



MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JULY 26, 2016

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 – Led by Vice-Chair Semeta

P P P P P P P

ROLL CALL: Crowe, Kalmick, Semeta, Pinchiff, Mandic, Brenden, Hoskinson

AGENDA APPROVAL

A MOTION WAS MADE BY KALMICK, SECONDED BY BRENDEN, TO APPROVE THE PLANNING COMMISSION AGENDA OF JULY 26, 2016, BY THE FOLLOWING VOTE:

AYES: Crowe, Kalmick, Semeta, Pinchiff, Mandic, Brenden, Hoskinson
NOES: None
ABSENT: None
ABSTAIN: None

MOTION APPROVED

A. PUBLIC COMMENTS – NONE

B. PUBLIC HEARING ITEMS

B-1. CONDITIONAL USE PERMIT NO. 16-022 (MARRIOTT SPRINGHILL SUITES HOTEL ALCOHOL) Applicant: Larry True, Excel Hotel Group Property Owner: Miramar GP LP Request: To permit the on-site service and consumption of alcoholic beverages (ABC Type 70 License) within an approved hotel (hotel lobby lounge, meeting room, second floor terrace). Location: 7872 Edinger Avenue, 92647 (southeast corner of Edinger Avenue and Parkside Lane) Environmental Status: The project is categorically exempt pursuant to Section 15301, Class 1 of the California Environmental Quality Act. City Contact: Tess Nguyen

STAFF RECOMMENDATION: Motion to: "Approve Conditional Use Permit No. 16-022 with suggested findings and conditions of approval (Attachment No. 1)"

The Commission made the following disclosures:

- Commissioner Crowe had no disclosures.
- Commissioner Kalmick stated that he is a Marriott Rewards member.
- Vice-Chair Semeta had no disclosures.
- Chair Pinchiff had no disclosures.
- Commissioner Mandic had no disclosures
- Commissioner Brenden visited the site.
- Commissioner Hoskinson had no disclosures.

Tess Nguyen, Associate Planner, gave the staff presentation and an overview of the project.

THE PUBLIC HEARING WAS OPENED.

Larry True, applicant, spoke in support of Item No. B-1, noting that he was available for questions.

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

There was a lengthy discussion regarding what is allowed under the Type 70 alcohol license being requested. Mr. True confirmed that the Type 70 license is the license that is being applied for and that Marriott would be adhering to the restrictions of that license.

A MOTION WAS MADE BY KALMICK, SECONDED BY MANDIC, TO APPROVE CONDITIONAL USE PERMIT NO. 16-022 WITH SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

AYES: Crowe, Kalmick, Semeta, Pinchiff, Mandic, Brenden, Hoskinson
NOES: None
ABSTAIN: None
ABSENT: None

MOTION APPROVED

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the 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 15301, Class 1, of the CEQA Guidelines, which states that operation and minor alteration to existing structures involving negligible or no expansion are exempt from further environmental review.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 16-022:

1. Conditional Use Permit No. 16-022 to permit the on-site service and consumption of alcoholic beverages (ABC Type 70 License) within an approved hotel (hotel lobby lounge, meeting room, second floor terrace) in the BECSP zoning designation will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed use will not

result in noise, traffic, or compatibility issues with surrounding properties. Residential properties to the south will be adequately buffered from the proposed use by an approximately 330-foot separation, across Aldrich Avenue. The residential uses are located in a highly urbanized area where there is a mix of residential and commercial uses and where no impacts are expected to occur. In addition, the BECSP and General Plan land use designation anticipated alcohol service uses in this area. The request for alcohol is ancillary to the primary hotel use and will serve to augment the overall traveling experience. Furthermore, the consumption of alcoholic beverages will be contained within the hotel's interior and designated outdoor terrace area.

