MINUTES
HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, FEBRUARY 10, 2015
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

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

CALL PLANNING COMMISSION MEETING TO ORDER

P P P P P P P

ROLL CALL: Crowe, *Semeta, Pinchiff, Kalmick, Mandic, Brenden, Hoskinson*

AGENDA APPROVAL

A MOTION WAS MADE BY BRENDEN, SECONDED BY SEMETA, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF FEBRUARY 10, 2015, BY THE FOLLOWING VOTE:

AYES: Crowe, Semeta, Pinchiff, Kalmick, Mandic, Brenden, Hoskinson
NOES: None
ABSENT: None
ABSTAIN: None

MOTION APPROVED

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. NEGATIVE DECLARATION NO. 14-005/GENERAL PLAN AMENDMENT NO. 08-009 (HISTORIC AND CULTURAL RESOURCES ELEMENT UPDATE) – Ricky Ramos, Senior Planner

Ricky Ramos, Senior Planner and consultant Andrea Galvin gave a lengthy overview of the project.

There was a brief discussion regarding the survey, the potential process for adding or deleting properties from the list, and the Mills Act. Staff noted that all property owners on the list were notified.

There was a brief discussion regarding the historic districts.

STUDY SESSION ITEM NO. C WAS MOVED BEFORE STUDY SESSION ITEM NO A-2 AND APPROVED BY ACCLAMATION

THE MINUTES WILL REFLECT ITEMS IN THEIR ORIGINAL ORDER.

A-2. ZONING TEXT AMENDMENT NO. 15-001 (CHAPTER 233 SIGNS – SIGN CODE UPDATE) – Rosemary Medel, Associate Planner

Rosemary Medel, Associate Planner, gave a brief overview of the project. Commissioner Brenden stated that although his business has made some non-commercial signs he does not have a conflict of interest participating in discussions on this zoning text amendment.

There was a discussion regarding the allowed size of signs and the duration of posting. Staff clarified that the recommendations regarding new ordinance changes stemmed from the National Sign Ordinance and recent court challenges.

B. STUDY SESSION ITEMS – NONE

C. PUBLIC COMMENTS

Duane Wentworth, Chair of the Historic Resources Board, spoke in support of Study Session Item No. A-1 and asked that a process be created for potential additions or deletions to the historic list on an individual basis.

Jim Morrissey, resident, spoke regarding Study Session Item No. A-1, citing concerns with potential financial impacts to owners of historically significant properties.

Joseph Santiago, Historic Resources Board, spoke regarding Study Session Item No. A-1 and expressed concerns with the Historic survey; including the methodology for classification, potential inaccuracies in the survey and list of historically significant structures and districts. Mr. Santiago indicated that the Historic Resources Board supports approving the Historic and Cultural Resources Element Update with modifications.

Bob Bolen, resident, spoke regarding Study Session Item No. A-1, citing potential economic impacts to owners of historically significant properties.

D. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS)

Jane James, Planning Manager, noted that there were two Late Communication packets for Public Hearing Item No. B-1.

Scott Hess, Director of Planning and Building, announced that the applicant for Public Hearing Item No. B-1 submitted a withdrawal request for Variance No. 14-007.

E. PLANNING COMMISSION COMMITTEE REPORTS – NONE

Commissioner Pinchiff reported on the recent Southeast Area Committee meeting and noted that the Ascon Landfill site would be providing tours of the facility in the near future.

F. PLANNING COMMISSION COMMENTS - NONE

6:42 P.M. – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Semeta

P P P P P P P
ROLL CALL: Crowe, *Semeta, Pinchiff, Kalmick, Mandic, Brenden, Hoskinson*

AGENDA APPROVAL

A MOTION WAS MADE BY SEMETA, SECONDED BY BRENDEN, TO APPROVE THE PLANNING COMMISSION AGENDA OF FEBRUARY 10, 2015, BY THE FOLLOWING VOTE:

AYES: Crowe, Semeta, Pinchiff, Kalmick, Mandic, Brenden, Hoskinson
NOES: None
ABSENT: None
ABSTAIN: None

