



MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, FEBRUARY 26, 2019

HUNTINGTON BEACH CIVIC CENTER

2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

6:00 P.M. – COUNCIL CHAMBERS

CALL PLANNING COMMISSION MEETING TO ORDER

PLEDGE OF ALLEGIANCE – Led by Vice-Chair Grant

P P P P P P A

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

Commissioner Mandic was absent.

AGENDA APPROVAL

A MOTION WAS MADE BY KALMICK, SECONDED BY SCANDURA, TO APPROVE THE FEBRUARY 26, 2019, PLANNING COMMISSION MEETING AGENDA, BY THE FOLLOWING VOTE:

AYES: Scandura, Ray, Grant, Garcia, Kalmick, Perkins

NOES: None

ABSENT: Mandic

ABSTAIN: None

MOTION APPROVED

PUBLIC COMMENTS - NONE

PUBLIC HEARING ITEMS

- 19-164** **CONDITIONAL USE PERMIT NO. 18-042 (PEGASUS SCHOOL REMODEL):** To permit a two-phased campus remodel for the demolition of approximately 12,100 sq. ft. of classrooms and construction of 24,500 sq. ft. of classrooms/library: Phase 1 - Replace seven modular classrooms with a 16,600 sq. ft., single-story classroom/lab building at an overall height of 23 ft.-6 in. and reconfiguration and expansion of an existing parking lot and drop off area; Phase 2 - Replace an existing classroom building with a 5,651 sq. ft., single-story library building at an overall height of 23 ft.-7 in. and install playground equipment at 19692 Lexington Lane; and find the project exempt from CEQA.

LOCATION:

19692 Lexington Lane, 92646 (east side of Lexington Ln., between Shalom Dr. and Shangri La 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 15314, Class 14.;
- B) Approve Conditional Use Permit No. 18-042 with suggested findings and conditions of approval (Attachment No. 1).

The Commission made the following disclosures:

- Commissioner Scandura has visited the site, met with the Chief Financial Officer, spoke with staff, and voted on the previous entitlement.
- Commissioner Ray had no disclosures.
- Vice-Chair Grant visited the site and attended the Design Review Board meeting.
- Chair Garcia had no disclosures.
- Commissioner Kalmick had no disclosures.
- Commissioner Perkins had no disclosures.

Joanna Cortez, Associate Planner, gave the staff presentation and an overview of the project.

There was discussion on the following items: the construction schedule and the proposed mitigation measures

THE PUBLIC HEARING WAS OPENED.

Shawna Schaffner, applicant, and Jason Lopez, Pegasus School, spoke in support of the proposed project. Mr. Lopez indicated a need to improve the parking to alleviate stress on the surrounding neighborhood, and the need to replace portable classrooms with permanent facilities. Ms. Schaffner gave a detailed overview of the project schedule. Mr. Lopez and Ms. Schaffner stated that the student numbers would not be increased through this project.

Tamara Berardi , spoke in opposition to the proposed project, citing concerns with the potential traffic impacts and the loss of open space

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

There was discussion regarding the construction traffic, the potential driveway impacts for residents, and temporary construction traffic signage.

A MOTION WAS MADE BY KALMICK, SECONDED BY RAY, TO FIND THE PROPOSED PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15314, CLASS 14 AND APPROVE CONDITIONAL USE PERMIT NO. 18-042 WITH SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL, BY THE FOLLOWING VOTE:

AYES:	Scandura, Ray, Grant, Garcia, Kalmick, Perkins
NOES:	None
ABSENT:	Mandic
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 exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15314, Class 14 – *Minor Additions to Schools* of the CEQA Guidelines as the project is located at an existing school and involves the construction of a small parking lot and two new buildings that will not increase original student capacity by more than 25% or 10 classrooms.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 18-042:

