MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JUNE 9, 2009
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

CALL PLANNING COMMISSION MEETING TO ORDER

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

Commissioner Delgleize was absent.

AGENDA APPROVAL

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SPEAKER, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF JUNE 9, 2009, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. CONDITIONAL USE PERMIT NO. 09-001 (SANDBOX SPORTS GRILL – DANCING/OUTDOOR DINING/VALET – 8052 ADAMS AVENUE) – Jill Arabe, Assistant Planner

Jill Arabe, Assistant Planner, gave a brief overview of the project.

Commissioner Mantini asked Police Chief Ken Small about alcohol service and noise levels. Chief Small said that the Police Department recommends that alcohol be served in conjunction with food service. He also said that allowing dancing at the site would increase the potential for noise. He noted that there have been six civil citations issued associated with the current owner's entertainment permit.

Commissioner Farley stated that he has concerns with the potential removal of the terrace noted on staff report attachment 2.3 and the impact on parking.

Commissioner Scandura commented on Flight Bistro next to the Sandbox Sports Grill. He asked staff for a comparison of the total square footage and dance floor square footage for both sites. Ms. Arabe said that she would provide this information when this item comes before the Planning Commission at the public hearing on June 23, 2009.

Commissioner Livengood asked staff to provide a more detailed analysis of the proposed parking and asked if Flight Bistro and Sandbox Sports Grill would have a reciprocal parking arrangement. Ms. Arabe said that she would provide this information at the public hearing on June 23, 2009.

Commissioner Livengood also asked about the proposed hours for dancing and valet parking. Ms. Arabe noted that these would be offered on Friday and Saturday nights only.

Commissioner Livengood also asked if Flight Bistro had outdoor dining with alcohol service. Ms. Arabe said that she would provide this information at the public hearing on June 23, 2009.

Chair Shier Burnett asked if this is the first business for this owner and Planning Manager Herb Fauland said that staff would research the issue and provide the Planning Commission with an update.

Commissioner Scandura asked about parking at the Pet Vet Animal Hospital next door. Ms. Arabe indicated that a parking gate is in place outside Pet Vet's parking lot and is open during the day and closed at night.

Commissioner Farley asked for more details regarding security guards and valet parking . Ms. Arabe noted that this information would be provided at the public hearing on July 23, 2009.

A-2. CONDITIONAL USE PERMIT NO. 07-039 (SENIOR CENTER – DESIGN/LANDSCAPE PLANS – 18041 GOLDENWEST STREET) – Jennifer Villasenor, Associate Planner

Jennifer Villasenor, Associate Planner, gave a brief overview and history of the project. She also noted that it is the Planning Commission's purview to review three conditions of the final project design and landscape plans (conditions #3, #5 and #6, listed on page one of the staff report).

Commissioner Livengood asked if the Planning Commission will be taking action on these three conditions only, and staff said yes. Mr. Livengood also asked about the letter from Mark Bixby dated June 7, 2009, which concerns acreage of the proposed Senior Center site. Staff noted that the Planning Commission's purview is to take no action on that letter.

Commissioner Farley asked about the Bixby letter as it concerns landscaping. Ms. Villasenor indicated that no landscaping is proposed outside the confines of the five acre lot.

Commissioner Mantini asked about proposed landscaping and if drought resistant and native plants would be included. Ms. Villasenor said that the project plans include a mix of native and non-native plants which are nearly all

drought resistant. Landscape Architect Chuck Davis noted that the majority of the proposed plants are water conserving.

Commissioner Mantini also said that she has concerns with pod-dropping plants and their effect on pedestrian walkways and safety.

Ms. Villasenor directed the Planning Commission's attention to staff report attachment 3.8, which shows the proposed schematic planting legend.

