MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JUNE 24, 2014
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 Bixby

	P	P	P	P	P	P	P
ROLL CALL:	*Semeta,*	*Posey,*	*Franklin,*	*Peterson,*	*Pinchiff,*	*Bixby,*	*Kalmick*

AGENDA APPROVAL

A MOTION WAS MADE BY KALMICK, SECONDED BY PINCHIFF, TO APPROVE THE PLANNING COMMISSION AGENDA OF JUNE 24, 2014, BY THE FOLLOWING VOTE:

AYES: Semeta, Posey, Franklin, Peterson, Pinchiff, Bixby, Kalmick
NOES: None
ABSENT: None
ABSTAIN: None

MOTION APPROVED

A. PUBLIC COMMENTS

Guy Guzzardo, resident, expressed his gratitude for the Planning Commission's thoughtful deliberations on the Surf City Nights project.

B. PUBLIC HEARING ITEMS

B-1. VARIANCE NO. 2014-003 (MILLER RESDIENCE) Applicant: Michael Adams **Property Owner:** Craig Miller **Request:** To permit a 53 square foot expansion of an attached side-entry garage at a 7.5 ft. front yard setback in lieu of a required minimum 10 ft. front yard setback. **Location:** 16532 Somerset Lane (North side of Somerset Lane, west of Gilbert Drive) **City Contact:** Hayden Beckman, Assistant Planner

STAFF RECOMMENDATION: Motion to: "Approve Variance No. 14-003 with suggested findings and conditions of approval (Attachment No. 1)."

The Commission made the following disclosures:

- Commissioner Semeta has driven by the site, and the other sites listed in the staff report as having front yard setback variances.
- Commissioner Posey has driven by the site, the other sites listed in the staff report as having front yard setback variances, and through the surrounding neighborhood.
- Vice-Chair Franklin had no disclosures.
- Chair Peterson has driven by the site and the surrounding neighborhood.
- Commissioner Pinchiff has driven by the site and the surrounding neighborhood.
- Commissioner Bixby has visited the site.
- Commissioner Kalmick stated has visited the site and driven through the surrounding neighborhood.

Hayden Beckman, Assistant Planner, gave the staff presentation and an overview of the project.

There was a brief discussion regarding the current garage and driveway.

THE PUBLIC HEARING WAS OPENED.

Mike Adams, applicant, spoke in support of Item No. B-1 and gave a brief overview of the project, noting that there would be no negative impacts on the surrounding neighborhood.

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

There was a brief discussion regarding the accessibility of the driveway.

A MOTION WAS MADE BY FRANKLIN, SECONDED BY PETERSON, TO APPROVE VARIANCE NO. 14-003 WITH FINDINGS AND CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

AYES: Semeta, Posey, Franklin, Peterson, Pinchiff, Bixby, Kalmick
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 15305, Class 5 of the CEQA Guidelines, which states that minor setback variances not resulting in the creation of any new parcel are exempt from further environmental review.

FINDINGS FOR APPROVAL VARIANCE NO. 14-003:

1. The granting of Variance No. 14-003 to permit a 53 sq. ft. side-entry garage addition with a 7.5 foot front yard setback in lieu of a minimum 10 foot required front yard setback would not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. The side entry garage, constructed at the same time as the residence, was built with an unusually large 4 ft. wide projecting roof eave overhang. The proposed side entry garage addition will be constructed within the roof volume of the existing eave projection and will not exacerbate the existing projection condition. The subject property is located within a residential tract that has received approval for a tract-wide setback variance and multiple front yard setback variances for garages and other structures have been approved in the neighborhood.

2. Due to special circumstances applicable to the subject property including location and surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classification. Due to the location of existing raised planters at the side and front of the driveway, maneuvering comfortably into the garage is difficult. Widening the garage will improve the homeowner's access and ease transitioning from the street to the garage. Additionally, the subject property has only two immediately adjacent residential properties; one to the east and one to the west. The northern property boundary is the Huntington Harbour waterway channel. Across Somerset Lane to the south are residential properties that are located atop a substantial grade differential and do not face directly onto the subject property. This unique condition of the subject property's surroundings will not result in the project creating a negative visual, visibility, or privacy impact to surrounding properties. Further, the existing landscaping in front of the projecting roof of the garage will remain following construction of the proposed project.