MOTION APPROVED

A. PUBLIC COMMENTS – NONE

B. PUBLIC HEARING ITEMS

B-1. ENTITLEMENT PLAN AMENDMENT NO. 14-001/ VARIANCE NO. 14-007 (PACIFIC CITY RESIDENTIAL) Applicant: Mark Oberholzer, MVE & Partners Architects **Property Owner:** DCO Pacific City LLC **Request: EPA:** To amend the site plan, floor plans, and elevations for a 516 unit multi-family residential development originally approved under Entitlement Plan Amendment No. 12-007, Entitlement Plan Amendment No. 12-005, Entitlement Plan Amendment No. 12-009, Conditional Use Permit No. 02-20, Special Permit No. 02-04, Coastal Development Permit No. 02-12 and Tentative Tract Map No. 16338 for the Pacific City project. The residential development consists of the 17.23 acre portion of the Pacific City mixed use development. The proposed modifications include redesigning the cluster building layout, relocating the driveway entrances off Huntington Street and the inner loop road, adding an Emergency Vehicle Access driveway from Huntington Street, removing one driveway entrance from the loop road, and redesigning the layout of the two levels of subterranean parking. Access points to the project and the subterranean parking have been modified. The proposed project also includes amendments to the floor plans and elevations. Changes to the elevations, building colors and materials consist of amending the project design to a contemporary coastal aesthetic similar to the commercial and hotel architecture of the mixed use development. Although the original project was approved as condominiums, the applicant intends to lease the units as apartments at this time. Overall, the original count of 516 multi-family units remain the same. **VAR:** To provide 1,167 parking spaces in lieu of a minimum required of 1,326 parking spaces. The applicant is requesting that the Planning Commission interpret the parking requirements of the Downtown Specific Plan. **Location:** 21002 Pacific Coast Highway, 92648 (bounded by Pacific View Avenue, First Street, Atlanta Aveue and Huntington Street) **City Contact:** Jill Arabe

STAFF RECOMMENDATION: Motion to: "Approve Entitlement Plan Amendment No. 14-001 with findings and suggested conditions of approval including a minimum of 1,326 parking spaces and Deny Variance No. 14-007 with findings for denial (Attachment No. 1)."

The Commission made the following disclosures:

- Commissioner Crowe spoke with staff and is familiar with the site.
- Commissioner Semeta has visited the site and spoken to the applicant.
- Vice-Chair Pinchiff has visited the site, spoken to staff, spoken to the applicant, attended the study session and voted on the hotel and commercial portions of the project at previous Planning Commission hearings.
- Chair Kalmick has visited the site, attended the study session, attended the Design Review Board meeting, spoken to the applicant and the applicant's consultant, and voted on the hotel and commercial portions of the project at previous Planning Commission hearings.
- Commissioner Mandic has visited the site, spoke to the applicant, and read the late communications from residents.
- Commissioner Brenden has spoken to staff and the applicant, and visited the site.
- Commissioner Hoskinson had no disclosures.

Jill Arabe, Associate Planner, gave the staff presentation and an overview of the project. She reported that the applicant submitted a letter withdrawing the request for a variance and has agreed to provide the code required number of parking spaces.

THE PUBLIC HEARING WAS OPENED.

Robert McCullough, UDR, spoke in support of Item No. B-1 noting that the request is less intensive than the original proposal, with added open space and fewer units.

Mark Oberholzer, architect, spoke in support of Item No. B-1. He gave a lengthy overview of the design and materials for the project. He requested that the conditions of approval be modified to relocate the service driveway, to allow residential loading and unloading in the lot next to the emergency vehicle access, and to remove items in Condition No. 7 that no longer apply.

Clem Dominguez, resident, spoke regarding Item No. B-1 and noted that he was pleased that the variance had been withdrawn as parking is a concern.

Jeffrey Hansler, resident, spoke regarding Item No. B-1 and noted that he was pleased that the variance had been withdrawn. He noted that parking is an issue in the downtown area.

Elvia Vega, resident, spoke regarding Item No. B-1, citing concerns with the potential parking impacts.

Michael Crisp, resident, spoke regarding Item No. B-1, citing concerns with the potential parking and traffic impacts.

Louise Fiorillo, resident, spoke regarding Item No. B-1. He thanked the applicant for withdrawing the request for a variance, noting that resident parking is already impacted in the downtown area. He stated that he hoped there would be public restrooms at the project.

Rob Coldren, attorney for the Surf City Beach Cottages, spoke in support of Item No. B-1, and asked that pedestrian access be provided near the dog park or the mobile home park.

John Mayberry, President of the Huntington Bayshore Homeowner's Association, spoke in opposition to Item No. B-1, requesting that the Environmental Impact Report be updated prior to any action on this item.

Jim Endlsey, resident and secretary for the Huntington Bayshore Homeowner's Association, spoke regarding Item No. B-1, noting that he liked the project but had concerns that the addition of apartments in the area and not condominiums had the potential to impact his property values.

