MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, MAY 8, 2012
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

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

CANCELLED – NO STUDY SESSION

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE– Led by Commissioner Ryan

ROLL CALL: *Shier Burnett (P), Peterson (P), Bixby (P), Mantini (P), Delgleize (P), Farley (A), Ryan (P)*

AGENDA APPROVAL

A MOTION WAS MADE BY RYAN, SECONDED BY DELGLEIZE, TO APPROVE THE PLANNING COMMISSION AGENDA OF MAY 8, 2012 BY THE FOLLOWING VOTE:

AYES: Shier Burnett, Peterson, Bixby, Mantini, Delgleize, Ryan
NOES: None
ABSENT: Farley
ABSTAIN: None

MOTION APPROVED

A. PUBLIC COMMENTS - NONE

B. PUBLIC HEARING ITEMS

B-1. CONDITIONAL USE PERMIT NO. 12-001 (CROSSROADS ANIMAL EMERGENCY) Applicant: Bryan Buescher **Property Owner:** Edward Vanags **Request:** To permit the establishment and operation of an approximately 5,100 sq. ft. after-hours emergency pet clinic within an existing multitenant commercial shopping center. The clinic will provide emergency, critical care, surgery, and internal medicine related services. The clinic intends to operate between 6:00 PM and 8:00 AM, Monday through Friday, and 24-hours on weekends and major holidays. **Location:** 6027 Warner Avenue, 92647 (northeast corner of Warner Avenue at Springdale Street) **Project Planner:** Andrew Gonzales

STAFF RECOMMENDATION: Motion to: "Approve Conditional Use Permit No. 12-007 with suggested findings and conditions of approval (Attachment No. 1)."

The Commission made the following disclosures:

- Commissioner Shier Burnett has visited the site.
- Commissioner Peterson has visited the site.
- Vice Chair Bixby has visited the site and has spoken with staff.
- Chair Mantini has visited the site.
- Commissioner Delgleize has visited the site.
- Commissioner Ryan has visited the site.

Andrew Gonzales, Associate Planners, gave the staff presentation and an overview of the project.

THE PUBLIC HEARING WAS OPENED.

Pat Brown, Planning Consultant, spoke in favor of the project. He noted that the project will be a positive addition to the center. He also stated this would be the only 24 hour emergency veterinarian service in the City.

Dr. Bryan Buescher stated that he was present to answer any questions.

Commissioner Bixby verified that the facility would not allow boarding for animals except when necessary due to medical situations.

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

A MOTION WAS MADE BY DELGLEIZE, SECONDED BY RYAN, TO APPROVE CONDITIONAL USE PERMIT NO. 12-001 WITH SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

AYES:	**Shier Burnett, Peterson, Bixby, Mantini, Delgleize, Ryan**
NOES:	**None**
ABSENT:	**Farley**
ABSTAIN:	**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 of the CEQA Guidelines, because the project consists of the operation and minor alteration of an existing commercial structure involving negligible or no expansion of use beyond that previously existing.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 12-01:

1. Conditional Use Permit No. 12-01 for the establishment and operation of an approximately 5,100 sq. ft. after hour emergency pet clinic within an existing multitenant commercial shopping center 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 will not generate traffic, demand for parking, or other impacts detrimental to surrounding properties and inconsistent with the subject property's zoning. The project site is separated from adjacent residential developments to the east by the existing building orientation and 20-foot alley, providing an adequate buffer from any potential impacts. In addition, incorporating required mitigation measures noted in the Colia Acoustical Study dated March 16, 2012, will be required as a condition of approval to minimize the potential noise impacts to surrounding developments.

2. The conditional use permit will be compatible with surrounding uses because the after hour emergency pet clinic will be located within an existing commercial center with other similar service related uses. The proposed use will be located in a fully enclosed suite buffered from nearby sensitive noise receptors to ensure no detrimental impact. In addition, the facility will be conditioned to incorporate sound attenuating measures into the design of the unit to ensure project compliance with the City's Noise Ordinance (Chapter 8.40 Noise Control).

3. The proposed conditional use permit will comply with the provisions of the Town Center Neighborhood Segment of the Beach and Edinger Corridors Specific Plan (SP14) and any specific condition required for the proposed use in the segment in which it would be located. The proposed use is permitted within the Town Center Neighborhood Segment, subject to conditional use permit approval, pursuant to Section 2.2.1 of SP14. The project is located within an existing shopping center and will comply with all minimum development standards, specifically minimum onsite parking.

