MINUTES
HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JULY 22, 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: *P Farley, P Dwyer, P Shier-Burnett, P Livengood, P Shaw, P Speaker, P Scandura*

AGENDA APPROVAL – Commissioner Livengood recommended moving Public Comments after each "A" item (A-1, A-2 and A-3)

A MOTION WAS MADE BY SHAW, SECONDED BY SPEAKER, TO MOVE PUBLIC COMMENTS AFTER EACH "A" ITEM (A-1, A-2 AND A-3) AND TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF JULY 22, 2008, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

THE AGENDA WILL RELECT ITEMS IN THEIR ORIGINAL ORDER.

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. GENERAL PLAN AMENDMENT NO. 07-003/ZONING MAP AMENDMENT NO. 07-001/ZONING TEXT AMENDMENT NO. 07-004/CONDITIONAL USE PERMIT NO. 07-043 (THE RIPCURL) – Tess Nguyen, Associate Planner

Tess Nguyen, Associate Planner, gave an overview of the project and noted that the applicant, Andrew Nelson of Red Oak Investments, was present to answer any questions

Planning Manager Herb Fauland addressed the Planning Commission regarding the timeline for this project, noting that the Environmental Impact Report will be reviewed at a Study Session on August 26th, a status update will be presented at a Study Session on September 9th, and the Environmental Impact Report, General Plan Amendment, Zoning Map Amendment, Zoning Text Amendment and Conditional Use Permit will come before the Planning Commission at a Public Hearing scheduled for September 23, 2008. Fauland also noted that the Planning Commission may have a special meeting on September 30, 2008, if the item is continued.

Commissioner Farley asked about mixed-use transit centers located in Huntington Beach and staff indicated that the only one is the existing center located on the northeast corner of Gothard Street and Center Avenue.

Commissioner Dwyer asked if the proposed design for The Ripcurl is compatible with the overall design of the Beach/Edinger Corridor and Fauland said that the designs are compatible.

Vice Chair Shier-Burnett asked about proposed parking and staff indicated that both tandem parking and compact parking spaces are included in the project design.

Commissioner Shaw asked if the developer is going to connect The Ripcurl and the Beach/Edinger Corridor. Fauland indicated that this may eventually be part of the project, but it's premature in the project timeline to be addressed at this point.

Commissioner Scandura asked if valet parking is proposed as part of the project and Fauland said no, but the project proposes tandem parking development standards.

Chair Livengood advised the Planning Commissioners to read the staff report carefully and to pay careful attention to attachment 6.3, which addresses the transit district.

Chair Livengood also asked about the density of the proposed project and Fauland noted that staff has not yet formulated their recommendations regarding the proposed density of the project.

A-2. CONDITIONAL USE PERMIT NO. 08-003/ENTITLEMENT PLAN AMENDMENT NO. 08-003 (PARKING CONTROLS: TOWERS AT BELLA TERRA) – Tess Nguyen, Associate Planner

Tess Nguyen, Associate Planner, gave an overview of the project.

Commissioner Speaker asked where the paid parking gates would be located and staff directed him to the four proposed locations on the wall diagram.

Vice Chair Shier-Burnett stated that she has concerns that the residents and business owners of Old World Village might not have their parking needs accommodated.

Commissioner Farley asked if the Buca di Beppo restaurant will have valet parking and Planning Manager Herb Fauland stated that they do not have a permit to operate valet parking.

Commissioners Farley and Scandura stated that they have concerns with the traffic flow.

Chair Livengood said that the proposed visitor parking would be limited to two hours, that anything over two hours would require additional payment and that vehicles parking for over two hours must exit through the manned parking gate. Livengood recommends that signs be posted to clearly state these conditions.

A-3. CONDITIONAL USE PERMIT NO. 07-047 (APPEAL – RALPH'S RECYCLING) – Jill Arabe, Planning Aide

Jill Arabe, Planning Aide, gave an over view of the project and reported that there were seven Late Communications regarding this item. She also reported that Police Captain Craig Junginger was present and available to answer questions.

Captain Junginger stated that the Police Department has concerns due to the proposed site's proximity to the Santa Ana riverbed, with its high population of transients and homeless. He said that the Police Department opposes this project in its proposed location.

Commissioner Dwyer questioned if the recycling center site could be moved in front of Ralph's. Staff replied that the property owner has not granted permission for the center to be located at the front of Ralph's.

