

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

WEDNESDAY, DECEMBER 14, 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: COASTAL DEVELOPMENT PERMIT NO. 05-20 (KAKIMOTO ADDITION – CONTINUED FROM THE DECEMBER 7, 2005 MEETING WITH THE PUBLIC HEARING OPEN)

APPLICANT: Scott Hudgins, 27587 Paseo Segovia, San Juan Capistrano, CA 92675
PROPERTY OWNER: Bill Kakimoto, 16782 Baruna Lane, Huntington Beach, CA 92649
REQUEST: To permit a 454 sq. ft. first and second story addition to an existing two-story single family home. The proposed overall building height is 22'-8"
LOCATION: 16782 Baruna Lane (East side of Baruna Lane north of Davenport Drive)
PROJECT PLANNER: Rami Talleh

Rami Talleh, Staff Planner, displayed project plans 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.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as outlined in the executive summary. No written or verbal comments were received in response to the public notification.

Mary Beth Broeren, Zoning Administrator, reviewed the project plans.

THE PUBLIC HEARING WAS OPENED.

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

COASTAL DEVELOPMENT PERMIT NO. 05-20 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 CAN 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 - COASTAL DEVELOPMENT PERMIT NO. 05-20:

1. Coastal Development Permit No. 05-20 for the construction of a 454 sq. ft. first and second story addition to an existing two-story single family home at an overall building height is 22'-8," as proposed, conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element 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 project 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, as proposed, complies with all applicable development regulations, including maximum building height, minimum yard setbacks, and minimum on-site parking.
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 previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer and roads.
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 - COASTAL DEVELOPMENT PERMIT NO. 05-20:

The site plan, floor plans, and elevations received and dated November 7, 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.

ITEM 2: CONDITIONAL USE PERMIT NO. 05-37 (BROOKHURST CARWASH)

APPLICANT: Atabak Youseefzadeh, 8811 Burton Way #47, Los Angeles, CA 90048
PROPERTY OWNER: Farhad Yazdininian, Fairfax Group LLC, King Center Plaza, LLC, 11950 San Vicente Boulevard, Suite 200, Los Angeles, CA 90049
REQUEST: To permit construction of an approximately 2,300 sq. ft. full-service carwash building and associated site improvements, on a 17,806 sq. ft. parcel.
LOCATION: 19002 Brookhurst Street (southeast corner of Brookhurst Street and Garfield Avenue)
PROJECT PLANNER: Ron Santos

Ron Santos, 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.

Staff stated reasons for the suggested modifications to the project plans dated December 9, 2005. Staff addressed issues concerning access and stated that the applicant is prepared to submit the reciprocal access agreements as required in Suggested Condition of Approval No. 2.

Staff stated that one letter was received from a neighboring resident expressing concerns related to the noise level of a carwash, zoning regulations that allow two carwashes to exist next to each other and the safety of drivers and pedestrians. An email was received from a resident who is a member of the Design Review Board (DRB) stating that the proposed project should be reviewed by the DRB.

Mary Beth Broeren, Zoning Administrator, stated that she reviewed the communications received by staff.

Discussion ensued with staff concerning recordation of a reciprocal access, landscaping plans and requirements, access points and driveway widths, concerns related to review by the DRB, Planned Signed Program requirements, and façade.

THE PUBLIC HEARING WAS OPENED.

Atabak Youseefzadeh, 8811 Burton Way #47, Los Angeles, applicant, addressed concerns related to landscape plans, elevation and façade.

Discussion ensued concerning higher mounding and landscaped setbacks. The applicant agreed to a 3-ft. 6-in wall. Ms. Broeren confirmed that the applicant was aware of the condition for underground and overhead wires.

Shawn Molen, 6399 Wilshire Blvd, #807, Los Angeles, developer, asked what the City's flexibility was with under grounding of utilities. Ms. Broeren referred Mr. Molen to the Public Works Department stating that they maintain consistency with the ordinance.

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

Ms. Broeren stated that she was going to approve the request and asked staff to modify the suggested findings and conditions as follows:

Suggested Finding for Approval No. 1 add the following:

Traffic flow along the adjacent arterial will be improved as a result of the proposed closure of three existing driveway access points to the site. The project will provide adequate on-site parking in accordance with code requirements, does **not** present unsafe conditions for pedestrians or vehicular circulation, will not emit objectionable odors and will improve the appearance of the site which is currently vacant.

Suggested Finding for Approval No. 2 modify the following:

The conditional use permit will be compatible with surrounding uses because the proposed carwash building will be located on commercially zoned property, formerly occupied by a gas station, and surrounded by developed commercially zoned properties. The proposed carwash building will be located in excess of 400 feet from the nearest residential property. The proposed development, as conditioned, substantially conforms with the City's Urban Design ~~Guidelines~~. Guidelines, by siting of the building to convey a strong link to the street or corner, accommodating anticipated circulation patterns, minimizing the driveway cuts along the adjacent streets, and minimizing the visibility of the carwash tunnel openings.

Suggested Finding for Approval No. 4 add the following:

CE 2.3.2 Limit driveway access points and require adequate driveway widths onto arterial roadways and require driveways be located to ensure the smooth and efficient flow of vehicles, bicycles and pedestrians.

CE 2.3.3 Require where appropriate, an irrevocable offer of mutual access across adjacent non-residential properties fronting arterial roadways and require use of shared driveway access.

Suggested Finding for Approval No. 4 add the following last sentence:

The project will provide for closure of three existing driveways along the adjacent arterials, and for shared driveway access with the adjacent commercial property.