4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of M-sp-d (Mixed Use – Specific Plan Overlay – Design Overlay) on the subject property. In addition, it is consistent with the following policies and objectives of the General Plan:

   A. *Land Use Element*

      Policy LU 7.1.1: Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

      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 recreation resources.

      Policy LU 10.1.6: Require that commercial projects abutting residential properties adequately protect the residential use from the excessive or incompatible impacts of noise, light, vehicular traffic, visual character, and operational hazards.

   B. *Economic Development Element*

      Policy ED 2.4.3: Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market area.

C. *Noise Element*

Objective 1.4: Minimize noise spillover or encroachment from commercial and industrial land uses into adjoining residential neighborhoods or "noise-sensitive" uses.

The requested conditional use permit will accommodate existing development by allowing the establishment of an after hour emergency pet clinic. The proposed uses will market its services to local residents and residents in the surrounding region thereby expanding the service-based commercial opportunities in the City. It will be located in an existing shopping center, which includes service related uses consistent with the Land Use Density Schedules in the General Plan and is compatible with surrounding commercial development. In addition, sound attenuation measures area incorporate into the project design to ensure that the emergency pet clinic will not pose any impacts of noise and operation hazards onto nearby residential properties.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 12-01:

1. The cover sheet and site plan received and dated March 16, 2012, and the floor plan received and dated March 1, 2012, shall be the conceptually approved design with the following modifications:

    a. On Sheet A100, update the parking matrix with the correct unit square footages as reflected by City records. Furthermore, note that the total building size is 18,400 sq. ft, a minimum 67 parking spaces are required, and the site will have 26 surplus parking spaces.

    b. On Sheet A101, update the noted square footage of each unit in accordance with Condition No. 1(a).

    c. The required noise attenuating measures noted in the Colia Acoustical Study dated received March 16, 2012, shall be noted into the design of the unit. The required design measures shall be noted on the plans as follows:

        i. All entry doors shall be single acting and self-closing. The entire perimeter shall be fully weather-stripped.

        ii. There shall be no gaps around the doors and frames more than 1/16-inch.

        iii. The entry doors shall contain 1/4-inch glass or have a minimum Sound Transmission Class (STC) rating of 25.

        iv. Any skylights above exam rooms, treatment areas, and hold areas should be double dome or have a STC rating of 30 or greater.

        v. New rooftop HVAC units shall have 10 ft. of interior lined acoustical ducting into each clinic space.

        vi. Ceiling tiles shall have a STC rating of 25 or greater, or if not rated have a full layer of R-13 in the plenum space. The Noise Reduction Coefficient (NRC) value of the ceiling tiles shall be 0.75 or greater to reduce reverberation in the clinic/office areas.

2. Prior to submittal for building permits, one set of project plans, revised pursuant to Condition of Approval No. 1, shall be submitted for review, approval and inclusion in the entitlement file, to the Planning Division.

3. Prior to issuance of Certificate of Occupancy, construction plans for sound attenuation of the unit or other similar method shall be approved by the Planning Division and finaled by the Building Division.

4. The use noted in the project narrative dated received January 5, 2012, shall comply with the following:

   a. The hours of operation shall be limited between the following hours:

      i. Monday – Friday: 6:00 PM and 8:00 AM

      ii. Saturday – Sunday: 24-hours

      iii. Major Holidays 24-hours

      A change to the listed hours of operation may be permitted subject to a written request and approval by the Department of Planning and Building.

   b. No general animal boarding or kenneling shall be permitted. The temporary boarding of injured animals may be permitted until released to the owner or attending veterinarian.

   c. The staff of the veterinary hospital shall clean up after the animals if they are taken outside and all landscaping and hospital grounds shall be permanently maintained in a neat and clean manner.

5. The development services departments and divisions (Building, 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.

6. CUP No. 12-01 shall become null and void unless exercised within two 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.

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/index.cfm?fuseaction=guidelines).

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, Planning Manager - reported on the items from the previous City Council Meeting.

E-2. CITY COUNCIL ITEMS FOR NEXT MEETING
Scott Hess, Planning Manager – reported on the items for the next City Council Meeting.

E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING
Herb Fauland, Planning Manager– reported on the items for the next Planning Commission Meeting.

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS - NONE

F-2. PLANNING COMMISSION COMMENTS

Commissioner Shier Burnett stated that Associate Planner Andrew Gonzales did a great job.

ADJOURNMENT: Adjourned at 7:16 PM to the next special meeting of Tuesday, May 15, 2012.

APPROVED BY:

Scott Hess, Secretary

Janis Mantini, Chairperson