



MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, SEPTEMBER 11, 2007

HUNTINGTON BEACH CIVIC CENTER

2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

6:00 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

CALL PLANNING COMMISSION MEETING TO ORDER

P P P P P P P
ROLL CALL: *Shier-Burnett, Speaker, Livengood, Scandura, Shaw, Dwyer, Farley*
(Commissioner Livengood arrived at 6:16 PM)

AGENDA APPROVAL

A MOTION WAS MADE BY SCANDURA, SECONDED BY DWYER, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF SEPTEMBER 11, 2007, BY THE FOLLOWING VOTE:

AYES: Shier-Burnett, Speaker, Scandura, Shaw, Dwyer, Farley

NOES: None

ABSENT: Livengood

ABSTAIN: None

MOTION APPROVED

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

- A-1. MITIGATED NEGATIVE DECLARATION NO. 06-008/CONDITIONAL USE PERMIT NO. 06-035/VARIANCE NO. 07-001 (FIRST CHRISTIAN CHURCH REMODEL/EXPANSION – STAFF UPDATE) 1207 Main Street, 92648 – Ron Santos**

Chair Scandura and Commissioner Farley left the room.

Ron Santos, Associate Planner, gave an overview of the project and recommended alternative actions, which may include deleting the parking structure from the project. Director of Planning Scott Hess noted that First Christian Church (Item No. A-1) was continued from the Planning Commission Meeting of August 28, 2007, because the requirements for public notification were not met. Commissioner Dwyer inquired if the Applicant was notified of the Alternative Action recommendation and staff responded yes. Commissioner Livengood asked about the

agreement for First Christian Church to have joint use parking with Huntington Beach High School and staff responded that it would be only during construction. Santos spoke regarding Church seating vs. square feet and how that would impact the parking requirements. He noted that the 49 parking spaces at Smith School would be part of First Christian Church's permanent parking.

Chair Scandura and Commissioner Farley returned.

B. STUDY SESSION ITEMS – NONE

C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS) – Herb Fauland

Herb Fauland, Principal Planner, recommended continuance on Item No. B-1. He noted that there were two late communications for Item No. B-2 and one late communication for Item No. B-3. He advised that the minutes for the May 8th, 2007 and July 10th, 2007, Planning Commission meetings were submitted for approval.

D. PLANNING COMMISSION COMMITTEE REPORTS

Commissioner Farley reported the Environmental Board discussed the Energy Fair at their previous meeting.

E. PUBLIC COMMENTS

Resident David Treiman asked for clarification on procedures for Study Session and Planning Commission Meetings. Treiman also discussed what he deemed to be substantial changes to First Christian Church's Conditional Use Permit request and suggested 'starting over' with a new Planning Commission evaluation, stating that if an item is not in the Negative Declaration, then it shouldn't be in the proposal.

First Christian Church Pastor Bruce Templeton advised that he would be in attendance at both Study Session and Public Hearing portions of the meeting and would be available to answer questions.

F. PLANNING COMMISSION COMMENTS

Commissioner Livengood stated that he would clarify and help keep the public informed regarding First Christian Church during the Public Hearing portion of the meeting.

Chair Scandura thanked Sandy Henderson and welcomed Linda Wine. He gave a special "Chairman's Presentation" award plaque to Commissioner Shier-Burnett, and thanked her for her successful "Green Buildings" presentation to the City Council. Scandura also requested that the Planning Commission change the order of the agenda by moving Items C-1 and C-2 ahead of Item B-3.

Commissioner Shaw welcomed Linda Wine.

6:20 P.M. – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Jacques Pelletier, Fire Division Chief

ROLL CALL: *P* *P* *P* *P* *P* *P* *P*
Shier-Burnett, Speaker, Livengood, Scandura, Shaw, Dwyer, Farley

AGENDA APPROVAL

A MOTION WAS MADE BY SCANDURA, SECONDED BY SPEAKER, TO MOVE ITEMS C-1 AND C-2 AHEAD OF B-3, AND TO APPROVE THE PLANNING COMMISSION AGENDA OF SEPTEMBER 11, 2007, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

THE MINUTES WILL REFLECT ITEMS IN THEIR ORIGINAL ORDER.

Chair Scandura asked that we all remember the heroes of September 11, 2001.

A. ORAL COMMUNICATIONS

Rob Wayman, representative for Compassionate Care Dispensaries, handed out cards and donated his remaining time to Anthony Curiale, Attorney, who discussed the August 14, 2007, hearing on Item No. B-1 (Medical Marijuana).

Steve Stafford, resident, requested that First Christian Church (Item No. B-3) be heard first.

Sander Gelfan, resident, stated that he has concerns over the proposed First Christian Church outdoor sound system, café and three-story parking structure. Gelfan said that he has a good relationship with the Church, but feels First Christian Church's plans are overambitious.

B. PUBLIC HEARING ITEMS:

- B-1. ZONING TEXT AMENDMENT NO. 07-003 (MEDICAL MARIJUANA DISPENSARIES - CONTINUED FROM AUGUST 14, 2007 WITH PUBLIC HEARING CLOSED) Applicant: City of Huntington Beach **Request:** To amend Chapters 204 and 212 of the Huntington Beach Zoning and Subdivision Ordinance to delete all references to medical marijuana dispensaries. **Location:** Industrial Districts Citywide **Project Planner:** Ricky Ramos**

STAFF RECOMMENDATION: Motion to: "Continue Zoning Text Amendment No. 07-003 to the September 25, 2007 Planning Commission meeting."

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SPEAKER, TO CONTINUE TO THE SEPTEMBER 25, 2007 PLANNING COMMISSION MEETING WITH THE PUBLIC HEARING TO BE OPENED, BY THE FOLLOWING VOTE.

