

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, FEBRUARY 13, 2008 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Andrew Gonzales, Ron Santos, Jill Arabe, Rami Talleh,
Pamela Avila (recording secretary)

MINUTES: July 11, 2007
November 7, 2007
December 12 and 19, 2007
January 9, 2008
APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: ENTITLEMENT PLAN AMENDMENT NO. 2007-007

APPLICANT: Dennis Braeutigam, 696 E. Colorado Blvd, Suite 226, Pasadena, CA 91101
PROPERTY OWNER: Dr. Ing Liang Wong, 16891 Bolero Lane, Huntington Beach, CA 92649
REQUEST: To amend Coastal Development Permit No. 2006-017 to permit an increase to the overall building height of an existing two-story, single family residence to 25'-2" in lieu of an approved building height of 20'-6".
LOCATION: 16891 Bolero Lane, 92649 (Westside of Bolero Lane, north of Finisterre Drive – Huntington Harbor)
PROJECT PLANNER: Andrew Gonzales

Andrew Gonzales, Assistant Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff reported that a coastal development permit to remodel the existing single family home was previously approved. However, the applicant redesigned the building exterior to include a pitched roof and raise the height of the building.

Staff stated that no correspondence for or against the proposal was received.

Mary Beth Broeren, Zoning Administrator, inquired if the homeowners' association had approved the proposed changes. Staff responded that the homeowners' association reviewed and approved the plans.

THE PUBLIC HEARING WAS OPENED.

AS THERE WERE NO PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST, THE PUBLIC HEARING WAS CLOSED.

ENTITLEMENT PLAN AMENDMENT NO. 2007-007 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

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 an addition less than 50% of the existing single-family home.

FINDINGS FOR APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 2007-007:

1. Entitlement Plan Amendment No.2007-007 to permit an increase to the overall building height of an existing two-story, single family residence to 25'-2" in lieu of an approved building height of 20'-6" is consistent with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
2. The entitlement plan amendment is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project complies with all other applicable development regulations, including maximum building height, minimum yard setback, minimum on-site parking, and site coverage.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed addition will be constructed on a developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and road.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views to coastal resources.

CONDITIONS OF APPROVAL - ENTITLEMENT PLAN AMENDMENT NO. 2007-007:

1. The site plan, floor plans, and elevations received and dated January 31, 2008, shall be the conceptually approved design.
2. 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/index.cfm?fuseaction=guidelines>).

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.

ITEM 2: CONDITIONAL USE PERMIT NO. 2007-048 (76 STATION CONVENIENCE MARKET)

APPLICANT/
PROPERTY OWNER: Farhad Bondarian, 18742 Main Street, Huntington Beach, CA 92648

REQUEST: To permit the conversion of three automotive service bays at an existing gas station into a convenience market with retail beer and wine sales.

LOCATION: 18742 Main Street, 92648 (Southwest corner of Main St. and Delaware St.)

PROJECT PLANNER: Ron Santos

Ron Santos, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff reported that the applicant proposes to modify the building exterior by filling in the existing service bays and install a new entrance.

Staff also reported that the Police Department (PD) reviewed the project and recommended two conditions: 1) a telephone be installed in a walk-in cooler, and 2) a convex mirror be installed

near the restroom. The PD also suggested the following modifications; however, staff is not recommending them as conditions of approval: 1) the cashier be relocated for better security, 2) a one way mirror be installed at the office, 3) and the operating hours be limited to between 6 a.m. and 11 p.m.

Staff stated that no correspondence for or against the proposal were received.

Staff reported that the Public Works Department reviewed the plans and noted that the existing trees located at the perimeter of the site were damaged by the applicant, and would need to be replaced.

Mary Beth Broeren, Zoning Administrator, inquired if the project had recently been remodeled. Staff responded that the building was remodeled in 2000 and again in 2006. Ms. Broeren inquired if the parking requirements changed as a result of the request. Staff responded that the parking requirements did not change, however the parking lot would be re-stripped to comply with code requirements.

THE PUBLIC HEARING WAS OPENED.

AS THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST, THE PUBLIC HEARING WAS CLOSED.

Ms. Broeren inquired if the same materials found on the building would be used in the conversion. Staff responded that the plans indicated that the same materials would be used.