Chair Livengood and Vice Chair Shier-Burnett both requested information from Captain Junginger regarding the number of Police Department calls received regarding the existing recycling center located on Goldenwest Street and Garfield Avenue.

Vice Chair Shier-Burnett asked about the possibility of security guards patrolling the proposed site.

Commissioner Scandura asked the probable outcome if the Planning Commission chooses to deny the project, and Chair Livengood indicated that this would be addressed when this item comes before the Planning Commission at the Public Hearing on August 12, 2008. Chair Livengood also asked staff to present an alternate location for the recycling center.

Commissioner Dwyer asked that the Huntington Bay Homeowner's Association propose an alternate location for the recycling center.

B. STUDY SESSION ITEMS

B-1. REVIEW OF TENTATIVE PLANNING COMMISSION SCHEDULE (SPECIAL MEETINGS) – Herb Fauland, Planning Manager

Item not discussed due to lack of time.

C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS) - NONE

D. PLANNING COMMISSION COMMITTEE REPORTS - NONE

E. PUBLIC COMMENTS

Alex Wong of Red Oak Investments spoke in favor of Item No. A-1.

Robert Sternberg, Goldenwest Neighborhood Association, spoke against Item No. A-1.

Paul Haussler, President of the Huntington Bay Homeowners Association, spoke in opposition to Item No. A-3.

Tina Washburn, resident at 10165 Disney Circle, spoke against Item No. A-3.

Karen Copeland, resident at 10207 Ascot Drive, spoke in opposition to Item No. A-3.

Enrique Vazquez of Sloan Vazquez LLC spoke in favor of Item No. A-3.

F. PLANNING COMMISSION COMMENTS - NONE

6:36 PM – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Dwyer

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

AGENDA APPROVAL

A MOTION WAS MADE BY SPEAKER, SECONDED BY DWYER, TO APPROVE THE PLANNING COMMISSION AGENDA OF JULY 22, 2008, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A. ORAL COMMUNICATIONS - NONE

B. PUBLIC HEARING ITEMS - NONE

C. CONSENT CALENDAR

C-1. PLANNING COMMISSION WORKSHOP MINUTES DATED MARCH 20, 2008

RECOMMENDED ACTION: Motion to: "Approve the March 20, 2008, Planning Commission Workshop Minutes as submitted."

A MOTION WAS MADE BY SHAW, SECONDED BY SPEAKER, TO APPROVE THE MARCH 20, 2008, PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

D. NON-PUBLIC HEARING ITEMS

D-1. FLOOD MANAGEMENT PLAN (ANNUAL REVIEW) **Applicant:** City of Huntington Beach **Request:** To review the progress made over the past 12 months (July 2007 to June 2008) in implementing the recommended activities in the Flood Management Plan (FMP). **Location:** Citywide **Project Planner:** Andrew Gonzales

STAFF RECOMMENDATION: Motion to: "Accept the Flood Management Plan annual review as adequate and complete and forward to the City Council for their review."

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

Commissioner Speaker commented that flood insurance premiums are rising, while incidences of floods are down. Speaker asked if the Flood Management Plan is designed to protect homeowners and staff replied yes.

A MOTION WAS MADE BY SCANDURA, SECONDED BY SPEAKER, TO ACCEPT THE FLOOD MANAGEMENT PLAN ANNUAL REVIEW AS ADEQUATE AND COMPLETE AND FORWARD TO THE CITY COUNCIL FOR THEIR REVIEW, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

D-2. GENERAL PLAN CONFORMANCE NO. 08-003 (CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2008/09) **Applicant:** City of Huntington Beach **Request:** To determine if the 2008/09 Capital Improvement Program (CIP) is in conformance with the General Plan. The CIP is a list of proposed projects recommended for planning, initiation, or construction during the next fiscal year. **Location:** Citywide **Project Planner:** Hayden Beckman

STAFF RECOMMENDATION: Motion to: "Adopt Resolution No. 1623, approving General Plan Conformance No. 08-003 with findings (Attachment Nos. 1 and 2)."

Hayden Beckman, Planning Aide, gave an overview of the project.

