

**AGENDA
HUNTINGTON BEACH PLANNING COMMISSION**

TUESDAY, MARCH 26, 2013

**HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET
HUNTINGTON BEACH, CALIFORNIA 92648**



CHAIR MARK BIXBY

**VICE-CHAIR ERIK PETERSON
COMMISSIONER CONNIE MANDIC
COMMISSIONER ROBERT FRANKLIN**

**COMMISSIONER BOB DINGWALL
COMMISSIONER DAN KALMICK
COMMISSIONER EDWARD PINCHIFF**

**DIRECTOR OF PLANNING AND BUILDING, SCOTT HESS, AICP
LEGAL COUNSEL, PAUL D'ALESSANDRO
ACTING PLANNING MANAGER, JANE JAMES**

THE 7:00 PM PORTION OF THE MEETING IS TELEVISED LIVE ON CABLE TV CHANNEL 3. DVDs OF MEETINGS ARE AVAILABLE FOR PUBLIC CHECKOUT AT THE CENTRAL LIBRARY. COPIES OF STAFF REPORTS AND/OR WRITTEN MATERIALS ON EACH AGENDA ITEM ARE ON FILE IN THE PLANNING AND BUILDING DEPARTMENT, THE CENTRAL LIBRARY AND ON THE CITY'S WEBSITE (WWW.SURFCITY-HB.ORG) FOR PUBLIC INSPECTION. ANY PERSON HAVING QUESTIONS ON ANY AGENDA ITEM MAY CALL THE PLANNING AND BUILDING DEPARTMENT TO MAKE AN INQUIRY CONCERNING THE NATURE OF THE AGENDA ITEM AT (714) 536-5271.

Planning Commission Agenda Information Sheet

The following is a brief explanation of the Planning Commission Agenda Structure:

AGENDA APPROVAL The Planning Commission will announce if any closed public hearing items will be re-opened and may wish to change the order of the items on the agenda.

PUBLIC COMMENTS (FILL OUT REQUEST TO SPEAK FORM) Anyone wishing to address the Planning Commission, only on items not on tonight's agenda, must fill out and mark the appropriate box and submit a form to speak prior to Public Comments. Please be advised that testimony provided on Public Hearing items during Public Comments are not part of the permanent entitlement record. The speaking forms are available at the lower entrance to the Council Chambers. Give the form to the Secretary. Staff will call all speakers by name. There is a four-minute time limit per speaker. Time may not be donated to another. All proceedings are recorded. No action can be taken by the Planning Commission on these comments on this date, unless agendized.

PUBLIC HEARING ITEMS (FILL OUT REQUEST TO SPEAK FORM) Public hearings allow citizens the opportunity to speak in favor or against specific items. More detailed information on public hearings may be found on the page attached to the back of this agenda. Complete the form by marking the appropriate box and indicating the hearing item you wish to provide testimony on. Please note if the public hearing items have been closed or are still open for testimony. The agenda and staff report will indicate if the public hearing is open or closed. The Planning Commission at their discretion may re-open a closed public hearing and the Commission will make the announcement during Agenda Approval. The speaking forms are available at the lower entrance to the Council Chambers. Give the form to the Secretary. Staff will call all speakers by name. There is a four-minute time limit per speaker. Individuals may choose to donate their 4 minutes of time to another speaker, and the maximum time donation limit is 8 minutes (2 individuals), for a total of 12 minutes per speaker. Individuals who donate time must be present when the item is being discussed. All proceedings are recorded. If you have documents to distribute, there should be enough copies for all Planning Commissioners, staff, and the public. The documents become part of the public record and will not be returned.

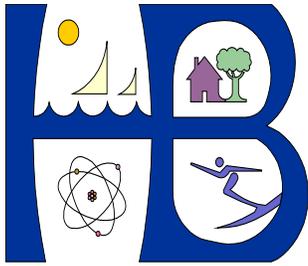
CONSENT CALENDAR Consent Calendar items are considered routine items that normally do not require separate consideration. The Planning Commission may make one motion for approval of all items listed under the CONSENT CALENDAR.

NON-PUBLIC HEARING ITEMS These items are considered by the Planning Commission separately and require separate motions. These transactions are considered ministerial and public testimony is not heard.

PLANNING COMMISSION ITEMS / INQUIRIES Items of business or concern are presented by Planning Commissioners and discussed with staff. Informational updates and reports are made by Commissioners who serve as liaisons to various committees.

PLANNING ITEMS Updates and reports from the Planning and Building Director for the information of the Planning Commission and the public.

