MINUTES – SPECIAL MEETING
HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, OCTOBER 6, 2009
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 PM – ROOM B-8 (CITY HALL LOWER LEVEL)

CANCELLED – NO STUDY SESSION

6:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Scandura

	A	P	P	A	P	P	A
ROLL CALL:	*Speaker,*	*Mantini,*	*Farley,*	*Shier Burnett,*	*Scandura,*	*Livengood,*	*Delgleize*

Commissioner Speaker, Chair Shier Burnett and Commissioner Delgleize were absent.

AGENDA APPROVAL

A MOTION WAS MADE BY SCANDURA, SECONDED BY FARLEY, TO APPROVE THE PLANNING COMMISSION AGENDA OF OCTOBER 6, 2009, BY THE FOLLOWING VOTE:

AYES: Mantini, Farley,Scandura, Livengood
NOES: None
ABSENT: Speaker, Shier Burnett, Delgleize
ABSTAIN: None

MOTION APPROVED

Commissioner Delgleize arrived at 6:05 PM.

A. ORAL COMMUNICATIONS - NONE

B. PUBLIC HEARING ITEMS

B-1-a. ENVIRONMENTAL IMPACT REPORT NO. 08-001 (DOWNTOWN SPECIFIC PLAN UPDATE) Applicant: City of Huntington Beach **Request:** To analyze the environmental impacts associated with the DTSP Update. **Location:** 336-acre existing Downtown Specific Plan area. No changes to the existing boundaries are proposed. **Project Planner:** Jennifer Villasenor

STAFF RECOMMENDATION: Motion to: "Certify EIR No. 08-001 as adequate and complete in accordance with CEQA requirements by approving Resolution No. 1635 (Attachment No. 1)."

The Commission made the following disclosures:

- Commissioner Mantini has attended multiple study sessions, taken the site tour and talked to staff.
- Vice Chair Farley has talked to staff, taken the site tour, attended multiple study sessions, and attended rallies presented by the Huntington Beach Downtown Residents Association (HBDRA).
- Commissioner Scandura has attended multiple study sessions, has talked to Richardson Gray and Steve Holden, has talked to members of the HBDRA, has talked to Councilman Gil Coerper, has walked the site, and voted on downtown projects during his tenure as Planning Commissioner.
- Commissioner Livengood has attended multiple study sessions, has talked to Mike Adams and Dick Harlow, has talked to local residents, has voted on downtown projects during his tenure as Planning Commissioner, has taken the site tour, has talked to staff in the Planning and Economic Development Departments, and has talked to the city attorney's office.
- Commissioner Delgleize has attended multiple study sessions, met with local residents, met with Councilman Don Hansen, has talked to staff and taken the site tour.

B-1-b. GENERAL PLAN AMENDMENT NO. 08-007/LOCAL COASTAL PROGRAM NO. 08-002/ZONING TEXT AMENDMENT NO. 08-004 (SPECIFIC PLAN NO. 5 – DOWNTOWN SPECIFIC PLAN UPDATE) Applicant: City of Huntington Beach **Request:** Downtown Specific Plan Update – a City-initiated proposal to update Specific Plan No. 5 – Downtown Specific Plan (DTSP) to accommodate future development in the downtown area. The project proposes to reconfigure the existing 11 Specific Plan districts into 7 districts, modify development and parking standards, which includes provisions for tiered beach parking structures, incorporate design guidelines and provide recommendations for street improvements, public amenities, circulation enhancements, infrastructure and public facility improvements and parking strategies. The project also proposes revised parking requirements and modified parking ratios, the elimination of the Downtown Parking Master Plan, a Cultural Arts Overlay in the northern portion of the DTSP area on the site of the existing Main Street Branch library and a Neighborhood Overlay on 1st and 2nd Street between Walnut Avenue and Orange Avenue. The DTSP Update requires the following entitlements: **General Plan Amendment No. 08-007**: to amend the Land Use and Circulation Elements to reflect the various changes in land use and development standards, including increases in allowable building heights and densities and elimination of Floor Area Ratio (FAR) requirements proposed in the DTSP Update, as well as the reconfiguration of the districts. Changes to the General Plan include revisions to the Land Use Map and modifications to the Land Use Schedule and Community District and Subarea Schedule and Map in the Land Use Element. These changes consist of revisions to the subarea map and schedule as a result of deleting,