A MOTION WAS MADE BY SHAW, SECONDED BY SPEAKER, TO ADOPT RESOLUTION NO. 1623, APPROVING GENERAL PLAN CONFORMANCE NO. 08-003 WITH FINDINGS, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

FINDINGS OF APPROVAL

GENERAL PLAN CONFORMANCE #08-003

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.08-003:

1. The 2008/09 Capital Improvement Program conforms to the following goals, objectives, and policies of the General Plan:

I. Facility Improvements

A. Land Use Element:

LU Policy 13.1.1: *"Allow for the continuation of existing public and private institutional, cultural, educational, and health uses at their present locations and development of new uses in areas designated on the Land Use Plan Map in accordance with Policy 7.1.1."*

B. Public Facilities and Public Services Element:

PF Policy 6.1.3: *"Maintain or improve the governmental facilities and services in order to meet the adopted levels of service and standards established in the Growth Management Element."*

Capital Improvement projects proposed for fiscal year 2008/09 provide necessary maintenance and modifications that support the continued enjoyment and availability of various city facilities.

II. Sewer Improvements

A. Land Use Element:

LU Policy 2.1.1: *"Plan and construct public infrastructure and service improvements as demand necessitates to support the land uses specified in the Land Use Plan (as defined in the Circulation and Public Utilities and Services Elements of the General Plan)."*

B. Public Facilities and Public Services Element:

PF Policy 6.1.1: *"Ensure adequate government facilities and services are being provided to meet the needs of the City's population."*

Improving existing sewer lift stations and designing future sewer facilities ensure adequate services are being provided to meet the needs of the community as demand necessitates.

III. Parks and Beaches

Recreation and Community Services Element:

RCS Policy 3.1.1: *"Design neighborhood park features and facilities that are responsive to the recreational preferences expressed by the park users and local neighborhood residents."*

RCS Objective 4.1: *"Improve and modernize existing parks and facilities to overcome existing design deficiencies and deteriorated conditions."*

Designing and constructing new park features and improving existing park facilities as a part of the Capital Improvements Program supports the City's role in providing adequate open space and recreational opportunities for the community.

IV. Streets and Transportation Improvements

A. Circulation Element:

CE Policy 1.2.1: *"Enhance circulation system standards for roadway and intersection classifications, right-of-way width, pavement width, design speed, capacity and associated features such as medians and bicycle lanes."*

CE Policy 1.2.3: *"Maintain primary truck routes that sustain an effective transport of commodities while mitigating the negative impacts on local circulation and on noise sensitive land uses."*

CE Policy 2.1.1: *"Maintain a city-wide level of service (LOS) not to exceed LOS "D" for intersections during peak hours."*

CE Policy 2.1.2: *"Maintain a city-wide level of service (LOS) for links not to exceed LOS "C" for daily traffic with the exception of Pacific Coast Highway south of Brookhurst Street."*

CE Policy 2.1.3: *"Identify and improve roadways and intersections that are approaching, or have reached, unacceptable levels of service."*

CE Policy 6.1.10: *"Implement appropriate traffic devices and operational programs throughout the community to ensure that conflicts between pedestrians, bicycles, and vehicles are minimized and safety enhanced."*

B. Urban Design Element:

UD Policy 1.3.2: *"Provide for the implementation of streetscape and landscape improvements along the major commercial corridors, through public capital improvement programs, business district improvements, or other techniques as funding is available."*

Capital improvements maintain integral circulation infrastructure, thereby allowing movement of people and goods throughout the community. Necessary improvements to the circulation system are implemented in a manner that minimizes conflicts between pedestrians, bicycles and vehicles, enhances safety, and provides streetscape and landscape enhancements.

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.

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

Commissioner Farley reported on his attendance at two recent Design Review Board meetings and noted that the DRB discussed signage at The Strand and The Ripcurl project.

Commissioner Dwyer spoke on flood control, FEMA response time and emergency flood preparedness for city residents.

Vice Chair Shier-Burnett reported on her attendance at the Ad Hoc Green Committee and said that the city is considering a "Green Scorecard". She also noted that Aaron Klemm has joined the city as the new Energy Project Manager.

Commissioner Speaker spoke of his recent Design Review Board attendance and noted that The Ripcurl Environmental Impact Report (EIR) public review and comment meeting will take place at 6:00 PM at the Central Library on July 23rd.

Commissioner Scandura noted that there will be a Neighborhood Compatibility Committee meeting on Tuesday, July 29th, at 8:30 AM.

ADJOURNMENT: Adjourned at 7:20 PM to the next regularly scheduled meeting of August 12, 2008.

APPROVED BY:

Scott Hess, Secretary

Tom Livengood, Chair

08pcm0722