Shaun Land resident, spoke in opposition to Item No. B-1, citing concerns with the potential parking and traffic impacts and the lack of open space.

Bobbi Ashurst, resident, spoke in opposition to Item No. B-1, citing concerns with the potential parking and traffic impacts.

Larry Harrel withdrew his request to speak.

Bruce Wareh, resident, spoke in opposition to Item No. B-1, citing concerns with the potential parking impacts.

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

There was a lengthy discussion regarding the applicant's requested modifications to the conditions of approval. Fire Division Chief Reardon indicated that the Fire Department would not support the applicant's request to utilize the emergency vehicle access lanes for residential loading and unloading.

There was a lengthy discussion regarding the parking at the project and the potential impacts. Staff recommended that a condition be added requiring that the additional needed spaces not be placed above ground. Staff gave an overview of the current parking situation in the downtown area. Staff recommended that a condition be added requiring that the additional code required parking spaces be located in the underground parking structure or the interior loop road. The applicant indicated that the additional parking spaces would be located in the parking structure and that they had no objection to that condition.

There was a brief discussion regarding the maintenance and requirements for the public open space at the site.

A MOTION WAS MADE BY KALMICK, SECONDED BY SEMETA, TO APPROVE ENTITLEMENT PLAN AMENDMENT NO. 14-001 WITH FINDINGS AND MODIFIED CONDITIONS OF APPROVAL TO REMOVE CONDITION NO. 1(M), REVISE CONDITION NO. 7, AND ADD CONDITIONS TO REQUIRE SIGNAGE FOR PUBLIC OPEN SPACE AND NO ABOVE GROUND PARKING AT ATLANTA AVE AND HUNTINGTON STREET.

A SUBSITUTE MOTION WAS MADE BY MANDIC, TO APPROVE ENTITLEMENT PLAN AMENDMENT NO. 14-001 AS NOTED IN THE ABOVE

MOTION, AND TO MODIFY CONDITION NO. 1 (N) TO ALLOW ACCESS FOR RESIDENTIAL VEHICLES LOADING AND UNLOADING IN THE EMERGENCY VEHICLE ACCESS AT ATLANTA AVENUE AND HUNTINGTON STREET.

SUBSTITUTE MOTION WAS NOT SECONDED.

KALMICK AMENDED HIS MOTION, SECONDED BY SEMETA, TO REMOVE THE FINIDINGS FOR DENIAL OF VARIANCE, MODIFY CONDITION NO. 1 (A) TO STATE THAT THERE BE A TOTAL OF 1,326 PARKING SPACES AND TO REQUIRE THAT THOSE ADDITIONAL PARKING SPACES BE LOCATED IN THE UNDERGROUND PARKING STRUCTURE. THE AMENDED MOTION WAS APPROVED BY THE FOLLOWING VOTE:

AYES:	**Crowe, Semeta, Pinchiff, Kalmick, Mandic, Brenden, Hoskinson**
NOES:	**None**
ABSTAIN:	**None**
ABSENT:	**None**

MOTION APPROVED

FINDINGS FOR CEQA:

The Planning Commission finds and determines all of the following, based on substantial evidence in light of the whole record:

A. Pacific City Environmental Impact Report No. 02-01 ("EIR") was certified by the City Council on June 7, 2004;

B. No substantial changes are proposed to the project, as proposed to be modified by this entitlement plan amendment, which will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

C. No substantial changes have occurred with respect to the circumstances under which the project, as proposed to be modified by this entitlement plan amendment, is undertaken which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

D. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified as complete, shows any of the following:

(1) The project, as proposed to be modified by this entitlement plan amendment, will have one or more significant effects not discussed in the EIR; or

(2) Significant effects previously examined will be substantially more severe than shown in the EIR; or

(3) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, as proposed to be modified by this entitlement plan amendment, but the project proponents decline to adopt the mitigation measures or alternative; or

(4) Mitigation measures or alternatives that are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative; and

E. In accordance with CEQA Guidelines Sections 15162 and 15163, no subsequent environmental impact report or supplement to the EIR need be prepared for this entitlement plan amendment and no further environmental review or documentation is required.

As documented in the staff report, the project was evaluated in conformance with the certified EIR and the proposed changes would not constitute a substantial change.

