MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, OCTOBER 11, 2011
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: ***Shier Burnett (P), Peterson (P), Mantini (A), Delgleize (P), Farley (P), Bixby (P), Ryan (A)***

Vice Chair Mantini and Commissioner Ryan were absent.

AGENDA APPROVAL

A MOTION WAS MADE BY BIXBY, SECONDED BY PETERSON, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF OCTOBER 11, 2011, BY THE FOLLOWING VOTE:

AYES: **Shier Burnett, Peterson, Delgleize, Farley, Bixby**
NOES: **None**
ABSENT: **Mantini, Ryan**
ABSTAIN: **None**

MOTION APPROVED

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. CONDITIONAL USE PERMIT NO. 11-018 (TOTAL WINE & MORE) – Ethan Edwards, Associate Planner

Ethan Edwards, Associate Planner, gave a brief overview of the proposed project.

Commissioner Bixby asked staff to explain the process for determining the benefitting charities. Mr. Edward's indicated that he would report back to the Commission on this item.

A-2. ENVIRONMENTAL IMPACT REPORT NO. 10-003 (BEACH AND WARNER MIXED USE PROJECT – CONTINUED FROM THE APRIL 26, 2011 MEETING) – Rosemary Medel, Associate Planner

Mary Beth Broeren, Planning Manager, gave a brief overview of the proposed project.

There was a brief discussion regarding the parking analysis and potential parking and traffic impacts.

There was a brief discussion regarding the school enrollment and student generation rate data and how that was complied. Ms. Broeren noted that current

enrollment data and the most recent student generation rate data is included in the document.

Commissioner Farley asked staff to provide an updated mitigation monitoring program with the next staff report.

B. STUDY SESSION ITEMS – NONE

C. PUBLIC COMMENTS – NONE

D. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS)

Herb Fauland, Planning Manager, reviewed items for the public hearing portion of the meeting. He noted that the applicant for Item No. B-1 requested a continuance to the October 25, 2011, Planning Commission meeting. Scott Hess, Director of Planning and Building, noted that no Planning Commission meeting items were reviewed at the previous City Council meeting.

E. PLANNING COMMISSION COMMITTEE REPORTS – NONE

F. PLANNING COMMISSION COMMENTS

Commissioner Shier Burnett asked staff for an update on the status of the proposed WalMart development on Edinger Avenue. Mr. Fauland indicated that additional environmental analysis is required which may delay the project from coming before the Planning Commission.

Commissioner Farley asked staff to report on the current status of the council action for Planning Commission appeal items. Mr. Fauland stated that a planner has been assigned to this project and staff is currently surveying other cities for information on their appeal processes. Commissioner Farley confirmed with staff that this item would come before the Planning Commission as it would be a Zoning Text Amendment.

5:45 P.M – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE– Led by Commissioner Peterson

P P A P P P A

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

Vice Chair Mantini and Commissioner Ryan were absent.

AGENDA APPROVAL

A MOTION WAS MADE BY BIXBY, SECONDED BY PETERSON, TO APPROVE THE PLANNING COMMISSION AGENDA OF OCTOBER 11, 2011, BY THE FOLLOWING VOTE:

AYES: Shier Burnett, Peterson, Delgleize, Farley, Bixby
NOES: None
ABSENT: Mantini, Ryan
ABSTAIN: None

MOTION APPROVED

A. PUBLIC COMMENTS - NONE

B. PUBLIC HEARING ITEMS

Chair Delgleize recused herself from Item No. B-1 and left the room.

B-1. DEVELOPMENT AGREEMENT NO. 08-001 (THE VILLAGE AT BELLA TERRA DEVELOPMENT AGREEMENT) Applicant/Property Owner: Becky Sullivan, BTDJM Phase II Associates, LLC **Request:** To enter into a Development Agreement between the City of Huntington Beach and BTDJM Phase II Associates, LLC for a term of 10 years pursuant to a request by BTDJM for The Village at Bella Terra mixed use project, approved for the 10.40-acre site formerly occupied by the Montgomery Wards automotive repair building. The Village at Bella Terra mixed use project consists of 467 multi-family residential units and 30,000 square feet of retail and restaurant space. The applicant requests the development agreement to provide assurances that they may proceed with the project in accordance with existing policies and standards in place at the time of project approval; to automatically extend Tentative Tract Map No. 17261 for 10 years; to agree to process multiple finals maps; to delay payment of for-sale park and dedication in-lieu fees until a later date; and to initially rent the units as apartments then sell as condominiums without being subject to condominium conversion standards. **Location:** 7601 Edinger Avenue (north side of Edinger Avenue, east of Union Pacific Rail Road and west of existing Bella Terra development) **Project Planner:** Jane James

STAFF RECOMMENDATION: Motion to: "Continue Development Agreement No. 08-001 to October 25, 2011, with the public hearing to be opened, at the applicant's request."