1. Conditional Use Permit No. 18-042 for a phased development to remove existing modular and classroom buildings, construct two new classroom buildings, install new playground equipment, and expand an existing parking lot will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood because the project will revitalize and modernize an existing school with improvements consistent with the General Plan land use and zoning designations. The proposed project will replace seven modular classrooms and an existing classroom building and is compatible in the proportion, scale, and character of the remaining school buildings and adjoining residential uses. The new buildings will house classrooms and labs in one building and a library/media center with administrative/meeting areas in the second building. The one-story school buildings are consistent with the height requirements and complement the adjacent uses. Additionally, the design of the new buildings is attractive and will incorporate architectural elements such as clerestory windows, articulating rooflines, metal fascia accents, multi-colored fiber cement panels, and brick veneer base. The new buildings will be oriented in a manner that will create a school quad with new landscape, hardscape, and outdoor seating for the students. The day to day school activities will continue to operate with no changes and the school, as conditioned, will not increase student enrollment (Condition No. 2). Additionally, classroom count will not increase with the proposed improvements. The playground equipment is proposed in the center of the campus, away from nearby residential uses. The parking lot expansion will reorient and increase the length of the Lexington Ln. parking area with no new driveways or additional drive aisles. The pick-up and drop off curb will be increased, allowing approximately 45 more cars to queue onsite instead of along Lexington Ln. The school's existing traffic mitigation plan (Condition No. 2) will continue to be implemented with the expanded parking lot.

2. The General Plan Land Use Map designation on the subject property is currently PS (RL) (Public Semipublic/Residential Low Density). Conditional Use Permit No. 18-042 to remove existing modular and classroom buildings, construct two new classroom buildings, install new playground equipment, and expand an existing parking lot is consistent with this designation and the goals, policies, and objectives of the City's General Plan as follows:

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(D): Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

Goal LU-6: Neighborhood school sites adapt over time to meet the changing needs of the community.

The project will revitalize and modernize an existing school with improvements consistent with the General Plan land use of PS (RL). The proposed project will replace seven modular classrooms and an existing classroom building and is compatible in the proportion, scale, and character of the remaining school buildings and adjoining residential uses. The new buildings will house classrooms and labs in one building and a library/media center with administrative/meeting areas in the second building. Classroom count nor student enrollment will increase with the new site improvements. The one-story school buildings are consistent with the height requirements and complement the adjacent uses. Additionally, the design of the new buildings is attractive and will incorporate architectural elements such as clerestory windows, articulating rooflines, metal fascia accents, multi-colored fiber cement panels, and brick veneer base. The new buildings will be oriented in a manner that would create a school quad with new landscape, hardscape, and outdoor seating for the students. The proposed improvements will allow the expansion of a private school facility, thereby enhancing the educational opportunities available to the youth of the community without impacting surrounding residential development.

Circulation Element

Goal CIRC-1c: Through ongoing evaluation of jurisdiction, efficient transportation management provides the highest level of safety, service, and resources.

Policy CIRC-1c(G): Limit driveway access points, require driveways to be wide enough to accommodate traffic flow from and to arterial roadways, and establish mechanisms to consolidate driveways where feasible and necessary to minimize impacts to the smooth, efficient, and controlled flow of vehicles, bicycles, and pedestrians.

The parking lot expansion will reorient and increase the length of the Lexington Ln. parking area and will not add any new driveways or additional drive aisles. The pick-up and drop off curb will be increased and will allow approximately 45 more cars to queue onsite instead of along Lexington Ln.

3. Conditional Use Permit No. 18-042 to remove existing modular and classroom buildings, construct two new classroom buildings, install new playground equipment, and expand an existing parking lot will comply with the provisions of the base zoning district and other

applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance such as setbacks, building height, floor area ratio, landscape, and parking. Parking for educational use is calculated based on the number of classrooms, which the applicant is not proposing at this moment. Therefore, the existing on-site parking approved in 2001 is sufficient to accommodate the proposed buildings as the classroom count is not proposed to increase.

CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 18-042:

1. The site plan, floor plan, and elevations received and dated December 20, 2018 shall be the conceptually approved phased layout with the following modification: driveway entrances along Lexington Ln. shall add pavement treatment such as interlocking unit pavers or scored and colored concrete.
2. All other conditions of approval for Conditional Use Permit No. 88-56, 89-022, 95-33, 96-89, Entitlement Plan Amendment No. 01-01 and 15-002 shall remain in effect.
3. All construction staging and parking shall occur on the school's property and shall not impede required parking spaces and/or drop off and pick up curb.
4. Construction shall be limited to the following hours:
 - a. Monday-Friday: 7:00 AM – 8:00 PM
 - b. Saturday: 9:00 AM – 6:00 PM
 - c. Sunday/federal holiday: No construction
5. At least 14 days prior to any grading activity associated with each phase, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Community Development Department.
6. Prior to submittal for building permits, the following shall be completed:
 - a. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
 - b. The property owner/developer shall include a list on the plans to identify which sustainable or "green" building practices will be incorporated into the project from the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification or Building It Green's Green Building Guidelines and Rating Systems.
7. Prior to issuance of building permits, the following shall be included: An interim parking and building materials storage plan shall be submitted to the Community Development Department to assure adequate parking and restroom facilities are available for employees and contractors during the project's construction phase and that adjacent properties will not