creating and re-numbering subareas. Due to these revisions, subarea 3D, located outside of the DTSP area, is also proposed to be revised. This subarea would be re-numbered only and does not propose substantive changes in terms of standards, principles or permitted uses. The amendment to the Circulation Element includes a revision to Figure CE-9: Trails and Bikeways as a result of recommendations proposed in the DTSP Update and traffic study for the project. **Local Coastal Program Amendment No. 08-002**: to amend the Implementation Program (IP), specifically the Downtown Specific Plan, and the Land Use Plan/Coastal Element of the City's certified Local Coastal Program. Amendments to the Coastal Element will involve changes that are consistent with the changes to the Land Use and Circulation Elements in addition to several policies that are proposed to be updated based on proposed changes to the DTSP. The proposed LCPA is also subject to certification by the California Coastal Commission. **Zoning Text Amendment No. 08-004**: to amend the existing text of the Downtown Specific Plan. **Location:** 336-acre existing Downtown Specific Plan area. No changes to the existing boundaries are proposed. **Project Planner:** Jennifer Villasenor

STAFF RECOMMENDATION: Motion to:

A. "Approve General Plan Amendment No. 08-007 by approving the draft City Council Resolution (Attachment No. 4) and forward to the City Council for adoption."

B. "Approve Local Coastal Program Amendment No. 08-002 with findings for approval (Attachment No. 3) by approving the draft City Council Resolution (Attachment No. 6) and forward to the City Council for adoption."

C. "Approve Zoning Text Amendment No. 08-004 with the errata to the June 2009 draft DTSP Update (Attachment No. 1) with findings for approval (Attachment No. 2) by approving the draft City Council Resolution (Attachment No. 5) and forward to the City Council for adoption."

D. "Approve CEQA Findings of Fact with a Statement of Overriding Considerations – EIR No. 08-001 (Attachment No. 15)."

Jennifer Villasenor, Associate Planner, gave the staff presentation and an overview of the Environmental Impact Report (EIR) and the proposed update to the Downtown Specific Plan (DTSP). She also gave an overview of the Late Communication items received for this project. She noted that Eric Justesen and Jamie Williams, consultants with RRM Design, were present to provide a presentation and available to answer questions.

Eric Justesen, lead consultant with RRM Design, gave a PowerPoint presentation of the EIR and DTSP update.

Commissioner Livengood asked about proposed tandem parking. Mr. Justesen said that the proposal includes the possibility of tandem parking, but the specific project plans have not yet progressed to that level of detail.

Vice Chair Farley asked about the square footage of the Main Street Library building. Ms. Villasenor said that it is approximately 9,900 square feet.

Mr. Farley also asked about proposed parking ratios and Mr. Justesen provided the ratios for the various land uses within the DTSP.

Mr. Livengood asked about the proposed realignment of 6th Street. Mr. Justesen said the realignment would allow for additional green space.

Mr. Livengood also asked about proposed offsite parking in Areas A and B. Mr. Justesen noted that there are three general areas proposed for offsite parking, but these are not designated parking areas because the city doesn't own the land. He also said that the goal is to distribute public parking to parking structures and private land. Mr. Livengood asked if the project proposal includes removing parking on Orange Street and Mr. Justesen said no. Ms. Villasenor noted that parking could be removed from Orange Street via a mitigation measure.

Commissioner Scandura thanked staff for all their efforts on this project. He also asked about the height on the current Main Street Library. Ms. Villasenor noted that it is less than 2 stories.

Mr. Scandura also asked if carts and kiosks would be permitted in the cultural overlay zone. Ms. Villasenor noted that carts and kiosks are permitted in the overlay zone and the standards are defined in the Downtown Specific Plan Update.

