MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, FEBRUARY 9, 2010
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

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

Commissioner Mantini was absent.

AGENDA APPROVAL

A MOTION WAS MADE BY SCANDURA, SECONDED BY SPEAKER, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF FEBRUARY 9, 2010, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

Commissioner Mantini arrived at 5:18 PM.

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. CONDITIONAL USE PERMIT NO. 09-034 (ENDLESS FOOD AND FUN - 7227 EDINGER AVENUE) – Andrew Gonzales, Associate Planner

Andrew Gonzales, Associate Planner, gave a brief overview of the proposed project. He noted that the Police Department's proposed entertainment conditions recommend that there be no nightclub. He said the applicant is in agreement with this condition.

Commissioner Livengood discussed the proposed hours of operation. He noted that there is a difference between what is listed on page one of the staff report and the Police Department's proposed entertainment conditions (attachment 6.1). Mr. Gonzales noted that the Police Department's recommended hours differ from staff's because staff is recommending shorter operating hours.

Commissioner Speaker recommended adding the word 'special' before the word "events" on Police Department's entertainment condition #9. Police Chief Chuck Thomas said that the Police Department agrees to amend that condition.

Commissioner Scandura asked if the applicant is proposing to expand the building. Mr. Gonzales said no, the proposed project will be an improvement to the existing space.

Commissioner Delgleize noted that she has visited the site. She asked staff if parking would be provided both in front and in back of the site. Mr. Gonzales said yes. Commissioner Shier Burnett asked if the parking in the back of the site counted towards the required parking ratio recommendation, and Mr. Gonzales said yes.

Chair Farley asked about existing signage and Mr. Gonzales noted that the current signs are in compliance with the city's code.

Ms. Delgleize asked if there are any other pending projects in the immediate area. Mr. Gonzales said none that staff is aware of.

A-2. DESIGN REVIEW NO. 09-031 (APPEAL OF DESIGN REVIEW BOARD'S DENIAL OF WELLS FARGO ATM/KIOSK - 101 MAIN STREET) – Jill Arabe, Assistant Planner

Jill Arabe, Assistant Planner, gave a brief overview of the proposed project. She noted that the Design Review Board (DRB) denied this project on November 12, 2009 and the applicant appealed that denial on November 20, 2009. She also noted that there is a Late Communication from Wells Fargo, showing two alternate designs and locations for the proposed ATM.

Ms. Arabe said that the applicant has indicated that they will be requesting a continuance on this item. Mr. Farley asked why. Ms. Arabe said that the applicant needs time to incorporate further details and design features that staff is recommending. Mr. Farley asked if this item would be reviewed by the DRB or the Planning Commission. Ms. Arabe said that decision would be at the Planning Commission's discretion.

Mr. Livengood discussed the two alternate designs and locations provided by the applicant. Ms. Delgleize asked staff for their opinion on the alternate designs and locations. Ms. Arabe noted that staff prefers the design/location shown on page 5 of the Late Communication. Planning Manager Herb Fauland noted that the reason for the applicant's request for a continuance is to give the Planning Commission and staff time to review the alternate designs and locations.

Ms. Shier Burnett asked about the proposed inclusion of a camera. Ms. Arabe noted that this is a Police Department requirement. Ms. Shier Burnett said that she would like to see more details on the camera in the alternate design plans.

Mr. Speaker asked if the applicant had completely redesigned the plans since the DRB denial. Ms. Arabe said that the applicant had changed the setback, height and width, and noted the projection on the revised plans is now 2' less than before.

Commissioner Mantini asked staff to provide more information on Wells Fargo queuing information and how they researched and analyzed their data.

Mr. Farley asked if the former Wells Fargo ATM is now closed and Ms. Arabe said yes. He also asked if staff preferred the design/location shown on page 5 to that shown on page 8. Mr. Fauland noted that staff will present their final recommendation when this item comes before the Planning Commission at the public hearing.

A-3. GENERAL PLAN CONFORMANCE NO. 09-008 (HB DENTAL ALLEY VACATION) – Hayden Beckman, Planning Aide

Hayden Beckman, Planning Aide, gave a brief overview of the proposed project.

Mr. Livengood asked who would be paying for the proposed alley vacation. Mr. Beckman noted that it would be the developer of the medical office building.

Mr. Speaker asked for the alley's dimensions. Mr. Beckman noted that it is 20' wide.

Mr. Farley asked if the alley runs parallel to Warner Avenue and Mr. Beckman confirmed this.

B. STUDY SESSION ITEMS

B-1. 2010 PLANNING COMMISSION COMMITTEE ASSIGNMENTS – Chair Farley

General discussion ensued regarding the Planning Commission Design Review Board liaison for 2010. Commissioner Livengood volunteered to serve as the liaison and Commission Shier Burnett volunteered to remain as the alternate.

The Planning Commission discussed the Environmental Board liaison. It was decided that the liaison should remain Commissioner Delgleize with Commissioner Mantini to remain as alternate.