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

MOTION APPROVED

B-2. NEGATIVE DECLARATION NO. 06-002/ANNEXATION NO. 06-001/ZONING TEXT AMENDMENT NO. 06-001/ZONING MAP AMENDMENT NO. 06-001

(BRIGHTWATER SPECIFIC PLAN) Applicant: Hearthside Homes (Ed Mountford)

Request: ND: To analyze the potential environmental impacts associated with the implementation of the proposed project. **ANX:** To annex approximately 105.3 acre

Brightwater Development Project (BDP) into the City of Huntington Beach; **ZTA:** To create the Brightwater Specific Plan (SP 15); **ZMA:** To amend the City of Huntington

Beach Zoning Map to: 1) prezone with the Brightwater Specific Plan a 105.235 acre portion of the BDP site presently located within an unincorporated portion of Orange

County; 2) prezone a 0.065 acre portion of the unincorporated area with Residential Low Density (RL) zoning for inclusion in the Sandover project; and 3) rezone 0.365 acres of

the subject property currently located within the City of Huntington Beach from RL to Brightwater Specific Plan. **Location:** Northeast corner of the Bolsa Chica Mesa and

generally bounded by Los Patos Avenue to the north, Warner Avenue to the northwest and the terminus of Bolsa Chica Street to the east. **Project Planner:** Sandra Campbell

STAFF RECOMMENDATION: Motion to:

- A. "Approve Negative Declaration No. 06-02 with findings (No. 1)."
- B. "Recommend approval of Zoning Text Amendment No. 06-01 with findings for approval (Attachment No. 1) and forward the Draft Resolution (Attachment No. 3) to the City Council for adoption."
- C. "Recommend approval of Zoning Map Amendment No. 06-01 with findings for approval (Attachment No. 1) and forward Draft Ordinance (Attachment No. 2) to the City Council for adoption."
- D. "Approve Annexation No. 06-01 as a minute action and forward recommendation to the City Council."

The Commission made the following disclosures:

- Commissioner Shaw has met the principals and visited the site.
- Commissioner Farley has met the principals and visited the site.
- Chair Scandura has met the principals and visited the site.
- Commissioner Livengood has toured the site and questioned whether there would be available space to park on both sides of the street.
- Commissioner Dwyer has visited the site, noted that the streets are smaller and asked about Fire Truck radius turnaround.

Associate Planner Jason Kelley gave a PowerPoint Presentation on the project and responded to Commissioner Livengood's query regarding parking (there will be parking on both sides of the street). Fire Division Chief Jacques Pelletier stated that he would investigate Commissioner Dwyer's concern regarding Fire Truck radius turnaround. Chair Scandura inquired whether the property will be annexed to the City of Huntington Beach before or after development. Staff replied that it would be after development. Chair Scandura stated that development revenues would be approximately \$8 million, but it would be more money if the property was annexed prior to development. Principal Planner Mary Beth Broeren stated that the city would have made more money if that were the case; however, the developer has to pay the \$8 million and the city benefits from the parks and trails. Commissioner Farley questioned whether the homes would be occupied prior to the annexation and Project Planner/Consultant Sandra Campbell replied no.

THE PUBLIC HEARING WAS OPENED.

Ed Mountford, Applicant, Hearthside Homes, said that the streets would be large enough for Fire Truck turnarounds and that the homes themselves would be annexed into the City of Huntington Beach, but prior to occupancy.

Flossie Horgan, President of Bolsa Chica Land Trust, stated that the Planning Commission should include the Lower Bench in the project and ensure that the project remains an open community, with parking open to the public. She also discussed the 9' Los Patos pad (and included two pictures as a handout), stating that the pad is too high, blocks the sun and is out of character with the rest of the development. The six additional houses (ref: Lot #7) should be consistent in design with the rest of the neighborhood.

WITH NO OTHER SPEAKERS – THE PUBLIC HEARING ON BRIGHTWATER WAS CLOSED.

Commissioner Shier-Burnett inquired what would happen if the community was gated – what would prevent the neighbors from making changes to prevent public access later on and what would be the subsequent action. Principal Planner Mary Beth Broeren stated in that instance, the project would have to go back to the Coastal Commission, as the gates would be illegal and it would be doubtful that gating would ever be approved.

Commissioner Shier-Burnett asked about parking on both sides of Brightwater Drive and confirmed that any development on Lot #7 would require additional approvals. Staff replied yes,

there will be a bike lane on one side, with parking on both sides. Commissioner Speaker stated that both the County and the Coastal Commission have approved the project – and asked if Huntington Beach would be approving what they approved. Staff replied yes. Commissioner Livengood asked about the wording (see sections 2.10, 2.27) on two-sided street parking; as worded now, it's for residents and their guests – can it be reworded to say that the public can park on both sides of the street – Principal Planner Mary Beth Broeren replied to Livengood and referred him to sections 2.25 and 2.26 as well as 2.27, which refers to parking in each and all areas. For consistency, public parking verbiage should be added to all sections. Commissioner Livengood inquired if more parking (at the beginning of the trailhead) can be added at a later date, or is it locked in. Principal Planner Mary Beth Broeren stated that there is no more projected parking at this time.

Commissioner Shaw is concerned about parking and public access during construction. Since we are annexing in phases, this will take time and we will not have any enforcement during that time, so Commissioner Shaw is requesting a City of Huntington Beach liaison. Applicant Ed Mountford spoke, indicating that he would serve as the liaison for the 'most regulated community in California' and that the Coastal Commission is a third party beneficiary to the CC&Rs.

