

MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, OCTOBER 8, 2019

HUNTINGTON BEACH CIVIC CENTER

2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

4:30 P.M. - COUNCIL CHAMBERS

CALL PLANNING COMMISSION STUDY SESSION TO ORDER

P P P P P P P
ROLL CALL: *Scandura, Ray, Grant, Garcia, Kalmick, Perkins, Mandic*

AGENDA APPROVAL

A MOTION WAS MADE BY GRANT, SECONDED BY MANDIC, TO APPROVE THE PLANNING COMMISSION STUDY SESSION AGENDA OF OCTOBER 8, 2019, BY THE FOLLOWING VOTE:

AYES: Scandura, Ray, Grant, Garcia, Kalmick, Perkins, Mandic
NOES: None
ABSENT: None
ABSTAIN: None

MOTION APPROVED

PUBLIC COMMENTS - NONE

PROJECT REVIEW (FUTURE AGENDA ITEMS)

Commissioner Mandic recused herself from Item Nos. 19-920 and 19-984 because her business is located within the subject areas being discussed. Commissioner Mandic left the room.

19-920 ZONING TEXT AMENDMENT NO. 19-002 (HUNTINGTON BEACH ZONING AND SUBDIVISION ORDINANCE UPDATE)

REQUEST:
To introduce proposed clarifications, revisions, and amendments to the HBZSO.

LOCATION:
Citywide

Nicolle Aube, Associate Planner, gave the staff presentation for the proposed project.

There was discussion on the following items: Design Review Board review specifications, architectural standards, infill lot requirements, neighborhood notification requirements, vehicle storage, window alignment restrictions, parking structure guidelines, and window opacity requirements.

19-984 COASTAL DEVELOPMENT PERMIT NO. 19-001/CONDITIONAL USE PERMIT NO. 19-001 (3RD STREET COMMERCIAL BUILDING)

REQUEST:

To introduce a proposal for a four-story building with approximately 1,660 sq. ft. of retail on the ground floor and 18,000 sq. ft. of office above with an accessible roof top deck on an 8,475 sq. ft. vacant lot. The project includes one level of parking at the ground floor with 34 percent of the required parking in a vertical tandem configuration (car lifts) and one level of subterranean parking accessed by a car elevator and a valet parking service.

LOCATION:

321 3rd Street, 92648 (north side of 3rd St. between Orange Ave. and Olive Ave.)

Jessica Bui, Associate Planner, gave the staff presentation for the proposed project.

There was discussion on the following items: valet hours of operation, car queuing, consequences of long term service interruption of the parking system, differences between a covenant and a condition of approval, parking management plan, traffic signage, afterhours parking, and delivery truck access.

STUDY SESSION ITEMS - NONE

AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS)

Jane James, Planning Manager, reviewed the late communication for Item No. 19-963.

5:37 P.M. – RECESS FOR DINNER

6:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Commissioner Ray

ROLL CALL: P P P P P P P
Scandura, Ray, Grant, Garcia, Kalmick, Perkins, Mandic

AGENDA APPROVAL

A MOTION WAS MADE BY GRANT, SECONDED BY KALMICK, TO APPROVE THE OCTOBER 8, 2019, PLANNING COMMISSION MEETING AGENDA, BY THE FOLLOWING VOTE:

AYES: Scandura, Ray, Grant, Garcia, Kalmick, Perkins, Mandic
NOES: None
ABSENT: None
ABSTAIN: None

MOTION APPROVED

PUBLIC COMMENTS - NONE

PUBLIC HEARING ITEMS

19-963 CONDITIONAL USE PERMIT NO. 18-044/ADMINISTRATIVE PERMIT NO. 19-011 (VET CLINIC)

REQUEST:

To establish a veterinary clinic within a 3,750 sq. ft. commercial building and allow a deviation of one parking space for a total of 12 parking spaces in lieu of the required 13 parking spaces.

LOCATION:

17101 A Lane, 92648 (at the northwest corner A Ln. and Baylock Dr.)

RECOMMENDED ACTION:

That the Planning Commission take the following actions:

- A) Find the proposed project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1;**
- B) Approve Conditional Use Permit No. 18-044 and Administrative Permit No. 19-011 with suggested findings and conditions of approval (Attachment No. 1).**

The Commission made the following disclosures:

- Commissioner Scandura visited the site.**
- Commissioner Ray visited the site**
- Vice-Chair Grant had no disclosures.**
- Chair Garcia is familiar with the site.**
- Commissioner Kalmick had no disclosures.**
- Commissioner Perkins had no disclosures.**
- Commissioner Mandic had no disclosures.**

Joanna Cortez, Associate Planner, gave the staff presentation on the proposed project.