The Planning Commission discussed the School District Issues Council Subcommittee and noted that no liaison or alternate needed to be named for 2010, since this subcommittee is no longer active.

Discussion ensued regarding the Subdivision Committee. It was recommended that the three Planning Commission liaisons be Commissioner Scandura, Commissioner Shier Burnett and Chair Farley, with Commissioner Speaker to serve as alternate.

A MOTION WAS MADE BY DELGLEIZE, SECONDED BY SPEAKER, TO APPROVE THE PROPOSED 2010 PLANNING COMMISSION COMMITTEE ASSIGNMENTS, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

C. PUBLIC COMMENTS

Janette Ditkowsky, owner of Freeway Industrial Park, spoke in support of Item No. SS A-1 (Endless Food and Fun) and provided the Planning Commission with a parking tabulation handout.

D. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS)

Herb Fauland, Planning Manager, reviewed the items for tonight's meeting. He noted that there is one Late Communication for Item No. B-1 (Newland Car Wash), four Late Communications for Item No. B-2 (Ward/Garfield Specific Plan) and two Late Communications for Item No. D-1 (Beach Frontage Road Vacation).

Jane James, Senior Planner, noted that there is a letter from Michael C. Adams Associates among the Late Communications received for Item No. B-2 (Ward/Garfield Specific Plan). She noted that based on the details in this letter, staff will be recommending adding verbiage to Public Works Code Requirements (attachment 9.8, item 4-a and attachment 9.9, item 11-a) changing the proposed 13-foot right-of-way to a 20-foot right-of-way. She also noted that Southern California Edison is opposed to the 20-foot right-of-way, since their property is 13' from the proposed site.

E. PLANNING COMMISSION COMMITTEE REPORTS

Commissioner Mantini reported on her attendance at the Environmental Board meeting of February 4, 2010 and noted that the city's new website is located at www.huntingtonbeachca.gov.

Commissioner Scandura reported on his attendance at the Subdivision Committee meeting for "The Ridge" on January 28, 2010.

F. PLANNING COMMISSION COMMENTS

Commissioner Livengood noted that he will be making a motion to move Item No. D-1 before Item No. B-1.

Commissioner Scandura said that he has concerns with the number of Walgreens and CVS Drug Stores being proposed in the city. He asked for an update on the proposed Walgreens at the northwest corner of Bolsa Chica and Warner Avenue. Mr. Fauland noted that this project site is undergoing on-site remediation and the need to relocate the existing on-site uses to a different site.

6:05 PM – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Scandura

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

AGENDA APPROVAL

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY DELGLEIZE, TO MOVE ITEM D-1 BEFORE ITEM B-1 AND TO APPROVE THE PLANNING COMMISSION AGENDA OF FEBRUARY 9, 2010, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

THE MINUTES WILL REFLECT ITEMS IN THEIR ORIGINAL ORDER.

A. ORAL COMMUNICATIONS - NONE

B. PUBLIC HEARING ITEMS

B-1. APPEAL OF THE ZONING ADMINISTRATOR'S APPROVAL OF CONDITIONAL USE PERMIT NO. 09-012 (NEWLAND CAR WASH) **Applicant:** Thomas Hwang, 616 Imperial LLC **Appellant:** Larry Kennepohl **Request:** **CUP:** To permit the construction of an approximately 2,336 sq. ft. express service carwash building and associated site improvements, on a 22,363 sq. ft. vacant lot. This request was approved by the Zoning Administrator on November 18, 2009. **Location:** 8471 Warner Avenue (northwest corner of Warner Avenue and Newland Street). **Project Planner:** Ethan Edwards

STAFF RECOMMENDATION: Motion to: "Approve Conditional Use Permit No. 09-012 with findings and suggested conditions of approval (Attachment No. 1)."

The Commission made the following disclosures:

- Commissioner Mantini has visited the site and attended the study session.
- Commissioner Scandura has visited the site, attended the study session, spoken to the appellant and spoken to Mike Adams and Mike Strange.
- Vice Chair Speaker has visited the site and the applicant's two car washes in Long Beach, has attended the study session and spoken to the appellant.
- Chair Farley has attended the study session, visited the site, and was presented with a handout from Mike Adams.

- Commissioner Shier Burnett has visited the site, attended the study session, met with staff, met with Commissioner Livengood and met with the appellant.
- Commissioner Delgleize has visited the site, met with staff and visited the applicant's two car washes in Long Beach.
- Commissioner Livengood has visited the site, met with the appellant, met with the applicant/owner, spoken to staff and spoken with Commissioner Shier Burnett.

Ethan Edwards, Associate Planner, gave the staff presentation and an overview of the project. He noted that this project came before the Zoning Administrator on September 23, 2009 and October 14, 2009, and was continued both times at the applicant's request. On November 18, 2009, this project was approved by the Zoning Administrator. On November 30, 2009, the Zoning Administrator's approval of this project was appealed by Larry Kennepohl.

