MINUTES
HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, AUGUST 24, 2010
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

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

AGENDA APPROVAL

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SPEAKER, TO APPROVE THE PLANNING COMMISSION AGENDA OF August 24, 2010, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1 ENVIRONMENTAL ASSESSMENT NO. 10-005/ ANNEXATION NO. 10-001/ LOCAL COASTAL PROGRAM AMENDMENT NO. 10-001/ GENERAL PLAN AMENDMENT NO. 10-002/ ZONING MAP AMENDMENT NO. 10-001/ ZONING TEXT AMENDMENT NO. 10-002 (SUNSET BEACH SPECIFIC PLAN AND ANNEXATION)

Mary Beth Broeren, Planning Manager, gave an in depth report on the proposed Sunset Beach Specific Plan and Annexation.

B. STUDY SESSION ITEMS - NONE

C. PUBLIC COMMENTS

Tom Burke, member of the Local Coastal Advisory Board and the Sunset Beach Transition Committee, introduced himself to the Commission and said he would be happy to answer any questions they may have.

D. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS)

Herb Fauland, Planning Manager, reviewed the items for tonight's meeting. He noted that there is a packet of seven Late Communications for Item No. B-1.

E. PLANNING COMMISSION COMMITTEE REPORTS – NONE

F. PLANNING COMMISSION COMMENTS - NONE

6:15 PM – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Delgleize

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

AGENDA APPROVAL

A MOTION WAS MADE BY SPEAKER, SECONDED BY SHIER BURNETT TO MOVE ITEM D-1 BEFORE ITEM B-1, AND APPROVE THE REVISED PLANNING COMMISSION AGENDA OF AUGUST 24, 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. GENERAL PLAN AMENDMENT NO. 10-001/ ZONING TEXT AMENDMENT NO. 10-001/ SITE PLAN REVIEW NO. 10-001 (THE VILLAGE AT BELLA TERRA – COSTCO) Applicant/Property Owner: Becky Sullivan, BTDJM Phase II Associates, LLC **Request: GPA:** To amend the size of General Plan Subarea 5A from 46.90 acres to 52.35 acres, to amend the size of Subarea 5B from 15.85 acres to 10.40 acres; and amend the mixed- use commercial floor area ratio (FAR) from 0.2 to 07 in Area B. **ZTA:** To amend the Huntington Beach Zoning and Subdivision Ordinance by amending Specific Plan No. 13-Bella Terra to: a) Amend the sizes of Area A and Area B to match the General Plan; b) Establish warehouse and sales outlets, tire sales and installations, and gas stations as permitted uses; and c) Include associated design and development standards for the new permitted uses. **SPR:** To permit development of a mixed use project. The proposal includes demolition of the existing Montgomery Wards building and associated auto repair building, the vacant Mervyn's store, and the adjacent in-line retail stores in order to: a) Develop a 154,113 sq ft Costco with tire sales/installation center, outside food

service, 16-pump gas station, and the addition of two elevators on the west side of the existing public parking structure; b) Develop 467 multi-family residential units within a four-story building along with approximately 13,500 square feet of residential amenities such as a clubhouse room, fitness center, leasing office, and lobby areas; c) Develop an approximately 700-space five-level residential parking garage; d) Develop approximately 17,500 square feet of mixed-use retail and restaurant uses on the ground floor of the residential building; e) Develop an additional 12,000 square feet of freestanding retail and restaurants as well as a 1,920 square foot pavilion building within a landscaped greenbelt area; f) Allow the number of parking spaces required for the entire mixed use project (warehouse and sales outlet, retail, office, restaurant, outdoor dining) to be based on a shared parking analysis; and g) Allow a 3'-9" retaining wall along the western boundary of SP 13 in-lieu of the maximum 2'-0" retaining wall permitted.
Location: 7601 Edinger Avenue (between Edinger Avenue and Center Avenue, west of existing Bella Terra development and east of Union Pacific Rail Road)
Project Planner: Jane James

STAFF RECOMMENDATION:

Motion to:

A. "Approve General Plan Amendment No. 10-001 by approving the draft City Council Resolution No. ___ (Attachment No. 1) and forward to the City Council for adoption."

B. "Approve Zoning Text Amendment No. 10-001 with findings for approval (Attachment No. 2) by approving the draft City Council Resolution No. ___ (Attachment No. 3) and forward to the City Council for adoption."

C. "Approve Site Plan Review No. 10-001 with findings and suggested conditions of approval (Attachment No. 3).

Jane James, Senior Planner, gave the staff presentation and an overview of the project.

The Commission made the following disclosures:

- Commissioner Mantini visited the site, attended the study session and talked to representative of the applicant.
- Commissioner Scandura visited the site, attended the study session, talked to staff, attended the 8/3/10 public meeting, was involved with the Bella Terra & Red Oak entitlements & Beach Edinger Specific Plan and is a member of Costco.
- Vice Chair Speaker visited the site, met with Lindsay Parton and Dick Harlow , attended the study sessions, and was involved with the Beach Edinger Specific Plan.
- Chair Farley visited the site, attended the study session, talked to Dick Harlow and Lindsay Parton, talked to staff, and was involved in the Bella Terra & Red Oak entitlements and the Beach Edinger Specific Plan.

