MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, MARCH 10, 2015
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:45 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

CALL PLANNING COMMISSION MEETING TO ORDER

ROLL CALL: *Crowe (P), Semeta (P), Pinchiff (A), Kalmick (P), Mandic (P), Brenden (P), Hoskinson (P)*

Vice-Chair Pinchiff was absent.

AGENDA APPROVAL

A MOTION WAS MADE BY BRENDEN, SECONDED BY SEMETA, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF MARCH 10, 2015, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

Vice-Chair Pinchiff arrived at 5:48 PM.

STUDY SESSION ITEM NO. D-1 WAS MOVED BEFORE STUDY SESSION ITEM NO B-1 AND APPROVED BY ACCLAMATION

THE MINUTES WILL REFLECT ITEMS IN THEIR ORIGINAL ORDER.

A. PROJECT REVIEW (FUTURE AGENDA ITEMS) - NONE

B. STUDY SESSION ITEMS – NONE

B-1. ENTITLEMENT PROCESSING

Scott Hess, Director of Planning and Building, gave an overview on entitlement processing and the department fee schedule.

There was a brief discussion regarding the types of entitlements, the associated fees, and the revocation process.

There was a lengthy discussion regarding the affordable housing requirements.

There was a brief discussion regarding entitlement processes in the Coastal Zone and the annexation of Sunset Beach.

B-2. ROLE AT BOARDS AND COMMITTEES

Scott Hess, Director of Planning and Building, gave an overview of the Planning Commissioners roles at each board and committee.

B-3. PC WORKSHOP AGENDA ITEMS – Chair Kalmick

Chair Kalmick reviewed previous workshop topics. There was a brief discussion regarding items that the Planning Commissioners would like to have staff review at the upcoming workshop.

C. PUBLIC COMMENTS - NONE

D. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS)

Tess Nguyen, Associate Planner, noted that there were two Late Communications for Public Hearing Item No. B-1.

E. PLANNING COMMISSION COMMITTEE REPORTS – NONE

F. PLANNING COMMISSION COMMENTS - NONE

6:59 P.M. – RECESS FOR DINNER

7:25 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Hoskinson

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

AGENDA APPROVAL

A MOTION WAS MADE BY BRENDEN, SECONDED BY SEMETA, TO APPROVE THE PLANNING COMMISSION AGENDA OF MARCH 10, 2015, BY THE FOLLOWING VOTE:

AYES: Crowe, Semeta, Pinchiff, Kalmick, 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. 14-029 (L.A. FITNESS HEALTH CLUB—CONTINUED FROM JANUARY 13, 2015) Applicant: Michael Adams **Property Owner:** Seacliff Village Shopping Center Inc., c/o Robert Giffin, Cornerstone Real Estate Advisers, LLC **Request:** To permit the establishment a 45,400 sq. ft. commercial recreation and entertainment use (health club) including a fitness studio, workout areas, cycling and aerobics rooms, outdoor lap pool, spa, locker rooms, basketball court, and kids klub within an existing multi-tenant commercial center. This project includes removal of the existing outdoor garden center and outdoor storage area to construct an outdoor pool area and create a new parking area (87 spaces) and landscape improvements. **Location:** 19330 Goldenwest Street, 92648 (northeast corner of Goldenwest Street and Yorktown Avenue) **City Contact:** Tess Nguyen, Associate Planner

STAFF RECOMMENDATION: Motion to: "Approve Conditional Use Permit No. 14-029 with suggested findings and conditions of approval (Attachment No. 1)."

The Commission made the following disclosures:

- Commissioner Crowe has visited the site.
- Commissioner Semeta has visited the site.
- Vice-Chair Pinchiff has visited the site.
- Chair Kalmick had no disclosures.
- Commissioner Mandic has visited the site.
- Commissioner Brenden has visited the site.
- Commissioner Hoskinson has visited the site.

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

There was a brief discussion regarding the grading plan, water quality management plan, and soils report requirement.

THE PUBLIC HEARING WAS OPENED.