Commissioner Livengood asked about access to the site. Deputy Fire Marshal Jeff Lopez said that the Fire Department is recommending a wider turning radius at the Newland Street entrance. He also noted that the Fire Department does not object to the current plans. He stated that both the Newland Street and Warner Avenue entrances and turning radiuses would be acceptable if a tree and trash receptacles were removed.

Mr. Livengood asked staff for the height of the surrounding wall and Mr. Edwards said that it is 6'. Mr. Livengood also asked if the applicant proposes modifications to the existing site. Mr. Edwards said that the applicant plans to do repairs only.

At the request of Commissioner Delgleize, Mr. Edwards directed the Planning Commission's attention to the entrance and exits on the wall plans.

Planning Manager Herb Fauland noted that the driveways leading into and out of the site meet the Fire Department's requirements.

Ms. Delgleize asked about landscaping. Mr. Edwards says the applicant plans to use trees and shrubs. She also asked about proposed colors and designs. Mr. Edwards stated that these did not require Design Review Board (DRB) approval.

Commissioner Shier Burnett noted that staff is recommending a 5' shorter tunnel rail at the exit from the site and Mr. Edwards confirmed this. She also asked about the use of bollards and Mr. Edwards said that there will be at 42" high wall. She noted that she has concerns with safety issues. Mr. Edwards noted that the safety retaining wall at Frog's Car Wash at Beach Blvd and Adams Avenue is 5'-6' tall.

Mr. Scandura discussed the proposed operating hours of 7:00 AM to 8:00 PM, and asked the applicant if they would agree to close the facility at 7:00 PM instead. Mr. Scandura also recommended that two parking spaces be designated for employees and that those parking spaces not have a car vacuum. He also recommended that the applicant add landscaping.

Ms. Delgleize asked staff where the employees currently park. Mr. Edwards said that employees will park onsite. He also said that the site requires 10 spaces, but the applicant is proposing 12 parking spaces, which should be sufficient for both employees and customers.

Chair Farley noted that he has concerns with the site layout and traffic issues. He asked staff why this project is coming before the Planning Commission without revised plans. Mr. Edwards said that the applicant's current plans do meet the minimum requirements.

Senior Civil Engineer Bob Milani noted that a 3' high wall would slow a car down, but a retaining wall would stop a car entirely. Ms. Scandura said that he doubts even a retaining wall could stop an oversized SUV.

Mr. Farley asked staff about the modified wall plan. Mr. Lopez noted that only the modified wall plan meets the Fire Department requirements. Mr. Fauland noted that the modified wall plan is represented by the incorporation of condition of approval No. 1-c on staff report attachment 1.4.

THE PUBLIC HEARING WAS OPENED.

Richard Hwang, applicant, spoke in favor of Item No. B-1 and noted that he was available to answer the Planning Commission's questions. He said that he was in agreement with the Planning Commission's recommendations regarding the modified wall, landscaping and operating hours. Commissioner Livengood asked the applicant if he can provide a set of revised plans. Mr. Hwang said yes, since the revised plans would be similar to his two other car wash facilities in Long Beach. Mr. Livengood asked the applicant if he would reduce the exit tunnel length by 5', and the applicant said yes. Ms. Shier Burnett asked the applicant if he owns the property and Mr. Hwang said yes. She also asked him if he uses blowers and Mr. Hwang said no, noting that more expensive blowers create more noise. She asked about the pictures provided to the Planning Commission of his Long Beach car wash, which showed the site in disrepair. Mr. Hwang noted that Commissioner Livengood has visited the site and can attest to the fact that the site is cleaned up each morning. Ms. Shier Burnett said that she has concerns with the lack of fresh paint and the existing signage at the Long Beach site.

Larry Kennepohl, appellant, from Pepper Tree, Inc., spoke in opposition to Item No. B-1. He provided the Planning Commission with a handout. He cited concerns with traffic and noise and said that he feels the proposed site is too small for an express car wash. He noted that he owns a car wash in Buena Park and one in Huntington Beach, which is located at Beach Blvd. and Warner Avenue. Commissioner Mantini asked Mr. Kennepohl the operating hours at his Huntington Beach car wash and if he uses silencers. Mr. Kennepohl said that his hours are 7:00 AM – 8:00 PM and he does not use silencers.

Steve Shelds from Pepper Tree, Inc., spoke in opposition to Item No. B-1. He stated that he works for the appellant, Larry Kennepohl. He said that he has concerns with the applicant's proposed exit and said he feels the site is too small for a high volume car wash.

Mike Adams, representing the appellant, spoke regarding Item No. B-1. He said that he wants to help resolve the conflicts. He said that he recommends limiting the parking space vacuums on the west side, designating employee parking and proposing a 7:00 PM close.

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

Mr. Livengood recommended continuing this item.

Mr. Scandura said that he would approve a continuance, but did not want to discourage the applicant, who has been through two continuances on this project.

Ms. Mantini said that she agrees with Mr. Scandura.