The Commission made the following disclosures:

- Commissioner Shier Burnett has visited the site and attended previous study sessions on the issue.
- Commissioner Peterson has visited the site.
- Commissioner Farley has visited the site, attended the study session, and voted on the Specific Plan and previous entitlements.
- Commissioner Bixby has visited the site and attended the study session.

Herb Fauland, Planning Manager, reported that the applicant is requesting a continuance to the October 25, 2011, Planning Commission meeting.

A MOTION WAS MADE BY SHIER BURNETT, SECONDED BY BIXBY, TO CONTINUE DEVELOPMENT AGREEMENT NO. 08-001 TO THE OCTOBER 25, 2011, PLANNING COMMISSION MEETING, BY THE FOLLOWING VOTE:

AYES: Shier Burnett, Peterson, Farley, Bixby
NOES: None
ABSENT: Mantini, Ryan
ABSTAIN: Delgleize

MOTION APPROVED

Chair Delgleize returned to the meeting.

B-2. **ZONING MAP AMENDMENT NO. 11-001 (OPEN SPACE - PARKS AND RECREATION TO LOW DENSITY RESIDENTIAL AT CITY YARD)** **Applicant/Property Owner:** City of Huntington Beach **Request:** To change the zoning designation for two City-owned surplus parcels, each approximately 6,300 square feet and fronting on Ford Drive, from the current designation of OS-PR-FP2 (Open Space – Parks and Recreation – Floodplain Overlay District) to RL-FP2 (Low Density Residential - Floodplain Overlay District). **Location:** 17371 Gothard Street, 92647 (west side, north of Slater Ave.) **Project Planner:** Ricky Ramos

STAFF RECOMMENDATION: Motion to: "Approve Zoning Map Amendment No. 11-001 with findings (Attachment No. 1) and forward to the City Council for adoption."

Ricky Ramos, Senior Planner, gave the staff presentation and an overview of the project.

THE PUBLIC HEARING WAS OPENED.

Trudy Le Clair, resident , spoke in opposition of Item No. B-2, citing concerns with the potential impacts of additional housing to the neighborhood as well as the potential parking impacts.

Katherine Kurjan, resident, asked for clarification of the proposed zoning change and the process for selling the parcel. Mr. Ramos defined residential low density and Tina Krause, Economic Development Department, reviewed the process for selling the property upon approval of the zoning change.

Dick Luft, resident, spoke in opposition to Item No. B-2, stating that he did not feel there was a need for additional housing in that location. He asked that the site remain zoned open space.

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

Commissioner Farley noted that the Planning Commission is correcting a clerical error and encouraged neighbors to speak with council members regarding making this property into a park. Commissioner Shier Burnett echoed Commissioner Farley's comments.

A MOTION WAS MADE BY FARLEY, SECONDED BY BIXBY, TO APPROVE ZONING MAP AMENDMENT NO. 11-001 WITH FINDINGS AND FORWARD TO THE CITY COUNCIL FOR ADOPTION, BY THE FOLLOWING VOTE:

AYES:	**Shier Burnett, Peterson, Delgleize, Farley, Bixby**
NOES:	**None**
ABSENT:	**Mantini, Ryan**
ABSTAIN:	**None**

MOTION APPROVED

CEQA FINDING:

The Planning Commission finds that Zoning Map Amendment No. 11-001 is within the scope of Environmental Impact Report (EIR) No. 94-1 certified by the City Council in 1996 as part of the City's comprehensive General Plan update because it will bring the zoning designation into conformance with the General Plan.

