MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, NOVEMBER 13, 2012
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: ***A Shier Burnett, P Peterson, P Bixby, P Mantini, A Delgleize, A Franklin, P Ryan***

Commissioners Shier Burnett, Delgleize, and Franklin were absent.

Commissioner Franklin arrived at 5:18 PM.

Commissioner Delgleize arrived at 5:20 PM.

AGENDA APPROVAL

A MOTION WAS MADE BY RYAN, SECONDED BY BIXBY, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF NOVEMBER 13, 2012, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. CONDITIONAL USE PERMIT NO. 12-009 (VANS SKATE PARK) – Tess Nguyen, Associate Planner

Tess Nguyen, Associate Planner, gave a brief overview of the proposed project.

There was a brief discussion regarding the potential parking impacts and potential parking management plan for the project.

A-2. GENERAL PLAN AMENDMENT NO. 12-001 (HOUSING ELEMENT) – Jennifer Villasenor, Senior Planner

Jennifer Villasenor, Senior Planner, and Karen Warner and Mark Preseco, Karen Warner and Associates, gave a brief overview of the proposed project.

There was a brief discussion regarding the currently vacant residential sites being listed in the project.

B. STUDY SESSION ITEMS - NONE

C. PUBLIC COMMENTS

Lisa Courtmarche, resident, spoke in opposition to study session Item No. A-2, citing concerns with the potential impacts to current residents.

Cesar Covarrubias, The Kennedy Commission, spoke in support of study session Item No. A-2, asking the commission to focus on the low and very low affordable housing categories.

D. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS) – Jane James

Jane James, Senior Planner, reported that there are Late Communication items for Public Hearing Item Nos. B-1, B-2, and B-3.

E. PLANNING COMMISSION COMMITTEE REPORTS - NONE

F. PLANNING COMMISSION COMMENTS - NONE

6:10 P.M. – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE Led by Commissioner Franklin

	A	P	P	P	P	P	P
ROLL CALL:	*Shier Burnett,*	*Peterson,*	*Bixby,*	*Mantini,*	*Delgleize,*	*Franklin,*	*Ryan*

Commissioner Shier Burnett was absent.

AGENDA APPROVAL

A MOTION WAS MADE BY PETERSON, SECONDED BY RYAN, TO APPROVE THE PLANNING COMMISSION AGENDA OF NOVEMBER 13, 2012, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A. PUBLIC COMMENTS

Councilmember Keith Bohr thanked Commissioner Shier Burnett for her eight years of service.

B. PUBLIC HEARING ITEMS

B-1. **CONDITIONAL USE PERMIT NO. 12-020 (BOARDWALK BURGERS ON-SITE ALCOHOL SALES)** **Applicant:** Sheryl Brady, Permit Place **Property Owner:** Bijan Sassounian **Request:** To permit the on-site sale, service, and consumption of alcoholic beverages (beer and wine) within a vacant approximately 2,000 sq. ft. indoor and 976 sq. ft. outdoor eating and drinking establishment. **Location:** 21020 Beach Boulevard (southeast corner of Beach Blvd. and Atlanta Ave.) **Project Planner:** Ethan Edwards

STAFF RECOMMENDATION: Motion to: "Approve Conditional Use Permit No. 12-020 with suggested findings and conditions of approval (Attachment No. 1)."

The Commission made the following disclosures:

- Commissioner Peterson has visited the site.
- Vice Chair Bixby has visited the site and spoke to staff.
- Chair Mantini has visited the site.
- Commissioner Delgleize has visited the site and spoken to the property owner.
- Commissioner Franklin has visited the site.
- Commissioner Ryan has visited the site.

Ethan Edwards, Associate Planner, gave the staff presentation and an overview of the project.

THE PUBLIC HEARING WAS OPENED.

Sheryl Brady, applicant, spoke in support of Item No. B-1 and asked the Commission to revise Condition No. 2.b. to allow alcohol on the outdoor patio until midnight to be consistent with operating hours.

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

Vice-Chair Bixby asked staff to explain the reasoning behind the limited hours for alcohol sales for the patio. Mr. Edwards stated that the patio has an open railing system, not a solid wall perimeter, which provides better noise mitigation. Police Captain Bill Stuart noted that a restaurant at the same site has the same patio hours as recommended by staff and noted that there are residences across the street that might face potential noise impacts.