Mr. Farley asked about the total square footage encompassed within the Downtown Specific Plan area. Ms. Villasenor noted that it is hard to determine in exact numbers, as some sites are identified as units, but that the closest estimate she can provide is approximately 715,000 square feet as listed in the Parking Master Plan.

Mr. Farley also asked if the parking deficit was zeroing out, and Ms. Villasenor said that in the existing Downtown Specific Plan, the parking is considered adequate and in compliance with the parking plan. Planning Manager Herb Fauland noted that based on consultant Kimley-Horn's parking analysis, additional parking is only required on about 35 days, but that there is general compliance with current parking requirements.

Mr. Farley asked about parking in-lieu fees. Mr. Fauland noted that The Strand's developers recently purchased 30-35 parking spaces within their parking structure. Mr. Farley asked if existing parking in-lieu fee agreements would change and Mr. Fauland said no.

Mr. Livengood asked how parking in-lieu fees were being spent. Mr. Fauland noted that the city had discussed using these fees for creating new on-street parking spaces, but that did not take place.

THE PUBLIC HEARING WAS OPENED.

Mark Bixby, resident and member of the Huntington Beach Charter Review Commission, spoke in opposition to Item No. B-1, citing concerns with traffic and parking. He urged the Planning Commission to deny the project.

Fred Speaker, citizen, spoke in opposition to Item No. B-1, citing concerns with parking and the potential for new bars and liquor licenses in the downtown area.

Joe Shaw, resident, spoke in opposition to Item No. B-1, saying that the Downtown Specific Plan Update should be based on residents' needs instead of visitors' needs.

Richard Plummer, of the Huntington Beach Residents for a Balanced Downtown (HBR4BDT), spoke in opposition to Item No. B-1 (with 4 minutes donated by Suzie Pearson). Mr. Plummer provided a handout to the Planning Commission. He said that he has concerns with density, proposed tiered parking, the potential for new bars and liquor licenses, and helicopter noise.

Joe Pearson, resident on Cliff Drive, spoke against Item No. B-1, saying that he wants to preserve the beach views.

Celeste Plummer, resident, spoke against Item No. B-1, citing concerns with proposed beach parking structures, the potential for new bars and multi-story buildings.

David Rice, resident on 11th Street, spoke in opposition to Item No. B-1 (with 4 minutes donated by Sandy Pope). Mr. Rice said that he has concerns with the city's public notification process and requests that notification of public hearings concerning the Downtown Specific Plan area be sent to all residents in the 92648 area code. He also cited concerns with project documentation posted on the city's website. He asked that this project be continued for 90 days.

Gary Pope, resident on 11th Street, spoke against Item No. B-1. He said that he supports Mr. Rice's sentiments and would be in favor of a continuance.

Ed Zschoehe of Huntington Beach Tomorrow spoke against Item No. B-1. He asked that the Planning Commission remove the proposed cultural arts overlay and leave the Main Street Library and the area known as Triangle Park as they are. He also cited concerns with building heights, density and parking.

Jeff Bergsma, resident at 221 Main Street, spoke in support of Item No. B-1, and said that he supports the proposed tiered parking.

Ron McLin, resident, spoke against Item No. B-1 and said he would be in favor of a 60-90 day continuance.

Sid Spinak, resident, spoke against Item No. B-1, citing concerns with the proposed tiered parking.

Dan Lacmick, Huntington Beach Downtown Residents Association (HBDRA), spoke in opposition to Item No. B-1, saying that he is against the proposed cultural arts center.

Louise Gupta, resident, spoke against Item No. B-1, citing concerns with the applicability of Measure "C" and stating that she thinks a public vote should take place before new construction is allowed at the beach.

Mary Urashima, resident, spoke in opposition to Item No. B-1 (with 4 minutes donated by Richard Janovich and 4 minutes donated by Shelia Garner). She said that she supports the HBDRA's proposed alternatives and wants to preserve the Main Street Library and the area known as Triangle Park. She also spoke about improving alleys, various parking solutions, public art treatment, way-finding signage, historic preservation of downtown buildings and submitted a chronology of the Main Street Library site.

