



MINUTES

HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, OCTOBER 27, 2020

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 Chair Ray

P P P P P P P

ROLL CALL: *Perkins, Scandura, Kalmick, Ray, Mandic, Garcia, Crowe*

AGENDA APPROVAL

A MOTION WAS MADE BY MANDIC, SECONDED BY KALMICK, TO APPROVE THE OCTOBER 27, 2020, PLANNING COMMISSION MEETING AGENDA, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

PUBLIC COMMENTS - NONE

PUBLIC HEARING ITEMS

20-1891 MITIGATED NEGATIVE DECLARATION NO. 20-001 / TENTATIVE PARCEL MAP NO. 20-128 / CONDITIONAL USE PERMIT NO. 19-025 (SEACLIFF SENIOR LIVING)

REQUEST:

CUP: To permit: A) the construction of a three-story approximately 281,000 sq. ft. State-licensed convalescent facility on a site that has a grade differential greater than 3 feet between the low and high points; B) the operation of a convalescent facility with 226 guest rooms, 46,300 sq. ft. of common areas for residents, and a subterranean parking structure with 238 parking stalls in the Commercial Office (CO) zone; and C) a Type 47 ABC alcohol license that would permit the service of beer, wine, and spirits in the dining rooms, bistro, and café of the facility for residents and their guests; TPM: To subdivide the existing 11.29 acre subject property into four parcels; and MND: To analyze the potential environmental impacts associated with the proposed project.

LOCATION:
2120 Main Street, 92648 (northeast corner of Main Street at Yorktown Avenue).

RECOMMENDED ACTION:

That the Planning Commission take the following actions:

- A) Adopt Mitigated Negative Declaration No. 20-001 with findings; and
- B) Approve Conditional Use Permit No. 19-025, and Tentative Parcel Map No. 20-128 with findings and conditions of approval (Attachment No. 1)

The Commission made the following disclosures:

- Commissioner Perkins spoke with the applicant's representative, Ed Mountford.
- Commissioner Scandura visited the site, spoke with staff, the applicant's representative, Ed Mountford, and former Commissioner Michael Grant on the Design Review Board meeting on this item.
- Vice-Chair Kalmick spoke with staff, the applicant's representative, Ed Mountford, and is familiar with the site.
- Chair Ray visited the site.
- Commissioner Mandic visited the site, and spoke with the applicant's representative, Ed Mountford.
- Commissioner Garcia had no disclosures.
- Commissioner Crowe spoke with the applicant's representative, Ed Mountford.

Hayden Beckman, Senior Planner, gave the staff presentation on the proposed project.

There was discussion on the grain silo signage, the reciprocal parking agreement, parking access, the Regional Housing Needs Assessment for the city, placement of the retaining wall, usability of the balconies, the proposed height of the architectural tower, the type of ABC license being proposed, and maintenance responsibilities for the silos.

THE PUBLIC HEARING WAS OPENED.

An email was received from Amory Hanson and read aloud in opposition to Item No. 20-1891, citing concerns with the potential negative impacts to the Futures Academy.

Patrick McGonigle, applicant/property owner, spoke in support of Item No. 20-1891 and reviewed his history of developing senior living facilities, the proposed amenities and services, the proposed parking, the project intensity, and the various meetings held with community.

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

There was discussion regarding the Future's Academy, which will retain its current location, the reasons for subdividing, the proposed parking, and the grading onsite. There was lengthy discussion regarding the historical status, restoration, and maintenance of the grain silos. There was a brief discussion on sending a minute action to the City Council requesting that the silos be placed on the city's historical resources inventory.

A MOTION WAS MADE BY SCANDURA, SECONDED BY MANDIC, TO ADOPT MITIGATED NEGATIVE DECLARATION NO. 20-001 WITH FINDINGS; AND APPROVE CONDITIONAL USE PERMIT NO. 19-025, AND TENTATIVE PARCEL MAP NO. 20-128 WITH FINDINGS AND MODIFIED CONDITIONS OF APPROVAL AND CORRECTED DATE OF TENTATIVE PARCEL MAP, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

There was a lengthy discussion on preservation of the silos.