A-3. ENVIRONMENTAL IMPACT REPORT NO. 08-008/GENERAL PLAN AMENDMENT NO. 08-002/ZONING MAP AMENDMENT NO. 08-002/ZONING TEXT AMENDMENT NO. 08-002 (BEACH AND EDINGER CORRIDORS SPECIFIC PLAN) – Rosemary Medel, Associate Planner

Rosemary Medel, Associate Planner, and Mary Beth Broeren, Planning Manager, gave a brief overview of the project. Ms. Broeren noted that public comments have been included as a Late Communication on this item.

Commissioner Mantini asked about moving the Ford dealership, as she has concerns about redevelopment on that site.

Commissioner Scandura commented on public comment #11 in Book 1, regarding the ultimate disposition of the former Levitz site.

Commissioner Livengood commented on public comment #11 in Book 1. He asked staff to look at the last sentence (which requests that the term "public" be precisely defined). Mr. Livengood also noted that he prefers the addition of public open space instead of the proposed ½ acre public park.

Commissioner Mantini commented on public comment #12 in Book 1. She asked about the long term strategy for the transit center. Ms. Broeren noted that Ms. Mantini's comments would be added to the public comments matrix. Ms. Broeren also said that expanding the existing transit center would encroach on neighboring residential districts.

Commissioner Livengood commented on public comment #16 in Book II. He said that he has concerns with the public notification process.

Commissioner Speaker commented on public comment #18 in Book II. His concern is that requests for up to 20% deviation from the Specific Plan can be approved by the Director of Planning.

Commissioner Mantini commented on public comment #21 in Book II. Staff noted that existing uses will be grandfathered in, unless the business owner changes, but this does not apply if the business changes.

Mary Beth Broeren asked the Planning Commission if there were any other comments/questions on Book 1 and the consensus was no. Ms. Broeren noted that the Beach and Edinger Corridors Specific Plan will be coming before the Planning Commission at study sessions in August and September of 2009. Ms. Broeren also said that the goal is to release the Environmental Impact Report for the Beach and Edinger Corridors Specific Plan in August 2009.

B. STUDY SESSION ITEMS - NONE

C. PUBLIC COMMENTS

Fikri Takla, resident, spoke regarding Item No. A-3 (Beach and Edinger Corridors Specific Plan), citing concerns with traffic on the McFadden Street bridge.

Diane Ryan, resident, spoke regarding Item No. A-3 (Beach & Edinger Corridors Specific Plan), citing concerns with traffic on the McFadden Street bridge.

John Stansbury, resident, spoke regarding Item No. A-3 (Beach & Edinger Corridors Specific Plan), citing concerns with traffic on the McFadden Street bridge.

Aaron Valenty, owner of Sandbox Sports Grill, spoke in favor of Item No. A-1.

Don Macallister, President of the Huntington Beach Council on Aging, spoke in favor of Item No. A-2 (Senior Center).

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

Herb Fauland, Planning Manager, reviewed the items for tonight's meeting. He advised that there are no Late Communications for Item No. B-1 (Edison Community Park).

E. PLANNING COMMISSION COMMITTEE REPORTS

Commissioner Mantini reported on her attendance at the Environmental Board meeting of June 4, 2009.

Commissioner Scandura noted that the Subdivision Committee scheduled for June 18, 2009, has been cancelled.

Commissioner Livengood noted that the next meeting of the Design Review Board will be June 11, 2009.

F. PLANNING COMMISSION COMMENTS

Commissioner Farley asked staff if the McFadden Street bridge traffic impacts had been addressed in the Environmental Impact Report for the Beach and Edinger Corridors Specific Plan. Planning Manager Mary Beth Broeren noted that the traffic analysis reflects overall traffic volumes and trip generation, but does not analyze specific entrances and exits in a housing tract. She also noted that Transportation Manager Bob Stachelski is aware of the current traffic issues and will be reviewing these independently.

6:30 PM – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Farley

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

Commissioner Delgleize was absent.

