MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JANUARY 13, 2009
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 Delgleize, P Shier Burnett, P Livengood, P Speaker, P Scandura*

AGENDA APPROVAL – ***APPROVED BY ACCLAMATION***

NOMINATION AND ELECTION OF CHAIRPERSON

Elizabeth Shier Burnett nominated and elected Planning Commission Chair 5-0-1 (Shier Burnett - Abstain)

NOMINATION AND ELECTION OF VICE-CHAIRPERSON

Blair Farley nominated and elected Planning Commission Vice Chair 5-0-1 (Farley - Abstain)

WELCOME NEWLY APPOINTED PLANNING COMMISSIONER BARBARA DELGLEIZE

Chairperson Elizabeth Shier Burnett welcomed Barbara Delgleize to the Planning Commission.

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. MITIGATED NEGATIVE DECLARATION NO. 06-006/CONDITIONAL USE PERMIT NO. 06-030 (RAINBOW DISPOSAL MASTER PLAN) – Ricky Ramos, Senior Planner

Ricky Ramos, Senior Planner, gave a brief overview of the project.

Chair Shier Burnett asked staff about public comments and staff stated that six comment letters had been received, including one from the Environmental Board.

Commissioner Farley asked staff if this project includes any green features and staff indicated that skylights and other green elements are included in the project plans.

Commissioner Livengood asked about traffic impacts and staff indicated that the traffic impact analysis has been completed and that the impact level is acceptable under city policy. Livengood also asked if there would be any impacts to the existing sidewalks surrounding the site, as he is concerned with pedestrian safety. Staff said that they would research the issue.

Commissioner Speaker asked about the roof and parapet heights and staff indicated that these are shown on page 2 of the staff report. Staff also stated that a variance is being requested for the parapet to allow a height of 50'.

Commissioner Scandura stated that he has concerns with increased truck traffic and the site's proximity to the school. He asked staff to explore ways to limit traffic to increase pedestrian safety. Scandura also asked about the noise analysis, which used residential standards, and asked if there had been any changes. Staff indicated that industrial noise standards were used on the site and residential noise standards were used in the areas surrounding the site. Staff also noted that the construction of the outdoor secondary recycling facility and the two transfer stations will reduce noise levels.

Commissioner Speaker asked if the applicant is planning to add additional driveways and gates and staff said no, they will use their existing driveways and gates.

A-2. CONDITIONAL USE PERMIT NO. 08-047 (JOHNNY ROCKETS RESTAURANT) – Ethan Edwards, Associate Planner

Ethan Edwards, Associate Planner, gave a brief overview of the project. He noted that no public comments have been received regarding this project.

Commissioner Speaker recused himself due to a possible conflict of interest.

Commissioner Scandura asked staff about other restaurants within The Strand that serve alcohol and feature outdoor dining. Mr. Edwards indicated that at least one other restaurant, RA Sushi, would be serving alcohol. Planning Manager Herb Fauland indicated that the Zimzala Restaurant/Shorebreak Hotel on Walnut and 5th Streets will serve alcohol and have outdoor dining on the second floor patio. He also noted that this item will come before the Planning Commission at a study session on January 27, 2009.

Commissioner Livengood asked if the proposed structure would be 2-story and staff stated that the project plans are for a ground-level restaurant only.

Commissioner Farley asked if the applicant was planning a different treatment on the outdoor patio, and staff said that the only delineation would be the fencing. Farley also asked how much space would be required for the fence and the outdoor planter and staff said that they would provide that information when this item comes before the Planning Commission at the public hearing on January 27, 2009. Farley also questioned the dotted line on staff report attachment 2.2 and staff said that represents the trash route from the building.

Chair Shier Burnett asked what criteria ABC (Alcohol Beverage Control) uses to administer a permit. She also asked how many bars and restaurants that serve

alcohol are currently in the downtown area. Staff said that they would provide this information at the public hearing on January 27, 2009.

A-3. GENERAL PLAN CONFORMANCE NO. 08-004 (EASEMENT EXCHANGE AT HUNTINGTON BEACH WETLANDS) – Hayden Beckman, Planning Aide

Hayden Beckman, Planning Aide, gave a brief overview of the project and noted that Gary Gorman of the Huntington Beach Wetlands Conservancy was present and available to answer questions.