A MOTION WAS MADE BY BIXBY SECONDED BY PETERSON, TO APPROVE CONDITIONAL USE PERMIT NO. 12-020 WITH SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

AYES: **Peterson, Bixby, Mantini, Delgleize, Franklin, Ryan**
NOES: **None**
ABSENT: **Shier Burnett**
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 Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1—*Existing Facilities*, because the project involves a minor modification to the operation of the existing development involving negligible expansion of an existing use.

FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 12-020:

1. Conditional Use Permit No. 12-020 to permit the on-site sale, service, and consumption of alcoholic beverages (beer and wine) within a vacant approximately 2,000 sq. ft. indoor and 976 sq. ft. outdoor eating and drinking establishment at an existing mixed-use center site in the Beach and Edinger Corridors Specific Plan zoning designation 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 sales and service of alcoholic beverages is regulated by the provisions of Chapter 9.44 of the Huntington Beach Municipal Code. The subject request will not result in noise, safety, or compatibility issues. The BECSP and General Plan land use designation anticipated restaurant uses with alcohol service, sale and consumption in this area. The request for alcohol is ancillary to the primary restaurant use and will serve to augment the overall dining experience. Furthermore, the consumption of alcoholic beverages will be wholly contained within the building's interior and designated outdoor dining area and will not generate detrimental impacts onto surrounding properties.

2. The request to permit the on-site sale, service, and consumption of alcoholic beverages (beer and wine) within a vacant approximately 2,000 sq. ft. indoor and 976 sq. ft. outdoor eating and drinking establishment will be compatible with surrounding uses because the project is located within an existing mixed-use center. The restaurant is surrounded by commercial, office, and restaurant uses and therefore will be consistent with the existing land use pattern and compatible to its surroundings. The use will be required to comply with conditions of approval pertaining to alcohol service and operation to assure that any potential impacts to the surrounding properties are minimized.

3. The request to permit the on-site sale, service, and consumption of alcoholic beverages (beer and wine) within a vacant approximately 2,000 sq. ft. indoor and 976 sq. ft. outdoor eating and drinking establishment will comply with the Neighborhood Center segment of the Beach and Edinger Corridors Specific Plan (BECSP), and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The BECSP allows eating and drinking establishments with alcohol service subject to approval of a conditional use permit. The BECSP and General Plan land use designation anticipated restaurant uses with alcohol service, sale and consumption in this area. The request for alcohol is ancillary to the primary restaurant use and will serve to augment the overall dining experience. There is no physical expansion that includes additional floor area to the existing building as part of this request and the proposed use will comply with all building occupancy/exiting requirements.

4. The granting of the conditional use permit to permit the on-site sale, service, and consumption of alcoholic beverages (beer and wine) within a vacant and existing approximately 2,000 sq. ft. indoor and 976 sq. ft. outdoor eating and drinking establishment is consistent with the General Plan. The General Plan Land Use Map designation on the subject property is M – sp – d (Mixed Use – Specific Plan Overlay – Design Overlay). The

proposed project is consistent with this designation and the policies, objective, and goal of the City's General Plan as follows:

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 7.1 Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, cultural, entertainment, and recreation needs of existing and future residents, (b) provides employment opportunities for residents of the City and surrounding sub-region, (c) captures visitor and tourist activity, and (d) provides open space and aesthetic relief from urban development.

Policy – 10.1.8 Require that entertainment, drinking establishments, and other similar uses provide adequate physical and safety measures to prevent negative impacts on adjacent properties.

The proposed project will permit the on-site sale, service, and consumption of alcoholic beverages (beer and wine) within a vacant approximately 2,000 sq. ft. indoor and 976 sq. ft. outdoor eating and drinking establishment within the Beach and Edinger Corridors Special Plan designation that is consistent with the Building Use Regulations and is compatible with the surrounding mix of uses. The proposed conditional use permit will provide for the business needs of a successful restaurant establishment by permitting the sale of alcoholic beverages in a safe manner for customers and residents of the surrounding area.

B. *Economic 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 place.

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

The project is located along a major corridor of the City that contains existing restaurants, retail, and entertainment uses. The project serves to strengthen the existing business and facilitate continued viability of the center.

CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 12-020:

1. The site plan, floor plan, and elevation plan received and dated July 30, 2012, shall be the conceptually approved design.