David Salkowitz, architect for the HBDRA, spoke in opposition to Item No. B-1 (with 4 minutes donated by Lois Freeman). Mr. Salkowitz presented a PowerPoint presentation

displaying the HBDRA's alternative concept plan for the Main Street Library and the area known as Triangle Park.

Kim Kramer, HBDRA, spoke in opposition to Item No. B-1 (with 4 minutes donated by Jay Stallman and 4 minutes donated by Karen Janovich). Mr. Kramer endorsed the HBDRA's alternative concept plan as presented by Mr. Salkowitz. He said that the city needs to preserve the library site and existing open space forever and cited the Senior Center case.

Gloria Alvarez Kramer, HBDRA, spoke against Item No. B-1, citing concerns with preservation of the Main Street Library and the area known as Triangle Park.

J. Richardson Gray, resident, spoke in opposition to Item No. B-1. Mr. Gray spoke of his correspondence with the city attorney and cited concerns with potential conflict of interest with Mr. Steve Bone of the Marketing and Visitors Bureau.

Marcine Crane, resident, spoke against Item No. B-1, citing concerns with proposed building heights and density.

Robert E. Cooke, resident, spoke against Item No. B-1, citing concerns with preservation of the Main Street Library and the area known as Triangle Park.

Suzanne Hart, HBDRA, spoke against Item No. B-1, citing concerns with preservation of the Main Street Library and the area known as Triangle Park.

Steve Holden, resident on 10th Street, spoke against Item No. B-1, citing concerns with preservation of the Main Street Library and the area known as Triangle Park.

Lorna Curran, resident, spoke against Item No. B-1, citing concerns with preservation of the Main Street Library and the area known as Triangle Park.

Paula Willis, resident, spoke against Item No. B-1, citing concerns with tiered parking and the preservation of the Main Street Library site.

John Acampora, HBDRA, spoke against Item No. B-1. Mr. Acampora said that the city attorney does consider Triangle Park a city park. He recommended an alternate location for the cultural arts center and endorsed the HBDRA's alternative concept plan.

Mike Adams, resident, spoke regarding Item No. B-1. He recommended approval of the Downtown Specific Plan Update with changes to include limiting building heights and preserving the Main Street Library and the area known as Triangle Park. Mr. Adams advocated for a public art in-lieu fee and a public transportation center. He requested that the purpose of District 1 be changed to eliminate any discussion of a cultural arts center. Mr. Adams also submitted a Late Communication to the Planning Commission.

Mary Boddy, resident, spoke against Item No. B-1, citing concerns with parking.

Gary Tucker, resident, spoke against Item No. B-1 and said that he supported the comments voiced by the members of the HBDRA.

Nancy Tucker, resident, spoke against Item No. B-1, citing concerns with preservation of the Main Street Library and the area known as Triangle Park.

Bob Sayre, resident on Main Street, spoke against Item No. B-1, citing concerns with density and parking.

Stephanie Inbody, resident, spoke against Item No. B-1 (with 4 minutes donated from Tara Kirby). She cited concerns with parking, increased traffic, emergency services response time and the proposed tiered parking.

Matt Nye, resident on 7th Street, spoke regarding Item No. B-1. Mr. Nye said that he would like to see The Strand and Pacific City projects implemented before the implementation of the Downtown Specific Plan Update.

Dick Harlow, resident, spoke regarding Item No. B-1. He stated that he is in favor of the village concept, but has concerns with current and future parking demand

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

Commissioner Mantini said that she has concerns with density, traffic, parking and the potential for new bars and liquor licenses in the downtown area.