- Commissioner Shier Burnett visited the site, spoke with staff, attended the study sessions, attended the 8/3/10 public meeting with the applicant, and was involved with the Bella Terra & Red Oak entitlements, Beach Edinger Specific Plan and is a member of Costco.
- Commissioner Delgleize visited the site, attended study sessions, met with the applicant at their office and was involved in the Beach Edinger Specific Plan.
- Commissioner Livengood visited the site, attended one study session, listened to the audio of the second study session, was involved in the Beach Edinger Specific Plan, discussed the project with staff and met with the applicant.

Commission Discussion:

Ms. James responded to Commissioner Scandura's question, stating that the pedestrian connection was part of the Bella Terra Specific Plan to reduce traffic on Edinger and Center by creating a mid-block crossing.

Commissioner Mantini asked if the LEED Certification is a requirement of the City. Ms. James responed that the Specific Plan requires that one minimum 1,000 square foot building be LEED certified. Aaron Klemm, Energy Project Manager, noted that LEED certification establishes environmental performance benchmarks and provides a third party verification.

Commissioner Speaker said his main concern with the project is the circulation. He said there will be a bottle neck of people coming in and out of Costco if there is no traffic light for turning left onto Center Avenue. Bob Stachelski, Transportation Manager, reported that there is a traffic light at Huntington Village Way that will provide gaps in the traffic to accommodate left turns out of Costco.

Mr. Stachelski responded to Commissioner Mantini's question regarding the safety of the pedestrian crossway over the railroad tracks. He stated that it is an infrequently used track but gate arms or other means to block the crossing would have to be designed and submitted to the PUC identifying safety issues for their review and approval.

Kellee Fritzel, Deputy Director, responded to Chair Farley's inquiry whether redevelopment assistance will be provided on the project. She stated that one of the goals of the Redevelopment Project for Beach Edinger Corridor Specific Plan is to create housing on site. In working with developer, there will be 28 units on site at very low income and 43 units at moderate income. Staff will be looking at a housing assistance plan for the developer.

THE PUBLIC HEARING WAS OPENED.

Lindsay Parton, DJM Capital Partners, Inc. addressed the Commission. He thanked City staff, Costco and his team for their outstanding effort on the project. Fifteen percent of the 468 residential units will be affordable housing. The project will generate 1.2 million in sales tax annual revenue for the City, brings new business for the existing retailers, will create construction jobs and new employment when opened. He discussed changes to the suggested conditions of approval.

Jenifer Murillo, Costco Project Manager, addressed the Commission. She said they have worked with staff to be architecturally compatibility with Bella Terra, but keep the Costco identity. She discussed a few changes to the suggested conditions of approval.

Carole Ann Wall, former member of the DRB and other committees, spoke in support of the project.

Jim Knapp spoke in opposition to the project because of increased traffic without improvements on Center or Edinger Avenues.

Pat Rogers spoke in support of the project and recommended that the Commission approve the plans submitted by DJM.

Maureen Sloan, Chamber Board Member, spoke in support of the project stating it is a perfect location next to the freeway and Goldenwest College.

Robert Sternberg, Goldenwest Neighborhood Association, discussed recommended conditions of approval and spoke in support of the project stating it is a very good project.

Wayne Pettigrew spoke in support of the project. He said he has done retail development for over 35 years and worked in the Huntington Beach for many years. During the last two years, three large projects completely stopped because of the economy. DJM should be commended for keeping the project going during the tough economic times. He said that the Costco built in the City of Lakewood and has kept their promises and is a good neighbor.

Jerrald Clarke spoke in support of the project stating the use will create new jobs and increase property values.

Dave Weigel spoke in support of the project stating that the project will remove blight of the vacated stores, increase sales and property tax.

Todd LaPlante, representing the Chamber of Commerce, spoke in support of the project. He said that the City has been robbed of sales tax revenue from the Costco in Fountain Valley and asked the Commission to not over condition the project.

Elaine Krepp, a 25 year resident, spoke in support of the project.

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

Chair Farley said that they would review the letters received from DJM and Costco regarding the conditions of approval and take straw votes on each point. The first item for discussion is the pedestrian connection.

Commissioner Scandura pointed out that the pedestrian connection will need to get PUC approval because it goes across an active railroad tract. There are issues regarding the location and the cost for the connection.

Commission Shier Burnett pointed out that the Commission approved the Beach Edinger Corridor with pedestrian access and this is the perfect opportunity with two projects coming in. She did agree that the pedestrian access be delayed until the other projects come in and agreed that the bond should be posted to ensure the pedestrian access is completed in the future.

Commissioner Delgleize concurred with Commissioner Shier Burnett. She said the walkway would be better located at the front of the project.

Commissioner Livengood said he was opposed to the pedestrian access as proposed by staff because there will be fuel trucks in that area. He said it would be safer if it were located toward the front of the project.

Commissioner Mantini concurred that the pedestrian access should be relocated, postponed until the adjacent site is developed and, at that time, determine the logical location. She suggested that the requirement for the bond be postponed until the plans come in for mixed use portion.

Commissioner Speaker said he agreed that the walkway should be moved to the front of the project.

Commissioner Shier Burnett said if the access was moved to the front, it would prevent Red Oak from using it.

Chair Farley said he likes the idea of connecting the projects but the reality of what is being proposed today, doesn't make sense to put the walkway a few hundred feet from Edinger.