Commissioner Shaw also asked if zoning can be set aside for Lot #7, due to concerns about pad elevation. Principal Planner Mary Beth Broeren replied that by including the lot in the pre-zoning, the City would ultimately have more control over its development.

Commissioner Dwyer asked if the Brightwater streets are dedicated to the City of Huntington Beach, and Principal Civil Engineer Terri Elliot replied that they are dedicated to the County, and when the property is annexed, it switches to the City.

Commissioner Farley spoke about the Lower Bench area and inquired when it will be annexed. Principal Planner Mary Beth Broeren stated that this issue was brought to the City Council in early 2007, and the City Council decided to study this issue in the new budget year. Staff will work on the Fiscal Analysis for that annexation in 2008 – the overall process can take 12-18 months. Chair Scandura also said that the City is looking at annexing the entire wetlands/lowlands areas in Bolsa Chica and stated the need to point out the changes in the specific plan to include verbiage regarding public areas and public parking.

Chair Scandura asked who will be responsible for the storm drains. Staff replied that the city will be enforcing storm drain maintenance.

Chair Scandura led a general discussion regarding maintenance of the habitat areas and reporting of violations. Principal Planner Broeren responded that questions or complaints should go to City Hall (Administration – Planning – Public Works) and that we then would direct these to the Coastal Commission or take action. Chair Scandura requested a single point of contact for these questions and complaints, and Principal Planner Broeren responded that it would depend on where the issue was occurring and the specific nature of the issue.

Applicant Ed Mountford said that Hearthside Homes is responsible for carrying out the specific plan – they are meeting with the Huntington Beach Police Dept to develop signs to post

regarding code violations. He also stated that they have a Management company to ensure that all conditions are complied with.

Chair Scandura indicated that the revenue from the annexation would be close to \$19 million over seven years.

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SPEAKER, TO APPROVE NEGATIVE DECLARATION NO. 06-02 WITH FINDINGS (ATTACHMENT NO. 1), BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SPEAKER, TO APPROVE ZONING TEXT AMENDMENT NO. 06-01 WITH FINDINGS FOR APPROVAL (ATTACHMENT NO. 1), WITH THE ADDITION OF LANGUAGE REFERENCING PUBLIC PARKING ON PAGES 2.24-2.27, AND FORWARD THE DRAFT RESOLUTION (ATTACHMENT NO. 3) TO THE CITY COUNCL FOR ADOPTION; TO APPROVE ZONING MAP AMENDMENT NO. 06-01 WITH FINDINGS FOR APPROVAL (ATTACHMENT NO. 1) AND FORWARD THE DRAFT (ATTACHMENT NO. 2) TO THE CITY COUNCL FOR ADOPTION; AND TO APPROVE ANNEXATION NO. 06-02 AS A MINUTE ACTION AND FORWARD RECOMMENDATION TO THE CITY COUNCIL, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

Principal Planner Herb Fauland noted that this Item will be forwarded automatically to the City Council for final action.

SUGGESTED FINDINGS FOR APPROVAL - NEGATIVE DECLARATION NO. 06-02:

1. The Negative Declaration No. 06-02 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of thirty (30) days. Comments received during the comment period were considered by the Planning Commission prior to action on the Negative Declaration No. 06-02, Annexation No. 06-01, Zoning Text Amendment No. 06-01 and Zoning Map Amendment No. 06-01.

2. There is no substantial evidence in light of the whole record before the Planning Commission that the project will have a significant effect on the environment. The Annexation, Zoning Text Amendment and Zoning Map Amendment will not create any additional density or intensity of land use on the project site over that which was analyzed in Subsequent EIR No. 551 and Addendum. Subsequent EIR No. 551 and Addendum also found that the change in services from Orange County providers to City providers that take place after annexation will not create undue burden on the City.

SUGGESTED FINDINGS FOR APPROVAL – ANNEXATION NO. 06-001/ZONING TEXT AMENDMENT NO. 06-001 AND ZONING MAP AMENDMENT NO. 06-001:

1. Zoning Map Amendment No. 06-01 amending District Map No. 34 to prezone a 105.3 acres as Brightwater Specific Plan (Specific Plan-15) with a Coastal Zone Overlay, prezone approximately 0.065 acres as Residential Low Density with a Coastal Zone Overlay (RL-CZ), and rezone approximately 0.365 acres within the City from RL-CZ to SP-15-CZ and Zoning Text Amendment No. 06-01 for the adoption of the Specific Plan are consistent with the goals, objectives, policies, general land uses and programs specified in the General Plan because the Specific Plan provides for a cohesive development of residential and habitat areas that are compatible with adjacent single-family development on the north and east and with the environmentally sensitive Bolsa Chica area to the south. The Specific Plan provides community design standards for the future development of the remaining six homes and future additions, alterations, and replacements due to fire and the like that will ensure compatibility with surrounding development.
2. In the case of a general land use provision, the zoning map amendment and Specific Plan are compatible with the uses authorized in, and the standards prescribed for, the zoning district for which it is proposed. The Brightwater Specific Plan provides single-family residential development that is consistent with existing single-family residential development adjacent to the north and east. The rezoning and pre zoning of the areas to be included with the Sandover project are consistent with the zoning of that area.
3. A community need is demonstrated for the change proposed. The Brightwater Specific Plan will provide standards that will be consistent with the BDP approved by Orange County and the California Coastal Commission thereby allowing the project site to be annexed into the City. The development standards and community design guidelines contained in the Specific Plan will ensure that future development within the site will be compatible with surrounding existing development and maintain a high standard of design on the site.
1. Its adoption will be in conformity with public convenience, general welfare and good zoning practice. The Specific Plan will provide standards for future development of the site that will maintain the existing character of the site and surrounding residential development. The Specific Plan also provides for the continued management and maintenance of important habitat areas so that they will not become a financial burden to the City. The Specific Plan also provides for a public trail along the northern portion of the large habitat area that will provide additional recreational opportunities to the City and surrounding communities.