A MOTION WAS MADE BY SCANDURA, SECONDED BY MANDIC, TO APPROVE A MINUTE ACTION TO ASK CITY COUNCIL TO ADD THE SILOS TO THE CITY'S LOCAL HISTORICAL INVENTORY, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

FINDINGS FOR APPROVAL – MITIGATED NEGATIVE DECLARATION NO. 20-001:

1. The Mitigated Negative Declaration No. 20-001 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of twenty (20) days. Comments received during the comment period were considered by the Planning Commission prior to action on the Mitigated Negative Declaration.
2. Mitigation measures avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur. Mitigation measures address compliance with the recommendations of geotechnical investigations to reduce potential project impacts related to seismic ground shaking, potential discovery of archaeological or paleontological resources during ground-disturbing activities, and potential impacts regarding hazardous materials encountered during demolition or construction.

3. There is no substantial evidence in light of the whole record before the Planning Commission that the project, as mitigated through the attached mitigation measures for Mitigated Negative Declaration No. 20-001, will have a significant effect on the environment.

MITIGATION MEASURES FOR ENVIRONMENTAL CONCERNS:

1. Prior to the issuance of grading permits, grading plan review shall be conducted by the City of Huntington Beach (City) City Engineer, or designee, to verify that requirements developed during the preparation of geotechnical documents have been appropriately incorporated into the project plans. All grading operations and construction shall be conducted in conformance with all of the recommendations included in the geotechnical document prepared by GeoSoils, Inc., titled Preliminary Geotechnical Investigation Proposed Senior Care Facility Seac Cliff Office Park Redevelopment, 2100-2134 Main Street, Huntington Beach, Orange County, California 92648, APN 023-01019 (Geotechnical Investigation) (November 14, 2018). All recommendations found in the Geotechnical Investigation report shall be incorporated into project design and shall include, but not be limited to:
 - a. Owing to the presence of active faulting on site, reasonable-width setbacks and related geotechnical mitigation (overexcavation, strengthened foundation/slabs) are recommended. The geophysically identified location of the active faults shall be field-checked/calibrated with actual subsurface trenching on each main strand prior to final planning and existing building demolition;
 - b. General earthwork and grading, including site preparations, overexcavation and re-compaction, fill placement and compaction, importing of fill soil, shrinkage and subsidence, rip ability, and oversized material;
 - c. Reasonable-width setbacks and related geotechnical mitigation (overexcavation, and strengthened foundations/slabs), including adherence to the required restricted use setback zones from the active fault on the site;
 - d. Foundations, including minimum embedment and width, allowable bearing, lateral load resistance, increase in bearing and friction, and settlement estimates;
 - e. Conformance to the California Occupational Safety and Health Administration (CAL/OSHA) and/or the federal Occupational Safety and Health Administration (OSHA) requirements for Type "B" soils during excavations greater than 4 feet (ft);
 - f. Specific structural design and earthwork to remove the influence of expansive soils;
 - g. Concrete mix designs that consider the potential for presence of relatively high soluble sulfates and chlorides;
 - h. Perched water manifestation;
 - i. Erosive soils;
 - j. Surface fault rupture;
 - k. Seismic design parameters;
 - l. Retaining walls;

- m. Pavement design; and
- n. Infiltration testing.