A STRAW VOTE MOTION WAS MADE BY SCANDURA, SECONDED BY LIVENGOOD, FOR THE PEDESTRIAN CONNECTION (CONDITION NO. 1 A) TO ADD THAT THE PEDESTRIAN CONNECTION BE BETWEEN 225 FEET AND 655 FEET NORTH OF EDINGER AVENUE WITH THE PERCISE LOCATION TO BE DETERMINED BY THE DIRECTOR OF PLANNING & BUILDING IN COLLABORATION WITH THE OWNER/DEVELOPER AND DEVELOPER OF THE PROPERTY TO THE WEST WHEN THE PROPERTY TO THE WEST IS APPROVED FOR DEVELOPMENT, BY THE FOLLOWING VOTE:

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

STRAW VOTE MOTION APPROVED

The next item discussed was the 41 foot wide area between the residential and the parking garage. Livengood agreed with DJM's request for the 40 foot wide area roadway. Scandura said that the requirement for the fire lane to be turf block should be revised to be constructed subject to the approval of the Fire Chief.

A STRAW VOTE MOTION WAS MADE BY LIVENGOOD , SECONDED BY DELGLEIZE, TO REVISE CONDITION NO. 1 B TO 40 FOOT WIDE ROAD WAY BETWEEN THE RESIDENTIAL AND THE PARKING GARAGE AND THE 26 FOOT WIDE FIRE LANE BE SUBJECT TO THE APPROVAL OF THE FIRE CHIEF, BY THE FOLLOWING VOTE:

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

STRAW VOTE MOTION APPROVED

Chair Farley said the next item is the 8 foot wall along the entire west property line.

A STRAW VOTE MOTION WAS MADE BY SCANDURA , SECONDED BY LIVENGOOD, TO REVISE CONDITION REGARDING THE WALL TO READ THE THAT A FOUR FOOT HIGH WROUGHT IRON FENCE BE INSTALLED ON TOP OF THE THREE FOOT NINE INCH WALL SUBJECT TO THE POLICE DEPARTMENT APPROVAL, BY THE FOLLOWING VOTE:

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

STRAW VOTE MOTION APPROVED

Chair Farley announced that the next item for consideration was DJM's request regarding the parking management plan.

Ms. James responded to Commissioner Scandura question stating that the parking management plan would be required to be submitted prior to issuance of building permits. Commissioner Scandura indicated that he agreed with DJM's revised condition for the parking management plan.

Commissioner Mantini said that requiring a parking management plan before construction doesn't make sense since they provided a parking survey. Chair Farley responded that a parking management plan is done on all large projects.

Jeff Oderman, Attorney representing the applicant, said the owner does not agree with the parking survey one year after issuance of a certificate of occupancy for Costco but would comply with the requirement.

A STRAW VOTE MOTION WAS MADE BY LIVENGOOD, SECONDED BY SHEIR BURNETT, TO MOVE CONDITION NO.4 b. i.1 and 2 FOR THE PARKING SURVEY TO BE A STAND ALONE CONDITION UNDER CONDITION NO. 10 REGARDING THE PARKING SURVEY, BY THE FOLLOWING VOTE:

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

STRAW VOTE MOTION APPROVED

Chair Farley announced that the next item for discussion was the requirement for a cash bond. Commissioner Sheir Burnett asked how much a bond would cost. Mr. Parton, the applicant, responded that a cash bond would require them to tie up assets for ten years and that would be a non-starter for them.

A STRAW VOTE MOTION WAS MADE BY SPEAKER, SECONDED BY LIVENGOOD, TO ELIMINATE THE CONDITION TO REQUIRE A CASH BOND FOR THE PEDESTRIAN CONNECTION, BY THE FOLLOWING VOTE:

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

Chair Farley announced that the next item for discussion was the traffic circulation. Commissioner Scandura said he was opposed to Costco's request to have one way traffic circulation inside the center. Commissioner Delgleize concurred with him stating that it would limit other uses in the mall.

STRAW VOTE MOTION APPROVED

A STRAW VOTE MOTION WAS MADE BY SCANDURA, SECONDED BY DELGLEIZE, TO KEEP THE CONDITION REQUIRING TWO WAY TRAFFIC CIRCULATION AND AGREED TO THE SIGNAGE FOR THE NEW PARKING SPACES FOR COSTCO, BY THE FOLLOWING VOTE:

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

STRAW VOTE MOTION APPROVED

Chair Farley announced that the next item for discussion is the 5 foot wide pedestrian walkway at the Northwest corner of the site. Commissioner Scandura said that the pedestrian walkway would wipe out parking spaces, which is already tight. Blair Farley recommended keeping the staff recommendation and if DJM cannot get the SCE approval, the condition goes away.

A STRAW VOTE MOTION WAS MADE BY LIVENGOOD, SECONDED BY BY SPEAKER, TO REMOVE THE CONDITION REQUIRING THE 5 FOOT PEDESTRIAN CONNECTION, BY THE FOLLOWING VOTE:

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

STRAW VOTE MOTION APPROVED

Chair Farley announced that the next item for discussion is the condition to eliminate the red stripe on the Costco building. Commissioner Livengood reported that the Design Review Board reduced the red stripe by the gas station but approved it on the main structure. Commissioner Mantini said that where she is employed, they would not allow a change to the corporate logo.