SUGGESTED FINDINGS FOR APPROVAL - SPECIFIC PLAN NO. 15:

1. The Specific Plan is consistent with the adopted Land Use Element of the General Plan and, if in the coastal zone, with the certified Local Coastal Program Land Use Plan, and other applicable policies and is compatible with surrounding development. The Specific Plan is consistent with the goals, objectives, policies, general land uses and programs specified in the General Plan because the Specific Plan provides for a cohesive development of residential and habitat areas that is compatible with adjacent single-family development on the north and east and with the environmentally sensitive Bolsa Chica area to the south. The Specific Plan provides community design standards for the future development of the remaining six homes and future additions, alterations, and replacements due to fire and the like that will ensure compatibility with surrounding development. The Specific Plan area is located within unincorporated Orange County and, therefore, is currently outside of the City's Local Coastal Program. However, a Coastal Development Permit No. 5-05-020 was issued by the California Coastal Commission for the Brightwater Development Project.
2. The Specific Plan will enhance the potential for superior urban design in comparison with the development under the base district provisions that would apply if the Plan were not approved. The Specific Plan contains development standards and architectural and landscape design guidelines that will apply to the development of the six additional residential lots within the Specific Plan and to future additions, alterations and replacements due to the fire and the like that will ensure consistency with the high quality architectural and landscape design of the existing development and compatibility with surrounding development.
3. Deviations from the base district provisions that otherwise would apply are justified by compensating benefits of the Specific Plan. The Specific Plan provides for a cohesive development of residential and habitat areas that are compatible with adjacent single-family development on the north and east and with the environmentally sensitive Bolsa Chica area to the south. The Specific Plan provides for conservation of large habitat areas on the southern edge of the residential development that will preserve open space and provide views of Bolsa Chica area and the Pacific Ocean from the public trail area located at the northern portion of the habitat area. The Specific Plan also provides for preservation of environmentally sensitive habitat that will provide a public benefit to the City of Huntington Beach and surrounding communities.
4. The Specific Plan includes adequate provisions for utilities, services, and emergency vehicle access; and public service demands will not exceed the capacity of existing and planned systems. The Specific Plan provides plans for all infrastructure including roadways and circulation, grading and drainage plans and utilities that will serve the Specific Plan site as consistent with the Brightwater Development Project approved by Orange County and the California Coastal Commission. The Specific Plan site is currently being developed with all necessary infrastructures that will be completed before annexation takes place. As analyzed in Subsequent EIR No. 551, the public service demands for the Specific Plan will not exceed the capacity of existing and planned systems, including the transfer of services from Orange County to the City of Huntington Beach after annexation. All public services, both before and after annexation, will be adequately met by existing resources including fire, police and emergency services. Emergency access will be adequate for the Specific Plan area in that

all streets within the site will be public to allow emergency vehicles access to the site. In addition, the Specific Plan area will not be gated.

- B-3. MITIGATED NEGATIVE DECLARATION NO. 06-008/CONDITIONAL USE PERMIT NO. 06-035/VARIANCE NO. 07-001 (FIRST CHRISTIAN CHURCH REMODEL/EXPANSION - CONTINUED FROM AUGUST 28, 2007 WITH PUBLIC HEARING TO BE OPENED) Applicant: Art Cueto. Request: MND: To analyze the potential environmental impacts associated with implementation of the proposed project. CUP: To permit the expansion and remodel of an existing Church complex, including construction of a three-level parking structure; VAR: To permit joint use parking (298 spaces) located at a distance in excess of 250 feet from the project site (at Huntington Beach High School) during the construction phase Location: 1207 Main Street, 92648 (southeast corner of Adams Avenue and 17th Street). Project Planner: Ron Santos**

STAFF RECOMMENDATION: Motion to:

- A. "Approve Mitigated Negative Declaration No. 06-008 with findings and suggested mitigation measures (Attachment No. 1 to Planning Commission Staff Report dated August 28, 2007);"
- B. "Approve Conditional Use Permit No. 06-035/ Variance No. 07-001 with findings and suggested conditions of approval (Attachment No. 1 to Planning Commission Staff Report dated August 28, 2007)."

Chairman Scandura and Commissioner Farley recused themselves. There are 31 Public Speakers.

The Commission made the following disclosures:

- Commissioner Shier-Burnett said that she has met with resident David Treiman and she attended First Christian Church for three months.
- Commissioner Speaker has talked to the neighbors and to Pastor Bruce Templeton.
- Commissioner Shaw has talked to staff, neighbors and Pastor Bruce Templeton.
- Commissioner Dwyer has talked to staff and Pastor Bruce Templeton.
- Commissioner Livengood has talked to staff and Pastor Bruce Templeton.

Ron Santos, Associate Planner, gave a PowerPoint presentation of the project and of the Alternative Action recommended and noted that staff prepared revised findings. The Alternative Action provides for the elimination of the 3-story parking structure and reducing the seating/assembly capacity to 1,350.

Principal Planner Herb Fauland noted several late communications: three late communications from David Treiman dated August 8th, August 27th, and September 11th, one from Bruce Templeton dated August 27th, and one from Mary Pat Kettler dated September 5th.

Commissioner Dwyer asked why we are changing the occupancy to 1,350 (down from 1,655). Santos said that the reduced capacity corresponds to the reduction in parking resulting from the elimination of the parking structure. Santos also stated that both the High School and Smith School are agreeable to joint use parking and that a joint use agreement would to be submitted upon approval.

