MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JANUARY 13, 2015
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:30 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

CALL PLANNING COMMISSION MEETING TO ORDER

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

AGENDA APPROVAL

A MOTION WAS MADE BY PINCHIFF, SECONDED BY SEMETA, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF JANUARY 13, 2015, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

NOMINATION AND ELECTION OF CHAIRPERSON

A MOTION WAS MADE BY SEMETA, SECONDED BY BRENDEN, TO NOMINATE AND ELECT DAN KALMICK AS PLANNING COMMISSION CHAIR.

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

MOTION APPROVED

NOMINATION AND ELECTION OF VICE-CHAIRPERSON

A MOTION WAS MADE BY SEMETA, SECONDED BY BRENDEN, TO NOMINATE AND ELECT EDWARD PINCHIFF AS PLANNING COMMISSION VICE-CHAIR.

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

MOTION APPROVED

A. PROJECT REVIEW (FUTURE AGENDA ITEMS) – NONE

B. STUDY SESSION ITEMS

A-1. CODE OF ETHICS (ANNUAL REVIEW AND ACKNOWLEDGEMENT) – Paul D'Alessandro, Assistant City Attorney

Paul D'Alessandro, Assistant City Attorney, gave an overview of the City of Huntington Beach Code of Ethics.

A-1. MAJOR PROJECTS UPDATE – Jane James, Planning Manager

Jane James, Planning Manager, gave a lengthy update on upcoming major projects.

There was a brief discussion regarding the status of the annexation of Sunset Beach.

C. PUBLIC COMMENTS

Shaun Land, resident, spoke in opposition to high density development.

D. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS)

Jane James, Planning Manager, reported that there were two late communication items and noted that staff would be recommending that, due to the request for a continuance, Public Hearing Item No. B-2 be moved in front of Public Hearing Item No. B-1.

E. PLANNING COMMISSION COMMITTEE REPORTS

Chair Kalmick reported on the recent Design Review Board meeting.

F. PLANNING COMMISSION COMMENTS - NONE

6:21 P.M. – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Vice-Chair Pinchiff

	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 PINCHIFF, TO MOVE ITEM NO. B-2 BEFORE ITEM NO. B-1, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

THE MINUTES WILL REFLECT ITEMS IN THEIR ORIGINAL ORDER.

PRESENTATION OF PLANNING COMMISSION RESOLUTION NO. 1682 AND PLAQUE IN APPRECIATION TO OUTGOING CHAIR ERIK PETERSON – Chair Kalmick

Chair Kalmick expressed appreciation for the work of Outgoing Chair Peterson.

PRESENTATION OF PLANNING COMMISSION RESOLUTION NO. 1683 IN APPRECIATION TO OUTGOING VICE-CHAIR ROBERT FRANKLIN – Chair Kalmick

Chair Kalmick expressed appreciation for the work of Outgoing Vice-Chair Franklin.

PRESENTATION OF PLANNING COMMISSION RESOLUTION NO. 1684 IN APPRECIATION TO OUTGOING COMMISSIONER MARK BIXBY – Chair Kalmick

Chair Kalmick presented Resolution No. 1684 and a gift to Outgoing Commissioner Bixby.

PRESENTATION OF PLANNING COMMISSION RESOLUTION NO. 1685 IN APPRECIATION TO OUTGOING COMMISSIONER MICHAEL POSEY – Chair Kalmick

Chair Kalmick presented Resolution No. 1685 and a gift to Outgoing Commissioner Posey.

Although, initially there were no speakers under Public Comments, there were two speakers who wished to express opinions regarding Item. No. B-2, which was continued at the request of the applicant.

A MOTION WAS MADE BY HOSKINSON, SECONDED BY KALMICK, TO REOPEN PUBLIC COMMENTS, APPROVED BY ACCLAMATION.

THE MINUTES WILL REFLECT ITEMS IN THEIR ORIGINAL ORDER.