A STRAW VOTE MOTION WAS MADE BY LIVENGOOD, SECONDED BY SCANDURA, TO REMOVE THE CONDITION REGADING THE RED STRIPE ON THE BUILDING, BY THE FOLLOWING VOTE:

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

Chair Farley announced that the next item for discussion is the gas station cornice element for the canopy. Commissioner Livengood said that the Design Review Board looked at this condition but did not feel it was necessary. Commissioner Scandura said that the cornice element will match other structures in the mall.

A STRAW VOTE MOTION WAS MADE BY LIVENGOOD, SECONDED BY SHIER BURNEET, TO DELETE THE CONDITION FOR THE CORNICE ELEMENT, BY THE FOLLOWING VOTE:

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

STRAW VOTE MOTION APPROVED

Chair Farley announced that the next item for discussion is the LEED certification for the Costo building. Commissioner Scandura said he was shocked to find out the increased cost to be obtain a LEED certified inspector but would like to see the building constructed to LEED standards.

Commissioner Sheir Burnett said she agreed with DJM's recommendation to construct at LEED Silver equivalent.

Ms. Jenifer Murillo, Costco, said they would be willing to pay to have a third party consultant to put together a LEED checklist review of the equivalent and that could be verified by the City.

Commissioner Scandura said he would like to see the building LEED certified but was not willing to take the chance that the project not go forward, since the LEED requirement was so costly.

Commissioner Livengood said that the LEED Silver construction is not required in City codes and not fair to impose upon the applicant.

A STRAW VOTE MOTION WAS MADE BY SCANDURA, SECONDED BY FARLEY, TO REQUIRE EVIDENCE OF LEED SILVER CERTIFIED CERTIFICATION OR THE LEED SILVER EQUIVATLENT STANDARDS BY A THIRD PARTY TO BE SUBMITTED TO THE CITY FOR PUBLIC INSPECTION, BY THE FOLLOWING VOTE:

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

STRAW VOTE MOTION APPROVED

Chair Farley said they have reviewed DJM's and Costco's request for revised conditions and asked if there was anything else for discussion. Commissioner Scandura said that as a result of the straw vote changes, other conditions will have to be revised for consistency.

A STRAW VOTE MOTION WAS MADE BY FARLEY, SECONDED BY LIVENGOOD, TO REVISE LANGUAGE IN THE CONDITIONS OF APPROVAL FOR CONSISTENCY WITH THE STRAW VOTES, BY THE FOLLOWING VOTE:

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

STRAW VOTE MOTION APPROVED

Chair Farley said we should put back into the conditions of approval, the requirements for landscaping and hardscape if the pedestrian access is approved.

A STRAW VOTE MOTION WAS MADE BY LIVENGOOD, SECONDED BY DELGLEIZE, TO INCLUDE THE LANDSCAPING AND HARDSCAPE REQUIREMENTS INTO THE CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

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

STRAW VOTE MOTION APPROVED

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY DELGLEIZE, TO APPROVE GENERAL PLAN AMENDMENT NO 10-001 RESOLUTION NO.____ , ZONING TEXT AMENDMENT NO. 10-001, SITE PLAN REVIEW NO. 10-001 INCORPORATING THE STRAW VOTES AND FORWARD THE DRAFT RESOLUTION TO THE CITY COUNCIL, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

Chair Farley stated that the concerns about traffic were eliminated because the project has been scaled back and is a good fit.

FINDINGS FOR APPROVAL – SITE PLAN REVIEW NO. 10-001:

1. Site Plan Review No. 10-001 for the establishment, maintenance and operation of the 154,113 sq ft Costco with tire sales/installation center, outside food service, and 16-pump gas station; 467 multi-family residential units; an additional 30,000 sq ft of mixed use retail and restaurants; a shared use of parking, and; a 3'-9" retaining wall along the western boundary, 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 regional commercial use and the mixed-use residential and retail development, with the recommended conditions of approval, incorporates architectural and design principles to help ensure maximum compatibility of design with the existing Bella Terra, promote pedestrian-friendly entries and uses, and promote the use of high quality exterior materials. Structures on the project site would vary in heights in order to provide variety to the roofline and to reduce overall building massing. Development standards and design guidelines in Specific Plan No. 13 ensure that form, height, and development convey an overall high level of quality. Landscaping and paving patterns will be compatible with the adjacent Bella Terra development and the project will contain gathering places for public activity.

2. The site plan review will be compatible with surrounding uses because circulation patterns effectively move passenger vehicles and delivery trucks around the site; adequate parking for the proposed development will be included; the conditions will ensure monitoring of future parking conditions; a high level of quality architecture is proposed with the mixed use portion of the building and will be incorporated, via conditions of approval, on the warehouse and sales outlet; the overall project will incorporate sustainable building practices to maximize energy efficiency, and the Costco building will be equivalent to LEED certified.

3. The proposed 154,113 sq ft Costco with tire sales/installation center, outside food service, and 16-pump gas station; 467 multi-family residential units; an additional 30,000 sq ft of mixed use retail and restaurants; a shared use of parking, and; a 3'-9" retaining wall along the western boundary will comply with the provisions of Specific Plan No. 13 and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The proposed project meets code requirements in terms of building height, setbacks, landscaping, common and private open space, and with conditions imposed may include reciprocal access for pedestrian and bicycle connections from the westerly adjacent property to the Bella Terra development.