Commissioner Dwyer asked about the Shipley resident parking and Bob Stachleski, Transportation Manager, noted that Shipley parking is in accordance with current code. Commissioner Dwyer also had questions about a pending lawsuit regarding street access. Senior Deputy City Attorney Leonie Mulvihill responded that litigation is ongoing between the High School and the adjacent homeowners' association regarding who has the rights to this road and can contract those rights; however, the road in question would not have any impact on the project, and it would not be used, as the shuttle buses for First Christian Church would be using Main Street.

Commission discussion turned to outdoor events. Commissioner Dwyer asked about other churches' outdoor assemblies and Santos replied that for church festivals (example: St. Simon and Jude), there's no threshold in the code regarding the number of attendees. Santos also stated that if an outdoor event is inconsistent with normal operations, then a Temporary Use Permit or Temporary Activity Permit may be required.

Noise and traffic issues and the outdoor portion of the café were discussed. Santos stated that the noise study considered the use of the outdoor areas. First Christian Church revised their original proposal by eliminating an outdoor amphitheater.

Commissioner Speaker asked if a sign would be posted stating construction hours (per Municipal Code) and contact information. Santos replied that contact information would be posted.

Commissioner Shier-Burnett asked when/where the applicant would be required to obtain a Temporary Use Permit and Santos replied that it would be evaluated based on the event in question.

THE PUBLIC HEARING WAS OPENED.

Pastor Bruce Templeton spoke on the Church's history, established in 1895, current building built in the 1950s, and it no longer serves his congregation's needs. (Architect Bob Bergmann, Visioneering Design Studios, was also present).

Templeton agreed to reduce proposed seating and do away with parking structure, reduce café seating on Monday through Fridays (with café capacity at 88 during the weekends), and said that he's not planning to operate it as a 'cook-to-order' restaurant. He also agreed to reduce the hours of operation of the bookstore.

Templeton's requests were to remove suggested condition 5(d) and modify 5(e), so as not to preclude the use of temporary outdoor sound systems.

Bob Bergmann from Visioneering then gave a PowerPoint presentation showing plans and photo simulations of the project.

PUBLIC COMMENTS

- Matthew Hunt, resident – opposed the project, especially café being open to the public.
- James Ferguson, resident – in favor, talked of family values and progress.
- Jerry Griffin, resident - in favor, First Christian Church member, hasn't heard any church noise.
- Karen Lewis, resident – in favor, spoke of freedom of worship, Church as a haven, First Christian Church's charitable acts.
- Jeanne Zenk, resident – in favor, 20 year resident, spoke of First Christian Church's philanthropy.
- Stephen Kluener, resident – in favor, if First Christian Church were not a church, would they be undergoing such scrutiny by the Planning Commission?
- Jordan Tenace, resident – in favor, spoke of Church home for youth and technical programs offered, which helped him with training and a career choice.
- Lee Treiman, resident – donated four minutes to next speaker.
- David Treiman, resident – opposed, spoke regarding the noise experienced at his home located across Adams Avenue, and said that he doesn't object to the Church's expansion, he's just asking that First Christian Church obey the same laws as everyone else. He gave a PowerPoint presentation and included a video of current trash pickup at the church. He requests reasonable limits, such as sound walls. He has concerns with trash pick up, which is currently at four days per week at 7:00 AM. The trash trucks are noisy and the refuse bins face the street. Also, the gardeners with noisy leaf blowers are at First Christian Church daily and 5-6 hours on Friday. The buses for transporting members sit idling noisily, spilling fumes.
- Lou Austin, resident – donated his time to Ron Austin.
- Ron Austin, resident - opposed, has concerns regarding noise levels at bookstore and café and trash collection, is happy that the parking structure is no longer in the plan. Complained of First Christian Church's outdoor music, which went on for hours and disturbed his sleep. Said that same group dispersed very late, with much yelling and honking of horns. Is concerned about deterioration of his quality of life.
- Todd Gan, resident – opposed, concerns about seating capacity in restaurant, believes commercial restaurant should not be allowed in residential district.
- Kim Le, resident – opposed, noise concerns and doesn't want café open to the public.
- Shelly Siracura – signed up to speak, but didn't approach podium when called.
- Steve Stafford, resident – opposed, worried about parking (especially at weekend car shows held at First Christian Church) – notes that per the CC&Rs, the Homeowners' Association maintains the surrounding streets, but the Church uses streets and the high school parking.
- Karen Gray, resident – opposed, stated that the neighbors (not those making decisions) are the ones affected; construction would be an ongoing annoyance, wants café hours and customer base clearly defined.

- Larry Ross, resident – opposed, has concerns about traffic increase at 17th Street and Adams Avenue in a residential neighborhood.
- Rita McCurdy Kempton, resident – opposed, lives very close to First Christian Church, concerned about traffic and parking.
- Darwin West – signed up to speak but didn't come to podium when called.
- Bill Morehouse, resident – in favor, it's time for modernization.
- Garland Roberson - signed up to speak but didn't come to podium when called.
- Barry Yaffee - signed up to speak but didn't come to podium when called.
- Chris Carlson, resident – in favor, member of Boy Scout Troop #1, 90 year anniversary for troop, First Christian Church is their sponsor.
- Emma Tiebens, resident – in favor, part of Church family, praise for Pastor Templeton.
- Tiffany Nelson, resident – in favor, lives by golf course, wants compromise between Church and neighbors.
- Kimberly Hudson, resident – in favor, said Mariner's went through much larger overhaul without problems. Said First Christian Church needs air conditioning and classrooms are overcrowded.
- Wendy Baugh, resident – in favor, member of First Christian Church and Mothers of Preschoolers, Church needs new, safer buildings.
- Tom Mays, resident – in favor, Church needs to be modern, safe, secure and new facilities for First Christian Church will add to local property values.