Mike Adams, applicant, spoke in support of Item No. B-1 stating that he was in agreement with staff recommendations and was available for any questions.

Bill Nelson, resident, spoke in opposition to Item No. B-1, citing concerns with the hours of operation and potential noise and safety impacts.

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

There was a lengthy discussion regarding the potential security and safety concerns.

Rob Giffen, property owner representative, indicated that if additional security was needed or required it would be provided.

Nick Roberts, LA Fitness, briefly reviewed the safety measures in place for their 24 hour operations.

There was a lengthy discussion regarding the requested 24 hours of operation. Surveillance was discussed as a potential safety measure.

There was a brief discussion regarding restricting the parking near the residential uses during the late evening hours.

STRAW VOTE #1
A motion was made by Kalmick, seconded by Hoskinson, to require security cameras on the north and east side of the building.

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

MOTION APPROVED

STRAW VOTE #2
A motion was made by Mandic, seconded by Crowe, to restrict the vehicle and bicycle parking near the neighboring residential uses from 8 P.M. to 6 A.M., with approval by the Director of Planning and Building.

MOTION WITHDRAWN

A substitute motion was made by Hoskinson, seconded by Semeta, to restrict the vehicle and bicycle parking near the neighboring residential uses from 11 P.M. to 6 A.M., with approval by the Director of Planning and Building.

MOTION WITHDRAWN

STRAW VOTE #3
A motion was made by Mandic to restrict the vehicle and bicycle parking near the neighboring residential uses from 12 A.M. to 5 A.M., with approval by the Director of Planning and Building.

MOTION WAS NOT SECONDED

A MOTION WAS MADE BY BRENDEN TO APPROVE CONDITIONAL USE PERMIT NO. 14-029 WITH SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL.

MOTION WAS NOT SECONDED

A MOTION WAS MADE BY KALMICK SECONDED BY SEMETA, TO APPROVE CONDITIONAL USE PERMIT NO. 14-029 WITH SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL INCLUDING THE STRAW VOTE FOR SECURITY CAMERAS, BY THE FOLLOWING VOTE:

AYES: **Crowe, Semeta, Pinchiff, Kalmick, 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—*Existing Facilities*, of the CEQA Guidelines, which states that minor alterations to existing structures involving negligible or no expansion are exempt from further environmental review.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 14-029:

1. Conditional Use Permit (CUP) No. 14-029 for the establishment, maintenance, and operation of a 40,000 sq. ft. commercial recreation and entertainment use (health club) with a 5,400 sq. ft. outdoor pool area consisting of a fitness studio, workout areas, cycling and aerobics rooms, lap pool, spa, locker rooms, basketball court, and kids klub within an existing multi-tenant commercial shopping center 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 project will occupy a vacant suite within an existing multi-tenant commercial shopping center. The project will be primarily contained within the interior of the tenant space and includes the construction of an outdoor pool area. The subject property provides adequate parking to accommodate the proposed use through the provision of 87 additional parking spaces. The project will not modify onsite vehicular circulation and will be provided with efficient vehicular ingress/egress from the adjacent right-of-way. The proposed use is not anticipated to generate additional noise, traffic, or other detrimental impacts onto surrounding properties inconsistent with the subject property's Holly-Seacliff Specific Plan zoning. In addition, adjacent residential properties to the east (approximately 125 ft. way) and north (approximately 195 ft. away) are adequately buffered from subject building by parking areas and a minimum six ft. high block walls along the common property lines.

2. The conditional use permit will be compatible with surrounding uses because primary activities of the health club will be fully contained within the interior of the building in an existing commercial center and surrounded by similar and complementary commercial uses. The proposed health club is not anticipated to generate additional traffic, noise, or other impacts to surrounding properties. Adequate parking will be provided to comply with the parking requirement for the proposed health club.

3. The proposed facility will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance and

any specific condition required for the proposed use in the district in which it is located. The existing building conforms to applicable site development standards including required minimum setbacks, maximum building height, and minimum onsite parking. Commercial recreation and entertainment use in the CG (Commercial General) zoning district requires a conditional use permit subject to review and approval by the Planning Commission.