Suggested Conditions of Approval No. 1 add the following:

- c. A 3-ft., 6-in. wall shall be constructed along the curve at the carwash tunnel entrance to screen views into the tunnel.
- d. The west elevation shall be architecturally enhanced. Proposed enhancements shall be subject to review and approval by the Department of Planning.
- e. The landscaped setbacks along both street frontages shall incorporate mounding, shrubbery and vertical elements to enhance the aesthetics of the site and provide additional screening of the openings to the carwash tunnel. Vertical landscape elements shall be featured in the area directly north of the proposed vacuum area.

CONDITIONAL USE PERMIT NO. 05-37 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING MODIFIED FINDINGS AND CONDITIONS. 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 section 15302 of the CEQA Guidelines, because the project consists of replacement of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 05-37:

1. Conditional Use Permit No. 05-37 to permit construction of an approximately 2,300 sq. ft. full-service carwash building and associated site improvements 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 carwash building will be located in excess of 400 feet from the nearest residential zone boundary and will be subject to compliance with the City of Huntington Beach noise ordinance; consequently no significant noise impacts are anticipated. In addition, the project is proposed on the site of a former gas station; consequently no significant traffic impacts are anticipated. Traffic flow along the adjacent arterial will be improved as a result of the proposed closure of three existing driveway access points to the site. The project will provide adequate on-site parking in accordance with code requirements, does not present unsafe conditions for pedestrians or vehicular circulation, will not emit objectionable odors and will improve the appearance of the site which is currently vacant.
2. The conditional use permit will be compatible with surrounding uses because the proposed carwash building will be located on commercially zoned property, formerly occupied by a gas station, and surrounded by developed commercially zoned properties. The proposed carwash building will be located in excess of 400 feet from the nearest residential property. The proposed development, as conditioned, substantially conforms with the City's Urban Design Guidelines, by siting of the building to convey a strong link to the street or corner,

accommodating anticipated circulation patterns, minimizing the driveway cuts along the adjacent streets, and minimizing the visibility of the carwash tunnel openings.

3. The proposed conditional use permit 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 minimum building setbacks, on-site parking and landscaping requirements, and maximum floor area ratio. The proposed car wash use is permitted in the zoning district with approval of a conditional use permit.
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 CN-F1 (Commercial Neighborhood – 0.35 maximum floor area ratio) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

LU10.1.12. Require that Commercial uses be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development including consideration of:

- siting of buildings to the street frontage to convey a visual relationship to the street and sidewalks;
- architectural treatment of buildings to minimize visual bulk and mass, using techniques such as the modulation of building volumes and articulation of all elevations.

UD 1.2 Consider establishing, at each significant node, a local center that serves its neighborhood constituency and provides a strong and distinct focal for the district.

ED 2.4 Revitalize, renovate and expand the existing Huntington Beach commercial facilities while attracting new commercial uses.

CE 2.3.2 Limit driveway access points and require adequate driveway widths onto arterial roadways and require driveways be located to ensure the smooth and efficient flow of vehicles, bicycles and pedestrians.

CE 2.3.3 Require where appropriate, an irrevocable offer of mutual access across adjacent non-residential properties fronting arterial roadways and require use of shared driveway access.

The proposed development is in substantial compliance with the Urban Design Guidelines for Service Stations and Car Washes, which call for corner sites to convey a strong link to the street or corner, a design which anticipates circulation patterns, limits driveway cuts and minimizes visibility of car wash openings. In addition, the project will serve the needs of the surrounding neighborhood and will provide for the revitalization of a now vacant, former gas station site. The project will provide for closure of three existing driveways along the adjacent arterials, and for shared driveway access with the adjacent commercial property.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 05-37:

1. The site plan, floor plans, and elevations received and dated December 9, 2005 shall be the conceptually approved design with the following modifications:
 - a. The overhead wires above the property corner from the westerly pole along the Garfield Avenue frontage to the northerly pole along the Brookhurst Street frontage and the overhead wires from the northerly pole along the frontage of Brookhurst Street to the pole on the west side of Brookhurst shall be removed and placed underground.
 - b. One streetlight shall be installed along the Brookhurst Street project frontage. The Public Works Department will determine the exact location.
 - c. A 3-ft., 6-in. wall shall be constructed along the curve at the carwash tunnel entrance to screen views into the tunnel.
 - d. The west elevation shall be architecturally enhanced. Proposed enhancements shall be subject to review and approval by the Department of Planning.
 - e. The landscaped setbacks along both street frontages shall incorporate mounding, shrubbery and vertical elements to enhance the aesthetics of the site and provide additional screening of the openings to the carwash tunnel. Vertical landscape elements shall be featured in the area directly north of the proposed vacuum area.

2. Prior to issuance of building permits: The applicant shall submit an easement agreement providing for unrestricted reciprocal vehicular access between the subject property and the adjacent parcel. The agreement shall include an exhibit (plan) identifying the location and width of access points, consistent with the site plan approved by the Zoning Administrator. The subject property owner shall be responsible for making necessary improvements to implement the reciprocal driveway. The document shall be approved by the Planning Department and the City Attorney as to form and content and, when approved, shall be recorded in the Office of the County Recorder. A copy of the recorded document shall be filed with the Planning Department for inclusion in the entitlement file. 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.

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 2:10 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, DECEMBER 21, 2005 AT 1:30 PM.

Mary Beth Broeren
Zoning Administrator

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