

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

TO: Zoning Administrator
FROM: Jill Arabe, Planning Aide
DATE: November 12, 2008

SUBJECT: **ENTITLEMENT PLAN AMENDMENT NO. 2008-004 (COMMERCIAL PARKING LOT RECONFIGURATION - AMENDMENT TO CONDITIONAL EXCEPTION NO. 85-6/ USE PERMIT NO. 85-11)**

LOCATION: 7362 & 7402 Edinger Avenue, 92647 (southeast corner of Edinger Ave. and Gothard St.)



Applicant: Janette Trotter Ditkowsky, 2032 La Colina Dr., Santa Ana, CA 92705

Property Owner: Freeway Industrial Park, 2032 La Colina Dr., Santa Ana, CA 92705

Request: To amend previously approved plans for a commercial shopping center by reconfiguring the parking lot layout and deleting a condition of approval requiring the designation of 13 parking spaces for an existing restaurant.

Environmental Status: This request is covered by Categorical Exemption, Section 15311, Class 11, California Environmental Quality Act.

Zone: CG – FP2 (Commercial General – Floodplain 2)

General Plan: CG – F2 – d (Commercial General – 0.50 floor area ratio – design overlay)

Existing Use: Commercial



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 15311 of the CEQA Guidelines, because the project involves the reconstruction of a parking lot.

SUGGESTED FINDINGS FOR APPROVAL – ENTITLEMENT PLAN AMENDMENT NO. 2008-004:

1. Entitlement Plan Amendment No. 2008-004 to modify previously approved plans by reconfiguring the parking lot layout and deleting a condition of approval requiring the designation of 13 parking spaces for a restaurant use 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 contains two existing buildings with furniture retail and restaurant uses respectively. In order for the existing furniture retail building to be converted to general retail, the site will need to be brought into conformance with current parking standards. A condition of approval for the site previously designated 13 parking spaces for the restaurant use. By deleting the condition of approval, the restaurant use may still comply under current parking standards. Furthermore, the parking lot will be redesigned to allow for the numerical change of required parking. Based upon the conditions imposed and the parking lot reconfiguration, the existing buildings may be occupied by general retail and restaurant uses respectively. The parking lot improvements will expand the variety of commercial uses on the property.
2. The entitlement plan amendment will be compatible with surrounding uses because it will allow for a variety of commercial uses to occupy the property. The site is predominantly surrounded by similar commercial uses and characteristics.
3. The proposed Entitlement Plan Amendment No. 2008-004 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. As conditioned, the parking lot will comply with the applicable development standards such as paving surface, stall dimensions and aisle widths, and landscaping.
4. The granting of the entitlement plan amendment will not adversely affect the General Plan. It is consistent with the Land Use Element designation of CG (Commercial General) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

LU 10.1.12	Require that Commercial General uses be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development including the consideration of incorporation of site landscape, particularly along street frontages and in parking lots.
CE 5.1.1	Maintain an adequate supply of parking that supports the present level of demand and allow for the expected increase in private transportation use.
CE 5.1.2	Provide safe and convenient parking that has minimal impacts on the natural environment, the community image, or quality of life.
ED 2.4	Revitalize, renovate and expand the existing Huntington Beach commercial facilities while attracting new commercial uses.

The entitlement plan amendment will allow for general retail uses to occupy one of the existing buildings on site. The reconfiguration of the parking lot will incorporate landscaping.

The parking lot will supply the parking demand as required by current City standards to allow for the intensification of commercial uses. Existing mature trees will be replaced to comply with CEQA requirements. Parking lot improvements will include the replacement of existing mature trees and interior landscape planters. The land use intensification and parking lot reconfiguration will enhance the surrounding neighborhood.

SUGGESTED CONDITIONS OF APPROVAL - ENTITLEMENT PLAN AMENDMENT NO. 2008-004:

1. The site plan received and dated October 16, 2008, shall be the conceptually approved design with the following modifications:
 - a. The parking tabulation on the site plan shall be revised to reflect a total of 116 required parking spaces.
 - b. The square footage of the existing restaurant identified on the site plan shall be revised to reflect 5,260 sq. ft. of restaurant use (including 828 sq. ft. of outdoor dining) and 168 sq. ft. of dance floor, for a total of 5,428 sq. ft.
 - c. Existing mature trees that are to remain shall be within a landscape planter and depicted on the site plan. Existing trees that are to be removed shall also be shown. As determined by the Public Works Department, mature trees shall be replaced at a 2 for 1 ratio for the portion of the site developed prior to 1973 and 1 for 1 ratio for the portion of the site developed after 1973.
 - d. Landscape planters shall be located adjacent to parking stalls #113, #72/73, and #51/94.
 - e. Parking stalls #50/95 shall be removed and replaced with a landscape planter. Two required trees shall be located within the planter.
 - f. Existing parking stalls #46 through #49 shall be restriped to provide a minimum three ft. setback from the building wall to the first parking stall.
2. Prior to submittal for building permits, the following shall be completed:
 - a. A site plan revised per Condition No. 1 shall be submitted to the Planning Department.
 - b. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
 - c. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Public Works Department for review and approval by the Public Works and Planning Departments.

- d. All landscape planting, irrigation and maintenance shall comply with the City Arboricultural and Landscape Standards and Specifications.
3. The issuance of a Certificate of Occupancy for the first new retail tenant cannot be approved until the following has been completed:
 - a. All parking lot improvements on the site shall be inspected and approved by the Planning Department.
 - b. A copy of the approved site plan modified in accordance with Condition No. 1 shall be submitted in the entitlement file.
4. 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.