Commissioner Speaker said that he would like to see a redesign, including new signage. He said that he supports shortening the exit tunnel rail by 5'. He also recommended that cars should exit on Newland Street only.

Mr. Livengood said that he would like to see more safety signage and that cars should exit on Newland Street only. He also said he agrees with the Fire Department's recommendations regarding the shortened exit tunnel rail and the widened turning radius. He questioned if the bus stop could be relocated.

Mr. Farley said that he recommends entering on Warner Avenue and exiting on Newland Street, to provide better traffic circulation.

Ms. Delgleize suggested moving the bus stop.

Planning Manager Herb Fauland said that staff had received preliminary concurrence from the applicant to continue this item until March 9, 2010. He also noted that it would require Orange County Transit Authority concurrence to move the bus stop.

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SHEIR BURNETT, TO CONTINUE CONDITIONAL USE PERMIT NO. 09-012 TO THE MARCH 9, 2010 MEETING WITH THE PUBLIC HEARING CLOSED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

B-2. **GENERAL PLAN AMENDMENT NO. 09-002/ZONING MAP AMENDMENT NO. 09-002/ZONING TEXT AMENDMENT NO. 09-007/CONDITIONAL USE PERMIT NO. 09-024/NEGATIVE DECLARATION NO. 09-006 (WARD GARFIELD SPECIFIC PLAN/RECREATIONAL VEHICLE STORAGE)** **Applicant:** Michael Adams, Michael C. Adams Associates **Request:** **GPA:** To amend the Land Use designation and add a Specific Plan suffix ("sp") to the existing Public land use designation. **ZMA:** To amend the existing zoning map from the current Residential Low Density designation to the Ward Garfield Specific Plan No. 16 designation. **ZTA:** To establish the Ward Garfield Specific Plan No. 16 document. **CUP:** To permit a 557-space recreational vehicle storage facility on 13.52 acres of the total 43.60-acre specific plan area, and **ND:** To analyze the potential environmental impacts associated with the project and legislative amendments. **Location:** 19118 Ward Street (43.60-acre site southeast of the intersection of Ward Street and Garfield Avenue **Project Planner:** Jane James

STAFF RECOMMENDATION: Motion to:

A. "Approve Negative Declaration No. 09-006 with findings (Attachment No. 1);"

B. "Approve General Plan Amendment No. 09-002 by approving the draft City Council Resolution No. ___ (Attachment No. 2) and forward to the City Council for adoption;"

C. "Approve Zoning Map Amendment No. 09-002 by approving the draft City Council Ordinance No. ___ (Attachment No. 3) and forward to the City Council for adoption;"

D. "Approve Zoning Text Amendment No. 09-007 by approving the draft City Council Resolution No. ___ (Attachment No. 4) and forward to the City Council for adoption;"

E. "Approve Conditional Use Permit No. 09-024 with findings and suggested conditions of approval (Attachment No. 1)."

The Commission made the following disclosures:

- Commissioner Mantini has attended the study session and spoken to Mike Adams.
- Commissioner Scandura has visited the site and attended the study session.
- Vice Chair Speaker has visited the site and attended the study session.
- Chair Farley has visited the site and attended the study session.
- Commissioner Shier Burnett has visited the site, attended the study session and spoken to Mike Adams.
- Commissioner Delgleize has attended the study session, driven past the site, spoken to staff and spoken to Mike Adams.
- Commissioner Livengood has attended the study session, attended a full tour of the site and spoken to staff.

Jane James, Senior Planner, gave the staff presentation and an overview of the project. She noted that she has received two emails from citizens in support of the project and a letter from the applicant, Mike Adams. She also noted that Mr. Adams is asking the

Planning Commission to consider approving a modified street section on Ward Street to modify the proposed Right Of Way (R.O.W.). She said that this proposed street modification would mean that Ward Street would consist of four traffic lanes between Yorktown Avenue and Garfield Avenue.

Commissioner Scandura discussed the applicant's proposed modifications, which would result in Ward Street having four traffic lanes. Bob Milani, Senior Civil Engineer, said that Public Works is not recommending this change. He noted that Southern California Edison reports that when they service the towers, traffic is blocked , but tower servicing tends to take place on an infrequent basis.

Senior Traffic Engineer Darren Sam noted Public Works' traffic analysis projects a future need for four traffic lanes on Ward Street.

Mr. Farley asked about security cameras. Ms. James noted that cameras would be posted on-site and that security personnel would be patrolling the site at random hours. Mr. Farley also asked about the addition of razor wire and Ms. James that that it is prohibited by city code. Mr. Farley said that his main concern with the proposed project is security.

THE PUBLIC HEARING WAS OPENED.

Mike Adams, applicant, spoke in favor of Item No. B-2 and provided the Planning Commission with a handout. He noted that staff's design concerns can be addressed via the design solution his office provided as a Late Communication item.

Doc Rivers, operator of the proposed RV Facility, spoke in favor of Item No. B-2. He stated that he manages two other Recreational Vehicle (RV) facilities. He noted that he hasn't experienced problems with the operating hours at those sites, which are 7:00 AM-7:00 PM for RV owners and 8:00 AM – 5:00 PM for RV office staff.