3. The granting of the variance is necessary to preserve the enjoyment of one or more substantial property rights. The proposed garage addition will enlarge the space available for maneuvering and parking vehicles, and will result in an increased enclosed parking area without forcing a substantial alteration to the habitable area of the home.

4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification. The proposed project has been designed with and will be constructed of the same materials and colors as the existing residence. The proposed addition will occur beneath an existing roof eave overhang and will not negatively impact views or privacy within the immediate neighborhood. All other aspects of the proposed project will comply with the applicable standards and requirements of the HBZSO.

5. The granting of the variance will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL – 7 (Residential Low Density – Max. 7 units/acre) on the subject property. Approval of the requested variance furthers the General Plan Objectives and Policies by ensuring that new construction is consistent with the community character and is designed to enhance the subject site. In addition, the request is consistent with the following goals, policies, and objectives of the General Plan:

   A. Land Use Element

Policies LU 7.1.2: Require that development be designed to account for the unique characteristics of project sites and objective for community character as appropriate.

Policies LU 9.1.2a: Modulate and articulate building elevation, facades, and masses (avoiding undifferentiated "box-like" structures).

Policies LU 9.1.2e: Locate and design garages so that they do not dominate the street frontage.

The properties across Somerset Lane are on a higher elevation than the subject property. These properties are located atop an approximately 10 foot grade differential, setback approximately 12 feet from the property line along Somerset Lane. Since the adjacent residences across Somerset Lane do not look directly onto the public street, the proposed project would not create a negative visual impact. The proposed addition will not dominate the street frontage because the garage roof massing will not be modified, existing landscaping in front of the existing roof projection will be preserved, and the access remains as side-entry so the garage door does not face the street. Approval of the requested variance furthers the General Plan Objectives and Policies.

CONDITIONS OF APPROVAL – VARIANCE NO. 14-003:

1. The site plan, floor plans, and elevations received and dated March 18, 2014, shall be the conceptually approved design.

2. Variance No. 14-003 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 Department a minimum 30 days prior to the expiration date.

3. 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.

C. CONSENT CALENDAR

C-1. PLANNING COMMISSION MINUTES DATED NOVEMBER 12, 2013

RECOMMENDED ACTION: Motion to: "Approve the November 12, 2013, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY KALMICK, SECONDED BY FRANKLIN, TO APPROVE THE NOVEMBER 12, 2013 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

AYES: Posey, Franklin, Peterson, Pinchiff, Bixby, Kalmick
NOES: None
ABSTAIN: Semeta
ABSENT: None

MOTION APPROVED

C-2. PLANNING COMMISSION MINUTES DATED MARCH 25, 2014

RECOMMENDED ACTION: Motion to: "Approve the March 25, 2014, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY KALMICK, SECONDED BY PETERSON, TO APPROVE THE MARCH 25, 2014 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

AYES: Posey, Franklin, Peterson, Pinchiff, Kalmick, Bixby
NOES: None
ABSTAIN: Semeta
ABSENT: None

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, 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

Chair Peterson welcomed Commissioner Rossi Semeta to the Planning Commission.

Vice-Chair Franklin noted that on June 21, 2014 an event was held at the pier to celebrate 100 years of surfing in Huntington Beach. He noted that the George Freeth Foundation is interested in erecting a statue in George Freeth's honor.

Commissioner Bixby wished his fellow commissioners a happy Fourth of July.

Commissioner Pinchiff commented that an event was held to commemorate the city's 1914 pier on July 22, 2014. He noted that on July 4, 2014 the Huntington Beach Kiwanis will be holding a pancake breakfast and encouraged attendance. Commissioner Pinchiff announced the start of the Huntington Beach Concert Band summer concert series held on Sundays at Central Park.

ADJOURNMENT: Adjourned at 7:22 PM to the next regularly scheduled meeting of Tuesday, July 22, 2014. The July 8, 2014 meeting is cancelled.

APPROVED BY:

Scott Hess, Secretary

Erik Peterson, Chair