



AGENDA
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 – Lower Level - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, AUGUST 23, 2006, 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBERS: Rami Talleh, Ron Santos, Ramona Kohlmann

MINUTES: August 2, 2006

ORAL COMMUNICATION: Anyone wishing to speak on an item not on the agenda may do so. No action can be taken by the Zoning Administrator on items not on the agenda.

SCHEDULED ITEMS:

- 1. PETITION DOCUMENT:** **VARIANCE NO. 2006-005 (LEE APARTMENTS) – CONTINUED FROM THE AUGUST 2, 2006 MEETING AT THE APPLICANT’S REQUEST WITH THE PUBLIC HEARING OPEN**

APPLICANT: Jubilee Management Company, LLC., c/o Mary Lee
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
STAFF RECOMMENDS: Approval with modifications based upon suggested findings and conditions of approval
- 2. PETITION DOCUMENT:** **CONDITIONAL USE PERMIT NO. 2006-027 (STARBUCKS COFFEE)**

APPLICANT: Steve Briscoe
REQUEST: To permit construction of a 3,001 sq. ft. 2-unit commercial building with a drive-through service window. The existing Max’s Sports Bar will be demolished.
LOCATION: 18922 Beach Boulevard (east side of Beach Boulevard, north of Garfield Avenue)
PROJECT PLANNER: Ron Santos
STAFF RECOMMENDS: Continuance to a date uncertain at the applicant’s request with re-notification

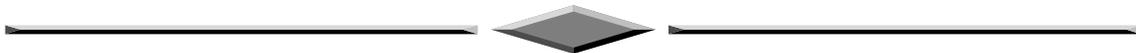
Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Zoning Administrator is final unless an appeal is filed to the Planning Commission by you or by an interested party. Said appeal must be in writing and must set forth in detail the action and grounds by which the applicant or interested party deems himself aggrieved. Said appeal must be accompanied by a filing fee of One Thousand Two Hundred Eighty Seven Dollars (\$1287.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and One Thousand Five Hundred Sixty Nine Dollars (\$1569.00) if the appeal is filed by any other party. The appeal shall be submitted to the Secretary of the Planning Commission within ten (10) calendar days of the date of the Zoning Administrator's action or ten (10) working days for a coastal development permit.

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Rami Talleh, Associate Planner
DATE: August 23, 2006

SUBJECT: **VARIANCE NO. 2006-005 (LEE APARTMENTS) – CONTINUED FROM THE AUGUST 2, 2006 MEETING AT APPLICANT’S REQUEST WITH THE PUBLIC HEARING OPEN**

LOCATION: 2202 Hess Circle (terminus of Hess Circle, north of Utica Avenue)



Applicant/

Property Owner: Jubilee Management Company, LLC, c/o Mary Lee, 7 Summerwind Court, Newport Beach, CA

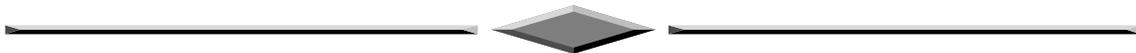
Request: To permit a two space reduction in required parking in conjunction with the conversion of a recreation room into a one-bedroom dwelling unit at an existing 16-unit apartment complex.

Environmental Status: This request is covered by Categorical Exemption, Section 15301 & 15305, Class 1 & 5, California Environmental Quality Act.

Zone: RM (Medium Density Residential)

General Plan: RM-15 (Medium Density Residential – 15 units per acre)

Existing Use: 16 Unit Apartment Complex



RECOMMENDATION: Staff recommends approval with modifications of the proposed project based upon the following findings:

SUGGESTED 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&15305 of the CEQA Guidelines, because the project involves the minor alterations to existing structures with minor alteration in land use limitations.