Adjournment



AGENDA

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, MARCH 26, 2013
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: *Dingwall, Mandic, Peterson, Bixby, Kalmick, Franklin, Pinchiff*

AGENDA APPROVAL

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. ENVIRONMENTAL IMPACT REPORT NO. 07-001/ GENERAL PLAN AMENDMENT NO. 05-001/ ZONING MAP AMENDMENT NO. 05-001(WARNER NICHOLS) – Ricky Ramos, Senior Planner

B. STUDY SESSION ITEMS - NONE

C. PUBLIC COMMENTS – Regarding Project Review and Study Session portions of Meeting

Anyone wishing to speak on Project Review or Study Session items during PUBLIC COMMENTS may do so by filling out a Request To Speak form and giving it to the Secretary. (4 MINUTES PER PERSON, NO DONATING OF TIME TO OTHERS)

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

E. PLANNING COMMISSION COMMITTEE REPORTS

F. PLANNING COMMISSION COMMENTS

6:30 P.M. – RECESS FOR DINNER

7:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL: *Dingwall, Mandic, Peterson, Bixby, Kalmick, Franklin, Pinchiff*

AGENDA APPROVAL

A. PUBLIC COMMENTS

Anyone wishing to speak during PUBLIC COMMENTS must fill out and submit a form to speak. The Planning Commission can take no action on this date, unless the item is agendized. Anyone wishing to speak on items not on tonight's agenda, a closed public hearing item, or on non-public hearing items may do so during PUBLIC COMMENTS. Please note comments on closed public hearing items will not be part of the permanent entitlement record. Speakers on items scheduled for PUBLIC HEARING will be invited to speak during the public hearing. (4 MINUTES PER PERSON, NO DONATING OF TIME TO OTHERS)

B. PUBLIC HEARING ITEMS

Anyone wishing to speak during an open PUBLIC HEARING must fill out and submit a form to speak. The public may address the Planning Commission only during the open PUBLIC HEARING items or during PUBLIC COMMENTS. Please review the agenda to determine whether the PUBLIC HEARING item is open or closed. If the PUBLIC HEARING on an item is closed, you will not be permitted to speak during that portion of the agenda and may wish to address your concerns during the PUBLIC COMMENTS portion of the agenda. Speakers on items scheduled for PUBLIC HEARING will be invited to speak during the public hearing. (4 MINUTES PER PERSON, WITH A MAXIMUM TIME DONATION OF 8 MINUTES, FOR A TOTAL OF 12 MINUTES PER SPEAKER)

PROCEDURE: Commission Disclosure Statement(s), Staff Report Presentation, Commission Questions, Public Hearing, Discussion/Action.

- B-1. CONDITIONAL USE PERMIT NO. 12-029 / VARIANCE NO. 13-001 (SURF CITY CHRISTIAN PRESCHOOL EXPANSION – CONTINUED FROM THE FEBRUARY 26, 2013 MEETING)** **Applicant:** Marcus Paris, DeRevere & Associates **Property Owner:** Surf City Christian Preschool **Request:** CUP: To permit (a) the expansion of an existing 2,800 sq. ft. preschool by constructing a new 2,800 sq. ft. building, an 18-space parking lot, and site improvements; and (b) approximately 60 linear ft. blockwall and gate measuring 6 ft. high in lieu of a maximum height of 3.5 ft. within five ft. of the front property line adjacent to Graham Place. **VAR:** To permit a 7 ft., 2 in. street side yard setback in lieu of a minimum of 10 ft. street side yard setback for the new preschool building. **Location:** 5432 Heil Avenue, 92649 (southwest corner of Graham Street and Heil Avenue) **City Contact:** Jill Arabe

STAFF RECOMMENDATION: Motion to: “Approve Conditional Use Permit No. 12-029 and Variance No. 13-001 with suggested findings and conditions of approval.”

- B-2. SITE PLAN REVIEW NO. 11-04/VARIANCE NO. 12-04 – APPEAL- CONTINUED FROM THE FEBRUARY 26, 2013 MEETING (CASA RINCON)** **Appellant/Applicant:** Sean Pate, CEO of The Pate Foundation, 575 Anton Blvd., Ste 1100, Costa Mesa, CA 92626 **Property Owner:** Morrie Golcheh, Progressive Real Estate, 10537 Santa Monica Blvd., Suite No. 350, Los Angeles, CA 90025 **Request:** SPR: To permit the construction of an approximately 10,900 square foot, four-story affordable housing apartment project with an overall height of 50 feet within the Town Center Neighborhood Segment of Beach & Edinger Corridors Specific Plan (SP 14). The project will consist of 24 affordable housing units containing 4 one-bedroom units (615 sq. ft./unit), 5 two-bedroom units (843 sq. ft./unit), 6 three-bedroom units (1,028 sq. ft./unit) and 9 four-bedroom units (1,224 sq. ft./unit) including a 693 square foot, two-story community recreation building with an overall height of 33 feet. **VAR:** To permit (a) 8 feet high perimeter privacy walls in lieu of a maximum height of 6 feet permitted; (b) a reduction in required public open space from a minimum 1,200 sq. ft. to 925 square feet; and (c) eliminate the private entry type requirement from the project design. **Location:** 18431 Beach Blvd., Huntington Beach, CA 92648 **City Contact:** Rosemary Medel

STAFF RECOMMENDATION: Motion to: “Deny Site Plan Review No.11-004 and Variance No. 12-004 with suggested findings of denial.”