4. The granting of the site plan review will not adversely affect the General Plan. It is consistent with the Land Use Element designation of CR-F2-sp-mu (F9) (Regional Commercial) for Area A and CR-F2-sp-mu (F14) (Regional Commercial) for Area B on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

   A. *Circulation Element*

      Objective CE 3.2: Encourage new development that promotes and expands the use of transit services.

      Policy CE 6.1.6: Maintain existing pedestrian facilities and require new development to provide pedestrian walkways and bicycle routes between developments, schools, and public facilities.

   B. *Growth Management Element*

      Policy GM 3.1.8: Promote traffic reduction strategies including alternate travel modes, alternate work hours, and a decrease of vehicle trips throughout the city.

   C. *Housing Element*

      Policy H 2.2: Facilitate the development of mixed use projects in appropriate commercial areas, including stand-alone residential development (horizontal mixed use) and housing above ground floor commercial uses (vertical mixed use). Establish mixed use zoning regulations.

      Policy H 3.1: Encourage the production of housing that meets all economic segments of the community, including lower, moderate, and upper income households, to maintain a balanced community.

      Goal H 5: Provide equal housing opportunity.

   D. *Land Use Element*

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

      Goal LU 4.2.4: Require that all development be designed to provide adequate space for access, parking, supporting functions, open space, and other pertinent elements.

      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 8: Achieve a pattern of land uses that preserves, enhances, and establishes a distinct identity for the City's neighborhoods, corridors, and centers.

Policy LU 8.1.1: Accommodate land use development in accordance with the patterns and distribution of use and density depicted on the Land Use Plan Map, in accordance with the principles discussed below:

a. Not applicable
b. Vary uses and densities along the City's extended commercial corridors, such as Beach Boulevard.
c. Increase diversification of community and local commercial nodes to serve adjacent residential neighborhoods.
e. Intermix uses and densities in large-scale development projects.
f. Site development to capitalize upon potential long-term transit improvements.
g. Establish linkages among community areas, which may include pedestrian and vehicular paths, landscape, signage, other streetscape elements, open space, transitions, in form, scale, and density of development, and other elements.

Goal LU 9: Achieve the development of a range of housing units that provides for the diverse economic, physical, and social needs of existing and future residents of Huntington Beach.

Policy LU 9.1.4: Require that recreational and open space amenities be incorporated in new multi-family developments and that they be accessible to and of sufficient size to be usable by all residents.

Policy LU 10.1.15: Require that regional commercial developments be designed to convey the visual sense of an integrated center by consideration of the following principles:

a. Use of multiple building volumes and masses and highly articulated facades to reduce the visual sense of large scale "boxes";
b. Use of roofline or height variations to visually differentiate the building massing and incorporation of recesses and setbacks on any elevation above the second floor above grade;
c. Siting of a portion of the buildings in proximity to their primary street frontage to convey a visual relationship to the street and sidewalks;
d. Design of the exterior periphery of the structures to contain shops, restaurants, display windows, and other elements that provide visual interest to parking areas and the street elevation;
e. Inclusion of a "public square" as a gathering place of public activity in multi-tenant regional centers;
f. Clear identification of building entrances;
g. Use of landscape that provides a three-dimensional character;
h. Encourage the provision of public art;
i. Inclusion of consistent and well-designed signage integrated with the building's architectural character, including pedestrian-oriented signage; and
j. Design of parking structures to be visually integrated with the commercial buildings.

Goal LU 11: Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.

Policy LU 11.1.2: Limit commercial uses in mixed use development projects to those uses that are compatible with the residences.

Policy LU 11.1.4: Require the incorporation of adequate onsite open space and recreational facilities to serve the needs of the residents in mixed use development projects.

Policy LU 11.1.5: Require that mixed use developments be designed to mitigate potential conflicts between the commercial and residential uses, considering such issues as noise, lighting, security, and truck and automobile access.

Policy LU 11.1.6: Require that the ground floor of structures that horizontally integrate housing with commercial uses locate commercial uses along the street frontage (housing may be located to the rear and/or on upper floors).

Policy LU 11.1.7: Require that mixed use development projects be designed to achieve a consistent and high quality character, including the consideration of the:

a. Visual and physical integration among the commercial and residential uses (Plates LU-3 and LU-4);
b. Architectural treatment of building elevations to convey the visual character of multiple building volumes and individual storefronts and residential units.

E. *Noise Element*

Policy N 1.3.10: Require that mechanical equipment, such as air conditioning units or pool equipment, comply with the City's Noise Ordinance and Zoning and Subdivision Ordinance.

Policy N 1.5.1: Require that commercial and residential mixed use structures minimize the transfer or transmission of noise and vibration from the commercial land use to the residential land use. The design measures may include: (1) the use of materials which mitigate sound transmission; or (2) the configuration of interior spaces to minimize sound amplification and transmission.

F. *Urban Design Element*

Goal UD 1.1: Enhance the visual image of the City of Huntington Beach

G. *Utilities Element*

Objective U 5.1: Ensure that adequate natural gas, telecommunication, and electrical systems are provided.