A MOTION WAS MADE BY SCANDURA, SECONDED BY SPEAKER, TO APPROVE THE PLANNING COMMISSION AGENDA OF JUNE 9, 2009, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A. ORAL COMMUNICATIONS - NONE

B. PUBLIC HEARING ITEMS - NONE

B-1. MITIGATED NEGATIVE DECLARATION NO. 08-001/CONDITIONAL USE PERMIT NO. 08-004 (EDISON COMMUNITY PARK MASTER PLAN)
Applicant: City of Huntington Beach **Request:** **MND:** To analyze the potential environmental impacts associated with the implementation of the proposed project. **CUP:** To permit a park master plan for the reconfiguration of the 40-acre Edison Community Park. The master plan proposes to reconfigure existing open space areas; add recreational amenities including bocce ball courts, and a skate park; reconfigure and expand the existing parking facility by adding 244 parking spaces for a total of 376 on-site parking spaces; install new landscape and hardscape improvements; and install four lighted practice soccer fields and a lighted multi-purpose field. The master plan is proposed to be carried out in four phases over approximately eight years. **Location:** 21372 Magnolia Street (northwest corner of Magnolia Street and Hamilton Avenue) **Project Planner:** Rami Talleh

STAFF RECOMMENDATION: Motion to:

A. "Approve Mitigated Negative Declaration No. 08-001 with findings and mitigation measures (Attachment No. 1);"

B. "Approve Conditional Use Permit No. 08-004 with findings and suggested conditions of approval (Attachment No. 1)."

The Commission made the following disclosures:

- Commissioner Speaker has visited the site and attended the study session.
- Commissioner Mantini has visited the site and attended the study session.
- Commissioner Farley has visited the site, attended the study session and attended the Design Review Board meeting of June 12, 2009.

- Chair Shier Burnett has visited the site and attended the study session.
- Commissioner Scandura has visited the site and attended the study session and talked to staff.
- Commissioner Livengood has visited the site and attended the study session.

Rami Talleh, Senior Planner, gave the staff presentation and an overview of the project. Mr. Talleh said that four comment letters have been received and that these are included in staff report attachments 4.47 through 4.53. Mr. Talleh also noted a correction to staff report attachment 4.53, and said that the word "minimal" should be changed to "no" and the word "minor" should be changed to "sidewalk." He also noted a correction to staff report attachment 4.19, item #b, as the discussion portion should be listed under items #c and #d instead.

Commissioner Farley asked staff for more information regarding tree removal. Mr. Talleh indicated that the landscape plans are conceptual and could be subject to change after an arborist's review. Mr. Farley commented on the 201 trees that may be removed and that may not be replaced onsite. Mr. Talleh indicated that existing mature trees that may be removed must be replaced at a 2:1 ratio, some within the project site and some offsite.

Commissioner Farley asked how much green space would be lost . Mr. Talleh indicated that 3.3 acres would be lost due to parking lot construction and reconfiguration.

Commissioner Livengood asked about park hours of operation and Mr. Talleh said that he would provide this information at a later date. Mr. Livengood also asked about plans for the adjacent Fire Station. Mr. Talleh indicated that the Community Services Department plans to construct a block wall between the Fire Station and the parking lot during Phase One of the project.

Commissioner Scandura asked about green practice concerns detailed in staff report attachment 4.51. Facilities Manager Dave Dominguez noted that the Planning Commission can condition the project to incorporate green practices.

Commissioner Farley asked about access and egress routes, and 90-degree parking versus angled parking. Mr. Talleh referred the Planning Commission to staff report page 4, and noted the proposed addition of 124 90-degree parking spaces in conjunction with 'right turn only' drop off areas. Mr. Dominguez added that Southern California Edison recommends no parking on the north side of the parking lot, but that parking spaces can be added in the future if needed.

Chair Shier Burnett asked about the removal of diseased trees and Mr. Talleh noted that these would be replaced at a 1:1 ratio.

THE PUBLIC HEARING WAS OPENED.

Marnie Pavlick, resident, spoke regarding Item No. B-1, citing concerns with Ascon landfill safety issues and parking.