Ms. Broeren asked the applicant if he understood that the damaged trees needed to be replaced. The applicant responded that he understood all the applicable code requirements.

Ms. Broeren said she would approve the request with conditions as recommended by staff and include a condition of approval limiting the hours of operation recommended by PD.

CONDITIONAL USE PERMIT NO. 2007-048 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

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 15303 of the CEQA Guidelines, because the project consists of the conversion of an existing structure from one use to another where only minor modifications are made to the exterior of the structure.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2007-048:

1. Conditional Use Permit No. 2007-048 to permit the conversion of three automotive service bays at an existing gas station into a convenience market with retail beer and wine sales 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. The proposed use will replace underutilized automotive service bays with a neighborhood serving convenience market. The proposed convenience market will not generate noise, traffic, demand for parking or other impacts at levels inconsistent with the commercial zoning applicable to the property. Furthermore, the residential uses to the northwest are buffered from the project site by a 120 ft. wide street right-of-way.
2. The conditional use permit will be compatible with surrounding uses because the proposed retail establishment will be operated in conjunction with an existing commercial use, adjacent to other commercial uses of similar nature and intensity.
3. The proposed conditional use permit will comply with the provisions of the Pacifica Community Specific Plan (PCSP) and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The proposed use is permitted by the PCSP with approval of a conditional use permit. The project complies with applicable parking requirements and is subject to current tree requirements. No expansion of the existing building or exterior site improvements are proposed.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of MH-F3/30-sp (Mixed Use Horizontal – 1.0 max. FAR/30 dwelling units per acre – specific plan) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
 - LU 10.1.1: Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residents, serve the surrounding region, serve visitors to the City and capitalize on Huntington Beach's recreational resources.
 - LU 10.1.12: Require that Commercial General uses be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development including incorporation of site landscaping, particularly along street frontages and in parking lots.

The project provides for the continuation of an existing commercial establishment by replacing underutilized service bays and augmenting the existing business with a retail use oriented to the needs of local residents. Conditional Use Permit No. 07- 048 is subject to compliance with the requirements of Section 232.12 of the Huntington Beach Zoning and Subdivision Ordinance, which requires existing development to comply with current tree quantity and size requirements at the time of exterior modification.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2007-048:

1. The site plan, floor plans, and elevations received and dated January 23, 2008 shall be the conceptually approved design with the following modifications:
 - a. A telephone shall be installed inside the walk-in cooler. **(PD)**

- b. A convex mirror shall be installed on the underside of the roof overhang at the northeast side of the building oriented to allow the monitoring of the area near the restroom from the cashier station. **(PD)**
 - c. The restroom shall be made available to the public during business hours.
2. Hours of operation shall be limited to 6:00 a.m. to 11:00 p.m., seven days a week.
 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/index.cfm?fuseaction=guidelines>).

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.

ITEM 3: CONDITIONAL USE PERMIT NO. 2007-047 (RALPH’S RECYCLING CENTER)

APPLICANT:	Robert Martinez, Sloan Vazquez, LLC, 1231 East Dyer Road, Suite 225, Santa Ana, CA 92705
PROPERTY OWNER:	Western Realty, 2760 E. Spring St., Suite 200, Long Beach, CA 90806
REQUEST:	To permit the establishment of a portable recycling center as an accessory use within an existing commercial shopping center parking lot.
LOCATION:	10081 Adams Avenue, 92646 (Northeast corner of Brookhurst St. and Adams Ave. – Beachmont Plaza)
PROJECT PLANNER:	Jill Arabe

Rami Talleh, Associate Planner, stated that the applicant has requested to continue the item to the March 12, 2008 Zoning Administrator Meeting. Mary Beth Broeren, Zoning Administrator, stated that the request would not have to be re-advertised.

AS THERE WERE NO PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST THE PUBLIC HEARING WAS NOT OPENED.

CONDITIONAL USE PERMIT NO. 2007-047 WAS CONTINUED TO THE MARCH 12, 2008 MEETING WITH THE PUBLIC HEARING TO BE OPENED.

THE MEETING WAS ADJOURNED AT 1:45 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, FEBRUARY 20, 2008 AT 1:30 PM.



Mary Beth Broeren
Zoning Administrator

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