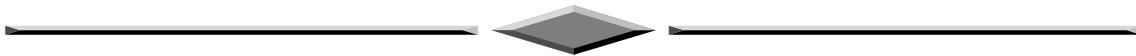


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Ron Santos, Associate Planner
DATE: March 5, 2008

SUBJECT: VARIANCE NO. 2008-003 (FORD OFFICE BUILDING REMODEL)

LOCATION: 16511 Goldenwest Street, 92647 (southwest corner of Goldenwest St. and Heil Ave.)



Applicant: William Handley, 130 El Camino Real, Suite 200, Tustin, CA 92780

Property Owner: Scott and Julie Ford, 16511 Goldenwest, Unit D, Huntington Beach, CA 92647

Request: To permit an approximately 5 ft.-2 in. wide landscape planter along a portion of the project site's Goldenwest Street frontage in lieu of the minimum required 10 ft. wide planter, in conjunction with the facade remodel of an existing office building.

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

Zone: CG (Commercial General)

General Plan: CN-F1 (Commercial Neighborhood – 0.35 max. floor area ratio)

Existing Use: Office 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 15305 of the CEQA Guidelines, because the project represents a minor alteration in land use limitations which will not result in any changes in land use or density.

SUGGESTED FINDINGS FOR APPROVAL - VARIANCE NO. 2008-003:

1. The granting of Variance No. 2008-003 to permit an approximately 5 ft.-2 in. wide landscape planter along a portion of the project site's Goldenwest Street frontage in lieu of the minimum required 10 ft. wide planter, will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. The project site can not comply with the applicable landscape code requirements and simultaneously maintain compliance with applicable parking requirements without demolishing at least a portion of the existing building, which would constitute undue hardship. Consequently, the requested variance provides for the remodeling of an aging commercial center, which would not be inconsistent with the limitations on other properties in the vicinity.
2. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, 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 classification. The project site is constrained by special circumstances which include its existing legal non-conforming condition with respect to the width of the landscape planter along the Goldenwest Street frontage. The project site can not meet current code requirements for the width of the landscape planter and maintain conformance with current parking standards, due to the existing location of the building, "L" shaped lot, and other site improvements which can not be relocated.
3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights. The requested variance is necessary in order to allow for the remodel of the existing commercial center. The City's Zoning Ordinance requires that property meet certain minimum requirements for landscaping as a prerequisite to allow exterior modifications. In this case, the project can not meet the applicable landscape requirements to the existing location of buildings and other site improvements. Consequently, strict application of the Zoning Ordinance would deprive the property owner of the right to remodel and improve the property to meet objectives for community character.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification. The requested variance will allow the project site to maintain its existing non-conforming street side landscape planter width and provide for the remodeling of the existing commercial center, which will benefit the public welfare and surrounding property owners by improving the appearance and value of the subject property.
5. The granting of the variance 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:

LU 7.1.2: Require that development be designed to account for the unique characteristics of project sites and objectives for community character and in accordance with the Development "Overlay" Schedule as appropriate.

The requested variance accounts for the unique characteristics of the project site by allowing a minor reduction in the street side landscape width, in order to allow for the remodel of the commercial center and thereby meet objectives for community character.

SUGGESTED CONDITIONS OF APPROVAL VARIANCE NO. 2008-003:

The site plan, floor plans, and elevations received and dated February 1, 2008 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.