

AGENDA
HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, OCTOBER 25, 2011

HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET
HUNTINGTON BEACH, CALIFORNIA 92648



CHAIR BARBARA DELGLEIZE

VICE-CHAIR JANIS MANTINI
COMMISSIONER ERIK PETERSON
COMMISSIONER MARK BIXBY

COMMISSIONER ELIZABETH SHIER BURNETT
COMMISSIONER BLAIR FARLEY
COMMISSIONER TIMOTHY J. RYAN

DIRECTOR OF PLANNING AND BUILDING, SCOTT HESS, AICP
LEGAL COUNSEL, MIKE VIGLIOTTA
PLANNING MANAGER, HERB FAULAND

THE 7:00 PM PORTION OF THE MEETING IS TELEVISED LIVE ON CABLE TV CHANNEL 3. DVDs OF MEETINGS ARE AVAILABLE FOR PUBLIC CHECKOUT AT THE CENTRAL LIBRARY. COPIES OF STAFF REPORTS AND/OR WRITTEN MATERIALS ON EACH AGENDA ITEM ARE ON FILE IN THE PLANNING AND BUILDING DEPARTMENT, THE CENTRAL LIBRARY AND ON THE CITY'S WEBSITE (WWW.SURFCITY-HB.ORG) FOR PUBLIC INSPECTION. ANY PERSON HAVING QUESTIONS ON ANY AGENDA ITEM MAY CALL THE PLANNING AND BUILDING DEPARTMENT TO MAKE AN INQUIRY CONCERNING THE NATURE OF THE AGENDA ITEM AT (714) 536-5271.

Planning Commission Agenda Information Sheet

The following is a brief explanation of the Planning Commission Agenda Structure:

AGENDA APPROVAL The Planning Commission will announce if any closed public hearing items will be re-opened and may wish to change the order of the items on the agenda.

PUBLIC COMMENTS (FILL OUT REQUEST TO SPEAK FORM) Anyone wishing to address the Planning Commission, only on items not on tonight's agenda, must fill out and mark the appropriate box and submit a form to speak prior to Public Comments. Please be advised that testimony provided on Public Hearing items during Public Comments are not part of the permanent entitlement record. The speaking forms are available at the lower entrance to the Council Chambers. Give the form to the Secretary. Staff will call all speakers by name. There is a four-minute time limit per speaker. Time may not be donated to another. All proceedings are recorded. No action can be taken by the Planning Commission on these comments on this date, unless agendized.

PUBLIC HEARING ITEMS (FILL OUT REQUEST TO SPEAK FORM) Public hearings allow citizens the opportunity to speak in favor or against specific items. More detailed information on public hearings may be found on the page attached to the back of this agenda. Complete the form by marking the appropriate box and indicating the hearing item you wish to provide testimony on. Please note if the public hearing items have been closed or are still open for testimony. The agenda and staff report will indicate if the public hearing is open or closed. The Planning Commission at their discretion may re-open a closed public hearing and the Commission will make the announcement during Agenda Approval. The speaking forms are available at the lower entrance to the Council Chambers. Give the form to the Secretary. Staff will call all speakers by name. There is a four-minute time limit per speaker. Individuals may choose to donate their 4 minutes of time to another speaker, and the maximum time donation limit is 8 minutes (2 individuals), for a total of 12 minutes per speaker. Individuals who donate time must be present when the item is being discussed. All proceedings are recorded. If you have documents to distribute, there should be enough copies for all Planning Commissioners, staff, and the public. The documents become part of the public record and will not be returned.

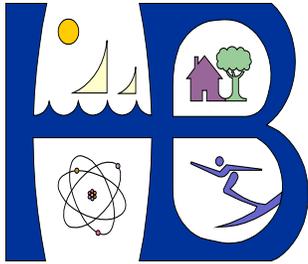
CONSENT CALENDAR Consent Calendar items are considered routine items that normally do not require separate consideration. The Planning Commission may make one motion for approval of all items listed under the CONSENT CALENDAR.

NON-PUBLIC HEARING ITEMS These items are considered by the Planning Commission separately and require separate motions. These transactions are considered ministerial and public testimony is not heard.

PLANNING COMMISSION ITEMS / INQUIRIES Items of business or concern are presented by Planning Commissioners and discussed with staff. Informational updates and reports are made by Commissioners who serve as liaisons to various committees.

PLANNING ITEMS Updates and reports from the Planning and Building Director for the information of the Planning Commission and the public.