FINDINGS FOR APPROVAL - ZONING MAP AMENDMENT NO. 11-001:

1. Zoning Map Amendment (ZMA) No.11-001 to change the zoning designation for two City-owned surplus parcels, each approximately 6,300 square feet and fronting on Ford Drive, from the current designation of OS-PR-FP2 (Open Space – Parks and Recreation – Floodplain Overlay District) to RL-FP2 (Low Density Residential - Floodplain Overlay District) and the subsequent sale of the surplus parcels are consistent with the objectives, policies, general land uses and programs specified in the General Plan and any applicable specific plan. The request would bring the zoning designation for the subject parcels into conformance with the existing General Plan designation and would be consistent with the following goals, objectives, and policies:

   A. Land Use Element

   Goal LU 1: Achieve development that maintains or improves the City's fiscal viability and reflects economic demands while maintaining and improving the quality of life for the current and future residents of Huntington Beach.

   Policy 7.1.1: Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

   Objective LU 8.1: Maintain the pattern of existing land uses while providing opportunities for the evaluation, including intensification and re-use of selected sections in order to improve their character and identity.

   Policy LU 8.1.1: Accommodate land use development in accordance with the patterns and distribution of use and density depicted on the Land Use Plan Map.

   B. Housing Element

   Goal H 3: Provide adequate housing sites to accommodate regional housing needs.

   The proposed ZMA and subsequent sale of the surplus parcels will allow for future development in accordance with the General Plan and zoning and may provide additional housing opportunities in Huntington Beach.

2. ZMA No. 11-001 would only change the land use designation rather than a general land use provision and would not affect the uses authorized in and the standards prescribed for the proposed zoning district.

3. A community need is demonstrated for the change proposed. With the adoption of the General Plan in 1996, the community determined the proper land use designation for all properties within the city. ZMA No. 11-001 would bring the zoning designation for the subject parcels into conformance with the adopted General Plan designation.

4. Its adoption will be in conformity with public convenience, general welfare and good zoning practice. ZMA No. 11-001 would bring the zoning designation for the subject parcels into conformance with the existing General Plan designation. The proposed zoning designation is an extension of the same zoning designation found on the single family residential properties that surround the subject parcels on three sides and will be compatible with the area. The subject parcels were created under Tentative Parcel Map No. 81-586 and comply with the required minimum lot size and width in the proposed RL-FP2 zoning designation. The subject site has never been used as a park, is not included in the City's park inventory, and is not counted in the City's overall park/open space acreage. It is not necessary for park use given its size and the proximity of Central Park located just south of Slater Avenue.

C. CONSENT CALENDAR

C-1. PLANNING COMMISSION MINUTES DATED APRIL 26, 2011

RECOMMENDED ACTION: Motion to: "Approve the April 26, 2011, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY FARLEY, SECONDED BY SHIER BURNETT, TO APPROVE THE APRIL 26, 2011, PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

AYES: Shier Burnett, Peterson, Delgleize, Farley, Bixby
NOES: None
ABSENT: Mantini, Ryan
ABSTAIN: None

MOTION APPROVED

C-2. PLANNING COMMISSION MINUTES DATED JUNE 14, 2011

RECOMMENDED ACTION: Motion to: "Approve the June 14, 2011, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY FARLEY, SECONDED BY PETERSON, TO APPROVE THE JUNE 14, 2011, PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

AYES: Shier Burnett, Peterson, Delgleize, Farley, Bixby
NOES: None
ABSENT: Mantini, Ryan
ABSTAIN: None

MOTION APPROVED

C-3. PLANNING COMMISSION MINUTES DATED JUNE 28, 2011

RECOMMENDED ACTION: Motion to: "Approve the June 28, 2011, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY FARLEY, SECONDED BY PETERSON, TO APPROVE THE JUNE 28, 2011, PLANNING COMMISSION MINUTES AS AMENDED BY STAFF, BY THE FOLLOWING VOTE:

AYES: Shier Burnett, Peterson, Delgleize, Farley, Bixby
NOES: None
ABSENT: Mantini, Ryan
ABSTAIN: None

D. NON-PUBLIC HEARING ITEMS – NONE

E. PLANNING ITEMS

E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING
Herb Fauland, Planning Manager - reported on the items from the previous City Council Meeting.

E-2. CITY COUNCIL ITEMS FOR NEXT MEETING
Herb Fauland, Planning Manager - reported on the items for the next City Council Meeting.

E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING
Herb Fauland, 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 – NONE

ADJOURNMENT: Adjourned at 7:28 PM to the next regularly scheduled meeting of Tuesday, October 25, 2011.

APPROVED BY:

Scott Hess, Secretary

Janis Mantini, Chairperson