Pastor Bruce Templeton noted in his closing comments that First Christian Church has contracts in place for shared parking with Huntington Beach High and Smith Schools. He addressed the zoning change from four years ago, which did not apply to First Christian Church since it is less than two acres. The current capacity of First Christian Church is 1,405, and the projected capacity under new plan is 1,350, and he would like 1,450 capacity after remodel at least.

WITH NO ONE ELSE TO SPEAK, THE PUBLIC HEARING ON FIRST CHRISTIAN CHURCH WAS CLOSED.

Commissioner Speaker asked about new trash enclosures; staff replied that the existing enclosure will remain. Commissioner Speaker asked that Rainbow Disposal be contacted regarding no trash pickups prior to 9:00 AM, and that a noise ordinance be enforced on gardeners with leaf blowers.

Commissioner Shaw asked if trash enclosure location complies with code, and staff answered yes. Shaw verified café seating, 88 inside and 20 outside.

Commissioner Dwyer asked if any further environmental analyses were needed for the Alternative Action and staff replied no.

Commissioner Dwyer asked if buses could be staged on First Christian Church's other side and Templeton agreed.

Commissioner Dwyer brought up the removal of the parking structure from project. Templeton said that's acceptable if he can keep his seating capacity at 1,450 instead of 1,350 and agreed to deal with leaf-blowing gardeners.

Commissioner Livengood proposed a sound wall between the nursery and café. Bob Bergman said that's already planned for and showed a PowerPoint slide of the proposed wall.

General discussion ensued regarding conditions for approval.

Commissioner Shier-Burnett raised issues regarding trash compliance, Temporary Use Permits for "bounce houses" (if not required for other events that members of the public stage at parks, then should First Christian Church be required to have a Temporary Use Permit?). She also said that idling buses should shut down after five minutes maximum and that area homeowners should expect a certain amount of noise.

Commissioner Dwyer addressed restriction on general outdoor activities, signage in the bus areas (regarding time limits on idling) and asked Templeton to mandate his contractors regarding excessive noise and to subject them to fines if they are in violation. Commissioner Dwyer supports Alternative Action.

Commissioner Shaw addressed the potential for noise in the courtyard, is in support of noise wall, trash pickup time restrictions and bookstore & café hour restrictions.

Commissioner Speaker requested a change in First Christian Church's service hours during construction, to give ample time to load and unload parking lots, asked for limited café hours, food service limitations after 3:00 PM and capacity lowered to 60 inside. He also asked that First Christian Church's trash enclosure be moved away from the neighbors.

Templeton responded that changing First Christian Church's service hours would be unreasonable, due to changing websites, signage, and is not necessary since parking for two services currently not a problem (25 minutes allowed between current service times). He also said that changing the trash location would be a problem.

Commissioner Livengood recommended deleting condition 5-D and rewriting 5-E so that permanent outdoor sound systems are not allowed and portable sound systems can be used with a Temporary Use Permit, and add to condition 5-F, and neighbors within 500' radius to be notified of upcoming First Christian Church events. New conditions recommended: limit construction hours to Monday-Friday, 7:00 AM – 6:00 PM, Saturday 8:00 – 5:00 PM, limit trash pickup hours to 10:00 AM to 2:00 PM, designate bus loading and unloading areas. He also thinks that First Christian Church should not be required to obtain a Temporary Use Permit for ongoing events.

Senior Deputy City Attorney Leonie Mulvihill said that the Alternative Action handout suggested findings which need to be supported by substantial evidence.

Director of Planning Scott Hess said that some First Christian Church activities that are not typical may need clarification as to the need for further review. He also noted that typical

activities may not need a Temporary Activity Permit, a Temporary Use Permit or a Conditional Use Permit.

Commissioner Dwyer asked Santos about clarifying criteria for a Temporary Use Permit and Santos replied that it would be decided on a case by case basis. Director of Planning Hess noted that the Planning Department's Policy Memo addresses such temporary uses.

Commissioner Livengood summed up the issues on the table as follows:

- Need for a designated bus area.
- Clarification of outdoor activities.
- Determination of seating capacity – accept 1,450 per Templeton's request.
- The deletion of condition 5-D, adding "permanent" to condition 5-E (outdoor sound systems) and deletion of condition 5-F (use permit required for temporary outdoor events).
- Trash enclosure location.
- Color scheme of new buildings.
- Additional sound wall to be erected.
- Post signage.
- Café hours restricted to 9:00 AM to 6:00 PM for outdoor seating.
- Deliveries to go to the Adams Avenue side of the Church.
- Bookstore restrictions.

STRAW VOTE

Straw Vote #1: To impose no designated trash pickup hours

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

MOTION APPROVED

Straw Vote #2: To limit construction hours to 7:00 AM to 6:00 PM, six days per week (Monday through Saturday)

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

MOTION FAILED

Straw Vote #3: To limit café hours to 7:00 AM to 9:00 PM on a daily basis, and limit outdoor dining hours to 9:00 AM to 6:00 PM every day.

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

MOTION APPROVED

Straw Vote #4: To place no restrictions on bookstore hours.

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

MOTION APPROVED

A MOTION WAS MADE BY SPEAKER, SECONDED BY DWYER, TO APPROVE MITIGATED NEGATIVE DECLARATION NO. 06-008 WITH FINDINGS AND SUGGESTED MITIGATION MEASURES AND APPROVE CONDITIONAL USE PERMIT NO. 06-035/VARIANCE NO. 07-001 WITH AMENDED FINDINGS AND CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

Principal Planner Herb Fauland read the appeal language and appeal fee on the subject entitlements.