Merle Moshian, resident, spoke in opposition to Item No. B-1, citing concerns with overdevelopment and crowding.

Pete Menko, resident, spoke in opposition to Item No. B-1, due to his concerns with Ascon landfill safety issues.

Robert Trazo, resident, spoke in opposition to Item No. B-1, citing concerns with overflow traffic and parking on his street (Stilwell Drive).

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

Commissioner Livengood asked Facilities Manager Dave Dominguez if the project plans included park tables and benches. Commissioner Livengood said his concern is that Edison Park remain a community park and not become a sports complex. Mr. Dominguez said that picnic tables and benches could be added on the area leading to Stilwell Drive.

Commissioner Scandura commented on the letter dated May 26, 2009, received from the California Regional Water Quality Control Board (staff report attachments 4.57 and 4.58). Mr. Talleh noted that the Planning and Community Services Departments are working with various agencies on an ongoing basis.

Commissioner Scandura said that he would like to see a condition of approval requiring beverage recycling containers.

Commissioner Farley asked about parking as addressed in staff report page 11. Planning Manager Herb Fauland noted that parking is being analyzed.

Chair Shier Burnett asked about the possible removal ratio for trees, noting that it would be a 2:1 ratio for non-diseased trees and a 1:1 ratio for diseased trees. Mr. Talleh noted that those ratios are correct and are based on the arborist's recommendations.

Chair Shier Burnett also said that she would like to see the exercise stations removed.

Chair Livengood recommended that the following conditions of approval be added: to provide picnic tables and benches, to ensure field lights are turned off at 10:00 PM, to condition that a minimum of 201 trees be replaced onsite, and to remove the exercise stations. Mr. Livengood also asked for changes to staff report attachments 4.51, 4.52, 4.53. For attachment 4.51, the phase "where feasible" shall be added to the sentences "Grasscycling be employed to reduce water use while adding valuable nutrients to the soil (post construction)" and "Implement beverage container recycling in the sports park areas as this is where recyclables will be generated." For attachment 4.53,Mr. Livengood recommends changing the word "minimal" to "no" and the word "minor" to "sidewalk". For attachment 4.19, he recommends modifying the errata under a) from "see discussion under item C" to read "see discussion under items C and D."

STRAW VOTE #1
A motion was made by Farley, seconded by Livengood, to amend condition of approval No. 4c to reflect that a minimum of 201 replacement trees will be planted onsite.

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

MOTION APPROVED

STRAW VOTE #2
A motion was made by Livengood, seconded by Scandura, to add a condition that fitness/exercise stations shall be removed from the plan.

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

MOTION APPROVED

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SPEAKER, TO APPROVE MITIGATED NEGATIVE DECLARATION NO. 08-001 WITH FINDINGS AND MITIGATION MEASURES AND TO APPROVE CONDITIONAL USE PERMIT NO. 08-004 WITH FINDINGS AND MODIFIED CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

FINDINGS AND CONDITIONS OF APPROVAL

MITIGATED NEGATIVE DECLARATION NO. 08-001/ CONDITIONAL USE PERMIT NO. 08-004

FINDINGS FOR APPROVAL – MITIGATED NEGATIVE DECLARATION NO. 08-001:

1. The Mitigated Negative Declaration No. 08-001 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 Mitigated Negative Declaration and Conditional Use Permit No. 08-004.

2. Mitigation measures avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur. Mitigation measures address potential impacts to aesthetics and biological resources. Mitigation measures were generally designed to minimize impacts related to the removal and relocation of mature trees at the project site.