Commissioner Scandura said that he has ten issues that he would like to discuss. He said he would like to recommend a continuance on the General Plan Amendment portion of the project and recommended that the Planning Commission approve the Environmental Impact Report portion. He also said that he would like to scale back the scope of the proposed Downtown Specific Plan Update. He listed his concerns as proposed building heights, densities, the cultural overlay, alcohol sales (and Conditional Use Permits for bars), pedestrian crossings, parking permits, greenhouse gas issues, green building issues, and tiered parking on the beach.

Commissioner Livengood said that he has thirty issues that he would like to discuss. He said that he is in agreement with the village concept. He listed some of his concerns as the proposed number of units per acre, alcohol sales, noise impacts to residents when the bars close at 2:00 AM, and the preservation of historic areas including the Main Street Library and the area known as Triangle Park. He also noted that it is a conflict for business owners in the downtown area to attend Planning Commission meetings on Tuesday nights, since these meetings conflict with "Surf City Nights", held in the downtown area each Tuesday evening.

Commissioner Delgleize said that the HBDRA presented some good ideas. She noted that she has concerns with parking and traffic downtown. She said that she is also in support of the village concept.

Vice Chair Farley recommended that the Planning Commission discuss the Environmental Impact Report portion of the proposed project.

Mr. Scandura noted that he would like to see the inclusion of "Low B.O.C. paints" added to the Construction, Remodeling and Expansion Activities section 4.2.1 in the Final Draft DTSP Update Errata (Recommended Changes). He also said that he would like to see Item #3 on staff report attachment 1.22 removed (Permitted Uses for Cultural Facilities).

Mr. Livengood noted that there are three mitigation measures listed for cultural resources on staff report attachments 1.14 and 1.15, sections 4.3.1, 4.3.2 and 4.3.3.

Commissioner Mantini said that she would like to see bus turnouts included in staff report attachment 1.11, sections 4.2.1 and 4.2.2. Kellee Fritzal, Deputy Director of Economic Development, noted that bus turnouts are addressed in Book Two of the Downtown Specific Plan Update.

Mr. Livengood presented the Planning Commission with a handout with his recommended changes.

Mr. Farley noted that he is not in favor of approving the Environmental Impact Report.

A MOTION WAS MADE BY SCANDURA, SECONDED BY DELGLEIZE, TO CERTIFY EIR NO. 08-001 AS ADEQUATE AND COMPLETE WITH MODIFICATIONS IN ACCORDANCE WITH CEQA REQUIREMENTS BY APPROVING RESOLUTION NO. 1635, BY THE FOLLOWING VOTE:

AYES:	**Mantini, Scandura, Livengood, Delgleize**
NOES:	**Farley**
ABSENT:	**Speaker, Shier Burnett**
ABSTAIN:	**None**

MOTION APPROVED

Director of Planning Scott Hess noted that the approved Environmental Impact Report for the Downtown Specific Plan Update would not come before the City Council unless appealed. He further noted that Item Nos. B-1-b-A, B-1-b-B and B-1-b-C, if approved by the Planning Commission, would then be forwarded to the City Council for approval.

Commissioner Mantini recommended continuing this portion of the project, as she felt that more discussion was warranted. Commissioner Scandura recommended continuing those discussions at the present time.

Mr. Scandura indicated that he is against the proposed cultural arts overlay and recommends staff's alternate recommendation. He said he is against proposed underground parking and the proposed closure of 6th Street.

Director of Planning Scott Hess referred the Planning Commission to staff report attachments 1.25 and 1.27, which list staff's alternate recommendations.

Associate Planner Jennifer Villasenor noted that the Main Street Library consists of approximately 25,000 sq. ft. total on site, with approximately 13,000 sq. ft. consisting of the buildings and the hardscape.

Commissioner Livengood recommended limiting uses at the Main Street Library.

STRAW VOTE #1
A motion was made by Livengood, seconded by Scandura, to limit the Floor Area Ratio to 0.30 maximum.

