MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, OCTOBER 28, 2008
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

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

Commissioner Farley arrived at 5:16 PM.

AGENDA APPROVAL

A MOTION WAS MADE BY SCANDURA, SECONDED BY SHAW, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF OCTOBER 28, 2008, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. MITIGATED NEGATIVE DECLARATION NO. 07-007/GENERAL PLAN AMENDMENT NO. 08-006/ZONING MAP AMENDMENT NO. 08-006/CONDITIONAL USE PERMIT NO. 08-032/VARIANCE NO. 08-008/TENTATIVE PARCEL MAP NO. 08-121 (CVS PHARMACY - SOUTHEAST CORNER OF GOLDENWEST AND MCFADDEN) - Tess Nguyen, Associate Planner

Tess Nguyen, Associate Planner, gave an overview of the project and noted that there are six separate entitlements.

Commissioner Speaker asked staff if Goldenwest College is aware of the project and Planning Manager Herb Fauland said yes.

Commissioner Shaw asked staff about the current total number of CVS Pharmacies in Huntington Beach and also within a five mile radius; he asked staff

to provide that information when this project comes before the Planning Commission at the public hearing on November 12, 2008.

Vice Chair Shier Burnett inquired if Goldenwest College will lease the land to CVS Pharmacy and staff said yes.

Planning Manager Herb Fauland noted that the Planning Commission's purview is to decide the best land use for the site.

Commissioner Farley asked about the traffic impacts with the proposed drive-through pharmacy and staff said that no impacts to traffic are anticipated. Farley also asked about potential issues with the proposed shared driveway and staff said that it has been reviewed and no issues have been identified.

Vice Chair Shier Burnett commented on the proposed site location and its proximity to the Beach and Edinger Corridors; staff said that this project will be added to the site list for the Beach and Edinger Corridors traffic analysis.

Chair Livengood asked if CVS would be selling alcohol and staff said yes, but that no Conditional Use Permit would be required because less than 10% of the structure's total square footage would be devoted to alcohol sales. Livengood also asked if the City of Westminster had been notified of the project and staff said yes.

Commissioner Scandura reminded the Planning Commission that their purview is to decide on the best land use for the site.

A-2. CONDITIONAL USE PERMIT NO. 08-030 (APPEAL- DEMESNE BUILDING - SOUTHEAST CORNER OF BUSHARD AND GARFIELD) – Andrew Gonzales, Associate Planner

Andrew Gonzales, Associate Planner, gave an overview of the project.

Commissioner Dwyer asked for an estimate of undergrounding utility costs and Acting Principal Civil Engineer Steve Bogart said the cost is approximately $180,000.

Commissioner Scandura asked staff to provide the acreage for the site.

Chair Livengood inquired if fire hydrants are located near the site and Deputy Fire Marshal Jeffrey Lopez said that the Fire Department would bring that information to the public hearing on November 12, 2008.

Chair Livengood also noted that the undergrounding of utilities will not be on the site, but on the adjacent property that serves the site.

Commissioner Shaw requested that staff provide more information regarding the undergrounding of utilities at the public hearing on November 12, 2008. He asked why the city requires undergrounding, what the state's policy is and asked for clarification on the rationale behind the policy. Planning Manager Herb Fauland noted that staff report Attachment 7.1 addresses the undergrounding issues and that the requirement is part of the city's General Plan.

Principal Civil Engineer Terri Elliott discussed undergrounding utilities and noted that all new utilities are required to be undergrounded per the Huntington Beach Zoning and Subdivision Ordinance.

Senior Deputy City Attorney Leonie Mulvihill noted that the Huntington Beach Municipal Code regarding undergrounding of utilities is consistent with the city's General Plan, but there is no expressed code requirement mandating the undergrounding of utilities.

Vice Chair Shier Burnett noted that a Walgreen's used to be located at the site and asked staff to find out how long it had operated at that location.

B. STUDY SESSION ITEMS - NONE

C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS)

Herb Fauland, Planning Manager, reviewed the tentative Planning Commission and City Council schedule. He advised that Conditional Use Permit No. 2006-020 (Black Bull Restaurant) would be placed as a non-public hearing item at the next regular Planning Commission meeting on November 12, 2008.

Scott Hess, Director of Planning, advised that the Police Department has revoked Black Bull restaurant's entertainment permit and Black Bull has appealed this decision to the City Council. Hess also noted that the City Council will have a special meeting to take a field trip (The Ripcurl) on Thursday, October 30, 2008.

D. PLANNING COMMISSION COMMITTEE REPORTS

Commissioner Scandura reported on the meeting of the Neighborhood Compatibility Sub-Committee, held on October 28, 2008. He noted that the Sub-Committee's final report will be presented to the Planning Commission at the Study Session on November 12, 2008.

E. PUBLIC COMMENTS - NONE

F. PLANNING COMMISSION COMMENTS

Commissioner Scandura reported on his attendance at the Orange County Planning Directors Forum, held on October 16, 2008.

Vice Chair Shier Burnett reported on her attendance at the recent Bolsa Chica Wetlands Restoration groundbreaking.

Adjourned at 6:08 PM to the next regularly scheduled meeting of Wednesday, November 12, 2008.

APPROVED BY:

Scott Hess, Secretary

Elizabeth Shier Burnett, Chairperson