MITIGATED NEGATIVE DECLARATION NO. 06-008/ CONDITIONAL USE PERMIT NO. 06-035/ VARIANCE NO. 07-001

FINDINGS FOR APPROVAL - MITIGATED NEGATIVE DECLARATION NO. 06-008:

1. Mitigated Negative Declaration No. 06-008 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of over twenty (20) days. Comments received during the comment period were considered by the Planning Commission prior to action on the Mitigated Negative Declaration and Conditional Use Permit No. 06-035/ Variance No. 07-001.
2. Mitigation measures, incorporated into the conditions of approval, avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur.

3. There is no substantial evidence in light of the whole record before the Planning Commission that the project as modified by elimination of the proposed parking structure, the addition of a sound wall along the northerly side of the Tidal Court, the limiting of hours for outdoor dining, restricting seating capacity to not exceed 1,450 persons, designating bus pick-up and drop-off areas, prohibiting permanent outdoor sound systems of any kind, and further as mitigated through the conditions of approval of Conditional Use Permit No. 06-035/ Variance No. 07-001, will have a significant effect on the environment.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 06-035:

1. Conditional Use Permit No. 06-035 to permit the expansion and remodel of an existing church complex, 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. A mitigated negative declaration was prepared which analyzed the project's potential to generate detrimental impacts on surrounding properties. The study concluded that mitigation measures, incorporated into the conditions of approval, avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur. The Mitigated Negative Declaration is supported by a Phase 1 environmental site assessment, traffic, noise, geotechnical and air quality studies. The project will provide adequate parking, in accordance with applicable code requirements, on-site and via the use of joint use parking off-site.
2. Conditional Use Permit No. 06-035 will be compatible with surrounding uses because it provides for the continuation, modernization and expansion of an existing, long-standing (the site was developed for use as a church in the mid-1950s) community serving use which is consistent with the applicable General Plan Land Use and Zoning designations. Proposed buildings feature a contemporary design and architectural features which minimize the visual bulk and mass of the buildings and provides for compatibility with surrounding land uses. All of the proposed buildings comply with the applicable height limit in the zone and provide adequate setbacks from adjacent residential properties. The project was recommended for approval by the Design Review Board.
3. Conditional Use Permit No. 06-035 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, including the Public-Semipublic zone permitted uses, minimum parking requirements, with the exception of the requested variance to the Joint Use Parking requirements, maximum building height, maximum floor area ratio and minimum building setbacks.
4. The granting of Conditional Use Permit No. 06-035 will not adversely affect the General Plan. It is consistent with the Land Use Element designation of P(RL) (Public – Residential Low Density Underlying Designation) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Land Use Element

Objective LU 9.4: Provide for the inclusion of recreational, institutional, religious, educational and services uses that support resident needs within residential neighborhoods.

Objective LU 13.1: Provide for the continuation of existing and development of new uses, such as governmental administrative, public safety, human service, cultural, educational, infrastructure, religious, and other uses that support the needs of existing and future residents and businesses.

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.

Policy LU13.1.2: Allow for the continuation of existing and development of new religious facilities in any land use zone where they are compatible with adjacent uses and subject to City review and approval.

Public Facilities and Public Services Element

Policy PF 4.3.2: Investigate the feasibility of permitting and/or providing child or elderly day care services at public and private institutional facilities, such as churches, temples, other religious buildings, hospitals and schools.

Conditional Use Permit No. 06-035 provides for the continuation and expansion of existing religious, educational and pre-school services which support the needs of the surrounding community. The proposed joint use parking and associated variance ensure that adequate parking is provided to serve the proposed use.

FINDINGS FOR APPROVAL - VARIANCE NO. 07-001:

1. The granting of Variance No. 07-001 to allow joint use parking (298 spaces) located at a distance in excess of 250 ft. from the project site will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. Properties which are being redeveloped in the City of Huntington Beach are typically allowed to continue to operate with reduced parking availability during construction with approval of a parking management plan or other mechanism to ensure adequate parking is provided and adverse impacts to surrounding properties are minimized. The applicant is proposing shuttle service between the joint use parking lot and the subject property as its mechanism to ensure no detrimental impacts will result from the distance between the two properties. Other examples of similar privileges enjoyed by other properties include commercial centers which are permitted to operate with reduced parking for limited periods of time while a portion of the available parking is displaced by Christmas tree displays or parking lot sales, and other churches which are permitted to operate with reduced parking on site during festivals which encumber parking areas.
2. Because of special circumstances applicable to the subject property, including its location and surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The special circumstances applicable to the subject property includes its location in proximity to a use (Huntington Beach High School) which underutilizes its on-site parking coincident with the peak parking demands of the subject property. Without the granting of the variance, the subject property would be required to provide parking on-site which generally (excepting a single day each week) exceeds its parking demand, and would

thereby be deprived of the privilege to provide parking at a rate which corresponds to its typical parking demand and the privilege to continue to operate until such time as construction of required on-site parking can be completed.

3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights. The requested variance is necessary to allow the church to meet its parking requirements and continue to operate during its construction phase.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification. The church will provide shuttle service between the joint use parking lot and the project site in order to mitigate the distance between the two properties and support the use of the joint use parking.
5. The granting of the variance will not adversely affect the General Plan. It is consistent with the Land Use Element designation of P(RL) (Public – Residential Low Density Underlying Designation) on the subject property, including the following objectives and policies:

Land Use Element

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

Policy LU 9.4.3: Encourage the development and public use of City/School District joint use facilities where City parks and school facilities adjoin on another in order to maximize the use of property, minimize the cost of development and enhance the recreational and educational opportunities for the community.

Circulation Element

Goal CE 5: Provide sufficient, well designed and convenient on and off street parking facilities throughout the City.