Commissioner Delgleize asked about the placement of the easements and staff indicated their locations on the project plans.

Commissioner Speaker asked staff if this General Plan Conformance is new or a continuation of a previous project. Staff stated the application is in conjunction with the Huntington Beach Wetlands Restoration project but that the review of the General Plan Conformance is required by government code.

B. STUDY SESSION ITEMS - NONE

C. CONSENT CALENDAR

C-1. PLANNING COMMISSION MINUTES DATED SEPTEMBER 9, 2008

RECOMMENDED ACTION: Motion to: "Approve the September 9, 2008, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY SCANDURA, TO APPROVE THE SEPTEMBER 9, 2008 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

C-2. PLANNING COMMISSION MINUTES DATED SEPTEMBER 11, 2008

RECOMMENDED ACTION: Motion to: "Approve the September 11, 2008, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY FARLEY, SECONDED BY SHIER BURNETT, TO APPROVE THE SEPTEMBER 11, 2008 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

C-3. PLANNING COMMISSION MINUTES DATED SEPTEMBER 30, 2008

RECOMMENDED ACTION: Motion to: "Approve the September 30, 2008, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY LIVENGOOD, SECONDED BY FARLEY, TO APPROVE THE SEPTEMBER 30, 2008 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

D. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS) – Herb Fauland

Herb Fauland, Planning Manager, briefly reviewed the upcoming appeal of Conditional Use Permit No. 08-013; Variance No. 08-007 (Beach Promenade).

Commissioner Speaker asked for an update on Conditional Use Permit No. 06-020/ Entitlement Plan Amendment No. 06-008 (Black Bull Restaurant). Mr. Fauland indicated that the City Attorney had met with the applicant and the Police Department and that there was an upcoming internal staff meeting regarding the issues. He indicated that staff would report back to the Commission. Commissioner Speaker asked if the item would be on the February 10, 2009 agenda. Mr. Fauland indicated that he did not believe it would.

E. PLANNING COMMISSION COMMITTEE REPORTS

Commissioner Farley reported that the Design Review Board met and reviewed the application for Mitigated Negative Declaration No. 06-006/Conditional Use Permit No. 06-030 (Rainbow Disposal Expansion). He also stated that there would be a special Design Review Board meeting on January 15, 2009.

Chair Shier Burnett asked the commissioners to consider which committees they would like to be on for the upcoming year. Mr. Fauland stated that preferences should be given to him and he would coordinate with Chair Shier Burnett on the assignments.

F. PUBLIC COMMENTS

Jerry Moffatt, Rainbow Disposal, spoke in favor of Item No. A-1, stating that the construction of the outdoor secondary recycling facility and the two transfer stations will reduce noise and odor levels.

John Glowacz, resident, spoke in opposition of Item No. A-1, citing concerns with traffic and pedestrian safety.

G. PLANNING COMMISSION COMMENTS

Commissioner Scandura welcomed Commissioner Delgleize to the Commission. He congratulated Chair Shier Burnett and Vice- Chair Farley on their elections. He thanked Commissioner Livengood for his work as Chairperson.

Commissioner Speaker concurred with Commissioner Scandura's comments.

Commissioner Livengood concurred with Commission Speaker's comments and noted that there was an upcoming Planning Commission conference and encouraged his fellow commissioners to register for it. Scott Hess, Director of Planning, asked the commissioners to contact Linda Wine regarding the conference.

Commissioner Delgleize stated that she was looking forward to working with her fellow Commissioners.

Vice-Chair Farley concurred with Commissioner Scandura's comments.

Chair Shier Burnett welcomed Commissioner Delgleize and noted that the Commission has the opportunity to have a workshop with staff and encouraged Commissioner Delgleize to consider possible topics.

Kellee Fritzal, Deputy Director of Economic Development, introduced Luis Gomez, project manager, and indicated that he would be attending Commission meetings.

Mr. Fauland noted that Councilmember Dwyer hoped to appoint a new commissioner sometime in the next week.

ADJOURNMENT: Adjourned at 6:07 PM to the next regularly scheduled meeting of January 27, 2009.

APPROVED BY

Scott Hess, Secretary

Elizabeth Shier Burnett, Chairperson