

**AGENDA
HUNTINGTON BEACH PLANNING COMMISSION**

TUESDAY, DECEMBER 8, 2009

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



CHAIR ELIZABETH SHIER BURNETT

**VICE-CHAIR BLAIR FARLEY
COMMISSIONER JANIS MANTINI
COMMISSIONER TOM LIVENGOOD**

**COMMISSIONER FRED SPEAKER
COMMISSIONER JOHN SCANDURA
COMMISSIONER BARBARA DELGLEIZE**

**DIRECTOR OF PLANNING, SCOTT HESS, AICP
LEGAL COUNSEL, LEONIE MULVIHILL
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 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 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.

ORAL COMMUNICATION (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 Oral Communication. Please be advised that testimony provided on Public Hearing items during Oral Communications 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 communications 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.

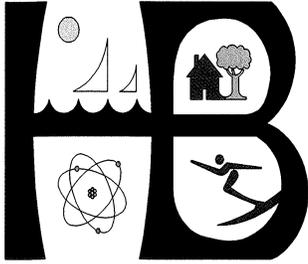
CONSENT CALENDAR Consent Calendar items are considered routine items that normally do not require separate consideration. The Planning Commission may make one motion for approval of all items listed under the CONSENT CALENDAR.

NON-PUBLIC HEARING ITEMS These items are considered by the Planning Commission separately and require separate motions. These transactions are considered administrative 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 Director for the information of the Planning Commission and the public.

Adjournment



AGENDA

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, DECEMBER 8, 2009

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: *Speaker, Mantini, Farley, Shier Burnett, Scandura, Livengood, Delgleize*

AGENDA APPROVAL

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. ENVIRONMENTAL IMPACT REPORT NO. 08-008 (BEACH AND EDINGER CORRIDORS SPECIFIC PLAN) – Rosemary Medel, 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: *Speaker, Mantini, Farley, Shier Burnett, Scandura, Livengood, Delgleize*

AGENDA APPROVAL

A. ORAL COMMUNICATIONS

Anyone wishing to speak during ORAL COMMUNICATIONS 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 ORAL COMMUNICATIONS. 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 ORAL COMMUNICATIONS. 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 ORAL COMMUNICATIONS 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. 09-017/ENTITLEMENT PLAN AMENDMENT NO. 09-005 (AMENDMENT TO CONDITIONAL USE PERMIT NO. 93-006 – COACH'S RESTAURANT EXPANSION)** **Applicant:** Jeff Bergsma, Team Design **Request:** **CUP:** To permit 1) an expansion of an existing restaurant with alcohol sales by occupying the adjacent existing retail suite; 2) to participate in the Downtown Parking In-Lieu Program for 7 parking spaces; and 3) to permit live entertainment consisting of belly dancing performances and family/cultural dancing, and live music. **EPA:** To amend Condition No. 2 of Conditional Use Permit No. 93-006, extending the approved hours of operation. **Location:** 200 Main Street, Suite 105, 92648 (east side of Main Street, between Olive Avenue and Walnut Avenue – Downtown) **Project Planner:** Ethan Edwards

STAFF RECOMMENDATION: Motion to: "Approve Conditional Use Permit No. 09-017 and Entitlement Plan Amendment No. 09-005 with findings and suggested conditions of approval (Attachment No. 1)."

- B-2. CONDITIONAL USE PERMIT NO. 09-023 (CALVARY CHAPEL OF THE HARBOUR – PETER'S LANDING)** **Applicant:** Michael Adams, Michael C. Adams Associates **Request:** To establish a new religious assembly use for Calvary Chapel of the Harbour within an existing vacant 6,680 sq. ft. restaurant space, the first floor of the former Red Onion Restaurant. **Location:** 16450 Pacific Coast Highway, 92649 (Peter's Landing – east side of Pacific Coast Highway, south of Anderson Street) **Project Planner:** Tess Nguyen

STAFF RECOMMENDATION: Motion to: "Approve Conditional Use Permit No. 09-023 with findings and suggested conditions of approval (Attachment No. 1)."