MITIGATION MEASURES FOR ENVIRONMENTAL CONCERNS:

1. The project shall provide: (1) on-site attenuation of increased storm water flow and/or (2) construction of upsized storm drain facilities in Main Street per the City adopted 2005 Drainage Master Plan.
2. A 7-ft. tall noise barrier (masonry wall) shall be constructed along the southerly side of the children's play areas.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT 06-035/ VARIANCE NO. 07-001:

1. The project plans received and dated June 28, 2007 shall be the conceptually approved design with the following modifications.
 - a. The driveway entrances shall have textured and colored pavement (behind sidewalk on private property) for a minimum depth of 20 feet.
 - b. All freestanding low walls, planter walls, handrails, benches and other similar improvements within the hardscape and courtyard areas shall be designed to deter skateboarding.

- c. The outdoor dining area shall not exceed 400 sq. ft. and shall be depicted on the site plan.
 - d. The proposed parking structure shall be eliminated and replaced with surface-level parking designed in accordance with HBZSO standards.
 - e. The project shall provide approximately 450 surface-level parking spaces (including 49 off-site parking spaces at Smith Elementary School).
 - f. The combined seating capacity and/or assembly area for the three assembly buildings (Worship Center, Chapel, Multi-Purpose Building) shall be limited based on available on-site surface level parking and the 49 off-site (Smith Elementary School) parking spaces (to approximately 1,450 seats or equivalent assembly area), pursuant to HBZSO parking requirements.
 - g. A seven foot tall masonry wall shall be constructed along the northerly side of the Tidal Plaza.
2. Incorporating 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/index.cfm?fuseaction=guidelines>).
 3. At least 14 days prior to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Planning Department.
 4. New structure(s) cannot be occupied and the final building permit(s) cannot be approved until an "as-built" photometric study has been submitted to the Planning Department demonstrating that all on-site lighting has been designed, installed and shielded so as to not produce glare or adverse impacts on adjacent properties, consistent with conceptual photometric study referenced in Mitigated Negative Declaration No. 06-008.
 5. The use shall comply with the following:
 - a. Only the uses described in the project narrative received and dated July 10, 2007 shall be permitted.
 - b. Hours of operation for the various uses shall be consistent with the project narrative received and dated July 10, 2007, except that outdoor dining shall be permitted only between the hours of 9:00 a.m. and 6:00 p.m. daily.
 - c. Concurrent attendance/ seating capacity for church services shall not exceed 1,450 persons at any time. The church shall submit floor plans to the Planning Department which depicts the proposed/modified seating configuration during concurrent use of the three assembly buildings and demonstrates how the 1,450 capacity limit will be achieved.
 - d. Permanent outdoor sound system(s), of any kind shall be prohibited at all times.

- e. Use of parking areas for uses other than parking shall be prohibited at all times unless otherwise approved via a Temporary Activity Permit or Temporary Use Permit.
- f. Joint Use Parking at Huntington Beach High School (HBHS) shall terminate within 30 months of commencement of construction. Church services shall be suspended and/or restricted based upon the availability of parking on-site and at Smith School, pursuant to applicable HBZSO parking standards. Upon (or prior to) termination of Joint Use Parking at HBHS, the church shall submit to the Planning Department for review and approval a parking area plan and an amended schedule for church services that demonstrates compliance with applicable parking requirements. Following termination of Joint Use Parking at HBHS, all church services shall be suspended until such time as the Planning Department has approved a plan and schedule demonstrating compliance with applicable parking requirements. At any time, the church may also file an Entitlement Plan Amendment application to the Planning Commission to request approval for Joint Use Parking at HBHS beyond the initial 30 month period.
- g. The church shall provide shuttle service between the joint use parking lot at Huntington Beach High School and the church property before and after church services on Sundays. The frequency of the shuttles shall be adjusted as necessary to accommodate the demand.
- h. The church shall regularly encourage church members and parents of children attending pre-school to utilize on-site and authorized joint use parking lots and shall discourage on-street parking.
- i. Bus drop-off and pick-up shall occur only in the designated area of the parking lot, southwesterly of the Worship Center.

C. CONSENT CALENDAR

C-1. PLANNING COMMISSION MINUTES DATED MAY 8, 2007

RECOMMENDED ACTION: Motion to "Approve the May 8, 2007, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY SPEAKER, SECONDED BY LIVENGOOD, TO APPROVE THE MAY 8TH, 2007 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

C-2. PLANNING COMMISSION MINUTES DATED JULY 10, 2007

RECOMMENDED ACTION: Motion to "Approve the July 10, 2007, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SPEAKER, TO APPROVE THE JULY 10TH, 2007 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

D. NON-PUBLIC HEARING ITEMS - NONE

E. PLANNING ITEMS

E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING

Scott Hess, Director of Planning - reported on the items from the previous City Council meeting.

E-2. CITY COUNCIL ITEMS FOR NEXT MEETING

Scott Hess, Director of Planning - reported on the items scheduled for the next City Council meeting.

E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING

Herb Fauland, Principal Planner - reported on the items scheduled for the next Planning Commission meeting.

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS - NONE

F-2. PLANNING COMMISSION COMMENTS

Commissioner Shier-Burnett - None

Commissioner Speaker - None

Vice Chairperson Livengood - thanked the Church, the neighbors, Ron Santos and the entire Planning Staff.

Chairperson Scandura - None

Commissioner Shaw - None

Commissioner Dwyer - None

Commissioner Farley - None

ADJOURNMENT:

Adjourned at 12:02 AM to the next regularly scheduled meeting of September 25, 2007.

APPROVED BY:



Scott Hess, Secretary



John Scandura, Chair