A. PUBLIC COMMENTS

Timarie Bryant, resident, spoke regarding Item No. B-2, expressing concern with existing noise impacts at Seacliff Shopping Center.

Laurie McConn, resident, spoke regarding Item No. B-2, citing concerns with the existing traffic impacts and turn lane movements at the intersection of Goldenwest Street, Summit Drive, and the entrance to Seacliff Shopping Center.

B. PUBLIC HEARING ITEMS

B-1. CONDITIONAL USE PERMIT NO. 14-028 (GLOW HOT YOGA HEALTH CLUB)

Applicant: Daniel Ziese **Property Owner:** Taki Sun Inc. **Request:** To permit the establishment of an approximately 3,700 sq. ft. commercial recreation and entertainment use (health club) consisting of group fitness, personal training, and standup paddleboard instruction and rentals. **Location:** 16360 Pacific Coast Highway, 92649 (east side of Pacific Coast Highway, south of Anderson Street – Peter's Landing) **City Contact:** Jill Arabe, Associate Planner

STAFF RECOMMENDATION: Motion to: "Approve Conditional Use Permit No. 14-028 with findings and suggested conditions of approval (Attachment No. 1)"

The Commission made the following disclosures:

- Commissioner Semeta has visited the site.
- Commissioner Crowe has visited the site
- Vice-Chair Pinchiff has visited the site.
- Chair Kalmick had no disclosures.
- Commissioner Mandic has visited the site.
- Commissioner Brenden has visited the site.
- Commissioner Hoskinson has visited the site.

Jill Arabe, Associate Planner, gave the staff presentation and an overview of the project.

THE PUBLIC HEARING WAS OPENED.

Brittany Slater, Glow Hot Yoga Health Club, spoke in support of Item No. B-1 noting that she was available for any questions.

Scott Seaton, Peter's Landing Marina, spoke in support of Item No. B-1, noting that he felt this project would be a good addition to the area.

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

There was a lengthy discussion regarding the hours of operation for the paddleboard rentals and the potential noise impacts to the residents.

A MOTION WAS MADE BY BRENDEN, SECONDED BY MANDIC, TO APPROVE CONDITIONAL USE PERMIT NO. 14-028 WITH FINDINGS AND CONDITIONS OF APPROVAL WITH MODIFICATIONS TO CONDITION NO. 2(B) TO AMEND THE PADDLEBOARD HOURS OF OPERATION TO 6 AM TO 7 PM, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1, of the CEQA Guidelines, which states that operation and minor alteration to existing structures involving negligible or no expansion are exempt from further environmental review.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 14-028:

1. Conditional Use Permit No. 14-028 for the establishment of an approximately 3,700 sq. ft. health club consisting of group fitness, personal training, and standup paddleboard instruction and rentals 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 proposed use is located within an existing multi-tenant commercial center with other similar visitor serving commercial uses. The business will primarily operate within the interior of the suite, except for the occasional use of the dock by patrons launching the paddleboard rentals and personal standup paddleboard instruction program in the harbor. Based on a parking tabulation of the existing uses and proposed use within the shopping center, the site will be adequately parked. The health club is not anticipated to generate additional noise, traffic, or other impacts above existing conditions. As conditioned, outdoor activities/operations will be limited between normal business hours in order to minimize potential noise impacts during early morning and late evening times.

2. The conditional use permit will be compatible with surrounding residential and commercial uses. The proposed use is located in an existing multi-tenant commercial center with other similar visitor serving commercial uses. Additional parking is not required for the use based on a parking tabulation of existing uses and an adequate supply of parking onsite. The business operations will occur primarily indoors and as conditioned, outdoor activities will occur during hours where potential noise impacts are not anticipated to exceed existing conditions.

3. The proposed use will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance and any specific condition on the project. It complies with applicable HBZSO requirements such as onsite parking for the health club use. The proposed hours of operation are consistent with the existing commercial uses and therefore will not generate impacts to adjacent noise-sensitive uses above the existing conditions.

