

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

WEDNESDAY, AUGUST 2, 2006 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Jennifer Villasenor, Rami Talleh, Jeanie Cutler (recording secretary), Kathy Schooley

MINUTES: June 28, 2006
July 12, 2006

APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: CONDITIONAL USE PERMIT NO. 2006-025 (PANDA PALACE ALCOHOL PERMIT)

APPLICANT: Frank Yang, 16400 Pacific Coast Highway , Suite 112, Huntington Beach, CA 92649
PROPERTY OWNER: Taki Sun, Inc. (Core PMI), 6621 Pacific Coast Highway #280, Long Beach, CA 90803
REQUEST: To permit alcohol sales at a restaurant located within 300 ft. of a residential zoning district.
LOCATION: 16400 Pacific Coast Highway Suite 112 (east side of Pacific Coast Highway, north of Admiralty Drive)
PROJECT PLANNER: Jennifer Villasenor

Jennifer Villasenor, 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 presented in the executive summary.

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

Mary Beth Broeren, Zoning Administrator, asked about the former tenant, and if HOA's were notified for this area. Staff confirmed the prior tenant was retail use and that HOA's had been notified.

THE PUBLIC HEARING WAS OPENED.

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

CONDITIONAL USE PERMIT NO.2006-025 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) 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 15301 of the CEQA Guidelines, because the project consists of the licensing of a commercial suite within an existing commercial center.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2006-025

1. Conditional Use Permit No. 2006-025 for the establishment, maintenance and operation of alcohol sales at a restaurant located within 300 feet of a residential zoning district 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 restaurant with alcohol sales will not generate impacts detrimental to surrounding property and inconsistent with the subject property's commercial zoning designation. The proposed restaurant is adequately buffered from adjacent residential uses. In addition, the site provides the necessary parking to accommodate the proposed use.
2. The conditional use permit will be compatible with surrounding uses because it will permit alcohol sales at a restaurant located within an existing commercial center with adequate parking capacity. Additionally, the building is located on the site so that it is sufficiently buffered from adjacent residential uses to ensure no detrimental impact.
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 and any specific condition required for the proposed use in the district in which it would be located. The restaurant with alcohol sales will be located within an existing commercial center which conforms to land use, setbacks, building height, and landscaping standards applicable to the Visitor Serving Commercial (CV) zoning designation.
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 Visitor Serving Commercial on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
 - a. 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)

- b. Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market area. (ED 2.4.3)

The proposed request to allow alcohol sales at a restaurant will market its services to local residents and residents in the surrounding region thereby expanding the service-based commercial opportunities in the City. It will be located in an existing shopping center, which includes service related uses.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2006-025:

- 1. The site plan, floor plans, and elevations received and dated June 1, 2006, 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: VARIANCE NO. 2006-007 (HUTCHINS DEVELOPMENT)

APPLICANT: D.F. Martin
PROPERTY OWNER: Holly Hutchins, 617 Frankfort Ave., Huntington Beach, CA 92648
REQUEST: To permit the construction of two, three-story, single-family homes with two car garages having a 1'-10" side yard setback in lieu of the minimum required 3'-0" side yard setback.
LOCATION: 617 Frankfort Avenue (west side of Frankfort Avenue, east of Delaware Street)
PROJECT PLANNER: Rami Talleh

Rami Talleh, Staff Planner, stated that a letter was received from the applicant requesting a withdrawal of the application due to the property fell out of escrow and is no longer required.

Ms. Broeren, Zoning Administrator, accepted the request to withdraw.

VARIANCE NO.2006-007 WAS WITHDRAWN AT THE APPLICANTS REQUEST.

ITEM 3: VARIANCE NO. 2006-005 (LEE APARTMENTS)

APPLICANT: Terri Breer, Esq

PROPERTY OWNER: Jubilee Management Company, LLC, 7 Summerwind Court, Newport Beach, CA
REQUEST: To permit a two space reduction in required parking in conjunction with the conversion of a recreation room into a one-bedroom dwelling unit at an existing 16-unit apartment complex
LOCATION: 2202 Hess Circle (terminus of Hess Circle, north of Utica Avenue)
PROJECT PLANNER: Rami Talleh

Rami Talleh, Staff Planner stated that the applicant has requested a continuance to the August 23, 2006 meeting. Staff concurred with the requested continuance.

THE PUBLIC HEARING WAS OPENED.

Nancy Patino, 614 E. Utica Avenue, was seeking more information about the project.

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

VARIANCE NO. 2006-005 WAS CONTINUED BY THE ZONING ADMINISTRATOR TO THE AUGUST 23, 2006 MEETING.

THE MEETING WAS ADJOURNED AT 1:47PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY AUGUST, 23, 2006 AT 1:30 PM.

Mary Beth Broeren
Zoning Administrator

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