There was discussion regarding the following items: parking impacts, overnight

pet observation, storage areas on the property, the number of restrooms in the facility, potential for street dedication, parking provided onsite, and landscaping onsite.

THE PUBLIC HEARING WAS OPENED.

Sean Alley, business/property owner, spoke in support of Item No. 19-963. He reviewed his business operation and stated that animals are not boarded overnight.

Peter Haddad, applicant, spoke in support of Item No. 19-963 and offered to answer any questions for the commission.

Dr. Patricia Roetzel, resident, asked for parking restrictions, citing that public parking for adjacent residents is already impacted.

Marjorie Barela, resident, spoke in opposition to Item No. 19-963, citing concerns with potential negative parking impacts.

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

There was brief discussion regarding the potential parking impacts, the parking requirement process, and the designated storage areas.

A MOTION WAS MADE BY KALMICK, SECONDED BY SCANDURA, TO FIND THE PROPOSED PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15301, CLASS 1; AND APPROVE CONDITIONAL USE PERMIT NO. 18-044 AND ADMINISTRATIVE PERMIT NO. 19-011 WITH SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

AYES: Scandura, Ray, Grant, Garcia, Kalmick, Perkins, Mandic
NOES: None
ABSENT: None
ABSTAIN: None

MOTION APPROVED

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator 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 minor alteration to an existing commercial building involving no expansion in the overall floor area of the structure.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 18-044:

1. Conditional Use Permit No. 18-044 to establish a veterinary clinic within a 3,750 sq. ft. commercial building 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 because it will not generate traffic or other impacts detrimental to surrounding properties. The use is within an existing commercial building (former church), adjacent to a residential use. The clinic will be located within the southern portion of the building, approximately 50 ft. away from the nearest residential building and across the site's parking lot. Additionally, the use is not proposing outdoor facilities or boarding services and all services will occur within the interior of the building. The proposed veterinary clinic will be compatible with surrounding uses because the proposed use is consistent with the existing land use pattern and is located on a property designated for commercial use.

2. The General Plan Land Use Map designation on the subject property is M-sp (Mixed Use – Specific Plan Overlay). The granting of the conditional use permit to establish a veterinary clinic within a 3,750 sq. ft. commercial building is consistent with this designation and the goals, policies, and objectives of the City's General Plan as follows:

A. Land Use Element

Goal LU-1: New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

Policy LU-1.A: Ensure that development is consistent with the land use designations presented in the Land Use Map, including density, intensity, and use standards applicable to each land use designation.

Policy LU-11.A: Encourage new businesses to locate on existing vacant or underutilized commercial properties where these properties have good locations and accessibility.

Policy LU-13 (A): Encourage expansion of the range of goods and services provided to accommodate the needs of all residents and the market area.

The proposed clinic is located within a vacant commercial building and, consistent with adjacent commercial uses, will provide a service to accommodate resident and market need in the area. Based upon the conditions imposed, the proposed use will not generate significant impacts above existing conditions. The use is not proposing outdoor facilities or boarding services and all services will occur within the interior of the building. In addition, the proposed hours of operation are typical of a commercial use and consistent with other commercial uses in the City. The clinic will be located within the southern portion of the building, approximately 50 ft. away from the nearest residential building and across the site's parking lot. Furthermore, all doors will remain closed during operating hours. The one space parking deviation will allow an underutilized property to be revitalized with a new use that will benefit the neighborhood and that will also improve the aesthetics of the site by adding upgraded landscaping. The site is a corner property located on A Lane and shares an alley with properties fronting Beach Boulevard. This provides an appropriate location for a new business with good customer accessibility from a principal arterial thoroughfare. The twelve parking spaces provided on-site are anticipated to sufficiently serve both staff members and customers

3. The proposed conditional use permit to establish a veterinary clinic within a 3,750 sq. ft. commercial building with the Neighborhood Boulevard 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) because the BECSP allows veterinary clinics subject to approval of a conditional use permit. The General Plan land use

designation and the BECSP anticipated veterinary/medical uses in this area. The veterinary clinic will be located within an existing commercial building and no physical expansion of additional floor area is proposed. The use will comply with all building occupancy and exiting requirements.

