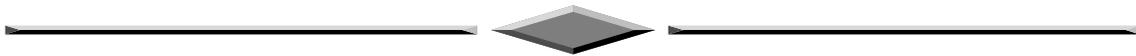


**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Andrew Gonzales, Associate Planner  
**DATE:** October 14, 2009

**SUBJECT:** **CONDITIONAL USE PERMIT NO. 2009-014 (HARBOR TIRES PROS)**

**LOCATION:** 17032 Bolsa Chica Street, 92649 (south east corner of Bolsa Chica Street and Warner Avenue)



**Applicant:** Randall Jepson, Peter Jepson Partnership, Inc., 3002 Dow Avenue, Suite 140, Tustin, CA 92780

**Property Owner:** Rich Lindsey, 16961 Bolsa Chica Road, Huntington Beach, CA 92649

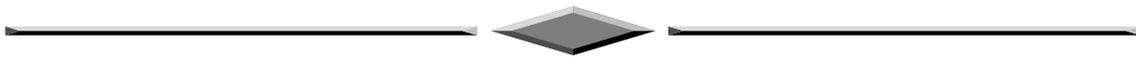
**Request:** To permit (a) the construction of a new 4,471 sq. ft. commercial building and associated site improvements, and (b) the establishment of a tire and wheel service business.

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

**Zone:** CG (Commercial General)

**General Plan:** CG-F1 (Commercial General - 0.35 Maximum Floor Area Ratio)

**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 15303 of the CEQA Guidelines, because the proposed development consists of a new construction of a 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 is not environmentally sensitive.

**SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2009-014:**

1. Conditional Use Permit No. 2009-014 for (a) the construction of a new 4,471 sq. ft. commercial building and associated site improvements, and (b) the establishment of a tire and wheel service business 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 project will not significantly impact adjacent residences because the building will be sited at the northwest corner of the property and setback more than 45 ft. from the nearest adjacent residential property. The service bays associated with the wheel service business will be oriented eastward, away from the neighboring homes, with the primary business entrance adjacent to Warner Avenue. According to an acoustical study prepared by Gordon Brickmen and Associates (April 28, 2009), a sound barrier (e.g., block wall) with a minimum height of 8 ft. along the east property line and 7 ft. along the south property line is recommended to attenuate any potential noise impacts onto adjacent properties. Condition No. 4 incorporates the study's recommendation by requiring that an 8 ft. block wall be constructed along the south and east property lines. The development, as conditioned, will not have any significant operational impacts or exceed the noise thresholds as established by the City Noise Ordinance (Chapter 8.40 Noise Control). Furthermore, the site will be sufficiently parked and will have minimal impacts on adjacent properties.
2. The proposed commercial building, as conditioned, will be compatible with surrounding uses and developments. The subject project will replace a former commercial building with a new single-story building to be utilized by a wheel service business. The building is compatible with the size and scale of developments in the surrounding area by incorporating 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. The placement of the structure will be at the northwest corner of the subject site thereby providing an adequate buffer for nearby residences. An 8 ft. block wall and a 6 ft. 2 in. wide landscape planter will further screen the building and use for nearby dwellings.
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. Vehicle equipment repair uses are permitted within the CG (Commercial General) zoning district with the approval of a conditional use permit. 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:

A. Land Use Element

Objective - LU 10.1: Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local resident.

Objective - LU 10.1.4: Require that commercial buildings and site be designed to achieve a high level of architectural and site layout quality.

Objective - LU 10.1.6: Require the commercial projects abutting residential properties adequately protect the residential use from the excessive or incompatible impacts of noise, light, vehicular traffic, visual character, and operational hazards.

Objective - 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 architectural treatment of buildings to minimize visual bulk and mass, using techniques such as modulation of building volumes and articulation of all elevations

The project is a redevelopment of a site with a new single-story commercial building to be utilized as a wheel service business. The building's design incorporates 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. The project will not significantly impact adjoining properties including nearby residences. The entrance of the building and service bays will be orientated away from nearby homes and buffered by an approximately 45 ft. building separation consisting of a drive aisle, parking stalls, landscaped planter and a 8 ft. high block wall. The block wall will assist in attenuating noise generated from the use. Lighting will be designed to be directed onto the project site without any spillage onto adjacent properties.

B. Urban Design Element

Objective – UD 1.1: Identify and reinforce a distinctive architectural and environmental image for each district in Huntington Beach.

Policy – 1.2.1: Enhance the connections, where feasible between the public sidewalk and private commercial interior open spaces as described by the Land Use Element by using decorative paving materials.

The design of the building will incorporate distinctive architecture which includes variations to the roof height, insets and offsets in the building façade to create enhanced visual relief and break up of building mass, variations in exterior building treatment, and an enhanced building entrance. The project will incorporate a connection from the public sidewalk on Warner Avenue by providing clear identifiable access to the main entrance of the building.

C. Economic Development Element

Policies - ED 2.4.3: Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market area.

The request will accommodate the redevelopment of an existing site with a use that will serve the needs of local residents and visitors to the City by providing additional commercial serving opportunities.

D. Noise Element

Policy N – 1.2.3: Require development, in all areas where the ambient noise level exceeds an Ldn of 60 dB(A), to conduct an acoustical analysis and incorporate special design measures in their construction, thereby, reducing interior noise levels to the 45 dB(a) Ldn level.

Policy N – 1.4.3: Require that the parking areas of all commercial and industrial land uses, which abut residential areas, to be buffered and shielded by walls, fences, or adequate landscaping.

A noise study provided for the project identifies that noise levels will not cumulatively contribute to an increase in levels above established thresholds. Noise will be attenuated through onsite improvements which include a perimeter block wall

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2009-014:**

1. The site plan, floor plans, and elevations received and dated July 17, 2009, shall be the conceptually approved design with the following modifications:
  - a. Modify the site plan (Sheet No. 1.1) to depict the trash enclosure with a minimum 10 ft. setback from the southerly property line. In addition, an elevation detail shall be provided depicting the enclosure with a roof shelter and an architecturally enhanced design compatible with the design of the building.
  - b. The bollards located adjacent to the building's east elevation shall be decorative and compatible with the design of the building.
  - c. A 10 ft. wide decorative paving band shall be provided at the Bolsa Chica Street and Warner Avenue driveway entrances.
  - d. The width of the landscaped planter along the easterly property line shall be increased an additional 6 in.
2. Prior to submittal for building permits, a Lot Line Adjustment (LLA) shall be submitted and approved by the Department's of Planning and Public Works to consolidate assessor parcel map numbers 163-121-01 and 163-121-02 as one lot.
3. Prior to issuance of building permits, a copy of the recorded LLA shall be provided to the Department of Planning for inclusion in the entitlement file.
4. The structure cannot be occupied, the final building permit(s) cannot be approved, and a Certificate of Occupancy cannot be issued until an 8 ft. high block is constructed along the south and east property lines. The block walls shall measure 107 linear feet along the south property line and a 102 along the east property line.

5. Only the uses described in the narrative dated October 8, 2008, shall be permitted including the following:
  - a. Hours of operation shall be limited to between 8AM and 5PM, Monday through Saturday.
  - b. All repair/service work shall be conducted entirely within the building.
  - c. Paging and music system speakers located or being activated outside of the building shall be prohibited.
  - d. Truck deliveries shall be limited to between the hours of 7AM and 8PM, Monday through Saturday.
  - e. Parking lot lights shall be automatically dimmed to minimal security level lighting one hour after closing
6. 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.