FINDINGS FOR APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 14-001:

1. Entitlement Plan Amendment No. 14-001 is a request to permit modifications to the residential site plan, floor plans, and elevations originally approved under Tentative Tract Map No. 16338, Conditional Use Permit No. 02-20, Special Permit No. 02-04, Coastal Development Permit No. 02-12. The proposed amendment with conditions to provide a minimum of 1,326 parking spaces for the development 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 project modifications will update the 2004 and 2012 project entitlements for consistency with current standards regarding building layout and architectural design but will maintain compatibility with the surrounding area. The overall size of the units has reduced which has also decreased the footprint of the buildings around the site. Greater landscaped areas and open spaces are provided for better compatibility with the surrounding area. Also, the proposed plans maintain previously approved setbacks, similar access points from surrounding streets, and building height. The modifications, as conditioned, will not generate significant traffic, air quality, noise, odors, or other detrimental impacts onto surrounding properties.

2. The entitlement plan amendment, as conditioned, will be compatible with surrounding uses because the modifications incorporate similar architectural materials and treatments as proposed with the commercial and hotel components of Pacific City and maintain building heights consistent with prior approved plans. The building massing is softened with vertical and horizontal architectural along the street elevations and increased landscaped areas. Pedestrian access is sufficiently provided throughout the site and linked with existing conditions. Architectural enhancements are proposed on the buildings including various wood treatments, warmer colors, stylistic window projections, and multiple roof lines. The four different building designs combined with the overall curved layout of the buildings on the site provides greater compatibility of the project with the surrounding uses.

3. The proposed entitlement plan amendment, as conditioned, will comply with the provisions of the base district and other applicable provisions in the Downtown Specific Plan, Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance, and any specific condition required for the proposed use in the district in which it is located and with previously approved entitlements. The project modifications will update the 2004 and 2012 project entitlements for consistency with current design aesthetics and site layout.

4. The granting of the entitlement plan amendment will not adversely affect the General Plan. The project is consistent with the Land Use Element designation of RH-30-sp (High Density Residential - 30 du/gac - specific plan overlay) on the subject property. In addition, it is consistent with the following goals, objectives, and policies of the General Plan:

   A. *Coastal Element*

      Goal C 1: Develop a land use plan for the Coastal Zone that protects and enhances coastal resources, promotes public access and balances development with facility needs.

      Objective C 1.1: Ensure that adverse impacts associated with coastal zone development are mitigated or minimized to the greatest extent feasible.

      Policy C 1.1.1: With the exception of hazardous industrial development, new development shall be encouraged to be located within, contiguous or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services, and where it will not have significant adverse effects, either individual or cumulative, on coastal resources.

      Policy C 1.1.7: Encourage cluster development in areas designated for residential use within the Coastal Zone.

      Objective C 1.2: Provide a land use plan that balances location, type, and amount of land use with infrastructure needs.

      Policy C 1.2.1: Accommodate existing uses and new development in accordance with the Coastal Element Land Use Plan and the Development and Density Schedule, Table C-1.

      Policy C 1.2.3: Prior to the issuance of a development entitlement, the City shall make the finding that adequate services (i.e., water, sewer, roads, etc.) can be provided to serve the proposed development, consistent with policies contained in the Coastal Element, at the time of occupancy.

      Policy C 2.2.3: Maintain existing pedestrian facilities and require new development to provide pedestrian walkways and bicycle routes between developments.

      Policy C 2.4.1: Maintain an adequate supply of parking that supports the present level of demand and allows for the expected increase in private transportation use.

      Objective C 3.2: Ensure that new development and uses provide a variety of recreational facilities for a range of income groups, including low-cost facilities and activities.

      Objective C 4.1: Provide opportunities within the Coastal Zone for open space as a visual and aesthetic resource.

   B. *Housing Element*

      Goal H 2: Provide adequate housing sites to accommodate regional housing needs.

Goal H 3: Assist in development of affordable housing.

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.

C. *Land Use Element*

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.

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.

The entitlement plan amendment would ensure that the project is developed in accordance with current standards and regulations and the approved development plans, which provides a multi-family residential option within a master planned mixed use development site. The multi-family residential project provides an alternative for residents seeking to be within walking distance of work, services or commercial uses and reduce dependency on their automobile. The entitlement plan amendment affects only the site plan layout, floor plans, and architectural design of the residential units but maintains the overall approved density of 516 units along with a 2.03 acre publicly accessible but privately owned and maintained park. Affordable housing units are to be provided through the recently approved amendments to conditions of approval and development agreement, which specifies that the project provide 51 on-site affordable housing units for moderate income households. The project was found in conformance with the General Plan and the revised plans, with conditions, maintain consistency with the General Plan.