2. The restaurant use shall comply with the following:

   a. Hours of operation for the interior restaurant shall be limited to between 10:00 AM and 12:00 AM (midnight) every day of the week.

   b. Use of the outdoor dining patio area shall be prohibited between 10:00 PM and 7:00 AM every day of the week. **(PD)**

   c. A sign shall be posted stating that alcoholic beverages are not allowed outside of the restaurant/patio areas. **(PD)**

d. To ensure the location maintains a restaurant atmosphere, food service from the regular menu shall be available from the time the business opens to the public until at least one hour prior to the scheduled closing time. **(PD)**

e. All areas where the sales, service, and consumption of alcoholic beverages will be permitted shall be sufficiently illuminated to permit the identification of patrons. **(PD)**

f. No loitering shall be permitted within the vicinity of any entrance or exit at any time. **(PD)**

g. Dancing and entertainment shall be prohibited. **(PD)**

h. Prior to the sale of alcoholic beverages, a copy of the Alcoholic Beverage Control Board (ABC) license, along with any special conditions imposed by the ABC, shall be submitted to the Planning and Building Department for the file. Any conditions that are more restrictive than those set forth in this approval shall be adhered to.

i. Alcoholic beverages shall only be served in conjunction with food service. **(PD)**

3. The Development Services Departments and divisions (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.

4. Conditional Use Permit No. 12-020 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.

5. The Planning Commission reserves the right to revoke Conditional Use Permit No. 12-020 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance, or Municipal Code occurs.

6. 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.

B-2. **CONDITIONAL USE PERMIT NO. 12-018 (SLAPFISH RESTAURANT ON-SITE ALCOHOL SALES**. **Applicant:** Jethro Naude **Property Owner:** Regency Centers **Request:** To permit on-site sale, service, and consumption of alcoholic beverages (beer and wine) at an existing 2,068 square foot restaurant suite. **Location:** 19696 Beach Blvd. (west side of Beach Blvd. at Adams Ave. - Newland Center) **Project Planner:** Rosemary Medel

STAFF RECOMMENDATION: Motion to: "Approve Conditional Use Permit No. 12-018 with suggested findings and conditions of approval (Attachment No. 1)."

The Commission made the following disclosures:

- Commissioner Peterson has visited the site.
- Vice Chair Bixby has eaten at the restaurant and visited the previous food truck use.
- Chair Mantini has visited the restaurant.
- Commissioner Delgleize has visited the site.
- Commissioner Franklin has visited the site.
- Commissioner Ryan has visited the site and eaten at the restaurant.

Rosemary Medel, Associate Planner, gave the staff presentation and an overview of the project.

THE PUBLIC HEARING WAS OPENED.

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

A MOTION WAS MADE BY PETERSON, SECONDED BY DELGLEIZE, TO APPROVE CONDITIONAL USE PERMIT NO. 12-018 WITH SUGGESTED FINDINGS AND FORWARD TO THE CITY COUNCIL, BY THE FOLLOWING VOTE:

AYES: **Peterson, Bixby, Mantini, Delgleize, Franklin, Ryan**
NOES: **None**
ABSENT: **Shier Burnett**
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 Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1—*Existing Facilities*, because the project

involves a minor modification to the operation of the existing development involving negligible expansion of an existing use.

FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 12-018:

1. Conditional Use Permit No. 12-018 to permit an existing 2,068 sq. ft. eating and drinking establishment to add alcohol sales and consumption at an existing mixed-use center site in the Beach and Edinger Corridors Specific Plan zoning designation 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 sales and service of alcoholic beverages is regulated by the provisions of Chapter 9.44 of the Huntington Beach Municipal Code. The subject request will not result in noise, safety, or compatibility issues. The BECSP and General Plan land use designation anticipated restaurant uses with alcohol service, sale and consumption in this area. The request for alcohol is ancillary to the primary restaurant use and will serve to augment the overall dining experience. Furthermore, the consumption of alcoholic beverages will be wholly contained within the building's interior and will not generate detrimental impacts onto surrounding properties.

5. The request to permit an existing restaurant to add alcohol sales and consumption will be compatible with surrounding uses because the project is located within an existing commercial center. The restaurant is surrounded by commercial, office, medical, open space and restaurant uses and therefore will be consistent with the existing land use pattern and compatible to its surroundings. The use will be required to comply with conditions of approval pertaining to alcohol service and operation to assure that any potential impacts to the surrounding properties are minimized.