2. The request to permit the on-site service and consumption of alcoholic beverages within an approved hotel will be compatible with surrounding residential and commercial uses because the project is located within the vicinity of restaurants, retail uses, and service uses. The hotel is surrounded by commercial uses and therefore will be consistent with the existing land use pattern and compatible to its surroundings. The use will be required to comply with conditions of approval pertaining to alcohol service and operation to assure that any potential impacts to the surrounding properties are minimized. The uses are subject to noise regulations to ensure compatibility with surrounding businesses and residents.
3. The request to permit the on-site service and consumption of alcoholic beverages within an approved hotel will comply with the Town Center Boulevard segment of the BECSP, and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The BECSP allows alcohol service subject to approval of a conditional use permit. The BECSP and General Plan land use designation anticipated alcohol service uses in this area. The request for alcohol is ancillary to the primary hotel use and will serve to augment the overall traveling experience. There is no physical expansion of the hotel's floor area as part of this request and the proposed use will comply with all building occupancy/exiting requirements.
4. The General Plan Land Use Map designation on the subject property is M-sp-d (Mixed Use – Specific Plan Overlay – Design Overlay). The request to permit the on-site service and consumption of alcoholic beverages within an approved hotel is consistent with the General Plan land use designation of Mixed Use and the objective and policies of the City's General Plan as follows:

A. Land Use Element

Objective LU 10.1: Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residents, serve the surrounding region, serve visitors to the City, and capitalize on Huntington Beach's recreational resources.

Policy LU 10.1.8: Require that entertainment, drinking establishments, and other similar uses provide adequate physical and safety measures to prevent negative impacts on adjacent properties.

The proposed use is compatible with the existing commercial uses such as retail, restaurants, and services surrounding the site. The site is located within the BECSP designation and the use is consistent with the Building Use Regulations and compatible with the surrounding mix of uses. It provides for the service of alcoholic beverages within the interior of the hotel and designated outdoor terrace area. The proposed conditional use permit will provide for the business needs of a hotel establishment by

permitting the service of alcoholic beverages in a safe manner for visitors and customers to the City.

B. Economic Development Element

Policy ED 2.4.3: Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market place.

The project is located along a major corridor of the City that contains existing restaurants, retail, and entertainment uses. The proposed use serves to expand the range of services provided in the area and facilitate continued viability of the commercial uses in the vicinity.

CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 16-022:

1. The site plan and floor plan received and dated May 17, 2016, shall be the conceptually approved layout.
2. The use shall comply with the following:
 - a. Alcohol service hours shall be limited to 9:00 AM to 11:00 PM daily.
 - b. Prior to the sales, service, and consumption of alcoholic beverages, the hotel shall obtain an ABC license authorizing alcohol use in the hotel's lobby lounge, meeting room, and second floor terrace. The hotel shall be limited to a Type 70 (On Sale General – Restrictive Service) ABC license. **(PD)**
 - c. Live entertainment shall not be permitted unless a Conditional Use Permit for this specific use is reviewed and approved and a valid Entertainment Permit issued by the Huntington Beach the Police Department. **(PD)**
 - d. An employee of the establishment must monitor all areas where alcohol is served. **(PD)**
 - e. All areas of the hotel where sales, service, and consumption of alcoholic beverages occur shall be equipped with lighting with sufficient power to illuminate and permit the identification of patrons. **(PD)**
 - f. All alcoholic beverages shall remain within the interior of the hotel and within the confines of the second floor terrace, per §9.44.010 of the Huntington Beach Municipal Code (HBMC). **(PD)**
 - g. Consumption of alcoholic beverages by all on-duty employees, including servers, bartenders, management and supervisory personnel is forbidden. **(PD)**
 - h. All persons engaged in the sale or service of alcohol shall complete a mandatory Responsible Beverage Service (RBS) training and certification. This shall be required for new employees within 90 days of being hired and for existing employees every 12 months. Training shall be provided by an ABC approved RBS trainer and records of the training must be maintained on-site for review. **(PD)**

- i. The business shall employ a video surveillance system and a one-month video library. The minimum requirements for the cameras will be: color, digital recording to DVR and able to record in low light. The business shall ensure all doors and parking areas are covered by video surveillance. Electronic copies of video must be made available to the Huntington Beach Police Department within 48 hours of request. Digital recordings shall be made available for viewing on-scene upon request by police officers conducting investigations. You are required to have someone able to operate the system on duty during all business hours. **(PD)**
 - j. All owners, employees, representatives, and agents shall obey all state, local, and municipal laws, and conditions of the Conditional Use Permit, Alcoholic Beverage Control License and any other regulations, provisions, or restrictions prescribed by a regulatory authority with jurisdiction over the premise at all times. **(PD)**
3. The Development Services Departments and divisions (Community Development, Fire, and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18.
4. Conditional Use Permit No. 16-022 shall become null and void unless exercised within two (2) years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
5. The Planning Commission reserves the right to revoke Conditional Use Permit No. 16-022 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance, or Municipal Code occurs.