- B-3. SIX-MONTH REVIEW OF CONDITIONAL USE PERMIT NO. 11-001 (TAPHOUSE RESTAURANT) Applicant/Business Owner: Dwight Chornomud Property Owner: Huntington Partners, LLC Request: Six-month review of Conditional Use Permit No. 11-001 approved by the Planning Commission on September 13, 2011 which permitted 1) the establishment, maintenance, and operation of an approximately 9,186 sq. ft. two-level indoor restaurant and 1,082 sq. ft. outdoor dining area; 2) alcohol sales; 3) live entertainment consisting of music and dancing; 4) approximately 564 sq. ft. outdoor storage area; and 5) a reduction in the number of required parking spaces to less than the number required pursuant to HBZSO Section 213.08 based on a parking survey and shared parking analysis and data. When Conditional Use Permit No. 11-001 was approved, the Planning Commission required review of the use within six months of issuance of Certificate of Occupancy to verify compliance with all conditions of approval and applicable Chapters of the Huntington Beach Zoning and Subdivision Ordinance. Location: 8901 Warner Avenue, 92647 (northwest corner at Magnolia Street – Bridgecreek Plaza) City Contact: Ethan Edwards**

STAFF RECOMMENDATION: Motion to: “Receive and file as adequate.”

C. CONSENT CALENDAR

D. NON-PUBLIC HEARING ITEMS

E. PLANNING ITEMS

- E-1. CITY COUNCIL ACTIONS FROM PREVIOUS MEETING**
- E-2. CITY COUNCIL ITEMS FOR NEXT MEETING**
- E-3. PLANNING COMMISSION ITEMS FOR NEXT MEETING**

F. PLANNING COMMISSION ITEMS

F-1. PLANNING COMMISSION REQUEST ITEMS - NONE

F-2. PLANNING COMMISSION COMMENTS

**Commissioner Dingwall –
Commissioner Mandic –
Vice-Chairperson Peterson –
Chairperson Bixby –
Commissioner Kalmick –
Commissioner Franklin –
Commissioner Pinchiff –**

ADJOURNMENT: Adjourn to the next regularly scheduled meeting of Tuesday, April 9, 2013.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Planning Commission is final unless an appeal is filed to the City Clerk by you or by an interested party. Said appeal must be accompanied by a filing fee of One Thousand, Seven Hundred Sixty-Three Dollars (\$1,763.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and Three Thousand, Three Eighty-Three Dollars (\$3,383.00) if the appeal is filed by any other party. The appeal shall be submitted to the City Clerk within ten (10) calendar days of the date of the Planning Commission’s action.

Copies of staff reports and/or written materials on each agenda item are on file in the Planning and Building Department and on the City’s website (<http://www.huntingtonbeachca.gov/>), for inspection by the public. A copy of the agenda packet is also available at the Central Library (7111 Talbert Avenue).

**DVDs OF MEETINGS ARE AVAILABLE FOR PUBLIC CHECK OUT AT THE CENTRAL LIBRARY,
AND FOR DUPLICATION SERVICES IN THE CITY CLERK’S OFFICE.**

HUNTINGTON BEACH PLANNING COMMISSION

Public Hearing Procedures

This statement has been prepared to provide a better understanding of the procedures for public hearings before the Planning Commission.

Regular meetings of the Planning Commission are held on the second and fourth Tuesdays of each month beginning at 5:15 p.m. in Room B-8 for a study session and then at 7:00 PM in the Council Chambers. Adjourned meetings, special meetings, and Study Sessions may be scheduled at other times.

Planning Commission proceedings are governed by the Planning Commission By-Laws, Robert's Rules of Order and the Brown Act. The following is the typical sequence of events on public hearing items:

- A. The Chairperson shall announce the item and if the public hearing is open or closed.
- B. The Planning Commission shall disclose any discussions, conversations, etc., with applicants, applicant's representatives or property owners.
- C. The staff report is presented.
- D. Questions by the Planning Commission concerning the staff report may be answered at this time.
- E. The public hearing is opened by the Chairperson.
- F. The applicant or appellant is given an opportunity to address the Commission. Time is not limited but left to the Chairperson's discretion.
- G. Public Comments: Staff will call all speakers by name. Please proceed to the podium. Individuals favoring and opposing the proposal are given an opportunity to address the Commission (up to four (4) minutes), or may choose to donate their time to another speaker if the "Request to Speak" form is filled out and given to the Secretary. A speaker who addresses the Commission on behalf of individuals who donate time are allowed a maximum of 12 minutes. Individuals who donate time must be present when the item is being discussed. Please state your name before addressing the Commission.
- H. The Commission may ask questions of speakers addressing the Commission.
- I. The public hearing is closed.
- J. The Commission will deliberate the matter at this time.
- K. The Commission then acts on the matter by continuing, approving, conditionally approving, or denying the petition.

The Planning Commission receives a staff report packet on the Tuesday preceding the meeting, allowing time to review each case and make further investigations in the field prior to the scheduled meeting.

Staff reports are available in the Planning and Building Department, the Central Library and on the City's website (www.surfcity-hb.org) anytime on Wednesday preceding the Tuesday Planning Commission meeting.