

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

WEDNESDAY, November 29, 2006 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Rosemary Medel, Ron Santos, Jeanie Cutler (recording secretary)

MINUTES: November 15, 2006
APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: TEMPORARY USE PERMIT NO. 2006-002 (PACIFIC CITY TEMPORARY OFFICE/MODELS)

1. APPLICANT: Ethen Thacher, Makar Properties, LLC, 4100 MacArthur Blvd., Ste.200, Newport Beach, CA 92660
- PROPERTY OWNER: Makallon Atlanta Huntington Beach, LLC, 4100 MacArthur Blvd., Ste.200, Newport Beach, CA 92660
- REQUEST: To permit the use of two construction office trailers and a model home unit as temporary use on a vacant parcel.
- LOCATION: 239 1st Street. (Southwest corner of Olive Street and 1st Street)
- PROJECT PLANNER: Rosemary Medel

Rosemary Medel , 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.

Staff also noted that the Public Works Department provided a list of applicable code requirements.

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

Mary Beth Broeren, Zoning Administrator, asked for clarification in relation to suggested conditions of approval and code requirements.

THE PUBLIC HEARING WAS OPENED.

Ethen Thacher, applicant, spoke in favor of the project. Ms. Broeren advised that code requirements identified in the memorandum from the Public Works Department are not within the Zoning Administrator's purview and that the applicant would need to request changes from the Public Works Department.

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

Discussion ensued concerning traffic, parking, landscape and signage requirements.

Staff confirmed that no signage requirements were identified by the Public Works Department and that parking requirements for Temporary Use Permits are determined on a case by case basis.

Mr. Thacher confirmed that the Visitor Center on Pacific Coast Highway would continue to be used as a sales center for the project.

Ms. Broeren stated that she was going to approve the request and asked staff to modify the suggested conditions by adding conditions 1a, 2a, 2b & 2c.

TEMPORARY USE PERMIT NO. 2006-002 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND MODIFIED 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 15304 of the CEQA Guidelines, because the project consists of a minor temporary use of land having negligible or no permanent effects on the environment.

FINDINGS FOR APPROVAL – TEMPORARY USE PERMIT NO. 2006-002:

1. The proposed temporary use will be located, operated and maintained in a manner consistent with the policies of the General Plan and the provisions of the base district and other applicable provisions in the Downtown Specific Plan, 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 request is allowed by approval of the entitlement and all code requirements will be met including the provision of adequate parking.
2. Temporary Use Permit No. 2006-002 for the establishment, maintenance and operation of the model home complex and sales trailers 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 is temporary and is consistent with the character of the development in the area. Ample parking and directional signage will be

provided for the use. The proposed use will not generate noise, traffic, light or other impacts at levels inconsistent with the mixed-use zoning applicable to the subject property.

CONDITIONS FOR APPROVAL – TEMPORARY USE PERMIT NO. 2006-002:

1. The site plans received and dated July 27, 2006, shall be the conceptually approved site plan design with the following modification:
 - a. Potted plants and trees shall be provided around the parking areas and entrances upon implementation of Plan B or Plan C.
2. The use shall comply with the following operational hours:
 - a. Construction Office/Plan A: Monday through Friday, 7:00 AM to 8:00 PM, and Saturday 7:00 AM to 5:00 PM.
 - b. Construction Office/Model Home Complex/Plan B: Sunday through Saturday, 9:00 AM to 7:00 PM
 - c. Construction Office/Model Hotel Room Complex/Plan C: Monday through Friday, 7:00 AM to 8:00 PM, and Saturday 7:00 AM to 5:00 PM.

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 1:45PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, DECEMBER 6, 2006 AT 1:30 PM.

Mary Beth Broeren
Zoning Administrator

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