Additional site grading, foundation, and utility plans shall be reviewed by the project Geotechnical Consultant prior to construction to check for conformance with all of the recommendations of the Geotechnical Investigation (GeoSoils, Inc. 2018). Design, grading, and construction shall be performed in accordance with the requirements of the City Building Code and the 2019 California Building Code (CBC) applicable at the time of grading, as well as the recommendations of the project Geotechnical Consultant as summarized in the final Geotechnical Report subject to review by the City Engineer, or designee, prior to the start of grading activities. The final Geotechnical Report shall present the results of observation and testing done during grading activities. **(Mitigation Measure)**

2. A Paleontological Resources Impact Mitigation Program (PRIMP) shall be prepared prior to commencement of any grading activity on site, and approved by the City of Huntington Beach's (City) Director of Community Development, or designee. The PRIMP shall be prepared by a paleontologist who is listed on the County of Orange list of certified paleontologists, and shall include the methods that will be used to protect paleontological resources that may exist within the project site, as well as procedures for monitoring, fossil preparation and identification, curation into a repository, and preparation of a report at the conclusion of grading. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP 2010). All ground-disturbing activities in deposits with high paleontological sensitivity (i.e., Old Paralic Deposits, Undivided) shall be monitored by a qualified paleontological monitor following the recommendations contained in the approved PRIMP. If paleontological resources are encountered during the course of ground disturbance, the paleontological monitor shall have the authority to temporarily redirect construction away from the area of the find in order to assess its significance. In the event that paleontological resources are encountered when a paleontological monitor is not present, work in the immediate area of the find shall be redirected and the paleontologist or paleontological monitor shall be contacted to assess the find for scientific significance. If determined to be scientifically significant, the fossil shall be collected from the field by the paleontological monitor. Any collected resources shall be prepared to the point of identification, identified to the lowest taxonomic level possible, cataloged, and curated into the permanent collections of a museum repository. At the conclusion of the monitoring program, a report of findings shall be prepared to document the results of the monitoring program. When submitted to the City's Director of Community Development, or designee, the report and inventory would signify completion of the program to mitigate impacts to paleontological resources. **(Mitigation Measure)**
3. Prior to the commencement of demolition activities, the Asbestos Containing Materials (ACMs) and Lead-Based Paints (LBPs) identified by the Phase I Environmental Site Assessment (ESA), shall be sampled by a licensed abatement contractor to confirm the presence or absence of asbestos and lead prior to their removal. In the event that ACMs and/or LBPs are confirmed to contain asbestos and/or lead, the licensed abatement contractor shall assess the condition of the ACMs and LBPs and recommend their removal, in accordance with all local and State standards for the removal of potentially hazardous materials. Alternatively, the licensed abatement contractor may recommend an Operation and Maintenance Plan for the management of ACMs in good condition. **(Mitigation Measure)**
4. Prior to the issuance of grading permits, a Registered Professional shall conduct additional soil sampling in the vicinity of the petroleum hydrocarbon detections, as identified by the

Phase II Subsurface Investigation Report. If adverse soil conditions are detected, the project Applicant shall, under the direction of the Registered Professional, prepare a soil remediation plan that adheres to all applicable City of Huntington Beach (City) and Huntington Beach Fire Department (HBFD) standards for soil remediation. The plan shall be reviewed and approved by the HBFD and the Huntington Beach Director of Community Development, or designee. **(Mitigation Measure)**

5. Prior to the commencement of demolition, grading activities, or construction, a California Registered Professional Engineer or Registered Professional Geologist shall conduct a soil gas investigation to determine the locations and concentrations of combustible soil gas. Subsequent to the completion of the soil gas investigation, the California Registered Professional Engineer or Registered Professional Geologist shall prepare a site specific mitigation plan, pursuant to City Specification No. 429, that addresses all potential hazards due to the presence of combustible soil gases. To the degree possible, the source(s) of any anomalous levels of methane shall be identified. Prior to the start of construction activities, the Mitigation Plan, which shall include a request for a permit for either a Passive or Active Mitigation System, as determined by the requirements of City Specification No. 429 based on the results of on-site soil sampling, shall be approved by the HBFD. The project Applicant shall submit verification of the completion and approval of the Mitigation Plan to the City Director of Community Development, or designee, to ensure that the Plan satisfies all requirements of City Specification No. 429 and all applicable requirements of the California Fire Code. **(Mitigation Measure)**
6. Prior to commencement of site preparation or grading activities, the Director of the County Environmental Health Division, or designee, shall review and approve a contingency plan that addresses the procedures to be followed should on-site unknown hazards or hazardous substances be encountered or released during grading and construction activities. The plan shall indicate that if construction workers encounter underground tanks, gases, odors, oils, or uncontained spills, or other unidentified substances, the contractor shall stop work, cordon off the affected area, and notify the HBFD. The HBFD responder shall determine the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations. The Construction Contingency Plan shall be consistent with the most recent version of the City's Local Hazard Mitigation Plan. Following the approval of the Construction Contingency Plan by the County Environmental Health Division, and prior to issuance of any grading permits, the project Applicant shall submit written notification of the approval to the City Director of Community Development, or designee. **(Mitigation Measure)**

FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 20-128:

1. Tentative Parcel Map No. 20-128 to permit the subdivision of an existing 11.29 acre property into four parcels is consistent with the General Plan Land Use Element designation of Commercial Office (CO) on the subject property in that it permits the proposed subdivision and semipublic convalescent use. The proposed subdivision complies with other applicable provisions of the Subdivision Map Act and the Huntington Beach Zoning and Subdivision Ordinance (HBZSO).
2. Tentative Parcel Map No. 20-128 to permit the subdivision of an existing 11.29 acre property into four parcels is physically suitable for the type and density of development because the proposed subdivision will comply with all applicable code provisions of the HBZSO including minimum lot width and lot size. The site can accommodate the development of a new convalescent facility and subterranean garage in compliance with applicable City standards. Further, the proposed project has been designed to exhibit the existing grade and

topographical features of the property. The proposed subdivision will result in an intensity allowable in the CO land use designation for each resulting parcel and would be compatible with surrounding multi-family, commercial, and public land uses.

3. The design of the subdivision or the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the site is located in an urban setting and is currently developed with five commercial office buildings and does not contain wildlife or habitat. The design of the project is based upon a seismic study of the property that identified a suitable development form that accommodates the proposed project in a manner that does not conflict with applicable State or Federal laws, nor expose future users of the project to seismic hazards.
4. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless alternative easements, for access or for use, will be provided. The project will maintain existing utility easements and will be served by existing vehicular and pedestrian access infrastructures as a part of this proposed tentative parcel map.

FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 19-025:

1. Conditional Use Permit No. 19-025 to permit: A) the construction of a three-story approximately 281,000 sq. ft. State-licensed convalescent facility on a site that has a grade differential greater than 3 feet between the low and high points; B) the operation of a convalescent facility with 226 guest rooms, 46,300 sq. ft. of common areas for residents, and a subterranean parking structure with 238 parking stalls in the Commercial Office (CO) zone; and C) a Type 47 ABC alcohol license 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 the subject site is currently developed with five commercial office buildings and the proposed project. The establishment, maintenance, and operation of a convalescent facility in the Commercial Office zone is a conditionally permitted use and is compatible with the surrounding land uses of the subject property. The subject site is surrounded by medium density residential uses to the north and east, commercial uses to the west, and the Huntington Beach Civic Center to the south. Insofar as compatibility is considered, the mix of uses featured in the surrounding properties makes for a site that is uniquely suited to host a convalescent facility. The proposed use is quasi-residential and will not produce vehicle trips, noise, or other public nuisances to the surrounding residential and commercial properties, including the four existing office buildings that would be retained. The Seaciff Office Park serves the traditional work week population of tenants, whose use of the site would not be in conflict with the proposed facility in that parking facilities are not shared during peak weekday hours, and the daily tenants and visitors of the office park would generally not be onsite during nights and weekends. The project site is across Main Street and a short walk from the Seaciff Shopping Center, a successful commercial complex that offers quality businesses and services that would serve the residents of the facility well, including a large grocery store and pharmacy, restaurants, banking services, and medical and personal service uses. The property is across Yorktown Avenue from the Huntington Beach Civic Center, making the project site well served by City services and personnel.
2. The granting of the conditional use permit to permit: A) the construction of a three-story approximately 281,000 sq. ft. State-licensed convalescent facility on a site that has a grade differential greater than 3 feet between the low and high points; B) the operation of a convalescent facility with 226 guest rooms, 46,300 sq. ft. of common areas for residents,