The proposed amendments to the General Plan land use designation and Specific Plan 13 are a mechanism to achieve the goals of economic growth and sustainable development. The amendments would allow for a regional commercial business along with a mixed use, high density development thereby increasing housing options for diverse household types, promoting alternative modes of transportation, creating a local sense of place, reducing infrastructure and maintenance costs, and allowing for more efficient use of land resources. The area has a variety of complementary uses that are critical to any vibrant community such as large scale commercial and entertainment uses, employment centers, a transit hub, and a college. Because of its location and unique features, the site would be appropriate in

accommodating an infill development that includes a regional commercial draw and a mixed-use project that is higher in density and compatible with the surrounding area. In doing so, multiple sustainable development principles are achieved, resulting in the social and economic well-being of the area. The benefits of mixed use developments include creating better places to live, work, and play, reducing dependence on the automobile, and lessening pollution and environmental degradation.

The proposed project would be a regional commercial warehouse and sales outlet along with a mixed-use high-density development that offers a wide range of retail and housing opportunities and options, accommodating different age groups, income levels, and household types. The project is required to meet the City and California State Redevelopment Law for affordable housing obligations providing the equivalent of 15 percent of the units as affordable.

In addition, the mixed-use component provides a concentration of living, shopping, entertainment, and employment opportunities within walking distance of the existing Bella Terra lifestyle development. Because the project is located in close proximity to different activities and uses, it provides opportunities and convenience for many households to use alternate travel modes such as walking and biking to complete their daily routines and errands.

The proposed project, with the recommended conditions of approval, incorporates architectural and design principles to help ensure maximum compatibility of design with the existing Bella Terra, promote pedestrian-friendly entries and uses, and promote the use of high quality exterior materials. Structures on the project site would vary in heights in order to provide variety to the roofline and to reduce overall building massing. Development standards and design guidelines in Specific Plan No. 13 ensure that form, height, and treatment of future development convey an overall high level of quality. Maximum setbacks are established so that buildings are sited close to streets, the project will contain gathering places for public activity, and public amenities are required. Therefore, development at the project site would not conflict with the above General Plan goals and policies.

CONDITIONS OF APPROVAL – SITE PLAN REVIEW NO. 10-001:

1. The **Costco** site plan, floor plans, and elevations received and dated August 9, 2010 shall be the conceptually approved design with the following modifications:

   a. An at-grade pedestrian connection with ADA access, shall be provided on-site along the west property line to connect to a future at grade bridge across the railroad tracks and flood control channel to the property to the west. The access point shall be a minimum of 10 feet wide and be located along the west property line at a point between 225 feet and 655 feet north of Edinger Avenue. The precise location of the connection shall be determined by the Director of Planning and Building, in collaboration with the applicant and the owner/developer of the property to the west, at the time the property to the west is approved for development. The on-site pedestrian walkway shall include enhanced landscaping, decorative hardscape, lighting, benches and other appropriate amenities to encourage pedestrian and bicycle activity.

   b. The 40 foot wide area between the south side of Costco and the residential parking garage shall be designed to accommodate a minimum 26 foot wide fire lane as well as an architecturally pleasing pedestrian walkway. The required fire lane should be constructed of a driveable surface, subject to the approval of the Fire Chief.

c. Revise the proposed circulation and traffic pattern in the drive aisle immediately north of the existing parking structure so that it remains a two-way drive aisle. Accordingly, the proposed angled parking should be revised to angle toward westbound traffic or be revised to 90 degree stalls with proper back-up space. Revise the proposed sign in this parking area to read "Costco Member Parking During Store Hours."

d. Amend parking stalls to meet minimum required overall dimensions to achieve no stall less than 17 feet in length with maximum two foot overhang into adjacent planter and 26 foot back-up space for all 90 degree stalls. In any place where the stall overhangs into a required planter, the planter width shall provide the minimum width required (three feet planter for parking areas less than 100 feet long or five feet planter for parking areas greater than 100 feet long), without relying on the vehicle overhang area.

e. Provide a mechanism, such as removable bollards, to close the gap along the east side of the proposed gas station. The proposed design shall be decorative in nature and consistent with colors and materials established at Bella Terra mall.

f. The main store entrance shall be embellished to improve it as the main focal point. Embellishments may consist of raising the roof height, increasing architectural projections, and providing richer accent materials instead of split face and smooth face concrete masonry units for wall materials. Other embellishments proposed by the applicant's architect may also be acceptable **(DRB Recommendation)**.

g. Additional building projections shall be incorporated on the north elevation. The projections shall also include a return to the roof area for a three-dimensional appearance instead of a flat plane **(DRB Recommendation)**.

h. The proposed texture clad metal panels shall include a smooth stucco finish instead of a rough stucco finish **(DRB Recommendation)**.

i. The split face and smooth face concrete masonry units as the predominant exterior building material on the north and east elevations shall be revised to include or be accented with other exterior building materials, such as, brick, wood, sandstone, other native stone, smooth stucco, smooth plaster, tile, or other decorative material as listed in the Specific Plan **(DRB Recommendation).**

j. Enhanced paving materials, lighting, signage, and landscaping pattern and materials at driveway entrances and pedestrian connections should match existing color and materials found at Bella Terra Phase I. Enhanced paving materials at the store entrance shall be consistent with color, pattern, and design elements found at Bella Terra Phase I but may be stamped and scored concrete in lieu of pavers **(DRB Recommendation).**

k. The design of the metal pipe shopping cart corrals within the parking lot should be improved for architectural consistency with materials and colors found at Bella Terra Phase I **(DRB Recommendation)**.

l. The design of the shopping cart corrals within the parking structure shall be designed so carts do not roll out and appropriate signage directing patrons to the cart return area is provided.

m. The width of all parking spaces adjacent to a wall more than forty-two (42) inches in height shall be increased by three feet for a total clear parking stall width of twelve feet.

n. Revise the site plan to amend the note located south of the Costco building from "Proposed parking structure with apartments above," to "Proposed parking structure."

o. A four foot high decorative wrought iron fence with shepherd hooks or other design elements to discourage climbing over, shall be installed on top of the three foot, nine inch high retaining wall along the west property line, subject to approval of the Police Department and Planning and Building Department.

