ryan –**

**ADJOURNMENT: Adjourn to the next regularly scheduled meeting of Tuesday, November 13, 2012.**

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Planning Commission is final unless an appeal is filed to the City Clerk by you or by an interested party. Said appeal must be accompanied by a filing fee of One Thousand, Seven Hundred Sixty-Three Dollars (\$1,763.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and Three Thousand, Three Eighty-Three Dollars (\$3,383.00) if the appeal is filed by any other party. The appeal shall be submitted to the City Clerk within ten (10) calendar days of the date of the Planning Commission's action.

Copies of staff reports and/or written materials on each agenda item are on file in the Planning and Building Department and on the City's website (<http://www.huntingtonbeachca.gov/>), for inspection by the public. A copy of the agenda packet is also available at the Central Library (7111 Talbert Avenue).

**DVDs OF MEETINGS ARE AVAILABLE FOR PUBLIC CHECK OUT AT THE CENTRAL LIBRARY,  
AND FOR DUPLICATION SERVICES IN THE CITY CLERK'S OFFICE.**

## HUNTINGTON BEACH PLANNING COMMISSION

### Public Hearing Procedures

This statement has been prepared to provide a better understanding of the procedures for public hearings before the Planning Commission.

Regular meetings of the Planning Commission are held on the second and fourth Tuesdays of each month beginning at 5:15 p.m. in Room B-8 for a study session and then at 7:00 PM in the Council Chambers. Adjourned meetings, special meetings, and Study Sessions may be scheduled at other times.

Planning Commission proceedings are governed by the Planning Commission By-Laws, Robert's Rules of Order and the Brown Act. The following is the typical sequence of events on public hearing items:

- A. The Chairperson shall announce the item and if the public hearing is open or closed.
- B. The Planning Commission shall disclose any discussions, conversations, etc., with applicants, applicant's representatives or property owners.
- C. The staff report is presented.
- D. Questions by the Planning Commission concerning the staff report may be answered at this time.
- E. The public hearing is opened by the Chairperson.
- F. The applicant or appellant is given an opportunity to address the Commission. Time is not limited but left to the Chairperson's discretion.
- G. Public Comments: Staff will call all speakers by name. Please proceed to the podium. Individuals favoring and opposing the proposal are given an opportunity to address the Commission (up to four (4) minutes), or may choose to donate their time to another speaker if the "Request to Speak" form is filled out and given to the Secretary. A speaker who addresses the Commission on behalf of individuals who donate time are allowed a maximum of 12 minutes. Individuals who donate time must be present when the item is being discussed. Please state your name before addressing the Commission.
- H. The Commission may ask questions of speakers addressing the Commission.
- I. The public hearing is closed.
- J. The Commission will deliberate the matter at this time.
- K. The Commission then acts on the matter by continuing, approving, conditionally approving, or denying the petition.

The Planning Commission receives a staff report packet on the Tuesday preceding the meeting, allowing time to review each case and make further investigations in the field prior to the scheduled meeting.

Staff reports are available in the Planning and Building Department, the Central Library and on the City's website ([www.surfcity-hb.org](http://www.surfcity-hb.org)) anytime on Wednesday preceding the Tuesday Planning Commission meeting.