4. The granting of the conditional use permit will not adversely affect the General Plan. The proposed project is consistent with the General Plan land use designation of Commercial Visitor and the goals, objectives, and policies of the City's General Plan as follows:

   A. *Land Use Element*

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

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

      Policy LU 10.1.17: Require the inclusion of uses and elements that contribute amenities for visitors, such as public activity areas and onsite recreational facilities (health clubs, spas, etc.)

      The proposed use is compatible with the existing commercial uses in the shopping center such as retail, restaurants, and offices. It provides recreational opportunities and services to residents and visitors. The business also offers standup paddleboard classes and rentals which promotes use of the city's water recreational resources.

   B. *Economic Development Element*

      Objective ED 2.6: Expand and enhance the existing visitor serving uses.

Policy ED 2.6.2: Encourage visitor supported commercial development to concentrate in selected areas of the City, thereby creating identifiable visitor-oriented centers.

The health club is a visitor serving commercial use that promotes an active lifestyle and recreational services. It is located at Peter's Landing, which is near City boundaries and characterized with high visibility along a major highway. The proposed use will contribute to the economic viability of the shopping center and the responsible growth of the City.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 14-028:

1. The site plans, floor plans, and elevations received and dated October 16, 2014, shall be the conceptually approved layout.
2. The use shall comply with the following:
   a. Only the uses described in the project narrative received and dated October 16, 2014 shall be permitted.
   b. No outdoor activities/operations (i.e., dock use) associated with the business shall be permitted between the hours of 7:00 p.m. and 6:00 a.m.
   c. All exterior doors shall remain closed after 8:00 p.m. and before 7:00 a.m.
   d. The recessed entrance area into the health club shall be adequately lighted. **(PD)**
3. Signage shall be reviewed under separate permits and applicable processing.
4. 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.
5. Conditional Use Permit No. 14-028 shall become null and void unless exercised within two (2) years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning and Building Department a minimum 30 days prior to the expiration date.
6. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
7. 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).

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.

B-2. CONDITIONAL USE PERMIT NO. 14-029 (L.A. FITNESS SPORTS CLUB)
Applicant: Michael Adams **Property Owner:** Seacliff Village Shopping Center Inc. **Request:** To permit the establishment a 40,000 sq. ft. commercial recreation and entertainment use (health club) including a fitness studio, workout areas (weights, cardio, circuit training), cycling and aerobics rooms, lap pool, spa, locker rooms, basketball court, and kids klub within an existing multi-tenant commercial center. This project includes a modification to the site to remove the former garden center and outdoor storage area to create a new parking area (96 spaces) and landscape improvements. **Location:** 19330 Goldenwest Street, 92648 (northeast corner of Goldenwest Street and Yorktown Avenue – Seacliff Village) **City Contact:** Tess Nguyen, Associate Planner

STAFF RECOMMENDATION: Motion to: "Approve Conditional Use Permit No. 14-029 with suggested findings and conditions of approval (Attachment No. 1)."

Jane James, Planning Manager, reported that the applicant had requested a continuance to a date uncertain.

A MOTION WAS MADE BY KALMICK, SECONDED BY SEMETA, TO CONTINUE CONDITIONAL USE PERMIT NO. 14-029 TO A DATE UNCERTAIN AT THE APPPLICANT'S REQUEST, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

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 - NONE

F-2. PLANNING COMMISSION COMMENTS

Vice-Chair Pinchiff thanked the outgoing commissioners for their service and welcomed the new commissioners.

Chair Kalmick thanked the outgoing commissioners for their service and welcomed the new commissioners.

ADJOURNMENT: Adjourned at 7:35 PM to the next regularly scheduled meeting of Tuesday, January 27, 2015.

APPROVED BY:

Janegamer for:
Scott Hess, Secretary

Dan Kalmick, Chair