6. The request to permit an existing restaurant to add alcohol sales, service and consumption will comply with the Neighborhood Center segment of the Beach and Edinger Corridors Specific Plan (BECSP), and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The BECSP allows eating and drinking establishments with alcohol service subject to approval of a conditional use permit. The BECSP and General Plan land use designation anticipated restaurant uses with alcohol service, sale and consumption in this area. The request for alcohol is ancillary to the primary restaurant use and there is no physical expansion that includes additional floor area to the existing building. The proposed use will comply with all building occupancy/exiting requirements.

7. The granting of the conditional use permit to establish a restaurant with alcohol sales, service and consumption is consistent with the General Plan. The General Plan Land Use Map designation on the subject property is M – sp – d (Mixed Use – Specific Plan Overlay – Design Overlay). The proposed project is consistent with this designation and the policies, objective, and goal of the City's General Plan as follows:
   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 7.1 Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, cultural, entertainment, and recreation needs of existing and future residents, (b) provides employment opportunities for residents of the City and surrounding sub-region, (c) captures visitor and tourist activity, and (d) provides open space and aesthetic relief from urban development.

Policy – 10.1.8 Require that entertainment, drinking establishments, and other similar uses provide adequate physical and safety measures to prevent negative impacts on adjacent properties.

The proposed project will establish the sale, service and consumption of alcoholic beverages within an existing restaurant at the Newland Center. The site is located within the Beach and Edinger Corridors Specific Plan designation and the use is consistent with the Building Use Regulations and compatible with the surrounding mix of uses. The proposed conditional use permit will provide for the business needs for a successful restaurant establishment in a safe manner for customers and residents of the surrounding area.

C. *Economic 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 place.

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

The project is located along a major corridor of the City that contains existing restaurants, retail, and entertainment uses. The project serves to strengthen the existing business and facilitate continued viability of the center.

CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 12-018:

1. The aerial site plan and floor plan received and dated July 26, 2012, shall be the conceptually approved design.
2. The use shall comply with the following:
   a. Hours of operation shall be limited to between 11:00 AM and 9:00 PM Sunday through Thursday and between 11:00 AM to 10:00 PM Friday and Saturday.
   b. To ensure the location maintains a restaurant atmosphere, food service from the regular menu shall be available from the time the business opens to the public until at least 30 minutes prior to the scheduled closing time. **(PD)**
   c. Alcoholic beverages shall only be served in conjunction with food service. **(PD)**
   d. All alcoholic beverages shall remain within the interior of the restaurant and bar. **(PD)**
   e. Alcoholic beverages service shall cease 30 minutes prior to the scheduled closing time and no later than 10:00 PM.
   f. All areas where the sales, service, and consumption of alcoholic beverages will be permitted must be sufficiently illuminated to permit the identification of patrons. **(PD)**
   g. Dancing and entertainment shall be prohibited.
   h. Prior to the sale of alcoholic beverages, a copy of the Alcoholic Beverage Control Board (ABC) license, along with any special conditions imposed by the ABC, shall be submitted to the Planning and Building Department for the file. Any conditions that are more restrictive than those set forth in this approval shall be adhered to.

3. The Development Services Departments and divisions (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.

4. Conditional Use Permit No. 12-018 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.

5. The Planning Commission reserves the right to revoke Conditional Use Permit No. 12-018 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance, or Municipal Code occurs.

6. 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.

B-3a. **ENVIRONMENTAL IMPACT REPORT NO. 09-001 (CIRCULATION ELEMENT UPDATE).** **Applicant:** City of Huntington Beach **Property Owner:** Not applicable **Request:** **EIR:** To analyze the potential environmental impacts associated with the adoption and implementation of the Circulation Element update. **Location:** Citywide **Project Planner:** Ricky Ramos

STAFF RECOMMENDATION: Motion to: "Certify Environmental Impact Report No. 09-001 as adequate and complete in accordance with CEQA requirements by approving Resolution No. 1663 (Attachment No. 1)."