AYES:	**Farley, Scandura, Livengood, Delgleize**
NOES:	**Mantini**
ABSTAIN:	**None**
ABSENT:	**Speaker, Shier Burnett**

MOTION APPROVED

STRAW VOTE #2
A motion was made by Scandura, seconded by Farley, to remove requirement of underground parking on the Main Street Library site..."This subdistrict requires parking on the Main Street Library site ~~to be provided underground~~ and 5) Parking – a) Shall be provided ~~below grade~~."

AYES:	**Mantini, Farley, Scandura, Livengood, Delgleize**
NOES:	**None**
ABSTAIN:	**None**
ABSENT:	**Speaker, Shier Burnett**

MOTION APPROVED

STRAW VOTE #3
A motion was made by Livengood, seconded by Delgleize, to add "small café" to Footnote #1 of Figure 3-36 – Permitted Uses Subdistrict 1A..."Accessory uses to primary uses such as gift shop, retail uses or small café."

AYES:	**Mantini, Farley, Scandura, Livengood, Delgleize**
NOES:	**None**
ABSTAIN:	**None**
ABSENT:	**Speaker, Shier Burnett**

MOTION APPROVED

STRAW VOTE #4
A motion was made by Scandura, seconded by Farley, to add "park" as a Permitted Use (by right) on Figure 3-36 – Permitted Uses Subdistrict 1A.

AYES:	**Mantini, Farley, Scandura, Livengood, Delgleize**
NOES:	**None**
ABSTAIN:	**None**
ABSENT:	**Speaker, Shier Burnett**

MOTION APPROVED

STRAW VOTE #5

A motion was made by Scandura, seconded by Farley, to revise text of Chapter 1, Pages 1-17, as follows: "As activity in the downtown extends further up Main Street past Orange Avenue, an opportunity is created for ~~enhancing~~ the north end of Main Street ~~into its own destination as an anchor point that bookends the downtown along with the pier plaza area. It is envisioned that a new cultural area will be formed at the north end of Main Street~~ to create a community-oriented cultural activity area, which builds on the preservation and enhancement of the Main Street Branch of the Huntington Beach Library and the Huntington Beach Art Center. A ~~The cultural arts plaza will become the largest public open space in the downtown area and will be a destination space.~~ cultural arts plaza will incorporate ~~the following amenities:~~ open green space for pedestrian use and public events; decorative paving along pathways; shade and accent trees, as well as turf areas; street furnishings such as benches and trash receptacles; bicycle parking; and public art."

AYES: Mantini, Farley, Scandura, Livengood, Delgleize
NOES: None
ABSTAIN: None
ABSENT: Speaker, Shier Burnett

MOTION APPROVED

STRAW VOTE #6

A motion was made by Livengood, seconded by Scandura, to retain the existing Public (P) General Plan land use designation on the Main Street Library Site.

AYES: Mantini, Scandura, Livengood, Delgleize
NOES: Farley
ABSTAIN: None
ABSENT: Speaker, Shier Burnett

MOTION APPROVED

A MOTION WAS MADE BY FARLEY, SECONDED BY SCANDURA, TO CONTINUE GENERAL PLAN AMENDMENT NO. 08-007/LOCAL COASTAL PROGRAM NO. 08-002/ZONING TEXT AMENDMENT NO. 08-004 TO THE SPECIAL MEETING ON MONDAY, OCTOBER 12, 2009 AT 6:00 PM, WITH THE PUBLIC HEARING CLOSED, BY THE FOLLOWING VOTE:

AYES: Mantini, Farley, Scandura, Livengood, Delgleize
NOES: None
ABSENT: Speaker, Shier Burnett
ABSTAIN: None

MOTION APPROVED

C. CONSENT CALENDAR - NONE

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 for the next City Council Meeting.

E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING - NONE

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS - NONE

F-2. PLANNING COMMISSION COMMENTS

Commissioner Livengood thanked staff for their work on the Downtown Specific Plan Update. He also thanked the residents for their involvement and attendance at tonight's meeting.

ADJOURNMENT: Adjourned at 11:15 PM to the special meeting of Monday, October 12, 2009.

APPROVED BY:

Scott Hess, Secretary

Elizabeth Shier Burnett, Chairperson