MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, MAY 28, 2013
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 Dingwall

	P	A	P	P	P	P	P
ROLL CALL:	*Dingwall,*	*Mandic,*	*Peterson,*	*Bixby,*	*Kamlick,*	*Franklin,*	*Pinchiff*

Commissioner Mandic was absent.

AGENDA APPROVAL

A MOTION WAS MADE BY BIXBY, SECONDED BY FRANKLIN, TO APPROVE THE PLANNING COMMISSION AGENDA OF MAY 28, 2013, BY THE FOLLOWING VOTE:

AYES: Dingwall, Peterson, Bixby, Kalmick, Franklin, Pinchiff
NOES: None
ABSENT: Mandic
ABSTAIN: None

MOTION APPROVED

A. PUBLIC COMMENTS – NONE

B. PUBLIC HEARING ITEMS

B-1. ENVIRONMENTAL IMPACT REPORT NO. 07-001/ GENERAL PLAN AMENDMENT NO. 05-001/ZONING MAP AMENDMENT NO. 05-001 (WARNER NICHOLS) Applicant/ Property Owner: Jerry Moffatt, Rainbow Environmental Services **Request: EIR:** To analyze the potential environmental impacts associated with a proposal to change the land use and zoning designations on the subject property and demolish or remove existing structures that meet state criteria for historic resources. **GPA:** To change the General Plan land use designation from RM-15 (Residential Medium Density - Max 15 dwelling units per acre) to CG-F1 (Commercial General – Maximum Floor Area Ratio of 0.35) on a ±1.1 gross acre portion fronting on Warner Ave. and to I-F2-d (Industrial – Maximum Floor Area Ratio of 0.5 – Design Overlay) on a ±3.3 gross acre portion fronting on Nichols St. **ZMA:** To change the zoning designation from RM (Residential Medium Density) to CG (Commercial General) on a ±1.1 gross acre portion fronting on Warner Ave. and to IG (General Industrial) on a ±3.3 gross

acre portion fronting on Nichols St. **Location:** 7622-7642 Warner Avenue, 92647 (southeast corner of Warner Ave. and Nichols St.) **City Contact:** Ricky Ramos

STAFF RECOMMENDATION: Motion to: "Continue Environmental Impact Report No. 07-001, General Plan Amendment No. 05-001, and Zoning Map Amendment No. 05-001 to June 25, 2013 at the applicant's request."

The Commission made the following disclosures:

- Commissioner Pinchiff noted that he attended the City Council study session but had no other new disclosures.
- Commissioner Franklin had no new disclosures.
- Commissioner Kalmick had no new disclosures
- Chair Bixby attended the City Council study session and spoke to Mary Urashima.
- Vice-Chair Peterson stated he had no new disclosures.
- Commissioner Dingwall has visited the site and spoke to the property owners.

Mary Beth Broeren, Planning Manager, stated that staff recommends a continuance to the June 25, 2013 meeting as requested by the applicant.

A MOTION WAS MADE BY DINGWALL, SECONDED BY BIXBY, TO CONTINUE ENVIRONMENTAL IMPACT REPORT NO. 07-001/ GENERAL PLAN AMENDMENT NO. 05-001/ZONING MAP AMENDMENT NO. 05-001 TO THE JUNE 25, 2013 PLANNING COMMISSION MEETING, BY THE FOLLOWING VOTE:

AYES: Dingwall, Peterson, Bixby, Kalmick, Franklin, Pinchiff
NOES: None
ABSENT: Mandic
ABSTAIN: None

MOTION APPROVED

B-2. **DEVELOPMENT AGREEMENT NO. 13-001 (ELAN DEVELOPMENT AGREEMENT)** **Applicant:** Dan Milich **Property Owner:** Elan Huntington Beach, LLC, c/o Greystar Capital Partners **Request:** Development Agreement No. 13-001 represents a request to enter into a Development Agreement between the City of Huntington Beach and Elan Huntington Beach, LLC (c/o Greystar) pursuant to approvals for the Beach and Ellis Mixed Use project (Site Plan Review No. 12-001). The project was approved for 274 apartment units (includes six live-work units), 8,500 sq. ft. of retail space, a leasing office and private recreational amenities including a public open space plaza. The project formerly known as the Beach and Ellis Mixed Use was approved by the Planning Commission and the City Council in 2012. Condition of Approval No. 6.b. requires an affordable housing agreement for 27 units to be approved by the City Council and recorded to provide affordable dwelling units in accordance with the Huntington Beach Zoning and Subdivision Ordinance. **Location:** 18502-18552 Beach Boulevard, 92648 (southeast corner of Beach Boulevard and Ellis Avenue) **City Contact:** Rosemary Medel

STAFF RECOMMENDATION: Motion to: "Approve Development Agreement No. 13-001 with findings for approval (Attachment No. 1) and forward Draft Ordinance (Attachment No. 2) to the City Council for adoption."

The Commission made the following disclosures:

- Commissioner Pinchiff noted that he has driven by and walked the site.
- Commissioner Franklin noted that he has driven by the site.
- Commissioner Kalmick noted that he has driven by the site.
- Chair Bixby noted that he has driven by the site and has participated in previous Planning Commission actions for the site.
- Vice-Chair Peterson noted that he has driven by the site and has participated in previous Planning Commission Actions regarding the site.
- Commissioner Dingwall noted that he has driven by the site.