and a subterranean parking structure with 238 parking stalls in the Commercial Office (CO) zone; and C) a Type 47 ABC alcohol license will not adversely affect the General Plan because it is consistent with the Land Use Element designation of CO (Commercial Office) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Land Use Element

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

Policy LU-1A: 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-1C: Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.

Policy LU-1D: Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

Goal LU-4: A range of housing types is available to meet the diverse economic, physical, and social needs of future and existing residents, while neighborhood character and residences are well maintained and protected.

Goal LU-4A: Encourage a mix of residential types to accommodate people with diverse housing needs.

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

Goal LU-12B: Encourage renovation and revitalization of deteriorating and struggling nonresidential areas and corridors, particularly commercial locations.

The construction of a three-story convalescent facility is an appropriate infill development on an underutilized lot and will assist in meeting the overall housing needs of the community. In addition, the proposed convalescent facility is compatible in proportion, scale, and character of the surrounding land uses because the proposed building complies with the maximum floor area ratio (FAR) and building height requirements of the Commercial Office (CO) zone, and a similar multi-story senior living facility exists to the east of the project site. Lastly, the proposed convalescent facility supports the provision of a mix of housing types that meet the diverse economic, social, and housing needs of the community.

Natural and Environmental Hazards Element

Goal HAZ-1: Structures are designed and retrofitted to be more resilient to earthquakes and other geologic and seismic hazards, protecting against injury while also preserving the structural integrity of the structure.

Policy HAZ-1A: Ensure new and significantly retrofitted structures are sited and designed to reduce the risk of damage from geologic and seismic hazards.

The project incorporates appropriate siting and design recommendations from geotechnical investigations that minimize the potential impacts of strong seismic ground shaking on site. A portion of the Newport-Inglewood-Rose Canyon Fault Zone runs through the project site and is a designated Alquist-Priolo Fault Zone. Though there is an active fault on site, the potential for surface fault rupture is inherently minimized by the incorporation of fault zone setbacks into the project's design. Two Alquist-Priolo Earthquake Fault Zone (APEFZ) investigations previously performed in the project area established a fault zone, which constitutes a restricted use area, and no new development or demolition would occur within the limits of the fault zone. The area of development, which includes the office building to be demolished, and the location of the proposed assisted living facility and surface parking lot, would be located entirely outside of the fault zone and the restricted use setback zone.

Noise Element

Goal N-1: Noise-sensitive land uses are protected in areas with acceptable noise levels.

Policy N-1B: Incorporate design and construction features into residential, mixed-use, commercial, and industrial projects that shield noise-sensitive land uses from excessive noise.

The Noise Element of the General Plan identifies that some residential, commercial, and institutional land uses, particularly those located along arterial roadways, experience excessive vehicular noise. The proposed project would introduce a public/semi-public and quasi-residential land use on a property currently developed with commercial office uses. Daily users of the office buildings to remain will maintain access and parking on separate parcels from the proposed facility and will generally utilize the site during normal work week hours and not during nights or weekends. As such, noise impacts from either use upon the other are not anticipated. Further, the use of modern construction methods and materials will reduce vehicle noise from the adjacent roadways, and the building design and siting is proposed to enclose the future residents' common open space courtyards to minimize any roadway noise from Main Street or Yorktown Avenue.