Mike and Amanda Garner, residents at Aragon Circle, spoke in opposition to Item No. B-2. They noted that eight of the homes on Aragon Circle directly abut the proposed site. They cited issues with blocked views, possible decrease in property values, lighting and noise.

Gloria Neal, resident at Aragon Circle, spoke in opposition to Item No. B-2. She said that she did not receive a notice for the community meeting on this project. She also cited issues with noise, pollution, and lighting.

Debbi Henigman, resident at Aragon Circle, spoke in opposition to Item No. B-2. She has concerns with crime, lighting, noise, blocked views, possible decrease in property values and the quality of life for the residents of Aragon Circle.

Tim Henigman, resident at Aragon Circle, spoke in opposition to Item No. B-2. He cited issues with the proposed fencing, blocked views, and said that he feels the applicant would require more security staff in order to patrol a project site that large.

Jesse Henigman, resident at Aragon Circle, spoke in opposition to Item No. B-2. She cited concerns with lighting and blocked views.

Tim Gallagher, resident at Aragon Circle, spoke in opposition to Item No. B-2, citing issues with privacy and noting that the use of security cameras would be needed.

Carolyn Poppen, resident at Aragon Circle, spoke in opposition to Item No. B-2. She cited concerns with blocked views, noise, fumes from recreational vehicles and the possible decrease in property values.

Dora Jimenez, resident at Aragon Circle, spoke in opposition to Item No. B-2. She has concerns with noise, blocked views, privacy and a potential increase in traffic by Pegasus School.

Linda Ramaglind, resident at Mariner's Point Mobile Home Park, spoke against Item No. B-2. She cited issues with blocked views, noise, pollution, and the potential displacement of wildlife. She also said that she did not receive a notice for the community meeting on this project.

Wayne Carvalho, representing the applicant, spoke in favor of Item No. B-2. He noted that the project proposes street improvements along Ward Street. He asked the Planning Commission to approve this project with modified conditions of approval.

Frank Salomone, representing the site owner Southern California Edison (SCE), noted that he was present and available to answer questions. Commissioner Scandura asked Mr. Salomone to consider closing a lane on Ward Street in order to perform maintenance on the Edison tower.

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

Mr. Farley asked staff who was noticed regarding the community meetings on this project. Ms. James noted that all tenants and property owners within 1000' of the project site were noticed.

Mr. Livengood directed the Planning Commission's attention to finding of approval #2 on staff report attachment 1.2. He noted that the Planning Commission's purview is to determine that the project will be compatible with the surrounding uses, including residential.

Mr. Farley noted that a condition of approval on staff report attachment 1.5 states that all of the RV storage spaces along the entire westerly property line will be limited to vehicles with a maximum height of 8'.

Mr. Scandura noted that the residents needed to be made aware of the conditions of approval. He noted these conditions include a buffer, limiting vehicle heights at the west wall to 8'. He said he thinks there is a need for an RV storage facility in the city.

Ms. Shier Burnett asked staff if the applicant is going to use pervious pavement. Ms. James said that this is not currently under consideration. Mr. Milani noted that pervious pavement is very expensive and can clog drains.

Ms. Delgleize asked how many RV storage spaces would be located behind Aragon Circle. Ms. James said that there would be 36 spaces adjacent to that location and that the facility would have a total of 150 spaces.

Mr. Livengood asked if Federal Emergency Management Act (FEMA) requirements apply to the project site. Ms. James said no, because the site is not located within the flood plain.

Ms. Shier Burnett asked Doc Rivers about security at the applicant's existing RV facility in Anaheim. Mr. Rivers said it features remote security tracking. Ms. Shier Burnett also asked about security cameras and black lighting. Mr. Rivers said that the remote security tracking covers the site's perimeter and that the overhead lighting can be dimmed, or trip-wired, or shut off completely at night.

Mr. Livengood asked Mr. Rivers how many RV storage spaces the Anaheim facility has and Mr. Rivers said 288.

Commissioner Mantini asked Mr. Rivers about the neighboring residents near the Anaheim facility. Mr. Rivers said that during four years of operation, he has received few complaints and noted that the Anaheim facility is completely surrounded by residential uses.

Mike Adams, the applicant, noted that SCE doesn't see the proposed four-lane design for Ward Street as mandatory and would like to propose a compromise.

Mr. Speaker recommended adding a condition that 36 RV spaces (two rows) along the westerly wall be limited to a maximum height of 8'.

Ms. Delgleize asked if the applicant could change the plans so that no RV spaces would be adjacent to Aragon Circle. Mr. Rivers said that suggestion is not economically feasible and that the issue of blocked views is addressed by the 8' height restriction along the west wall.

Mr. Livengood asked if a left hand turn lane into the site would be added and Ms. James said yes. He also asked about RV washing and trash disposal. Ms. James noted these locations on the site plans on the wall.