CONDITIONS OF APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 14-001:

1. Site plans, floor plans, and elevations received and dated January 13, 2015, shall be the conceptually approved design with the following modifications:

    a. The plans shall be revised to depict an additional 159 parking spaces onsite to accommodate the mix of dwelling units (222- studio/1-bedrooms; 223- 2-bedrooms; 71- 3-bedrooms) for a total of 1,326 parking spaces. The additional spaces shall be located within the subterranean parking structure. Depending on the location of the additional 159 parking spaces, a secondary circulation ramp and additional ingress and egress may be required when the parking area/level contains 300 or more spaces.

    b. The floor plans shall be revised so that all dens or study areas have at least 50% of one wall open to the adjacent room or hallway or the den/study space shall be counted as a bedroom and code required parking shall be provided.

    c. Parking spaces shall not be located within the 10 ft. by 10 ft. visibility triangle areas at the intersection of driveway entrances and ramps within the subterranean garage.

    d. Provide a minimum setback of 8 ft. from back-of-sidewalk to private patio areas and the buildings along the loop road. **(DRB)**

e. The tower for the elevator and parapet extension at Building 1 facing Atlanta Avenue shall be revised with architectural detailing or articulation to deemphasize the height of the tower projection subject to review and approval by the Planning and Building Department. **(DRB)**

f. Within the pocket park at the northwest corner of the site, provide a pedestrian path from the public sidewalk at the corner of Atlanta Avenue and First Street to the pedestrian walkway adjacent to Building 2. **(DRB)**

g. A minimum five (5) ft. wide planter with hedges/screening shall be provided between proposed mechanical equipment (i.e., transformers, backflow devices) and the back-of-sidewalk. **(DRB)**

h. Provide bicycle parking areas near lobby entrances or within paseos. **(DRB)**

i. Provide enhanced/decorative paving at pedestrian crossings within the loop road. **(DRB)**

j. Architecturally enhance the corridor walls at upper level setback areas. **(DRB)**

k. Pergolas or roof deck structures above the fourth story and greater than 42 in. high shall be removed.

l. Install an 800 MHz system in the parking structure to ensure effective public safety communications. **(PD)**

m. The emergency vehicle access lane and drive aisle from Huntington Street shall not be permitted for resident or visitor parking or queuing. Adequate signage shall be provided to prohibit use of the driveway for any vehicular access other than for emergency vehicles, subject to the review and approval of Departments of Public Works, Planning and Building, and Fire.

n. The final hardscape and landscape design of the relocated pedestrian corridor along First Street and Pacific View Avenue shall be subject to review and approval by the Director of Planning and Building prior to the issuance of grading permits.

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

a. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire, Public Works, and Planning & Building shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.

b. Submit one copy of the site plan and floor plan and the processing fee to the Planning Division for addressing purposes.

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

a. All project and entitlement related mitigation measures, code requirements, and conditions of approval of the original Pacific City project (TTM 16338, CUP 02-20, SP 02-04 and CDP 02-12), and of Entitlement Plan Amendment 12-007, shall remain in effect (including but not limited to: street and frontage improvements, sewer, water and storm drain infrastructure improvements, traffic mitigation fair share contributions, traffic signals, signing and striping, completion of Pacific View Avenue, medians, traffic impact fees, decorative paving, street lighting, street dedications, pedestrian easements, et al.). **(PW)**

b. All existing Agreements between the City of Huntington Beach and the original Pacific City property owner shall be replaced with comparable agreement(s) to be approved by and executed with the City and the new property owner(s). **(PW)**

c. Relocation of the Public Pedestrian Easement (from that shown on recorded Tract Map No. 16338) requires submittal of the following: **(PW)**

   i. A Legal Description and Plat of the proposed new Public Pedestrian easement dedication to the City shall be prepared by a licensed surveyor or registered Civil Engineer authorized to practice land surveying and submitted to Public Works for review and approval. This easement dedication shall be recorded prior to occupancy.

   ii. A Legal Description and Plat of the existing Public Pedestrian Easement areas (from recorded Tract Map No. 16338) to be vacated shall be submitted to Public Works for further processing of this easement vacation.

   iii. The aforementioned easement vacation process requires submittal by the Applicant to:
      1. The Planning Division for a General Plan Conformance (GPC). This GPC shall be approved prior to occupancy.

