

MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JUNE 26, 2007

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* *P* *A* *P* *P* *P* *P*
Shier-Burnett, Speaker, Livengood, Scandura, Horgan, Dwyer, Farley
(Commissioner Livengood arrived at 5:25 PM)

AGENDA APPROVAL

A MOTION WAS MADE BY SHIER-BURNETT, SECONDED BY DWYER, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF JUNE 26, 2007, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A. PROJECT REVIEW (FUTURE AGENDA ITEMS):

A-1 **CONDITIONAL USE PERMIT NO. 07-017 (SHARKEEZ DANCING) – Ron Santos**

Ron Santos, Associate Planner, gave an overview of the proposed project and reported that both Economic Development and Police Department recommend denial of permit. A late communication was submitted from the Police Department regarding incidents logged under Sharkeez's address.

Commissioner Speaker asked for clarification from Police Chief Small on the definition of the codes listed in the late communication.

Commissioner Dwyer inquired about other establishments that are allowed to have dancing. Chief Small replied Killarney's is allowed to have dancing and was approved over the objections of the Police Department. Dwyer inquired about disturbances from that establishment. Chief Small replied that it is important to note that these establishments have a number of issues; however Killarney's is not nearly as busy or as crowded as Sharkeez. Dwyer asked staff to obtain the square footage of Killarney's for comparison to Sharkeez.

Commissioner Shier-Burnett requested information on entertainment permit violations downtown, which Police Chief Small agreed to provide.

Commissioner Horgan asked if there were other similar establishments and if permits were issued in a uniform approach or a case-by-case basis. Santos replied that several businesses have dancing and each request needs to be considered on its own merits. Shier Burnett asked which establishment became problematic after their permit was issued. Chief Small replied 'Huntington Beach Beer Company.'

Chief Small explained the downtown area has the highest intensity of incidents resulting in 20% of arrests for the City. He explained they are looking at the overall impact on the downtown area.

Commissioner Dwyer asked if there was a litmus test for when the City would allow or not allow such permits in order to be consistent. Chief Small stated he can attempt to provide one; however such permits are generally opposed in the downtown area.

Commissioner Shier-Burnett inquired if the applicant contacted the Police for a response prior to applying for the permit. Chief Small replied he met with the applicant and let them know in advance of their recommendation.

A-2. APPEAL OF DESIGN REVIEW BOARD'S APPROVAL OF DESIGN REVIEW NO. 07-010 / PLANNED SIGN PROGRAM NO. 07-002 (AOUZERAT PROPERTY) – Jill Arabe

Jill Arabe, Planning Aide, gave an overview of the proposed project and displayed photos the applicant provided. The Design Review Board (DRB) approved a revised plan on May 24, 2007. An appeal of the DRB approval was filed on June 4, 2007 by City Council Member Bohr.

Commissioner Dwyer questioned if attachment 4.9 of the staff report reflected what was approved by the DRB. Arabe responded that attachments 4.7 and 4.8 of the staff report depict the location and 4.9 depicts how the signs will look.

Chair Scandura asked if the design is similar to another project mentioned in a letter from the applicant. Arabe replied the other building had offices above, instead of residential, so the signage worked for offices as well as retail on the bottom. Ricky Ramos mentioned the other building had wall signs adjacent to the business suite unlike the application before the Planning Commission.

B. STUDY SESSION ITEMS:

B-1. SETTING AGENDAS AND CONDUCTING MEETINGS (GOAL #8) – Chair Scandura

The Commissioners discussed possible scenarios of conducting Study Sessions the same night as the Public Hearing. The Commissioners and staff discussed costs of including other Department's staff at the meeting and the Public Hearing posting process. Leonie Mulvihill, Senior Deputy City Attorney explained the history and advised of possible ways to notice the Study Session and Public Hearing. Commissioner Livengood mentioned the difficulty in determining which items do not need a Study Session. Commissioner Speaker stated that if an item is continued he would want the item continued to the next meeting. Chair Scandura mentioned the process for Public

Hearing was approved approximately 18 months ago and inquired as to how difficult it would be to make changes. Commissioner Shier-Burnett communicated that having the Public Hearing on a different night from the Study Session gives her more time for information gathering on the issue. The item was continued to the next meeting to include discussion with the Scott Hess, Director of Planning; and Herb Fauland, Acting Planning Manager.

C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS): - None

D. PLANNING COMMISSION COMMITTEE REPORTS –

Commissioner Dwyer stated that he attended the Beach/Edinger Corridor Committee Meeting. He updated the Commission on the direction being formed.

Commissioner Shier-Burnett reported that the Environmental Board was very receptive to the Green Building Committee Report. She also attended the Urban Land Institute Conference which included a Tustin Field Tour.

Chair Scandura reported that a City consultant who has expertise in Green Buildings would like to give a presentation to the City Council at a Study Session in July or early August. A presentation of the Green Buildings Report by the Planning Commission Subcommittee would be scheduled at a subsequent City Council Study Session. He also stated there is a pending vacancy on the Planning Commission which will create committee re-assignments. He stated there will be a change on the Design Review Board. He also attended the Beach/Edinger Corridor Committee and encouraged attendance.

Commissioner Livengood reported that the Pacific City Project is working hard to incorporate Green Building techniques.

E. PUBLIC COMMENTS (Regarding Study Session Portion of Meeting):

Greg Newman, applicant for Study Session Item A-1, spoke in favor of the permit. He gave an explanation why it should be allowed and discussed possible ways to manage the additional use.

Dick Harlow, building owner for Study Session Item A-1, spoke in support of the permit and commended the Sharkeez management. He indicated that permits have been issued for similar establishments and consistency should be maintained.

Mike Adams, representative for Study Session Item A-1, also spoke in support of the project. He explained how the number of police incidents may not actually be directly related to Sharkeez and that no citations have been issued.

F. PLANNING COMMISSION COMMENTS:

Commissioner Speaker – None

Commissioner Livengood mentioned he was sad to see Commissioner Horgan leave.

Commissioner Farley – None

Chair Scandura stated that he spoke at the Chamber of Commerce breakfast club on the Planning Commission goals. He mentioned he was sad to see Commissioner Horgan leave.

Commissioner Shier-Burnett attended the Beach/Edinger Corridor Committee and was very impressed with the consultant. She commented it was a pleasure working with Commissioner Horgan.

Commissioner Horgan thanked fellow Commissioners for their patience and explained her reasons for leaving the Planning Commission.

Commissioner Dwyer was concerned about a possible conflict on the First Christian Church project; however, after further review it does not appear to be an issue.

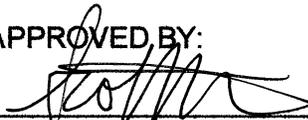
ADJOURNMENT:

Adjourned at 6:45 p.m. to the next regularly scheduled meeting of July 10, 2007.

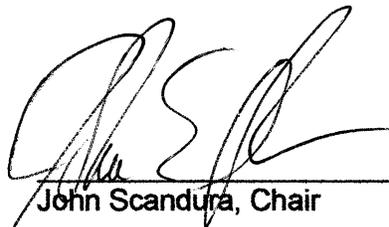
7:00 P.M. – COUNCIL CHAMBERS

CANCELLED: NO PUBLIC HEARINGS

APPROVED BY:



Scott Hess, Secretary



John Scandura, Chair