Adjournment



AGENDA

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, OCTOBER 25, 2011

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

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

AGENDA APPROVAL

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. **CONDITIONAL USE PERMIT NO. 11-010 (VITTORIO'S RESTAURANT EXPANSION) – Andrew Gonzales, Associate Planner**

B. STUDY SESSION ITEMS - NONE

C. PUBLIC COMMENTS – Regarding Project Review and Study Session portions of Meeting

Anyone wishing to speak on Project Review or Study Session items during PUBLIC COMMENTS may do so by filling out a Request To Speak form and giving it to the Secretary. (4 MINUTES PER PERSON, NO DONATING OF TIME TO OTHERS)

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

E. PLANNING COMMISSION COMMITTEE REPORTS

F. PLANNING COMMISSION COMMENTS

6:30 P.M. – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE

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

AGENDA APPROVAL

A. PUBLIC COMMENTS

Anyone wishing to speak during PUBLIC COMMENTS must fill out and submit a form to speak. The Planning Commission can take no action on this date, unless the item is agendaized. Anyone wishing to speak on items not on tonight's agenda, a closed public hearing item, or on non-public hearing items may do so during PUBLIC COMMENTS. Please note comments on closed public hearing items will not be part of the permanent entitlement record. Speakers on items scheduled for PUBLIC HEARING will be invited to speak during the public hearing. (4 MINUTES PER PERSON, NO DONATING OF TIME TO OTHERS)

B. PUBLIC HEARING ITEMS

Anyone wishing to speak during an open PUBLIC HEARING must fill out and submit a form to speak. The public may address the Planning Commission only during the open PUBLIC HEARING items or during PUBLIC COMMENTS. Please review the agenda to determine whether the PUBLIC HEARING item is open or closed. If the PUBLIC HEARING on an item is closed, you will not be permitted to speak during that portion of the agenda and may wish to address your concerns during the PUBLIC COMMENTS portion of the agenda. Speakers on items scheduled for PUBLIC HEARING will be invited to speak during the public hearing. (4 MINUTES PER PERSON, WITH A MAXIMUM TIME DONATION OF 8 MINUTES, FOR A TOTAL OF 12 MINUTES PER SPEAKER)

PROCEDURE: Commission Disclosure Statement(s), Staff Report Presentation, Commission Questions, Public Hearing, Discussion/Action.

- B-1. CONDITIONAL USE PERMIT NO. 11-018 (TOTAL WINE & MORE) Applicant:** Phil Armstrong, California Fine Wine & Spirits LLC **Property Owner:** Huntington Beach Properties, Inc. **Request:** To permit the offsite sale and limited onsite consumption of alcohol within an existing 23,990 sq. ft. building. The project consists of establishing a specialty food market use pursuant to the Beach and Edinger Corridors Specific Plan (SP14) for primarily alcohol sales (wine, beer, and spirits) and related sundries such as cigars, mixers, accessories, and a small assortment of gourmet food. The proposed project also includes approximately 870 sq. ft. of dedicated alcohol education and tasting areas. **Location:** 16272 Beach Boulevard, 92647 (southeast corner at Stark Drive) **Project Planner:** Ethan Edwards

STAFF RECOMMENDATION: Motion to: "Approve Conditional Use Permit No. 11-018 with suggested findings and conditions of approval (Attachment No. 1)."

- B-2. DEVELOPMENT AGREEMENT NO. 2008-001 (THE VILLAGE AT BELLA TERRA – CONTINUED FROM THE OCTOBER 11, 2011 MEETING WITH THE PUBLIC HEARING OPENED) 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: “Approve Development Agreement No. 08-001 with findings for approval (Attachment No. 1) and forward Draft Ordinance (Attachment No. 2) to the City Council for adoption.”

- B-3. ENVIRONMENTAL IMPACT REPORT NO. 10-003 (BEACH AND WARNER MIXED-USE PROJECT – CONTINUED FROM THE APRIL 26, 2011 MEETING WITH THE PUBLIC HEARING TO BE OPENED) Applicant: City of Huntington Beach Property Owners: Decron Properties, Len Lichter, City of Huntington Beach. Request: To review the environmental impacts associated with the Beach and Warner Mixed Use Project to permit the development of 279 residential units, 29,600 square feet of additional retail space and 6,000 square feet of restaurant space on 9.4 acres. Project improvements would include development of two mixed use structures from one to six stories with podium design parking allowing for retail at the ground level, residential units constructed above both parking structures and at ground level along Cypress Avenue and Elm Street. Live work units will front Warner. Under the proposed project, the existing fifteen-story 196,000 square-foot (sf) office building; the 18,531 sf retail/restaurant building along Warner Avenue; the 7,205 sf restaurant on Beach Boulevard; and the six-story, 863 stall parking structure located at the northeast corner of Sycamore Avenue and Ash Street would remain. All other existing buildings on the project site would be demolished and replaced with new development. The project is located within the Beach and Edinger Corridors Specific Plan (BECSP), adopted in March 2010. Development on the project site was included in the Notice of Preparation for the BECSP EIR and analyzed as part of the larger scope of development contemplated in the BECSP EIR (Program EIR No. 08-008), which anticipated approximately 272 dwelling units and 35,600 square feet of commercial area on the project site. As such, the analysis in Draft EIR No. 10-003 is tiered from the BECSP Program EIR where appropriate. Location: 7822-7862 Warner Avenue and 17011-17091 Beach Boulevard, 9.4-acre L-shaped site on the southwest corner of Beach Boulevard and Warner Avenue. Project Planner: Rosemary Medel**

STAFF RECOMMENDATION: Motion to: “Certify EIR No. 10-003 as adequate and complete in accordance with CEQA requirements by approving Resolution No. 1654 (Attachment No. 1).”