2. The **Village at Bella Terra Mixed Use Retail and Residential** site plan, floor plans, and elevations received and dated June 17, 2010 shall be the conceptually approved design with the following modifications:

a. An at-grade pedestrian connection with ADA access, shall be provided on-site along the west property line to connect to a future at grade bridge across the railroad tracks and flood control channel to the property to the west. The access point shall be a minimum of 10 feet wide and be located along the west property line at a point between 225 feet and 655 feet north of Edinger Avenue. The precise location of the connection shall be determined by the Director of Planning and Building, in collaboration with the applicant and the owner/developer of the property to the west, at the time the property to the west is approved for development. The on-site pedestrian walkway shall include enhanced landscaping, decorative hardscape, lighting, benches and other appropriate amenities to encourage pedestrian and bicycle activity.

b. The 40 foot wide area between the south side of Costco and the residential parking garage shall be designed to accommodate a minimum 26 foot wide fire lane as well as an architecturally pleasing pedestrian walkway. The required fire lane should be constructed of a driveable surface, subject to the approval of the Fire Chief.

c. Provide continuation of the pedestrian walkway along the north side of the northeast corner of the residential units, then south to the "outdoor living room" space of the mixed use retail buildings.

d. Post "No Trucks (Except Refuse Collection) Beyond This Point," at southwest corner of residential.

e. Residential parking shall be assigned and provided within the proposed residential parking structure behind a secured gated entry. The ground floor of the residential parking garage shall provide a minimum of 84 out of the 94 required guest parking spaces. The remaining required guest parking spaces may be located on upper floors of the parking garage if accessible through call system on the residential gates or in the surface parking lot adjacent to the residential building.

f. All residential units shall meet the minimum 500 square feet of interior floor area requirement.

g. All residential floor plans shall demonstrate a minimum of 60 square feet of private open space with no dimension less than six feet.

h. Ramp slopes in the parking garage shall be redesigned to meet the maximum slope permitted by code. Transition ramps which are also used as back-up space for parking stalls shall have a maximum slope of 5 percent. The maximum slope for transition ramps with no adjacent parking spaces shall be 10 percent. A ramp used for ingress and egress to a public street shall have a transition section at least 16 feet long and a maximum slope of 5 percent.

i. Any parallel parking stalls shall be designed to meet the minimum maneuverable area between every two stalls as required by HBZSO Chapter 231.

j. Provide bicycle parking as required by HBZSO Chapter 231.

k. The width of all parking spaces adjacent to a wall more than forty-two (42) inches in height shall be increased by three feet for a total clear parking stall width of twelve feet.

3. Any buildings required to be LEED Silver Certified shall follow the appropriate progression steps and submittal forms, as recommended by LEED and the City's Energy Project Manager, throughout the plan check, permit issuance, and construction phases of the project.

4. 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 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 and Building Department.

5. Prior to submittal for building permits, the following shall be completed:

   a. Submit a copy of the revised site plans, floor plans, and elevations pursuant to Condition No. 1 and Condition No. 2 for review and approval and inclusion in the entitlement file to the Planning and Building Department and submit digital photographs of all colored renderings, elevations, materials sample board to the Planning and Building Department for inclusion in the entitlement file.

   b. All venting and mechanical systems for any restaurants shall be designed and constructed to minimize potential odor impacts to the residential units above or surrounding the ground floor commercial uses. Any external venting or mechanical equipment not screened to the satisfaction of the City shall be subject to review and approval by the Design Review Board prior to submittal of building permits.

6. Final building permits for the Costco commercial structure(s) cannot be issued, until the following has been completed:

   a. Evidence of LEED Silver Certification or the equivalent for the 154,113 square foot Costco building has been verified by the applicant and all associated records and documentation shall be submitted to the Planning and Building Department and maintained for public review and inspection.

7. Final building permits for Village at Bella Terra Mixed Use Retail and Residential I structure(s) cannot be issued, until the following has been completed:

   a. Evidence of LEED Silver Certification for a minimum 1,000 square foot building has been applied for and/or completed.

   b. In addition to the structures to be LEED Silver certified, incorporating sustainable or "green" building practices into the design of all other 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).

8. All Mitigation Measures outlined in the Mitigation Monitoring Program (Attached) for EIR No. 07-03 and Addendum to EIR No. 07-03 shall be adhered to.

9. The use shall comply with the following:

   a. Costco's hours of operation shall be limited to:

      1) Warehouse and Tire Sales/Installations: Monday through Friday 10:00 AM to 8:30 PM; Saturday 9:30 AM to 6:00 PM; and Sunday 10:00 AM to 6:00 PM. The Warehouse may open at 9:00 AM for business members only.

      2) Fuel Facilities: Monday through Friday 6:00 AM to 9:30 PM; Saturday 6:00 AM to 7:00 PM; and Sunday 6:00 AM to 6:00 PM.