SUGGESTED FINDINGS FOR APPROVAL - VARIANCE NO. 2006-005:

1. The granting of Variance No. 2006-005 for the reduction of one required enclosed parking space in conjunction with the conversion of a recreation room into a one-bedroom dwelling will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. Other similar properties under the same zoning classification are provided with proportionally less parking spaces than the subject site. Pursuant to conditions of approval, a carport will be constructed over one of the existing open parking spaces. Other properties have utilized different forms of parking stalls such as carports.
2. Because of special circumstances applicable to the subject property, including *topography*, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications. The site is constrained due to a difference of approximately 7 ft. in grade between high and low points on the site. One open parking stall can be located on the site, however an additional enclosed parking space can not be constructed due to the changes in grade. The grade differential and unique topography of the site creates a hardship in that the use of retaining walls and inclined drive aisles is necessary to address on-site drainage and create level building sites. The location of retaining walls and sloped areas eliminates possible locations that provide safe egress/ingress and comply with the required dimensions, setbacks, and turn around space for an enclosed garage. A condition has been placed on the project requiring that a carport be constructed over one of the existing open parking spaces in lieu of providing an additional enclosed garage.
3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights. The requested parking reduction will allow the property owner to permit the conversion of a recreation room into a one-bedroom unit. Granting of the variance is required to allow the property owner to construct the maximum number of units that the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) permits. The proposed conversion will result in a total of 17 units on the site, which complies with the maximum allowed density.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to properties in the same zone classification. With the provision of one additional open parking space it is not anticipated that the conversion of the recreation room to a one-bedroom unit will not have any parking impacts to surrounding properties.
5. The granting of the variance will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RM (Residential Medium Density) on the subject property, including the following policy:

LU 7.1.2: Require that development be designed to account for the unique characteristics of project sites and objectives for community character as appropriate.

The apartment complex was developed with a network of retaining walls and sloped areas to account for the unique topography of the site. The on-site grade differential prohibits the property owner from providing the required parking needed to obtain permits for the conversion of a recreation room into a one-bedroom unit. The variance will grant the property a one-space reduction in the required parking to permit the conversion.

SUGGESTED CONDITIONS OF APPROVAL VARIANCE NO.2006-005:

1. The site plan, floor plans, and elevations received and dated May 10, 2006, shall be the conceptually approved design with the following modifications:
 - a. An open parking space shall be provided at the end of the main drive aisle adjacent to the existing trash enclosure.
 - b. A carport shall be constructed over one of the existing open parking spaces within 90 days from the effective date of approval of this entitlement.
2. Building permits shall be obtained for conversion of the recreation room into a one-bedroom unit within 90 days from the effective date of approval of this entitlement.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

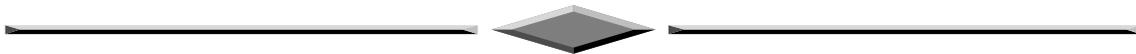
The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, 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.

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Ron Santos, Associate Planner
DATE: August 23, 2006

SUBJECT: **CONDITIONAL USE PERMIT NO. 2006-027 (STARBUCKS COFFEE)**

LOCATION: 18922 Beach Boulevard, Huntington Beach (east side of Beach Boulevard, north of Garfield Avenue)



Applicant: Steve Briscoe, 1111 South Coast Drive, Suite E-102, Costa Mesa, CA 92626

Property Owner: Val Beach Garfield, LLC, c/o William Valaika, 4770 Campus Drive, Suite 200, Huntington Beach, CA 92648-0382

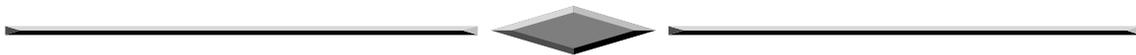
Request: To permit construction of a 3,001 sq. ft. 2-unit commercial building with a drive-through service window. The existing Max's Sports Bar will be demolished.

Environmental Status: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

Zone: CG (Commercial General)

General Plan: CG-F1 (Commercial General – 0.35 max. FAR)

Existing Use: Commercial



RECOMMENDATION: Staff recommends continuance to a date uncertain at the applicant's request with re-notification.