Mr. Farley recommended that the Planning Commission move forward and asked for a motion.

Mr. Livengood questioned the applicant's requested operating hours (condition of approval #4c on staff report attachment 1.5). He said that he would be voting against the project, since he felt it would have a negative impact on the residents.

Mr. Scandura suggested imposing restrictions on afterhours access for RVs. He suggested that the verbiage in condition of approval #4c be amended to add that no access shall be granted after 10:00 PM or before 6:00 AM, except for special extenuating circumstances.

Mr. Scandura asked if the Planning Commission should vote on staff recommendation Items No. A through E separately or together. Ms. James noted that Item No. A (the Negative Declaration) needs to be a separate vote.

A MOTION WAS MADE BY SCANDURA, SECONDED BY SPEAKER, TO APPROVE NEGATIVE DECLARATION NO. 09-006 WITH FINDINGS, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A MOTION WAS MADE BY SCANDURA, SECONDED BY MANTINI, TO APPROVE GENERAL PLAN AMENDMENT NO. 09-002 BY APPROVING THE DRAFT CITY COUNCIL RESOLUTION NO. ___ AND FORWARD TO THE CITY COUNCIL FOR ADOPTION, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A MOTION WAS MADE BY SCANDURA, SECONDED BY MANTINI, TO APPROVE ZONING MAP AMENDMENT NO. 09-002 BY APPROVING THE DRAFT CITY COUNCIL ORDINANCE NO. ___ AND FORWARD TO THE CITY COUNCIL FOR ADOPTION, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A MOTION WAS MADE BY SCANDURA, SECONDED BY MANTINI, TO APPROVE ZONING TEXT AMENDMENT NO. 09-007 BY APPROVING THE DRAFT CITY COUNCIL RESOLUTION NO. ___ AND FORWARD TO THE CITY COUNCIL FOR ADOPTION, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A MOTION WAS MADE BY SCANDURA, SECONDED BY SHIER BURNETT, TO APPROVE CONDITIONAL USE PERMIT NO. 09-024 WITH FINDINGS AND MODIFIED CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

FINDINGS FOR APPROVAL - NEGATIVE DECLARATION NO. 09-006:

1. The Negative Declaration No. 09-006 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. Any comments received during the comment period were considered by the Planning Commission prior to action on the Negative Declaration and General Plan Amendment No. 09-002, Zoning Map Amendment No. 09-002, Zoning Text Amendment No. 09-007, and Conditional Use Permit No. 09-024.

2. Elements of the project's design features, standard code requirements, and conditions of approval, avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur.

3. There is no substantial evidence in light of the whole record before the Planning Commission that the project, as mitigated through the code requirements and conditions of approval for Conditional Use Permit No. 09-024 will have a significant effect on the environment.

FINDINGS FOR APPROVAL – ZONING MAP AMENDMENT NO. 09-002 AND ZONING TEXT AMENDMENT NO. 09-007:

1. Zoning Map Amendment No. 09-002 amends the existing zoning designations within the 43.60 acre project area from RL (Residential Low Density) to Ward Garfield Specific Plan No. 16. Zoning Text Amendment No. 09-007 establishes the Ward Garfield Specific Plan No. 16 document.

   The proposed Specific Plan is consistent with the goals and policies of the Land Use Element of the General Plan by allowing dual use of the Southern California Edison right-of-way without disrupting electrical service and establishing recreational vehicle storage as a permitted use.

   The Specific Plan also identifies design/architectural standards, consistent with the intent of the goals and polices of the Community District and Subarea Schedule pertinent to the adoption of the Specific Plan and consistent with the Urban Design Element. The Ward Garfield Specific Plan No. 16 is consistent with the objectives, policies, general land uses and programs specified in the General Plan as well as the proposed General Plan Amendment No. 09-002. The Specific Plan No. 16 allows the continuation of existing uses of electrical substation and transmission towers and lines, landscape nursery, and wireless communication facilities while establishing development standards for a new recreational vehicles storage use. The development standards ensure that new construction will comply with the intent of the Specific Plan to achieve compatibility between the proposed use and surrounding uses.

2. In the case of general land use provisions, the Zoning Map and Zoning Text Amendments are consistent with the uses authorized in, and the standards prescribed for, the zoning district for which they are proposed. The proposed land uses identified in the Ward Garfield Specific Plan SP No. 16 allow for continued public uses in conjunction with limited commercial uses consistent with City standards and good zoning practice.

3. A community need is demonstrated for the change proposed. The proposed Specific Plan provides the standards and design guidelines necessary to develop a high quality recreational vehicle storage facility compatible with surrounding land uses. The Specific Plan will ensure a consistency in development standards, a high quality of architectural design, and landscape design requirements to achieve the desired compatibility with surrounding developments.