3. The request to permit: A) the construction of a three-story approximately 281,000 sq. ft. State-licensed convalescent facility on a site that has a grade differential greater than 3 feet between the low and high points; B) the operation of a convalescent facility with 226 guest rooms, 46,300 sq. ft. of common areas for residents, and a subterranean parking structure with 238 parking stalls in the Commercial Office (CO) zone; and C) a Type 47 ABC alcohol license will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) because the new structure is designed to comply with all current applicable development standards, including building setbacks, minimum onsite parking and maximum building height. The proposed convalescent facility with an ancillary Type 47 ABC alcohol license for residents and guests is allowed in the CO zone, subject to the approval of a Conditional Use Permit. Additionally, the project has been designed to accommodate the site's existing grade and topographical features in a manner that is consistent with the scale and character of the surrounding land uses, and will not result in an adverse impact upon implementation.

CONDITIONS OF APPROVAL - TENTATIVE PARCEL MAP NO. 20-128/CONDITIONAL USE PERMIT NO. 19-025:

1. The tentative parcel map received and dated June 2020, and the site plan, floor plans, sections, and colored elevations received and dated August 7, 2020, shall be the conceptually approved design with the following modification:
 - a. Provide interpretive signage that includes language that has been reviewed and recommended by the Historic Resources Board that identifies the existing on-site grain silos. **(DRB)** See also Condition No. 5.
2. Prior to issuance of building permits, an Irrevocable Reciprocal Driveway, Parking, Access, and Maintenance Agreement shall be recorded with the Clerk Recorder against the title of all four parcels. The legal instrument shall be submitted to the Community Development Department for reviewed by the City Attorney's office prior to approval of the final map. A copy of the recorded agreement shall be filed with the Community Development Department. The recorded agreement shall remain in effect in perpetuity, except as modified or rescinded pursuant to the expressed written approval of the City of Huntington Beach. The entire site shall function as one parcel, therefore the Agreement must include the following provisions:
 - a. Easements for reciprocal vehicular and pedestrian access, ingress and egress to the public street system, and parking in perpetuity, across all parcels.
 - b. A requirement that improvements and on-going maintenance, such as, restriping, new asphalt, etc., to the parking and landscaped areas made on one parcel shall be made concurrently on all other parcels.
 - c. A restriction that Parcels 1-4 (as identified on the site plan and Tentative Parcel Map) shall be considered one lot only when determining compliance with freestanding sign standards, landscaping standards, off-street parking requirements, and other appropriate development standards.
 - d. Any and all future development or improvement proposals on any individual parcel shall demonstrate compliance with reciprocal parking, access, and maintenance agreements to ensure minimum code requirements are met at all times.
 - e. City approval for any change to the Agreement.
3. The use shall comply with the following:
 - a. Prior to the sales, service, or consumption of alcoholic beverages, the facility shall obtain an ABC license authorizing alcohol use. **(PD)**
 - b. An employee of the establishment must monitor all areas where alcohol is served. **(PD)**
 - c. All areas of the facility where sales, service, and consumption of alcoholic beverages occur shall be equipped with lighting with sufficient power to illuminate and permit the identification of patrons. **(PD)**
 - d. All alcoholic beverages shall remain within the perimeter of the facility and, per §9.44.010 of the Huntington Beach Municipal Code (HBMC). **(PD)**