B-3b. **GENERAL PLAN AMENDMENT NO. 11-001 (CIRCULATION ELEMENT UPDATE).** **Applicant:** City of Huntington Beach **Property Owner:** Not applicable **Request:** **GPA:** To adopt and implement a comprehensive update to the Circulation Element which evaluates the long-term transportation needs of the city and presents a comprehensive plan to accommodate those needs. The entire Circulation Element is being updated including goals, policies, objectives, Level of Service standards, and the citywide traffic model among others. The traffic model identifies year 2030 projected average daily traffic volumes on the City's Arterial Highway Plan including nineteen intersections that will require long-term improvements to accommodate projected traffic volumes. Several roadway segments are proposed for classification change and changes are proposed to the Master Plan of Arterial Highways. **Location:** Citywide **Project Planner:** Ricky Ramos

STAFF RECOMMENDATION: Motion to:

A. "Approve CEQA Findings of Fact with a Statement of Overriding Considerations (Attachment No. 6)."

B. "Approve General Plan Amendment No. 11-001 and forward draft City Council Resolution (Attachment No. 1) to the City Council for adoption;"

Ricky Ramos, Senior Planner, and Bob Stachelski, Transportation Manager, gave the staff presentation and an overview of the project.

THE PUBLIC HEARING WAS OPENED.

Bruce Cowgill, Brookhurst & Adams, LLC, spoke in opposition to Item No. B-3, citing concerns with the adequacy of the EIR, specifically in the analysis of the potential impacts of the proposed widening of Adams Avenue.

Lisa Courtmarche, resident, spoke in opposition to Item No. B-3, citing concerns with how future improvements might negatively impact residents.

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

There was a brief discussion regarding the possibility of the city assuming authority over Beach Boulevard and Pacific Coast Highway.

STRAW VOTE #1
A motion was made by Bixby to replace the words, "should be available for review by the public" with, "shall be available for review by the public" in the last sentence of Section CE12 on Attachment 2.41.

MOTION NOT SECONDED

There was a lengthy discussion regarding the potential for public review for traffic calming actions.

STRAW VOTE #2
A motion was made by Bixby, seconded by Peterson, to require Planning Commission approval for all traffic calming measures under CE-5.

MOTION WITHDRAWN

STRAW VOTE #3
A motion was made by Bixby, seconded by Delgleize, to amend CE 12 on Attachment 2.41 to add "Planning Commission" to the list of departments reviewing the implementation of primary and secondary intersections so as to be consistent with the prior text.

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

MOTION APPROVED

There was a lengthy discussion regarding the critical intersections overlay.

A MOTION WAS MADE BY RYAN, SECONDED BY FRANKLIN, TO CERTIFY ENVIRONMENTAL IMPACT REPORT NO. 09-001 AS ADEQUATE AND COMPLETE BY APPROVING RESOLUTION NO. 1663, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

A MOTION WAS MADE BY MANTINI, SECONDED BY RYAN, TO APPROVE CEQA FINDINGS OF FACT WITH A STATEMENT OF OVERRIDING CONSIDERATION AND APPROVE GENERAL PLAN AMENDMENT NO. 11-001 WITH MODIFICATIONS AND FORWARD TO THE CITY COUNCIL, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

C. CONSENT CALENDAR

C-1. PLANNING COMMISSION MINUTES DATED MAY 15, 2012

RECOMMENDED ACTION: Motion to: "Approve the May 15, 2012, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY PETERSON, SECONDED BY DELGLEIZE, TO APPROVE THE MAY 15, 2012 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

C-2. PLANNING COMMISSION MINUTES DATED JUNE 12, 2012

RECOMMENDED ACTION: Motion to: "Approve the June 12, 2012, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY RYAN, SECONDED BY DELGLEIZE, TO APPROVE THE JUNE 12, 2012 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

C-3. PLANNING COMMISSION MINUTES DATED JULY 10, 2012

RECOMMENDED ACTION: Motion to: "Approve the July 10, 2012, Planning Commission Minutes as amended."

A MOTION WAS MADE BY RYAN, SECONDED BY DELGLEIZE, TO APPROVE THE JULY 10, 2012 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

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 - 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, Senior Planner– 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 Peterson thanked Chris McDonald for a tour the farmer's market at Peter's Landing and recommended it to his fellow commissioners.

ADJOURNMENT: Adjourned at 8:06 PM to the next regularly scheduled meeting of Tuesday, November 27, 2012.

APPROVED BY:

Scott Hess, Secretary

Janis Mantini, Chairperson