4. Adoption of the zoning map amendment and Specific Plan No. 16 will be in conformity with public convenience, general welfare and good zoning practice because the Specific Plan provides standards for future development that will transform the character of the project area in a beneficial way consistent with the goals of the City's General Plan. The Plan development standards work together to provide development that is compatible with and sensitive to the surrounding area and to development within the Specific Plan itself. The proposed standards pertaining to height, setbacks, parking, and type of building construction are not significantly different than existing code or what has been approved in the area in the recent past. The standards of the Specific Plan as they relate to land use allow for limited types of uses to be established in this unique area, which minimizes impacts.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 09-024:

1. Conditional Use Permit No. 09-024 for the establishment, maintenance and operation of an approximately 557 space recreational vehicle storage facility with a 480 sq. ft. modular office building, remote controlled sliding gate, five parking spaces for visitors and employees, vehicle wash station, dump station for gray and black water, security lighting, landscaping, and fencing on 13.52 acres of a total 43.60 acre site 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 in that the proposed project will provide additional screen walls, intensified landscaping, and limitations on heights of vehicles stored adjacent to residential properties. These design features and recommended conditions of approval provide an appropriate transition between residential and commercial uses. Based upon the conditions imposed, the proposed project will be compatible with the adjacent residential, public, and commercial uses.

2. The conditional use permit will be compatible with surrounding uses because the massing and scale is designed to be harmonious with adjacent land uses including a reduced height of stored vehicles nearest to adjacent single-family and mobile homes. The architectural design of the modular building provides a high quality residential feel and the site layout, including location of entry gate, dump station, wash station, landscaping, and associated parking is in keeping with the surrounding residential and commercial developments. The recreational vehicle storage use will have minimal impact on City services because the use is mostly self-contained, operates during daytime hours, and onsite staff is available to tend to daily needs.

3. The proposed recreational vehicle storage facility will comply with the provisions of the newly established specific plan and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance including minimum building setbacks,

parking and landscape requirements; and maximum building height, fence height, 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 Public-specific plan overlay on the subject property. The project helps to satisfy a growing need for recreational vehicle storage now that oversized vehicles are limited to on-street parking for 72 hours. In addition, it is consistent with the following goals and policies of the General Plan:

   A. *Land Use Element*

      Goal LU 7: Achieve a diversity of land uses that sustain the City's economic viability, while maintaining the City's environmental resources and scale and character.

      Goal LU 10: Achieve the development of a range of commercial uses.

      Objective LU 13.1: Provide for the continuation of existing and development of new uses, such as governmental administrative, public safety, human service, cultural, educational, infrastructure, religious, and other uses that support the needs of existing and future residents and businesses.

      Policy LU 13.1.8" Ensure that the City's public buildings, sites, and infrastructure improvements are designed to be compatible in scale, mass, character, and architecture with existing buildings and pertinent design characteristics prescribed by this General Plan for the district or neighborhood in which they are located, and work with non-City public agencies to encourage compliance.

   B. *Utilities Element*

      Objective U5.1: Ensure that adequate natural gas, telecommunication, and electrical systems are provided.

      The proposed project adds a vehicle storage use beneath the existing overhead power lines without disrupting SCE's ability to provide service to its customers. The new facility provides needed storage for recreational vehicles within the community given the City's restrictions on parking of oversized vehicles on City streets and on private property. The proposed specific plan development and design standards require an aesthetically pleasing building structure with enhanced landscaping and screening fencing.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 09-024:

1. The site plan, floor plans, and elevations received and dated January 14, 2010 shall be the conceptually approved design with the following modifications:

   a. A total wall, fence, and screen wall height of eight feet from the highest adjacent grade shall be achieved between the recreational vehicle storage facility and the mobile home park and single family residential units along the westerly property line. The screen wall shall consist of a combination of the existing solid masonry wall and ornamental fencing or some other alternative agreed to by the residential property owners.

b. The applicant shall demonstrate that the electronic remote controlled sliding gate will operate on smooth concrete and shall be the quietest design available.

c. The applicant shall coordinate with the City's Landscape Architect for placement of trees along the westerly property line to achieve the maximum screening benefit possible. For example, trees shall be clustered to provide screening adjacent to open areas of the residential properties as a priority over placement behind carports or other solid structures.

2. 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).

3. Prior to issuance of grading permits, the following shall be completed:

   a. At least 14 days prior to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties immediately adjacent to and across the street from within a 1,000-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Planning Department.