B-3-a. ENVIRONMENTAL IMPACT REPORT NO. 08-008 (BEACH AND EDINGER CORRIDORS SPECIFIC PLAN) Applicant: City of Huntington Beach. **Request:** To establish a new Specific Plan (SP 14) along a majority of Beach Blvd. and the easterly portion of Edinger Ave. to allow mixed-use and residential development in areas of the city that were not previously designated to permit such uses, as well as to continue to allow commercial uses. The Request includes the following entitlement: **EIR:** To analyze the potential environmental impacts associated with the proposed project. **Location:** The project site extends along Beach Boulevard, from the Coastal Zone boundary in the south to Edinger Avenue, and along Edinger Avenue from Beach Boulevard westward to Goldenwest Street. **Project Planner:** Rosemary Medel

STAFF RECOMMENDATION: Motion to: "Certify EIR No. 08-008 as adequate and complete in accordance with CEQA requirements by approving Resolution No. 1638 (Attachment No. 1).

B-3-b. GENERAL PLAN AMENDMENT NO. 08-002/ZONING MAP AMENDMENT NO. 08-002/ZONING TEXT AMENDMENT NO. 08-002 (BEACH AND EDINGER CORRIDORS SPECIFIC PLAN) Applicant: City of Huntington Beach. **Request:** To establish a new Specific Plan (SP 14) along a majority of Beach Blvd. and the easterly portion of Edinger Ave. to allow mixed-use and residential development in areas of the city that were not previously designated to permit such uses, as well as to continue to allow commercial uses. The Request includes the following entitlements: **GPA:** To amend the proposed area's General Plan Land Use Designations from the current Commercial Regional, Commercial Neighborhood, Commercial General, Commercial Office, Mixed Use, Mixed Use Vertical, Mixed Use Horizontal and Residential Medium Density to M-sp-d (Mixed Use – specific plan-design overlay). The existing Floor Area Ratios and density limitations of the General Plan would no longer be in effect for the area, and the auto overlay applicable to property fronting Beach Boulevard from Warner north to Edinger would be removed from the Land Use Map. The General Plan Community District and Subarea Schedule and Map would be amended to reflect the provisions of SP 14. **ZTA:** To amend the Huntington Beach Zoning Ordinance to establish the Beach and Edinger Corridors Specific Plan No. 14. SP 14 sets forth permitted uses and development standards for the area. It does not propose Floor Area Ratios or density factors. SP 14 would allow for development of up to 6,400 Dwelling Units, 738,400 sq. ft. of Retail Space, 350 Hotel Rooms, and 112,000 sq. ft. of Office Space. SP 14 proposes building height limits of two to six stories; current height limits generally range from 45 ft. to 140 ft., though the typical existing limit is 50 ft. The proposed standards also call for reduced front yard setbacks, changes to the location of new parking lots, reduced parking requirements and new standards related to configuration and massing of buildings. **ZMA:** To amend the City's Zoning Map to reflect the SP-14 designation, thereby changing the existing zoning designations for the Specific Plan area. SP 14 would supersede the Pacifica Community Plan, which would no longer be in effect. **Location:** The project site extends along Beach Boulevard, from the Coastal Zone boundary in the south to Edinger Avenue, and along Edinger Avenue from Beach Boulevard westward to Goldenwest Street. **Project Planner:** Rosemary Medel

STAFF RECOMMENDATION: Motion to: "Continue General Plan Amendment No. 08-002, Zoning Map Amendment No. 08-002, and Zoning Text Amendment No. 08-002 to the January 12, 2010, Planning Commission meeting."

C. CONSENT CALENDAR

C-1. PLANNING COMMISSION SPECIAL MEETING MINUTES DATED OCTOBER 6, 2009

RECOMMENDED ACTION: Motion to: "Approve the October 6, 2009, Planning Commission Special Meeting Minutes as submitted."

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 Speaker –**
- Commissioner Mantini –**
- Vice Chairperson Farley –**
- Chairperson Shier Burnett –**
- Commissioner Scandura –**
- Commissioner Livengood –**
- Commissioner Delgleize –**

ADJOURNMENT: Adjourn to the holiday celebration at Oggi's Restaurant at 19461 Main Street on December 15, 2009 at 5:00 PM and then adjourn to the next regularly scheduled meeting of Tuesday, January 12, 2010.

NOTE: The City of Huntington Beach Planning Commission Meeting of December 22, 2009 has been CANCELLED.

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 Thirty-Nine Dollars (\$1,539.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and Two Thousand Seven Hundred Four Dollars (\$2,704.00) 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 Department, 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 Department, the Central Library and on the City's website (www.surfcity-hb.org) anytime on Wednesday preceding the Tuesday Planning Commission meeting.