3. There is no substantial evidence in light of the whole record before the Planning Commission that the project, as mitigated through the attached mitigation measures, will have a significant effect on the environment. The proposed project will be a high quality development that takes into consideration the many existing mature trees onsite. The mature trees will be preserved or relocated based on the proper translocation procedures and specifications documented in the Arborist's Report to ensure their survival. In addition, the migratory species that may use portions of the site for nesting during breeding season will be protected through the limitation of the time of construction or vegetation removal.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 08-004:

1. Conditional Use Permit No. 08-004 for the reconfiguration of Edison Community Park 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. The proposed park improvements are situated on the site to provide for the most efficient use of the park and provide adequate buffer areas to surrounding residential uses. Sports related activates are proposed to be separated from non-sport activities and will be provided with adequate on-site parking within close proximity. Practice fields and multi-purpose field will be primarily used for sport activities during the weekdays and will be available for non-sport activities on the weekends when the park is heavily used. The proposed parking lot expansion will serve existing park uses as well as the proposed improvements to alleviate existing parking impacts to surrounding residential streets. In addition, phasing of the project ensures that parking will be provided at the same time or prior to construction of the sports facilities. The location of the new light standards is a minimum of 160 ft. away from the nearest residential uses. Furthermore, the project will be subject to a standard condition of approval that requires lighting to be shielded and directed so as to prevent glare and spillage onto adjacent properties.

2. The park master plan will be compatible with surrounding uses because the new park amenities will be adequately buffered and controlled with the suggested conditions of approval. In addition, the proposed improvements are similar in nature to the activities

historically and presently occurring on the site. The placement of the parking areas and sports fields provides adequate buffer for the adjacent single family residential uses. The proposed light standards are adequately buffered from residential uses and will be shielded to prevent glare.

3. The proposed park reconfiguration will comply with the provisions of the base district and other applicable provisions in Title 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The existing and park improvements comply with all code requirements including landscaping, parking, tree replacements, and any specific condition required for the proposed use in the district in which it would be located.

4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of OS-P (Open Space – Park) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Objective LU 7.1:	Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, educational, cultural, entertainment, and recreation needs of existing and future residents, (b) provides employment opportunities for residents of the City and surrounding subregion, (c) captures visitors and tourist activities, and (d) provides open space and aesthetic "relief" from urban development.
Policy LU 9.4.1:	Accommodate the development of parks, sports facilities, schools, libraries, community meeting facilities, religious facilities, and similar community-serving uses in all residential areas, provided that they are compatible with adjacent residential uses and subject to review and approval by the City and other appropriate agencies.
Policy LU 14.1.1:	Accommodate the development of public parks, coastal and water-related recreational uses, and the conservation of environmental resources in areas designated for open space on the land sue plan map and in accordance with Policy LU 7.1.1.
Objective RCS 3.1:	Incorporate recreational features and facilities responsive to the preferences of the resident population bases that will utilize the services.
Policy RCS 3.1.2:	Provide a variety of amenities within recreation areas in order to accommodate persons with different interests.
Objective RCS 4.1:	Improve and modernize existing parks and facilities to overcome existing design deficiencies and deteriorated conditions.

The project proposal includes the reconfiguration and modernization of Edison Community Park to better accommodate youth sports activities in the south part of the city and to improve some of the existing conditions that are in disrepair due to age and regular wear and tear. The improvements will provide for the recreation needs of the community by providing additional amenities including fitness/wellness stations, bocce ball courts, a skate park, and various hardscape and landscape improvements. New practice soccer fields and a multi-purpose field are located in open filed areas and will not conflict with existing and proposed non-sports related

amenities. Furthermore, the practice fields and multi-purpose field will be primarily used for sport activities during the weekdays and will be available for non-sport activities on the weekends when the park is heavily used.