      2. The Department of Public Works for a Public Street Vacation (PSV). This PSV shall be approved prior to occupancy.

d. A public art element, approved by the Design Review Board, Director of Planning and Building, and the Cultural Services Supervisor, shall be depicted on the plans. Public Art shall be innovative, original, and of artistic excellence; appropriate to the design of the project; and reflective of the community's cultural identity (ecology, history, or society).

4. Prior to occupancy of the first residential unit, the following conditions shall be completed:

   a. Any portion of the proposed public sidewalk along the project's First Street, Huntington Street, and Pacific View Avenue frontages which is shown on private property shall require a Public Pedestrian Easement dedication to the City. Said dedication shall be approved and recorded prior to final inspection or occupancy. **(PW)**

   b. The project's existing License and Maintenance Agreement shall be amended (including both agreement verbiage and associated exhibits) to address the revised Public Pedestrian Easements. **(PW)**

c. All improvements are completed in accordance with approved plans, as except as provided for by conditions of approval.

d. The applicant shall submit a signage plan for the public open spaces identifying public access and use. The signage shall be reviewed and approved by Departments of Community Services, Public Works, and Planning and Building.

5. Any proposed phasing of construction of the residential units, common recreational open space, and publicly accessible open space shall be submitted for review and approval by the Directors of Planning and Building, Public Works, and Community Services.

6. Signage shall be reviewed under separate permits and applicable processing.

7. All conditions of approval and mitigation measures required under Environmental Impact Report No. 02-01, Tentative Tract Map No. 16338, Conditional Use Permit No. 02-20, Special Permit No. 02-04, Coastal Development Permit No. 02-12, Conceptual Master Plan, Entitlement Plan Amendment No. 12-005, Entitlement Plan Amendment No. 12-007, and Entitlement Plan Amendment No. 12-009 for the Pacific City project shall remain valid, with exception of (1) the conditions of approval identified in No. 1 above, as modified herein, and (2) the conditions of approval that are no longer pertinent with the approval of Entitlement Plan Amendment No. 14-001 subject to review and approval of Departments of Public Works, Planning and Building, Community Services, and Fire.

8. 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/green-building-guidelines-rating).

9. 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 may be required pursuant to the provisions of HBZSO Section 241.18.

10. Entitlement Plan Amendment No. 14-001 shall become null and void unless exercises within two years of the data of final approval by the Planning Commission or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Division a minimum 30 days prior to the expiration date.

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 - NONE

D. NON-PUBLIC HEARING ITEMS - NONE

E. PLANNING ITEMS

E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING
Scott Hess, Director of Planning and Building - reported on the items 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
Jane James, Planning Manager– reported on the items for the next Planning Commission Meeting.

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS

CHAIR KALMICK RECOMMENDATION: Motion to: "Approve communication to the City Council requesting direction to staff to implement live video streaming of Planning Commission meetings on the City's website."

Chair Kalmick gave a brief overview of his request.

There was a brief discussion regarding the potential costs and including archiving of videos and embedded staff reports on the website similar to the City Council meetings.

A MOTION WAS MADE BY KALMICK, SECONDED BY SEMETA, TO APPROVE COMMUNICATION TO THE CITY COUNCIL REQUESTING DIRECTION TO STAFF TO IMPLEMENT LIVE VIDEO STREAMING OF PLANNING COMMISSION MEETINGS, ARCHIVING OF PLANNING COMMISSION VIDEOS, AND EMBEDDING STAFF REPORTS IN THE SAME WAY AS CITY COUNCIL MEETINGS, ON THE CITY'S WEBSITE, BY THE FOLLOWING VOTE:

AYES:	**Crowe, Semeta, Pinchiff, Kalmick, Mandic, Brenden, Hoskinson**
NOES:	**None**
ABSTAIN:	**None**
ABSENT:	**None**

MOTION APPROVED

F-2. PLANNING COMMISSION COMMENTS

Commissioner Mandic thanked staff for their work on Item No. B-1.

Commissioner Brenden echoed Commissioner Mandic's comments and thanked staff for their willingness to provide amplification for study sessions.

Commissioner Hoskinson thanked staff for their work on Item No. B-1. He noted that he would prefer that parking requirements be looked at on a per project basis instead of by zoning district requirements.

ADJOURNMENT: Adjourned at 9:09 PM to the next regularly scheduled meeting of Tuesday, February 24, 2015.

APPROVED BY:

Scott Hess, Secretary

Dan Kalmick, Chair