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.

- B-2. ZONING TEXT AMENDMENT NO. 16-001 (DEPARTMENT OF COMMUNITY DEVELOPMENT NAME CHANGE)** **Applicant:** City of Huntington Beach
Request: To amend the Huntington Beach Zoning and Subdivision Ordinance by modifying 15 Chapters relating to change of department name from "Planning and Building" to Community Development." **Location:** Citywide **Environmental Status:** The project is categorically exempt pursuant to City Council Resolution No. 4501, Class 20, which supplements the California Environmental Quality Act. **City Contact:** Nicolle Bourgeois

STAFF RECOMMENDATION: Motion to: " Approve Zoning Text Amendment No. 16-001 with findings (Attachment No. 1) and forward the draft ordinance (Attachment No. 2) to the City Council for adoption."

The Commission made the following disclosures:

- Commissioner Crowe had no disclosures.
- Commissioner Kalmick had no disclosures.
- Vice-Chair Semeta had no disclosures.
- Chair Pinchiff had no disclosures.
- Commissioner Mandic had no disclosures.
- Commissioner Brenden had no disclosures.
- Commissioner Hoskinson had no disclosures.

Nicolle Bourgeois, Planning Aide, gave the staff presentation and an overview of the project.

THE PUBLIC HEARING WAS OPENED.

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

Vice-Chair Semeta asked staff to explain the reason behind the name change. Ms. James indicated that name change was intended to be more descriptive of the breadth of work the department does.

A MOTION WAS MADE BY KALMICK, SECONDED BY SEMETA, TO APPROVE ZONING TEXT AMENDMENT NO. 16-001 WITH FINDINGS AND FORWARD THE DRAFT ORDINANCE TO THE CITY COUNCIL FOR ADOPTION, BY THE FOLLOWING VOTE:

AYES: Crowe, Kalmick, Semeta, Pinchiff, Mandic, Brenden, Hoskinson
NOES: None
ABSTAIN: None
ABSENT: None

MOTION APPROVED

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the 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 City Council Resolution No. 4501, Class 20, which supplements CEQA because the request is a minor amendment to a zoning ordinance that does not change the development standards intensity or density.

FINDINGS FOR APPROVAL - ZONING TEXT AMENDMENT NO. 16-001:

1. Zoning Text Amendment (ZTA) No. 16-001 proposes to amend 15 chapters of the HBZSO to reflect the amended name of the "Department of Planning and Building" to the "Department of Community Development" and the associated change to the department head title of "Director of Planning and Building" to "Director of Community Development". These changes are consistent with the goals, objectives, policies, general land uses and programs specified in the General Plan and would ensure the HBZSO is consistent with the associated changes made in the HBMC.
2. ZTA No. 16-001 does not affect the general land use provision or compatibility with the uses authorized in, and the standards prescribed for, any of the zoning districts for which it is proposed. ZTA No. 16-001 will revise 15 chapters of the HBZSO to reflect a department name change and the associated department head title change. It will not affect the zoning of any property or the allowed uses and development standards of any zoning district.
3. A community need is demonstrated for the change proposed to ensure consistency with the Fiscal Year 2015/2016 budget, HBMC, and HBZSO and to provide greater customer service to the Huntington Beach community. The City Council approved the department name change with the Fiscal Year 2015/2016 budget and adopted an amendment to the Huntington Beach Municipal Code reflecting the name change in April 2016.
4. Adoption of ZTA No. 16-001 will be in conformity with public convenience, general welfare and good zoning practice because the proposed changes will ensure continuity between the Huntington Beach Municipal Code and Huntington Beach Zoning and Subdivision Ordinance.

C. CONSENT CALENDAR – NONE

D. NON-PUBLIC HEARING ITEMS

- D-1. GENERAL PLAN CONFORMANCE NO. 16-001 (CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2016/17) Applicant:** City of Huntington Beach, Public Works Department **Property Owner:** City of Huntington Beach **Request:** To evaluate Capital Improvement Program for Fiscal Year 2016/17 for compliance with the General Plan. **Location:** Citywide **Environmental Status:** The project is categorically exempt pursuant to Section 15306, Class 6 of the California Environmental Quality Act. **City Contact:** Nicolle Bourgeois

STAFF RECOMMENDATION: Motion to: "Adopt Resolution No. 1693 approving General Plan Conformance No. 16-001, with findings (Attachment Nos. 1 and 2)."