B-4. ZONING TEXT AMENDMENT NO. 11-001 (AMENDING CHAPTER 233 SIGNS-TEMPORARY POLITICAL SIGNS) Request: To amend Chapter 233 Signs, Section 233.08 Exempt Signs, of the Huntington Beach Zoning and Subdivision Ordinance to change the regulations pertaining to the posting and removal of election signs or political signs (subsection O, Temporary Signs). **Applicant:** City of Huntington Beach. **Location:** Citywide. **Project Planner:** Rosemary Medel

STAFF RECOMMENDATION: Motion to: "Approve Zoning Text Amendment No. 11-001 with findings (Attachment No. 1) and forward Draft Ordinance (Attachment No. 2) to the City Council for adoption."

C. CONSENT CALENDAR - NONE

D. NON-PUBLIC HEARING ITEMS- NONE

E. PLANNING ITEMS

E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING

E-2. CITY COUNCIL ITEMS FOR NEXT MEETING

E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS - NONE

F-2. PLANNING COMMISSION COMMENTS

**Commissioner Shier Burnett –
Commissioner Peterson –
Vice-Chairperson Mantini –
Chairperson Delgleize –
Commissioner Farley –
Commissioner Bixby –
Commissioner Ryan –**

ADJOURNMENT: Adjourn to the next regularly scheduled meeting of Tuesday, November 8, 2011.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Planning Commission is final unless an appeal is filed to the City Clerk by you or by an interested party. Said appeal must be in writing and must set forth in detail the action and grounds by which the applicant or interested party deems himself aggrieved. Said appeal must be accompanied by a filing fee of One Thousand Five Hundred Eighty-Seven Dollars (\$1,587.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and Three Thousand Forty-Five Dollars (\$3,045.00) if the appeal is filed by any other party. The appeal shall be submitted to the City Clerk within ten (10) calendar days of the date of the Planning Commission's action.

Copies of staff reports and/or written materials on each agenda item are on file in the Planning and Building Department and on the City's website (<http://www.huntingtonbeachca.gov/>), for inspection by the public. A copy of the agenda packet is also available at the Central Library (7111 Talbert Avenue).

**DVDs OF MEETINGS ARE AVAILABLE FOR PUBLIC CHECK OUT AT THE CENTRAL LIBRARY,
AND FOR DUPLICATION SERVICES IN THE CITY CLERK'S OFFICE.**

HUNTINGTON BEACH PLANNING COMMISSION

Public Hearing Procedures

This statement has been prepared to provide a better understanding of the procedures for public hearings before the Planning Commission.

Regular meetings of the Planning Commission are held on the second and fourth Tuesdays of each month beginning at 5:15 p.m. in Room B-8 for a study session and then at 7:00 PM in the Council Chambers. Adjourned meetings, special meetings, and Study Sessions may be scheduled at other times.

Planning Commission proceedings are governed by the Planning Commission By-Laws, Robert's Rules of Order and the Brown Act. The following is the typical sequence of events on public hearing items:

- A. The Chairperson shall announce the item and if the public hearing is open or closed.
- B. The Planning Commission shall disclose any discussions, conversations, etc., with applicants, applicant's representatives or property owners.
- C. The staff report is presented.
- D. Questions by the Planning Commission concerning the staff report may be answered at this time.
- E. The public hearing is opened by the Chairperson.
- F. The applicant or appellant is given an opportunity to address the Commission. Time is not limited but left to the Chairperson's discretion.
- G. Public Comments: Staff will call all speakers by name. Please proceed to the podium. Individuals favoring and opposing the proposal are given an opportunity to address the Commission (up to four (4) minutes), or may choose to donate their time to another speaker if the "Request to Speak" form is filled out and given to the Secretary. A speaker who addresses the Commission on behalf of individuals who donate time are allowed a maximum of 12 minutes. Individuals who donate time must be present when the item is being discussed. Please state your name before addressing the Commission.
- H. The Commission may ask questions of speakers addressing the Commission.
- I. The public hearing is closed.
- J. The Commission will deliberate the matter at this time.
- K. The Commission then acts on the matter by continuing, approving, conditionally approving, or denying the petition.

The Planning Commission receives a staff report packet on the Tuesday preceding the meeting, allowing time to review each case and make further investigations in the field prior to the scheduled meeting.

Staff reports are available in the Planning and Building Department, the Central Library and on the City's website (www.surfcity-hb.org) anytime on Wednesday preceding the Tuesday Planning Commission meeting.