

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

WEDNESDAY, NOVEMBER 9, 2005, 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Rami Talleh, Ron Santos, Ramona Kohlmann (recording secretary)

MINUTES: **NONE**

ORAL COMMUNICATION: **NONE**

ITEM 1: TENTATIVE PARCEL MAP NO. 05-218 / CONDITIONAL USE PERMIT NO. 05-28 (TRUONG RESIDENTIAL SUBDIVISION)

APPLICANT

PROPERTY OWNER: Lannie Truong, Sarah Pham, 2500 So. Fairview, Unit P, Santa Ana, CA 92704

REQUEST: **TPM:** To permit the subdivision of 7,020 sq. ft. (0.16 acres) of land into one (1) lot for condominium purposes. **CUP:** To permit construction of two, two-story detached townhome units, 1,837 sq. ft. in size with 3 bedrooms and 2,369 sq. ft. in size with 4 bedrooms.

LOCATION: 7907 Liberty Avenue (north side of Liberty Avenue, west of Beach Boulevard)

PROJECT PLANNER: Rami Talleh

Rami Talleh, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as outlined in the executive summary.

Mary Beth Broeren, Zoning Administrator, asked staff to clarify the number of bedrooms per unit. Staff stated that both units would have three bedrooms. Staff further stated that parking is in compliance with code and that the open-space common areas meet the intent of code.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as outlined in the executive summary. Staff stated that the request was noticed to properties within 500 ft. of the subject site. No written or verbal comments were received in response to the public notification.

Ms. Broeren reviewed the proposed plans and advised that the applicant's name was misspelled when noticed.

THE PUBLIC HEARING WAS OPENED.

Sharon Akin, 7791 Liberty Avenue, neighboring property owner, questioned why she did not receive notice of today's meeting stating that her neighbor did received notice. Ms. Akin spoke in opposition to the proposed project voicing concerns related to traffic and a transient population. She stated that consideration should be given for Section 8 housing thereby involving the housing authority. She further complained about the disrepair of a neighboring property located at 7822 Liberty Avenue.

Ms. Broeren explained the radius notification procedure. She advised Ms. Akin that she could file a complaint with Code Enforcement when a neighboring property is in disrepair.

Sharon Luis, 7811 Liberty Avenue, neighboring property owner, stated agreement with Ms. Akin's statements above and voiced concerns related to a tenant environment, parking, speeding traffic, and absent landlords.

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

Ms. Broeren reviewed the zoning map and stated that the area is Medium-Density Residential with Higher Density Residential further west. She stated that the proposed project is consistent with the City's plans for the area and that the proposed project renders an appearance of a single-family project versus that of an apartment building. Ms. Broeren addressed the Section 8 comments, stated that the proposed project is in compliance with all development requirements and that parking is adequately provided.

TENTATIVE PARCEL MAP NO. 05-218 / CONDITIONAL USE PERMIT NO. 05-28 WERE 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 CAN 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 sections 15315 and 15303 of the CEQA Guidelines, because the project consists of a minor land division less than four lots for condominium purposes consistent with the General Plan and Zoning and Subdivision Ordinance and construction of less than 3 homes. The project does not include any variance requests or exceptions. The project has an average slope of less than 20% and can be provided with all the necessary services and access.

FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 05-218:

1. Tentative Parcel Map No. 05-218 for the subdivision of 7,020 sq. ft. (0.16 acres) of land into one (1) lot for condominium purposes is consistent with the General Plan Land Use Element designation of RM-15 (Residential Medium-Density – 15 units/acre) on the subject property and applicable provisions of the Huntington Beach Zoning & Subdivision Ordinance. The RM-15 General Plan designation and RM zoning designation provide for residential development at a maximum density of 15 units per acre. The proposed subdivision will provide for multi-family residential (townhouse) development at a density of 12.4 units per acre.
2. The site is physically suitable for the type and density of development. The 0.16 acre subject property can accommodate the proposed one lot subdivision and two unit residential development project in conformance with applicable land use and development standards including minimum lot size and lot width, and maximum development density. The project site was previously developed, has no significant topographic features, contains no rock outcroppings, wetlands, environmental hazards or other constraints, is accessible from an existing public street, and is surrounded by compatible residential land uses.
3. The design of the subdivision and the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project site was previously developed, is not environmentally sensitive, contains no fish or wildlife habitat, and is not located within an earthquake fault zone, flood zone, hazardous waste site or other known environmental hazard area. Proposed improvements will be constructed in accordance with applicable City building codes and engineering standards.
4. The design of the subdivision and the proposed 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. No public easements for access through or use of the property exist and none are necessary.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 05-28:

1. Conditional Use Permit No. 05-28 for the construction of two, two-story detached townhome units, 1,837 sq. ft. in size with 3 bedrooms and 2,369 sq. ft. in size with 4 bedrooms 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 project will not generate noise, traffic, odors or other impacts at levels inconsistent with the residential character of the existing neighborhood. Adequate parking to serve the proposed project will be provided on site in conformance with the requirements of the HBZSO. The project will provide new housing anticipated to have a positive impact on the value of property in the neighborhood.
2. The conditional use permit will be compatible with surrounding uses because the project consists of construction of townhouse style multi-family residential dwellings in a neighborhood predominately developed with multi-family housing. The design of and quality of materials proposed exceeds that of the surrounding neighborhood. The proposed

dwellings are designed to convey a high level of quality and a character consistent with the City's Urban Design Guidelines.

3. The proposed two-unit condominium project 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, including maximum density, height and lot coverage; and minimum lot size, lot width, building setbacks, landscaping, off-street parking and open space requirements.
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 RM-15 (Residential Medium-Density – 15 units/acre) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

L.U. Policy 9.1.1: Accommodate the development of single- and multi-family residential units in areas designated by the Land Use Plan Map, as stipulated by the Land Use and Density Schedules.

The proposed Tentative Parcel Map and Conditional Use Permit provide for the construction of two dwelling units at a density of 12.4 units per acre. The General Plan Land Use and Density Schedule allows for residential development on the subject property at a maximum density of one unit per 15 acres.

L.U. Policy 9.1.3: Require that multi-family residential projects be designed to convey a high level of quality and distinctive neighborhood character, including the following guidelines:

- a. Design building elevation to convey the visual character of individual units rather than a singular building mass and volumes.
- b. Include separate and well defined entries to convey the visual character of individual identity for each residential unit, which may be accessed from exterior facades, interior courtyards and/or common areas.
- c. Site and design parking areas and facilities that are integrated with but do not dominate the architectural character of the structure.

The proposed design conveys a visual character comparable to single-family residential development and features substantial articulation of building elevations and masses, including a variety of roof lines, wall planes, window and door arrangements. All dwellings feature attached integrated garages and covered porch entries. Open parking spaces are distributed throughout the site to minimize large expanses of paving and, pursuant to conditions of approval, provided on driveways with decorative paving.

CONDITIONS OF APPROVAL – TENTATIVE PARCEL MAP NO. 05-218:

The Tentative Parcel Map No. 05-218 for the subdivision of 7,020 sq. ft. (0.16 acres) of land into one (1) lot for condominium purposes received and dated August 5, 2005, shall be the approved layout.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 05-28:

The site plan, floor plans, and elevations received and dated September 9, 2005, shall be the conceptually approved design.

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

THE MEETING WAS ADJOURNED AT 1:50 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, NOVEMBER 16, 2005 AT 1:30 PM.

Mary Beth Broeren
Zoning Administrator

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