FINDINGS FOR APPROVAL – ADMINISTRATIVE PERMIT NO. 19-011:

1. Administrative Permit No. 19-011 to allow a deviation one parking space for a total of 12 parking spaces in lieu of the required 13 parking spaces for a proposed 3,750 sq. ft. veterinary clinic will promote better design, environmental and land planning techniques and contribute to the economic viability of the community, through aesthetically pleasing architecture, landscaping, and site layout because it will result in a greater benefit from the project as it will bring a new use that will revitalize an underutilized property while introducing a service to the area that will serve both residents and visitors. The project will upgrade the existing site by adding upgraded landscaping, providing ADA accessible parking spaces, and a new trash enclosure. The proposed site improvements will substantially enhance this corner of A Lane and may motivate other surrounding commercial property owners to upgrade their properties.
2. Administrative Permit No. 19-011 to allow a deviation one parking space for a total of 12 parking spaces in lieu of the required 13 parking spaces for a proposed 3,750 sq. ft. veterinary clinic will not be detrimental to the general health, welfare, safety, and convenience of the neighborhood or City in general, nor detrimental or injurious to the value of property or improvements of the neighborhood or of the City in general because the deviation will allow an underutilized property to be revitalized with a new use that will benefit the neighborhood and that will also improve the aesthetics of the site by adding site improvements and upgraded landscaping. Based upon the conditions imposed, the proposed use and reduction in parking will not generate significant impacts above existing conditions.
3. Administrative Permit No. 19-011 to allow a deviation one parking space for a total of 12 parking spaces in lieu of the required 13 parking spaces for a proposed 3,750 sq. ft. veterinary clinic is consistent with the objectives of the Specific Plan in achieving a project adapted to the area and compatible with the surrounding environment because the deviation will bring the non-conforming property into further compliance. The site was previously a civic and cultural center (a church with residences), which was developed in the 1960s prior to adoption of the BECSP. It does not comply with the development standards of the specific plan in terms of parking, landscaping, and setbacks and is considered legal non-conforming. The proposed veterinary clinic will provide upgraded landscaping, new trash enclosure, and ADA accessible parking spaces. The twelve parking spaces provided on-site are anticipated to sufficiently serve both staff members and customers. In addition, the improvements associated with the use will bring the property in further compliance and further the vision and viability of the specific plan.
4. Administrative Permit No. 19-011 to allow a deviation one parking space for a total of 12 parking spaces in lieu of the required 13 parking spaces for a proposed 3,750 sq. ft. veterinary clinic will be consistent with the goals and policies of the City's General Plan, and comply with State and Federal Law.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 18-044/ADMINISTRATIVE PERMIT NO. 19-011:

1. The site plan, floor plans, and narrative received and dated September 9, 2019 shall be the conceptually approved design.
2. The hours of operation shall limited to Monday – Saturday: 8:00 A.M. – 6:00 P.M.
3. The use shall not include outdoor facilities or overnight boarding. All doors shall remain closed during hours of operation.
4. CUP No. 18-044 and Administrative Permit No. 19-011 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 Community Development Department a minimum 30 days prior to the expiration date.
5. 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 Community Development 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 Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

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.

CONSENT CALENDAR - NONE

NON-PUBLIC HEARING ITEMS - NONE

PLANNING ITEMS

Jane James, Planning Manager, reported on items for past and upcoming City Council meetings and upcoming Planning Commission meetings.

PLANNING COMMISSION ITEMS

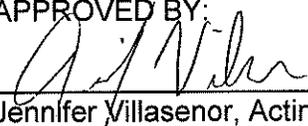
Commissioner Scandura asked for staff to provide Magnolia Tank Farm documents as soon as possible. Jennifer Villasenor, Deputy Director, reported that the Response to Comments would be available by the upcoming Friday.

Commissioner Scandura reported that the Environmental Board does not currently have enough members to make a quorum.

Commissioner Kalmick reported on the recent Coastal Resiliency Forum.

ADJOURNMENT: Adjourned at 6:44 PM to the next regularly scheduled meeting of October 22, 2019.

APPROVED BY:



Jennifer Villasenor, Acting Secretary



Michael Grant, Chairperson