MITIGATION MEASURES FOR ENVIRONMENTAL CONCERNS:

1. Prior to the onset of ground disturbance activities, the City shall implement the following mitigation measure which entails nesting surveys and avoidance measures for sensitive nesting and MBTA species, and appropriate agency consultation.
   a. Nesting habitat for protected or sensitive species:
      i. Vegetation removal and grading/construction shall occur between September 1 and January 31 whenever feasible.
      ii. Prior to any grading or vegetation removal between February 15 and August 31, a nesting survey shall be conducted by a qualified biologist of all habitats within 500 feet of the grading/construction area. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of grading/construction activities and surveys will be conducted in accordance with California Department of Fish and Game (CDFG) protocol as applicable. If no active nests are identified on or within 500 feet of the grading/construction site, no further mitigation is necessary. A copy of the pre-grading/construction survey shall be submitted to the City of Huntington Beach and CDFG. If an active nest of a MBTA protected species is identified onsite (per established thresholds), a 250-foot no-work buffer shall be maintained between the nest and grading/construction activity. This buffer can be reduced in consultation with CDFG and/or U.S. Fish and Wildlife Service.
      iii. Completion of the nesting cycle shall be determined by a qualified ornithologist or biologist.

2. The removal of 201 mature trees has the potential to significantly impact biological resources. To mitigate this potentially significant impact, tree replacement for existing mature trees on-site shall be in accordance with the requirements of Chapter 232—Landscape Improvements of the HBZSO.

3. For the 5 trees to be relocated, proper translocation procedures are required in order to avoid potentially significant impacts as a result of the relocation. To mitigate this potentially significant impact, the following shall be adhered to:
   a. The trees shall be transplanted by a qualified tree service to be approved by the City of Huntington Beach Public Works Department.
   b. Prior to translocation of the trees, detailed specifications and procedures for the translocation shall be submitted to the Department of Public Works for review and approval.
   c. The relocated trees shall be maintained and guaranteed to be alive and thriving after four years by a qualified tree service or arborist to be approved by the City of Huntington Beach Public Works Department. The trees shall be surveyed every six months for a period of four years as to their viability. The survey shall be submitted to the City Landscape Architect for review. In the event that any tree is not surviving, it shall be replaced with the same type and size of tree.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 08-004:

1. The site plan, floor plans, and elevations received and dated February 4, 2008 shall be the conceptually approved design with the following modifications:

    a. If possible, picnic tables shall be provided in the northerly open field area.

    b. Fitness/exercise stations shall be removed from the plan.

2. Site furniture and amenities shall depict approved colors and building materials approved by the Design Review Board on June 12, 2009 and maintained in case file DRB No. 08-006.

3. 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). The following shall be adhered to:

    a. Grasscycling be employed where feasible to reduce water use while adding valuable nutrients to the soil (post-construction)

    b. Hardscape design shall use permeable surfaces where possible for water conservation

    c. Implement beverage container recycling if feasible in the sports park areas as this is where recyclables will be generated

4. During construction the following shall be complied with:

    a. Diseased trees as identified in the arborists report prepared by Arborgate Consulting, Inc. (January 26, 2009) shall be replaced at 1:1 ratio.

    b. The location of walkways shall be adjusted to protect in place mature healthy trees wherever it is feasible. In the event that a tree must be removed, it shall be replaced at a 2:1 ratio.

    c. Replacement trees shall be planted on site to the maximum extent feasible (a minimum of 201 replacement trees shall be planted on site). In the event the replacement trees cannot all be provided on site, replacement trees shall be planted within close proximity to Edison Community Park or other parks in the Southeast area of the City.

5. Prior to the installation of art elements, the art features shall be reviewed and approved by the Design Review Board, the Planning Department, and the Cultural Services Division Manager.

6. All field area lighting shall be oriented so as not to produce glare on adjacent residential properties. Lighting shall be turned off no later than 10:00 pm nightly.