4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of MH-sp (Mixed Use Horizontal – Specific Plan) on the subject property. In addition, it is consistent with the following goals, policies, and objectives of the General Plan Land Use Element:

Policy LU 7.1.1	Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.
Goal LU 10	Achieve the development of a range of commercial uses.
Objective LU 10.1	Provide for the continuation of existing and the development of diversity of retail and service commercial use that 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 10.1.17	Require the inclusion of uses and elements that contribute amenities for visitors, such as public activity areas and onsite recreational facilities (health clubs, spas, etc.).
Goal LU 11	Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.
Policy 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 LU 7.1.1.

The establishment of the health club promotes re-use of a prior commercial suite in a manner that will be consistent with the aforementioned policies, goals, and objectives of the City's General Plan. The project is consistent with General Plan Land Use goals, objectives and policies, which encourage additional recreational amenities such as health clubs and advocate development of new facilities where they are compatible with adjacent uses. The project is located along a major corridor of the City that contains existing restaurants, retail, and service uses. The project serves to expand the range of goods and services provided in the area and facilitates continued viability of the commercial center.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 14-029:

1. The site plan, floor plan, and elevations received and dated January 20, 2015 shall be the conceptually approved design with the following modifications:

   a. Off-street parking improvements shall comply with Chapter 231 of the Zoning and Subdivision Ordinance and Title 24, California Administrative Code. **(HBZSO Chapter 231)**

b. Landscape improvements shall comply with Chapter 232 of the Zoning and Subdivision Ordinance. **(HBZSO Chapter 232)**

c. A landscape planter (islands) shall be installed in the middle of the new parking row east of the building (parking row with 45 spaces). **(PL)**

d. The materials and colors of the 12-ft. high walls surrounding the pool/spa area shall be designed to be compatible with the building. **(PL)**

2. The use shall comply with the following:

   a. Group activities, loud-speakers, music, whistles, or other noise making devices in the outdoor pool/spa area shall be prohibited between the hours of 8:00 PM and 7:00 AM, seven days a week.

   b. Any lights in the outdoor/spa area shall be no taller than the height of the wall surrounding the pool/spa area.

   c. Only the uses described in the project narrative shall be permitted (see attached narrative).

   d. A video surveillance system shall be installed and maintained to monitor the public areas north and east of the subject building.

3. Conditional Use Permit No. 14-029 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 Planning and Building Department a minimum 30 days prior to the expiration date.

4. Signage shall be reviewed under separate permits and applicable processing.

5. The Development Services Departments (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning and Building 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.

6. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.

7. Incorporation of sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (http://www.usgbc.org/DisplayPage.aspx?CategoryID=19) or Build It Green's Green Building Guidelines and Rating Systems (http://www.builditgreen.org/green-building-guidelines-rating/).

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.

C. CONSENT CALENDAR - NONE

D. NON-PUBLIC HEARING ITEMS - NONE

E. PLANNING ITEMS

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

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

E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING
Tess Nguyen, Associate Planner – 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

Commissioner Crowe reported that he had attended the recent League of California Cities Planning Commissioners Academy.

Commissioner Semeta reported that she had attended the recent League of California Cities Planning Commissioners Academy and commended staff for their work in providing all the appropriate information in staff reports.

Vice-Chair Pinchiff reported that he had attended the recent League of California Cities Planning Commissioners Academy.

Commissioner Mandic reported on the recent events she attended.

Commissioner Brenden reported on the recent events he attended, including the League of California Cities Planning Commissioners Academy.

Commissioner Hoskinson reported on the recent events he attended, including the League of California Cities Planning Commissioners Academy.

Chair Kalmick reported that he had attended the recent League of California Cities Planning Commissioners Academy and he encouraged the public to attend the Planning Commission Study Sessions and the upcoming workshop.

ADJOURNMENT: Adjourned at 8:20 PM to the next regularly scheduled meeting of Tuesday, March 24, 2015.

APPROVED BY:

Scott Hess, Secretary

Dan Kalmick, Chair