A brief discussion took place regarding the public notification process.

THE PUBLIC HEARING WAS OPENED.

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

A MOTION WAS MADE BY FRANKLIN, SECONDED BY KALMICK, TO APPROVE DEVELOPMENT AGREEMENT NO. 13-001 WITH FINDINGS AND TO FORWARD TO THE CITY COUNCIL FOR ADOPTION.

There was a lengthy discussion regarding the development agreement and the scope of the Planning Commission's task to review and vote on whether or not the development agreement conforms to the General Plan.

A MOTION WAS MADE BY FRANKLIN, SECONDED BY KALMICK, TO END THE DISCUSSION AND CALL FOR THE QUESTION.

AYES: Bixby, Kalmick, Franklin, Pinchiff
NOES: Dingwall, Peterson
ABSTAIN: None
ABSENT: Mandic

MOTION APPROVED

A MOTION WAS MADE BY BIXBY, SECONDED BY FRANKLIN, TO APPROVE DEVELOPMENT AGREEMENT NO. 13-001 WITH FINDINGS AND TO FORWARD TO THE CITY COUNCIL FOR ADOPTION.

AYES: Bixby, Kalmick, Franklin, Pinchiff
NOES: Dingwall, Peterson
ABSTAIN: None
ABSENT: Mandic

MOTION APPROVED

Chair Bixby inquired of staff if the appeal language needed to be read. Ms. Broeren stated that the item was being forwarded to the City Council, therefore the appeal language did not apply.

FINDINGS FOR CEQA:

The Planning Commission finds that the proposed development agreement, which executes the required affordable housing agreement, is included in the scope of the proposed project's Environmental Impact Report (EIR No. 10-004) certified by the City Council on February 6, 2012.

FINDING FOR APPROVAL – DEVELOPMENT AGREEMENT NO. 13-001

The development agreement is consistent with the General Plan and Beach and Edinger Corridor Specific Plan. Development Agreement No. 13-001 provides for construction of the Elan project, which complies with approved Site Plan Review No. 12-001 and was found to conform to the goals and policies of the General Plan as approved by the City Council on June 4, 2012. The development agreement ensures the construction of 27 affordable housing units within the project in accordance with the provisions of the Specific Plan for a 55 year period. The development agreement is consistent with the following General Plan.

A. *Housing Element*

Goal H 2: Provide adequate housing sites to accommodate regional housing needs.

Goal H 3: Assist in development of affordable housing.

Policy H 2.2: Facilitate the development of mixed use projects in appropriate commercial areas, including stand-alone residential development (horizontal mixed use) and housing above ground floor commercial uses (vertical mixed use). Establish mixed use zoning regulations.

Policy H 3.1: Encourage the production of housing that meets all economic segments of the community, including lower, moderate, and upper income households, to maintain a balanced community.

B. *Land Use Element*

Goal LU 4: Achieve and maintain high quality architecture, landscape, and public open spaces in the City.

Goal LU 4.2.4: Require that all development be designed to provide adequate space for access, parking, supporting functions, open space, and other pertinent elements.

Goal LU 7: Achieve a diversity of land uses that sustain the City's economic viability, while maintaining the City's environmental resources and scale and character.

Goal LU 8: Achieve a pattern of land uses that preserves, enhances, and establishes a distinct identity for the City's neighborhoods, corridors, and centers.

Policy LU 8.1.1: Accommodate land use development in accordance with the patterns and distribution of use and density depicted on the Land Use Plan Map, in accordance with the principles discussed below:

a. Not applicable
b. Vary uses and densities along the City's extended commercial corridors, such as Beach Boulevard.

c. Increase diversification of community and local commercial nodes to serve adjacent residential neighborhoods.
d. Not applicable
e. Intermix uses and densities in large-scale development projects.
f. Site development to capitalize upon potential long-term transit improvements.
g. Establish linkages among community areas, which may include pedestrian and vehicular paths, landscape, signage, other streetscape elements, open space, transitions, in form, scale, and density of development, and other elements.

Goal LU 9: Achieve the development of a range of housing units that provides for the diverse economic, physical, and social needs of existing and future residents of Huntington Beach.

Policy LU 9.1.4: Require that recreational and open space amenities be incorporated in new multi-family developments and that they be accessible to and of sufficient size to be usable by all residents.

Goal LU 11: Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.

The development agreement would ensure that affordable housing is developed in accordance with the approved project and condition of approval requiring affordable housing. The project as a whole will provide an alternative housing choice for those wanting to live closer to public transportation, services and commercial retail, which encourages less reliance on automobile travel. The development agreement would guarantee that the project provides 27 on-site affordable units. In doing so, these units will satisfy the affordable housing obligations while providing housing for moderate income households.

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
Scott Hess, Director of Planning and Building – 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

Chair Bixby acknowledged the surfboard which was presented to the City by the Donate Life organization. He stated he would like individuals to be aware of the organ donor program.

<u>ADJOURNMENT:</u> Adjourned at 7:27 PM to the next regularly scheduled meeting of Tuesday, June 11, 2013.

APPROVED BY:

Scott Hess, Secretary	Mark Bixby, Chairperson