- e. Consumption of alcoholic beverages by all on-duty employees, including servers, bartenders, management and supervisory personnel is forbidden. **(PD)**
 - f. All persons engaged in the sale or service of alcohol shall complete a mandatory Responsible Beverage Service (RBS) training and certification. This shall be required for new employees within 90 days of being hired and for existing employees every 12 months. Training shall be provided by an ABC approved RBS trainer and records of the training must be maintained on-site for review. **(PD)**
 - g. The business shall employ a video surveillance system and a one-month video library, with cameras located at the entrance/exit of the parking garage, and throughout the interior and exterior of the property. The minimum requirements for the cameras will be: Clear, color, digital recording to DVR and able to record in low light. The business shall ensure all doors and parking areas are covered by video surveillance. Electronic copies of video must be made available to the Huntington Beach Police Department within 48 hours of request. Digital recordings shall be made available for viewing on-scene upon request by police officers conducting investigations. You are required to have someone able to operate the system on duty during all business hours. **(PD)**
 - h. All owners, employees, representatives, and agents shall obey all state, local, and municipal laws, and conditions of the Conditional Use Permit, Alcoholic Beverage Control License and any other regulations, provisions, or restrictions prescribed by a regulatory authority with jurisdiction over the premise at all times. **(PD)**
 - i. Nighttime security shall be provided and reception and caregiver stations shall be staffed for each shift. **(PD)**
 - j. Install a system conducive to public safety radio transmission within the subterranean parking garage in accordance with Orange County Communications guidelines. **(PD)**
 - k. Install a dual Knox Box at the entrance of the parking structure to enable both Police and Fire to enter the garage. **(PD)**
 - l. The interior of the parking garage shall be painted white. **(PD)**
 - m. Provide full lighting within the garage, leaving no areas of darkness and concentrating the garage lighting between vehicles. **(PD)**
 - n. Post clear directions to the subterranean parking lot elevator, to enable pedestrians to get to the elevator quickly and without confusion. **(PD)**
 - o. Paint/post security phone numbers on the subterranean parking wall. **(PD)**
 - p. For the safety of the residents the numbering of parking stalls shall not correspond to apartment numbers. **(PD)**
 - q. Any trash enclosure should tightly fit around the dumpsters to prevent space for concealment in that area and be well-lighted. **(PD)**
4. Final building permit(s) cannot be approved until the following have been completed:

- a. All improvements shall be completed in accordance with approved plans.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Community Development Department.
 - 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.
5. To the maximum extent feasible, the property owner shall complete the following measures pertaining to the existing grain silo structure:
 - a. Repair and/or replace the roof of the silo structure with materials substantially consistent with the original roof covering.
 - b. Take all feasible measures to protect the existing silo structure from any damage due to vibration or construction during demolition, site grading, and/or new construction activities.
 - c. Implement signage materials that match the Seacliff seabird tile mosaics that were designed by the Barbara Vantrease Beall Tile Studio.
 - d. Evidence of completion of items a., b., and c. above shall be submitted to the Community Development Department prior to issuance of the Certificate of Occupancy.
6. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - c. Truck idling shall be prohibited for periods longer than 10 minutes.
 - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - e. Discontinue operation during second stage smog alerts.
 - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/grading activity.
5. Tentative Parcel Map No. 20-128 and Conditional Use Permit No. 19-025 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.
6. 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 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.

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

20-1976 APPROVE PLANNING COMMISSION MINUTES DATED MAY 28, 2019

Recommended Action:

That the Planning Commission take the following action:

"Approve the May 28, 2019, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY PERKINS, SECONDED BY SCANDURA, TO APPROVE THE MAY 28, 2019 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

20-1897 APPROVE PLANNING COMMISSION MINUTES DATED SEPTEMBER 22, 2020

Recommended Action:

That the Planning Commission take the following action:

"Approve the September 22, 2020, Planning Commission Minutes as submitted."

A MOTION WAS MADE BY PERKINS, SECONDED BY SCANDURA, TO APPROVE THE SEPTEMBER 22, 2020 PLANNING COMMISSION MINUTES AS SUBMITTED, BY THE FOLLOWING VOTE:

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

MOTION APPROVED

NON-PUBLIC HEARING ITEMS - NONE

PLANNING ITEMS

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

PLANNING COMMISSION ITEMS

Commissioner Crowe reported on the recent Design Review Board meeting.

Chair Ray encouraged the Dodgers to win the World Series.

ADJOURNMENT: Adjourned at 7:14 PM to the next regularly scheduled meeting of November 10, 2020.

APPROVED BY:

Jennifer Villasenor, Acting Secretary

Alan Ray, Chairperson