7. Within each applicable phase of construction, parking lot improvements shall be completed prior to the installation of the sports fields.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

ERRATA TO DRAFT MITIGATED NEGATIVE DECLARATION NO. 08-001

The following changes to the Draft Mitigated Negative Declaration No. 08-001 and Initial Study Checklist are as noted below. The changes to the Draft Mitigated Negative Declaration as they relate to issues contained within this errata sheet do not affect the overall conclusions of the environmental document.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Sources #1 & 4)	☐	☐	☒	~~☒~~
Discussion: See discussion under item c **and d**.				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Sources: #1, 4, & 12)	☐	☐	☐	☒

Discussion:
Edison Park is not listed on the State's Hazardous Waste and Substance Site List. However, a portion of the site was used as landfill until the late 1960's **(former Cannery Street Landfill)**. The landfill is located ~~beneath~~ **in the vicinity of** the baseball diamonds. ~~No construction activities are proposed within the site of the previous landfill.~~ **Sidewalk construction will occur in this area. The Community Services Department will work with all State and County agencies and comply with all applicable code requirements prior to beginning any construction in the area.** In addition, the only hazardous materials site in the city, Ascon landfill, is located to the south of the site across Hamilton Avenue. Grading/construction activities at the subject site are not expected to disturb the Ascon site. No impacts would occur.

C. CONSENT CALENDAR

C-1. PLANNING COMMISSION MINUTES DATED APRIL 14, 2009

RECOMMENDED ACTION: Motion to: "Approve the April 14, 2009, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY SPEAKER, SECONDED BY FARLEY, TO APPROVE THE APRIL 14, 2009 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

D. NON-PUBLIC HEARING ITEMS

D-1. GENERAL PLAN CONFORMANCE NO. 09-003 (CRYSTAL STREET VACATION) – Applicant: City of Huntington Beach Request: To determine if the vacation of a right-of-way easement is in conformance with the goals, objectives, and policies of the General Plan Location: Southwest of Gothard Street, north of Clay Avenue Project Planner: Hayden Beckman

RECOMMENDED ACTION: Motion to: "Adopt Resolution No. 1632, approving General Plan Conformance No. 09-003 with findings (Attachment Nos. 1 and 2)."

Commissioner Scandura noted that only the right of way would be yielded, with the city retaining the underground utility rights.

A MOTION WAS MADE BY SCANDURA, SECONDED BY FARLEY, TO ADOPT RESOLUTION NO. 1632 APPROVING GENERAL PLAN CONFORMANCE NO. 09-003 WITH FINDINGS, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

FINDINGS FOR APPROVAL

GENERAL PLAN CONFORMANCE NO. 09-003

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the proposed project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15306 of the CEQA Guidelines because the project involves information collection which does not result in major disturbance to an environmental resource.

FINDINGS FOR APPROVAL – GENERAL PLAN CONFORMANCE NO. 09-003:

The proposed vacation of the Crystal Street right of way easement is consistent with the following goals, objectives, and policies of the City's General Plan:

Land Use Element

> LU Goal 2: *Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.*

Gothard Street currently provides sufficient access to the surrounding industrial and residential uses. As a result of the past Gothard Street widening and realignment, the subject right of way easement is no longer necessary to support the circulation needs of the adjacent areas.

> LU Goal 4: *Achieve and maintain high quality architecture, landscape, and public open spaces in the City.*

The vacation of the subject easement would allow for some private enhancement of the property that will advance the visual character of the Gothard Street corridor.

Circulation Element

> CE Objective 1.1: *Balance the circulation system with the circulation demands generated by the implementation of the City's Land Use Element.*
>
> CE Goal 2: *Provide a circulation system which supports existing, approved, and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections.*

Due to the Gothard Street realignment, the subject right of way easement is no longer necessary to provide circulation to the surrounding area. The vacation of the Crystal Street easement will not have a detrimental impact on the circulation system.

E. PLANNING ITEMS

E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING
Herb Fauland, Planning Manager - reported on the items from the previous City Council Meeting.

E-2. CITY COUNCIL ITEMS FOR NEXT MEETING
Herb Fauland, Planning Manager – reported on the items for the next City Council
Meeting.

E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING
Herb Fauland, Planning Manager – 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 - NONE

ADJOURNMENT: Adjourned at 8:20 PM to the next regularly scheduled meeting of Tuesday, June 23, 2009.

APPROVED BY:

Scott Hess, Secretary

Elizabeth Shier Burnett, Chairperson