



**PLANNING COMMISSION
Minutes of the Regular Meeting
Council Chambers
8200 Westminster Boulevard
Westminster, CA 92683
March 7, 2018
6:30 p.m.**

1. PLANNING COMMISSION ROLL CALL:

BUI, MANZO, A.NGUYEN, Q.NGUYEN, AND RICE

PRESENT: BUI, MANZO, A.NGUYEN, Q.NGUYEN, RICE

ABSENT: NONE

STAFF PRESENT:

Steven Ratkay, Planning Manager; Christina Michaelis, Assistant Planner; Carrie Raven, Deputy City Attorney; Shelley Dolney, Administrative Assistant; Margie Rice, Council member; Tuan Pham, Associate Civil Engineer; Bill Hodge, CEQA Consultant.

2. SALUTE TO FLAG:

Commissioner Bui led the salute to the flag.

3. REPORT FROM PLANNING SECRETARY ON LATE COMMUNICATION ITEMS

Planning Manager Steven Ratkay reported there were eight late communications in relation to item 8.1.

4. EX PARTE COMMUNICATIONS

Commissioner Bui stated he drove by and visited the site for item 8.1.

5. SPECIAL PRESENTATIONS - None

6. ORAL COMMUNICATIONS

There were no members of the public wishing to speak during oral communications.

7. APPROVAL OF MINUTES – None

8. PUBLIC HEARINGS

8.1 Case No. 2016-60 – Zone Map Amendment and Development Review

Location: 7499 McFadden Avenue (APN # 142-311-34)

Applicant: Andrew Ferrigno on behalf of the City of Huntington Beach

Project Planner: Christina Michaelis, Assistant Planner

The proposed project includes a Zone Map Amendment (ZMA) and Development Review (DR) to:

- 1) Amend the zoning district designation from Railroad (ROW) to Park/Open Space.
- 2) Develop the site with a potable water well facility to help serve the City of Huntington Beach.

CEQA COMPLIANCE: The proposed project has been reviewed pursuant to the California Environmental Quality Act (CEQA), the State of California Implementation Guidelines, and the requirements of the City for any potential environmental impacts associated with the project. These potential impacts were evaluated in an Initial Study (IS), which discusses in detail the various environmental impacts. As a result, a Mitigated Negative Declaration (MND) was prepared by Hodge and Associates and is recommended for consideration by the Planning Commission. The IS/MND identified the following environmental factors to be potentially affected: aesthetics, biological resources, hazards and hazardous materials, hydrology and water quality, noise and public services.

RECOMMENDATION: That the Planning Commission:

- 1) That the Planning Commission recommends to the Mayor and City Council the adoption of a Mitigated Negative Declaration for the City of Huntington Beach Well Site Project and Zone Map Amendment; and,
- 2) That the Planning Commission recommends to the Mayor and City Council approval of the requested Zone Map Amendment and Development Review, subject to the recommended conditions of approval.

Assistant Planner Christina Michaelis provided a presentation to the Commission.

Chair Manzo inquired if there was any financial benefit to this project for the City of Westminster. Assistant Planner Michaelis responded that the City of Huntington Beach owned the property and there was no financial benefit for the City of Westminster other than the project application fees, she added there would be an emergency water resource benefit should there ever be a need.

Chair Manzo also inquired about noise the facility may generate. He stated the mitigation measures showed a recommendation to add louvers and he was concerned that the plans didn't show the mitigation measures as conditions of approval. Planning Manager Steven Ratkay explained that when the Mitigated Negative Declaration is adopted, then all conditions within the environmental document become conditions of approval. Chair Manzo explained that his concern is that many times a project is not built according to what was approved at the Planning Commission. Planning Manager Steven Ratkay offered that Chair Manzo may opt to make a condition that the mitigation measures be placed on the plan, so that the measures are not only listed in the environmental document but also listed in the plans.

CHAIR MANZO OPENED THE PUBLIC HEARING AND ASKED THOSE IN FAVOR TO SPEAK.

Andrew Ferrigno, representing the City of Huntington Beach, stated the City of Huntington Beach owns this property and the project duration is 20 months total in three phases; adding that the storm sewer pipeline and water pipeline phase of the project would be four months in duration and that is the portion of the project that would impact the public right-of-way. He explained in detail what was entailed in each phase of the project, the operation of the facility, emergency operations, and the expected traffic to the facility. He stated that the City of Westminster and the City of Huntington Beach water utilities have a very neighborly relationship. He further explained that the City of Huntington Beach and the City of Westminster co-own several large diameter pipelines to bring imported water to the Cities for when the wells are not being pumped and we also share several interconnects in case of emergency. He urged the Commission to recommend approval of the project to the City Council.

Commissioner Bui, inquired if the cost of water for the City of Westminster would increase due to this project and associated construction. Mr. Ferrigno stated the residents would not incur any cost from this well or the installation of the well.