4. The use shall comply with the following:

   a. Conditional Use Permit No. 09-024 shall not become effective until General Plan Amendment No. 09-002, Zoning Map Amendment No. 09-002, and Zoning Text Amendment No. 09-007 have been approved by the City Council, and is in effect.

   b. Storage of vehicles shall be limited to recreational vehicles such as campers, motor homes, boats, 5th wheels, trailers, toy haulers, jet skis and wave runners on trailers, and similar type vehicles and towing apparatus. Leasing of storage space to commercial vehicles, delivery trucks, or construction vehicles shall be prohibited.

   c. The hours of operation shall be limited to the following:

      Remote Gate Access Hours:
      Monday through Friday from 7:00 AM to 7:00 PM
      Saturday through Sunday from 7:00 AM to 5:00 PM

      Office Hours, Vehicle Wash Station and Dump Station Hours:
      Daily from 8:00 AM to 5:00 PM

      Should a tenant desire to enter the site outside of the remote gate access hours, special arrangements may be made with the office personnel to accommodate those needs; no access shall be granted after 10:00 PM or before 6:00 AM except for special extenuating circumstances.

   d. There shall be no loudspeaker or amplified announcements.

e. Light packs may be mounted on the perimeter fencing but shall be mounted no more than six feet off the ground. Lights shall be shielded on the top and shall be directed to cast light downward and inward toward the property so as to prevent glare and spillage onto adjacent residential properties.

f. Lights shall be dimmed to the lowest security level from 10:00 PM to 7:00 AM daily.

g. There shall be no on-site repair of vehicles, no on-site living, no on-site camping, no storage of tow-aways, no vehicle dismantling, and no operation of an impound yard.

h. Tenants shall be informed upon leasing of storage space that there shall be no revving or testing of engines or motors on the premises, and no idling of vehicles for more than five minutes is permitted.

i. Landscaping and/or vines shall be initially planted at the maximum size to create immediate screening and shall be permanently maintained for maximum screening potential throughout the ornamental fencing adjacent to the residential properties along the westerly property line.

j. All of the storage spaces along the entire westerly property line shall be limited to vehicles with a maximum height of eight feet. These spaces should be leased last by the project operator.

k. The architectural style, quality, and detail of the proposed elevations and skirting of the modular office building shall be permanently maintained.

5. The development services departments (Planning and Building, Fire, and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning and Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18.

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.

C. CONSENT CALENDAR

C-1. PLANNING COMMISSION MINUTES DATED NOVEMBER 24, 2009

RECOMMENDED ACTION: Motion to: "Approve the November 24, 2009, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY SPEAKER, SECONDED BY MANTINI, TO APPROVE THE NOVEMBER 24, 2009, PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

D. NON-PUBLIC HEARING ITEMS - NONE

D-1. GENERAL PLAN CONFORMANCE NO. 09-007 (BEACH BOULEVARD PUBLIC FRONTAGE ROAD VACATION)

Applicant: City of Huntington Beach **Request:** To determine if the proposed vacation of the frontage road along the existing shopping center at the southeast corner of Beach Boulevard and Atlanta Avenue is in conformance with the goals, objectives, and policies of the General Plan. **Location:** East side of Beach Boulevard, south of Atlanta Avenue **Project Planner:** Tess Nguyen

STAFF RECOMMENDATION: Motion to: "Adopt Resolution No. 1641, approving General Plan Conformance No. 09-007 with findings (Attachment Nos. 1 and 2)."

Tess Nguyen, Associate Planner, gave the staff presentation and an overview of the project. She noted that there is one late communication letter from WDH Consulting Services, which is in support of the project.

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY DELGLEIZE, TO ADOPT RESOLUTION NO. 1641, APPROVING GENERAL PLAN CONFORMANCE NO. 09-007 WITH FINDINGS, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

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 City Council Resolution No. 4501, Class 5, which supplements the California Environmental Quality Act because the request is a minor street vacation.

FINDINGS FOR APPROVAL – GENERAL PLAN CONFORMANCE NO. 09-007:

The proposed vacation of the frontage road along the existing shopping center at the southeast corner of Beach Boulevard and Atlanta Avenue is consistent with the following goals, objectives, and policies of the City's General Plan:

A. Land Use Element

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

Goal LU 10: *Achieve the development of a range of commercial uses.*

LU Objective 10.1: *Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residents, serve the surrounding region, serve visitors to the City, and capitalize on Huntington Beach recreational resources.*

B. Economic Development Element

ED Objective 2.4: *Revitalize, renovate, and expand the existing Huntington Beach commercial facilities while attracting new commercial uses.*

ED Policy 2.4.3: *Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market area.*

Beach Boulevard and Atlanta Avenue currently provide sufficient access to the surrounding commercial and residential uses. The frontage road is no longer necessary to support the circulation needs of the adjacent uses. The frontage road vacation for private ownership would allow for the expansion of the existing shopping center, offering a range of commercial uses that would support the needs and reflect market demand of local and regional residents and visitors. The additional commercial uses would complement existing uses in the shopping center.

C. 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.*

Since the frontage road is determined to be excess right-of-way and not required for circulation purposes, the frontage road is no longer necessary for existing and prospective public use. The vacation of the frontage road 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 for the next Planning Commission Meeting.

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS – NONE

F-2. PLANNING COMMISSION COMMENTS

Commissioner Scandura thanked staff for their efforts on Item Nos. B-1 and B-2.

Commissioner Livengood complimented Planning and Public Works staff on their efforts.

ADJOURNMENT: Adjourned at 10:20 PM to the next regularly scheduled meeting of Tuesday, February 23, 2010.

APPROVED BY:

Scott Hess, Secretary

Blair Farley, Chairperson