

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

TO: Zoning Administrator
FROM: Andrew Gonzales, Assistant Planner
DATE: September 17, 2008

SUBJECT: CONDITIONAL USE PERMIT NO. 08-030 (DEMESNE COMMERCIAL DEVELOPMENT)

LOCATION: 9500 Garfield Avenue, 92649 (southeast corner of Bushard Street and Garfield Avenue)



Applicant: Johnathan Matson, AIA, 13271 South Street, Cerritos, CA 90703

Property Owner: Demesne Development Company, 8442 Alondra Boulevard, Paramount, CA 90723

Request: To permit the construction of an approximately 10,000 sq. ft., single-story multitenant commercial/retail building and associated site improvements.

Environmental Status: This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

Zone: CG (Commercial General)

General Plan: CN-F1 (Commercial Neighborhood - .35 Max. Floor Area Ratio)

Existing Use: Vacant commercial building



RECOMMENDATION: Staff recommends approval 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 15303 of the CEQA Guidelines, because the proposed development consists of a new construction of multitenant commercial building with 10,000 sq. ft. of floor area not involving significant amounts of hazardous materials on a site where public services and facilities are available and the surrounding area is not environmentally sensitive.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2008-030:

1. Conditional Use Permit No. 2008-030 for the construction of an approximately 10,000 sq. ft., single-story multitenant commercial/retail 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 subject property is designated for commercial neighborhood development under the General Plan. The proposed project is consistent with the permitted uses and development standards within this designation. The structure will be setback approximately 72 ft. from the abutting residential properties to the west and 54 ft. from the residential properties to the south. The site will be sufficiently parked and will not have any impacts on the adjacent properties.
2. The proposed neighborhood shopping center, as conditioned, will be compatible with surrounding uses and developments. The subject project will replace a former commercial building with a single-story, multitenant commercial/retail building. The building's design is conditioned to be more compatible with the surrounding area by incorporating additional façade recesses, architectural eyebrows, and contrasting materials on the building elevations to minimize the structure's mass/bulk and create visual interest along the street frontage. As conditioned, the depth of the driveway adjacent to Garfield Avenue will be increased an additional 10 ft. to create safe vehicular ingress and egress for the site. The placement of the structure will be at the northwest corner of the subject site thereby providing an adequate setback from residential uses to the east and south. In addition, a 10 ft. landscape buffer is provided along the easterly property line to screen the parking lot from adjoining residential uses.
3. The proposed development 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. The development complies with the minimum required setbacks and on-site parking and complies with the maximum allowed floor area ratio and building height.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the following goals and policies of the General Plan:

LU10.1.4. Require that commercial buildings and sites be designed to achieve a high level of architectural and site layout quality.

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:

- a. Siting and design of structures to facilitate and encourage pedestrian activity;
- b. Siting of building to the street frontage to convey a visual relationship to the street and sidewalks;
- c. Architectural treatment of buildings to minimize visual bulk and mass, using techniques such as modulation of building volumes and articulation of all elevations.

The proposed development is in compliance with the Urban Design Guidelines. The siting and design of the proposed structure allows for pedestrian connectivity between sidewalks

and the subject site. The proposed architecture provides variations in roof heights and prominent unit entries and, as conditioned, incorporates quality materials in its design.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2008-030:

1. The site plan, floor plans, and elevations received and dated September 5, 2008, and preliminary landscape plan dated September 10, 2008, shall be the conceptually approved design with the following modifications:
 - a. Increase the depth of the parking lot driveway serving Garfield Avenue to 20 ft by removing the northernmost parking spaces on each side of the drive aisle and increase the proposed paving band an additional 10 ft.
 - b. Relocate the proposed trash enclosure an additional 1 ft. 6 in. to the south for a total distance of 3 ft. from the adjacent parking stall.
 - c. The corrugated metal panels on the building elevations shall be omitted and replaced with either decorative masonry block or finished wood.
 - d. Limit the number of metal sunshades variations to two designs.
 - e. The uppermost portion of the north and south tower feature shall incorporate a continuous architectural eyebrow utilizing a variation of the sunshade designs, as determined by Condition 1c, around all sides of the building wall.
 - f. The north unit, adjacent to the corner of Garfield Avenue and Bushard Street, shall provide a 1 ft. recess in the areas located above the five windows panes. The recessed area shall match the unit store fronts depicted without exterior reveals.
2. Prior to issuance of grading permits, the following shall be completed:
 - a. The proposed curb opening and rectangular channel to convey the site's drainage offsite into the public curb and gutter system on Garfield Avenue shall address NPDES requirements for water quality Best Management Practices (BMP). The site's surface drainage shall not drain directly into the City's curb and gutter system without first being treated through a City approved water quality BMP. **(PW)**
 - b. Provide a Precise Grading Plan identifying that the damaged curb, gutter and sidewalk along the Garfield Avenue and Bushard Street frontages shall be removed and replaced per Public Works Standard Plan Nos. 202 and 207. **(PW)**
3. Prior to submittal for building permits, one set of project plans, revised pursuant to Condition of Approval No. 1, shall be submitted for review, approval and inclusion in the entitlement file, to the Planning Department.
4. Prior to final inspection or occupancy all existing utilities that occur along the project's Bushard Street frontage or within easements exclusively serving the site shall be undergrounded. This includes the Southern California Edison (SCE) aerial lines and poles along the entire length of the westerly frontage of the subject project. This condition applies to all utilities, including but not limited to all telephone, electric, and Cable TV lines. If required, easements shall be quitclaimed and/or new easements granted to the corresponding utility companies. **(PW)**

5. Incorporating sustainable or “green” building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green’s Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

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.