Nicolle Bourgeois, Planning Aide, gave the staff presentation and an overview of the project.

There was a brief discussion regarding the process for the selection of the capital improvement projects. Todd Broussard, Principal Civil Engineer, reviewed the selection process, noting that departments submit lists of priorities in March for review by the City Manager's office. Recommendations are then presented to the

Public Works Commission and then introduced to the City Council at a study session. The City Council also makes their own recommendations for projects. Mr. Broussard noted that until the CIP is approved by the City Council it is a living document with numerous opportunities for public input and participation.

Todd Broussard gave a brief overview of the proposed capital improvement projects.

A MOTION WAS MADE BY KALMICK, SECONDED BY BRENDEN, TO ADOPT RESOLUTION NO. 1693 APPROVING GENERAL PLAN CONFORMANCE NO. 16-001, WITH FINDINGS, BY THE FOLLOWING VOTE:

AYES: Crowe, Kalmick, Semeta, Pinchiff, Mandic, Brenden, Hoskinson

NOES: None

ABSTAIN: None

ABSENT: None

MOTION APPROVED

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 FOR APPROVAL – GENERAL PLAN CONFORMANCE NO. 16-001:

1. The 2016/17 Capital Improvement Program conforms to the following goals, objectives, and policies of the General Plan:

U 3.1.1 Maintain existing public storm drains and flood control facilities, upgrade and expand storm drain and flood control facilities.

LU 13.1.1 Allow for the continuation of existing public and private institutional, cultural, educational, and health uses at their present locations and development of new uses in areas designated on the Land Use Plan Map in accordance with Policy 7.1.1.

PF 6.1.3 Maintain or improve the governmental facilities and services in order to meet the adopted levels of service and standards established in the Growth Management Element.

RCS 4.1 Improve and modernize existing parks and facilities to overcome existing design deficiencies and deteriorated conditions.

CE 1.2.1 Enhance circulation system standards for roadway and intersection classifications, right-of-way width, pavement width, design speed, capacity and associated features such as medians and bicycle lanes.

CE 1.2.3 Maintain primary truck routes that sustain an effective transport of commodities while mitigating the negative impacts on local circulation and on noise sensitive land.

CE 2.1.1 Maintain a city-wide level of service (LOS) not to exceed LOS "D" for intersections during the peak hours.

CE 2.1.2 Maintain a city-wide level of service (LOS) for links not to exceed LOS "C" for daily traffic with the exception of Pacific Coast Highway south of Brookhurst Street.

CE 2.1.3 Identify and improve roadways and intersections that are approaching, or have reached, unacceptable levels of service.

CE 6.1.10 Implement appropriate traffic devices and operational programs throughout the community to ensure that conflicts between pedestrians, bicycles, and vehicles are minimized and safety enhanced.

The Capital Improvement Program (CIP) ensures that City facilities continue to be adequately accessible and maintained in order to provide services to residents and visitors. CIP projects will provide continued improvements to sidewalks, curbs, gutters and pavement. Landscaping is enhanced to continue to improve the visual character of the city. The CIP ensures that an adequate amount of new circulation and access improvements are developed and maintained to support existing and future development. Capital improvements maintain an integral circulation infrastructure allowing the movement of people and goods throughout the City. The CIP program provides and maintains an adequate citywide water supply system, improved collection and treatment of wastewater and ensures that sufficient parking facilities are provided citywide.

E. PLANNING ITEMS

E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING

Scott Hess, Director of Community Development - reported on the items from the previous City Council Meeting.

E-2. CITY COUNCIL ITEMS FOR NEXT MEETING

Scott Hess, Director of Community Development – reported on the items for the next City Council Meeting.

E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING

Jane James, Planning Manager – reported on the items for the next Planning Commission Meeting.

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS - NONE

F-2. PLANNING COMMISSION COMMENTS

Vice-Chair Semeta invited the public to apply for the vacant post on the Design Review Board and encouraged the public to attend the Finance Commission meeting on July 27, 2016.

Chair Pinchiff encouraged the public to attend the US Open of Surfing.

ADJOURNMENT: Adjourned at 7:46 PM to the next regularly scheduled meeting on Tuesday, August 09, 2016, at 5:15 PM.

APPROVED BY:



Scott Hess, Secretary



Edward Pinchiff, Chair