   These hours are not intended to regulate nighttime stocking or delivery activities; however, all stocking activities outside of regular store hours shall take place on the interior of the store only. Deliveries by large Costco trucks, outside of normal store hours, shall take place only via trucks sealed at designated loading docks; deliveries by smaller vendor trucks may occur at the receiving door on the west side of the building. Any request to operate outside of these hours requires an Entitlement Plan Amendment application and an update to the traffic impact study conducted for Addendum to EIR No. 07-03.

   b. Costco shall direct large delivery trucks and fuel station delivery trucks to access the site from Center Avenue and follow the truck turning radius plan submitted with the conceptually approved plans dated August 9, 2010. All trucks shall utilize designated truck routes when arriving at or departing from the site.

   c. All Bella Terra management employees, all Bella Terra tenant (retail, restaurant, and office) employees, and all Costco employees shall park on the top two levels of the six-level parking structure located on the north side of Bella Terra Area A. If the top two levels of the parking structure are full, employees shall park on other levels of the parking structure in descending order and in the most remote areas of the surface parking lot only as a last resort. In no case shall any employees park in the surface lot, containing approximately 557 spaces, to the north and northeast of the Costco building.

   d. In the event The Village at Bella Terra Mixed-Use Residential and Retail project does not begin construction within one month of the completion of demolition of the Montgomery Ward store and auto repair building, the site shall be hydroseeded for erosion control. Provision of temporary parking subject to approval by the Planning and Building Department and Public Works Department is also acceptable.

   e. Any re-use of the Costco site or request for future demising walls for the purpose of separating new tenant spaces within the Costco building shall require approval of a Site Plan Review by the Director of Planning and Building. Re-use of the site or building requires an Entitlement Plan Amendment application, an update to the traffic impact study conducted for Addendum to EIR No. 07-03, and an update to the approved Parking Management Plan.

   f. There shall be no outside storage of storage containers or bins, vehicles, vehicle parts, equipment, or trailers. The occasional display of vehicles for sale through Costco's vehicle sales program is acceptable. There shall be no outside storage of pallets or trash compactors unless located behind screen walls.

g. All prospective residential tenants should be provided with a disclosure regarding the mixed use nature of the project and this information shall be available in the leasing office and advertising literature. All potential residents should be required to sign a waiver or disclosure form that it is understood that The Village of Bella Terra is a mixed use project and that uses such as, restaurant, live entertainment, and alcohol sales, etc. may be established on the ground floor of the building.

h. Each residential unit shall receive assign parking space(s), equal to the number of spaces required per the unit's bedroom count, within the residential parking garage. Parking space numbers shall not match unit numbers for safety purposes.

i. An on-site parking survey shall be conducted by a licensed traffic engineer to determine the parking demand in relation to the parking supply, prior to any one of the following events:

    1) One year after the issuance of the Costco Certificate of Occupancy; or

    2) The parking ratio falls below 4.2 spaces/1,000 square feet due to a reduction of spaces or an increase in demand; or

    3) Any re-use or re-tenanting of any major anchor space. The term major anchor space shall be defined as any space greater than 70,000 square feet, including the movie theater

    The parking surveys shall consist of hourly counting Wednesday through Sunday for two consecutive weeks between the hours of 9:00 AM to 10:00 PM. If the survey demonstrates that the on-site parking is more than 95% occupied, at least three times per week, for a duration of at least two hours, then the property owner shall prepare a Parking Management Plan (PMP) and submit the PMP to the Planning and Building Department for approval. The PMP shall propose means for mitigating any identified on-site parking deficiency, including one or more of the following: re-striping parking spaces to add parking spaces, if feasible; expanding the on-site valet parking program; converting common areas not used for parking to parking uses, if feasible; providing employee parking at an offsite location with a shuttle service; promoting employee carpooling or alternative transportation options; or other option identified by the property owner and acceptable to the City. The parking management strategies, such as valet or shuttle service, shall only be implemented on the days of the week that the parking surveys reveal greater than 95% occupancy.

10. The development services departments (Building & Safety, Fire, Planning 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.

11. Site Plan Review No. 10-001 shall not become effective until the City Council approves General Plan Amendment No. 10-001 and Zoning Text Amendment No. 10-001.

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 JULY 27, 2010

RECOMMENDED ACTION: Motion to: "Approve the July 27, 2010, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY SPEAKER, SECONDED BY DELGLEIZE, TO APPROVE THE JULY 27, 2010, PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

D. NON-PUBLIC HEARING ITEMS – NONE

E. PLANNING ITEMS

E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING
Scott Hess, Director of Planning and Building- said there were no items to report from the previous City Council meeting.

E-2. CITY COUNCIL ITEMS FOR NEXT MEETING
Scott Hess, Director of Planning and Building – 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 commended the Commission and staff for the great job on the Village at Bella Terra project. It will be a tremendous addition to the City.

Commission Delgleize concurred with Commissioner Scandura's comments and will be happy to have a Costco Store in the City.

Commissioner Livengood thanked staff and in particular Ms. James for a great job.

Chair Farley closed the meeting by dedicating the meeting to the memory of Shirley Worthy who was a pillar of the community.

ADJOURNMENT: Adjourned at 10:55 PM to the next regularly scheduled meeting of Tuesday, September 14, 2010.

APPROVED BY:

Scott Hess, Secretary

Blair Farley, Chairperson