Vice Chair Rice inquired about the four months of construction and its impact on traffic along McFadden Avenue. Mr. Ferrigno stated the primary construction hours will be from about 9:00 AM to 4:00 PM which will avoid most peak traffic hours and one of the eastbound lanes would be closed during those construction hours.

Mr. Ferrigno responded to Chair Manzo's earlier comment regarding louvers. He stated they had put some faux windows and architectural treatments in the design to make the building look less industrial, but added that they would not compromise noise emitting from the building and would put louvers on if necessary.

CHAIR MANZO ASKED THOSE IN OPOSITION TO SPEAK.

Diana Kaufman, Westminster resident neighboring the proposed project, inquired if the water below belongs to Westminster and how much water would Huntington Beach be taking from Westminster's aquifer. She also inquired if people could visit some of the other water pump facilities within the City of Huntington Beach. She felt that the purpose of this well was to serve the residents living in the apartments located in the mixed use project on Gothard Street and Edinger Avenue, and added that she felt the well should be placed in Huntington Beach Central Park.

Francis Kailman, Westminster resident neighboring the proposed project, stated there is so much noise in the neighborhood from the freeway and the surrounding streets that she just didn't want any more noise. She added that she felt her neighbors would be opposed to the project as well, but the notification only went out to homes within 500 feet of the project. She felt the project should be built within the boundaries of Huntington Beach.

Jerry Kaufman, Westminster resident neighboring the proposed project, inquired if the City of Huntington Beach owned the water rights and the mineral rights. Westminster Associate Civil Engineer Tuan Pham, answered that all of the Orange County agencies share the same water source - *The County of Orange Ground Water Basin*. He added that many agencies have water resources outside of their city boundaries, providing examples where Westminster's water resources are located within Midway City and a future location in Long Beach which is still connected to the same basin.

Gunther Kailman, Westminster resident neighboring the proposed project, inquired what safeguards were present to make sure no chemicals like fluoride would not leak. He also inquired if there were safeguards about other projects built in that area.

CHAIR MANZO ASKED THOSE TO SPEAK IN REBUTTAL.

Andrew Ferrigno, representing the City of Huntington Beach, spoke about the storage and safety of the chemicals used to treat potable water, stating all chemicals are stored in a cylinder that is then stored inside another cylinder which is called a secondary containment cylinder making the chemical storage very safe as required by law. He responded to the comment about placing the facility in Huntington Beach Central Park, stating that the groundwater aquifer gets more salty as you get closer to the ocean and a well site wouldn't be permitted by the Orange County Water District to draw water from that location because it would require treatment. He responded to the comment about creating more noise in the area, stating they are doing everything they can to make the facility as quiet as possible. He also offered to those present in the audience that if they would like to visit other new well site facilities in Huntington Beach, then he could arrange a tour.

At this point Mr. Ferrigno was out of time for rebuttal, the Commission allowed him to continue. There were numerous questions from those present in the audience and

Mr. Ferrigno answered the questions, all discussion was away from the microphone and not captured for the record.

There was a question from the audience about an OCTA project, Westminster Associate Civil Engineer Tuan Pham came up to the podium to answer the question on the record. He stated he would be answering a question related to the I-405 construction, adding that OCTA has informed the City that the first segment of work would be either at Goldenwest Street or Bolsa Avenue by the Westminster Mall and it would take place after the construction of the 24 inch storm drain so it won't conflict with this project.

CHAIR MANZO CLOSED THE PUBLIC HEARING.

Chair Manzo, stated that he would recommend that there was an added condition placed in the resolution to make sure the recommendations in the Mitigated Negative Declaration, he added that he would like to see the plans drawn up with the added louvers on the western side and he would like the Commission to see those plans again for final approval.

Planning Manager Ratkay stated that the Commission could recommend a condition to see the final design to make sure it is consistent with your wishes, however the City Council will decide if that condition would remain in the resolution.

Motion: It was moved by Vice Chair Rice, and seconded by Commissioner A. Nguyen to recommend the Mayor and City Council adopt a Mitigated Negative Declaration for the City of Huntington Beach Well Site Project and Zone Map Amendment, and approve the requested Zone Map Amendment and Development review, adding a condition that all mitigation measures regarding louver windows be added to the plans and that the design of the proposed structure come back to the Planning Commission for final approval. The motion carried (5-0) with the following vote:

AYES: BUI, MANZO, A.NGUYEN, Q.NGUYEN, RICE
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

9. REGULAR BUSINESS - None

10. REPORTS - None

11. MATTERS FROM THE PLANNING COMMISSION - None

11.1 AB 1234 REPORTS - None

11.2 MATTERS FROM STAFF

Planning Manager Steven Ratkay thanked the Commission for attending the meeting and for the service they provide.

12. **ADJOURNMENT** – The meeting was adjourned at 7:25 p.m. to a regular meeting on Wednesday, March 21, 2018 at 6:30 p.m. in the City Council Chambers.



Steven Ratkay
Planning Commission Secretary



Carlos Manzo
Chairman

Prepared by:



Shelley Dolney
Administrative Assistant II