be impacted by their location. The plan shall also be reviewed and approved by the Fire Department and Public Works Department. The applicant shall obtain any necessary encroachment permits from the Department of Public Works.

8. The structure(s) cannot be occupied, the final building permit(s) cannot be approved, and utilities cannot be released, and issuance of Certificate of Occupancy until the following has been completed:
 - a. Compliance with all conditions of approval specified herein shall be accomplished and verified by the Community Development Department.
 - b. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
 - d. A Certificate of Occupancy for each phase must be approved by the Planning Division and issued by the Building and Safety Division.
9. New signage shall be reviewed under separate permits and applicable processing.
10. The Development Services Departments (Community Development, Fire, and Police Department) 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 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.
11. Conditional Use Permit No. 18-042 shall become null and void unless Phase 1 is exercised within two (2) 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.

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

19-251 APPROVE PLANNING COMMISSION MINUTES DATED SEPTEMBER 25, 2018

Recommended Action:

That the Planning Commission take the following action:

“Approve the September 25, 2018 Planning Commission Minutes as submitted.”

A MOTION WAS MADE BY KALMICK, SECONDED BY RAY, TO APPROVE THE SEPTEMBER 25, 2018, PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

AYES: Scandura, Ray, Grant, Garcia, Kalmick

NOES: None

ABSENT: Mandic

ABSTAIN: Perkins

MOTION APPROVED

19-252 APPROVE PLANNING COMMISSION WORKSHOP MINUTES DATED OCTOBER 3, 2018

Recommended Action:

That the Planning Commission take the following action:

“Approve the October 3, 2018 Planning Commission Workshop Minutes as submitted.”

A MOTION WAS MADE BY KALMICK, SECONDED BY RAY, TO APPROVE THE OCTOBER 3, 2018, PLANNING COMMISSION WORKSHOP MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

AYES: Scandura, Ray, Garcia, Kalmick

NOES: None

ABSENT: Mandic

ABSTAIN: Perkins, Grant

MOTION APPROVED

19-253 APPROVE PLANNING COMMISSION MINUTES DATED OCTOBER 23, 2018

Recommended Action:

That the Planning Commission take the following action:

“Approve the October 23, 2018 Planning Commission Minutes as submitted.”

A MOTION WAS MADE BY KALMICK, SECONDED BY RAY, TO APPROVE THE OCTOBER 23, 2018, PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

AYES: Scandura, Ray, Grant, Garcia, Kalmick

NOES: None

ABSENT: Mandic

ABSTAIN: Perkins

MOTION APPROVED

19-254 APPROVE PLANNING COMMISSION MINUTES DATED NOVEMBER 13, 2018

Recommended Action:

That the Planning Commission take the following action:

“Approve the November 13, 2018 Planning Commission Minutes as submitted.”

A MOTION WAS MADE BY KALMICK, SECONDED BY RAY, TO APPROVE THE NOVEMBER 13, 2018, PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

AYES: Ray, Grant, Garcia, Kalmick

NOES: None

ABSENT: Mandic

ABSTAIN: Scandura, Perkins

MOTION APPROVED

NON-PUBLIC HEARING ITEMS - NONE

PLANNING ITEMS

Jennifer Villaseñor, Deputy Director of Community Development, reported on the items from the previous and upcoming City Council Meetings.

Jane James, Planning Manager, reported on the items for the next Planning Commission Meeting.

PLANNING COMMISSION ITEMS

Commissioner Grant reported on the recent Design Review Board meeting.

ADJOURNMENT: Adjourned at 6:42 PM to the next regularly scheduled meeting of Tuesday, March 12, 2019.

APPROVED BY:

Jennifer Villaseñor, Acting Secretary

Pat Garcia, Chairperson