

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, DECEMBER 19, 2007 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Jill Arabe, Tess Nguyen, Rami Talleh, Pamela Avila
(recording secretary)

MINUTES: November 21, 2007
APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: TEMPORARY USE PERMIT NO. 2007-005 (QUIKSILVER OUTDOOR EVENTS)

APPLICANT: John Mandracchia, 15202 Graham St., Huntington Beach, CA 92649

PROPERTY OWNER: Sares Regis Group, 18802 Bordeen Ave., Irvine, CA 92612

REQUEST: To permit a comprehensive outdoor events calendar consisting of 15 events per year for a five year period (2007-2011). The outdoor events include live entertainment, food and alcohol service, and retail sales.

LOCATION: 15362 Graham St., 92649 (north of McFadden Ave., east of Graham St.)

PROJECT PLANNER: Jill Arabe

Jill Arabe, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

The request is to implement a comprehensive calendar of 15 temporary events per year for a five year period. Staff is recommending approval of only one year for these events. The events are for employees and their invited guests. Events are classified into five categories: sample sales, marketing events, sales, foundation, and Halloween events. Each event is assigned a specified block of time. Events are regulated by Quiksilver's security and parking is staggered as guests will arrive at different times. Arrivals and departures are spread over a period of time but generally not all attendees are present at one time. Quiksilver has 1,096 parking spaces on site.

Sample sales and marketing events have the largest attendance. Sample sales are held outdoors on Saturdays for about 500 employees and 1500 invited guests. Parking becomes available as time progresses. Quiksilver personnel will be directing traffic.

Marketing events are held on Fridays after closing (between 5 p.m. and 2 a.m). The events take place both outdoors and indoors. Food and alcohol are provided. Alcohol is served indoors and outdoors in a cordoned area which is secured by private security. It is exclusively for VIP guests and those 21 and over. Approximately 40 security guards will monitor and control the crowd. The outdoor event will terminate at 10 p.m., after which only VIP guests will be allowed indoors. All activities will remain indoors until 2 a.m.

Other events are on a smaller scale, held during the work day, for a duration of 3-4 hours in the afternoon for employees (already on-site) and invited guests. Sufficient parking is provided on-site. These events are held indoors and outdoors.

Staff has forwarded conditions of approval to the applicant, Fire Department, and Police Department. Staff specified three conditions: 1) in order to meet fire code requirements, applicant shall submit site plans detailing compliance with the fire code prior to each event, 2) police have applied restrictions on alcohol service and provision of sufficient private security, and 3) if any of the events are in violation of any of these conditions or lack safety codes, the event can be terminated by Planning staff, or the Police or Fire Departments.

Staff has received two calls and one letter of opposition to the temporary use permit. The opposition is due to public displays of drunkenness and trash and debris left over from events. Staff suggests a condition requiring clean-up of the streets and the Police Department is requiring that private security be on site.

Staff recommends a one year trial of events and at the end of the first year, the applicant would have to apply for a new temporary use permit. Staff recommends approval with the suggested findings and conditions stated in the executive summary.

Mary Beth Broeren, Zoning Administrator, asked if the two calls were in opposition or just inquiries. Staff stated one letter and call were from the same citizen, an additional call from another citizen, and both were in opposition.

Ms. Broeren asked about the amount of parking spaces available to Quiksilver. Ms. Broeren asked about the operating hours of Creative Teaching which is on the same site, and staff stated operating hours are 7:30 – 5:00 p.m. Staff stated that they have issued a letter of consent to operate during the events. She also asked how many Quiksilver employees are on site, and staff said that Quiksilver has 1,280 employees on a daily basis, with operating hours at 8:00 – 5:00 p.m. Staff stated that approximately 700 employees carpool.

THE PUBLIC HEARING WAS OPENED.

Ronald S. Mobley, owner of nearby business, spoke in opposition to the events. His major concerns were that participants park in his parking lot, that the events are open to the public to attend, and participants use his parking lot as a bathroom. He said that he has never seen parking control or security and wants Quiksilver to use their own parking lot.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

John Mandracchia, Vice President of Quiksilver, responded to Ms. Broeren's request of how they would be handling future events with parking considerations. Mr. Mandracchia said that the public would no longer be invited, just invited guests numbering at 800 with 500 employees. They expect to have more control over the crowd, the drinking area will be cordoned off, and ABC licensed vendors will distribute alcohol.

Carol Scherman, Quiksilver Human Resources Director, said that sample sales are quarterly and are held on Saturday mornings. She said that the events that Mr. Mobley is referring to are marketing events. Ms. Scherman said that kind of event would not take place on their campus any longer. Attendance would be at 1400, 600 less than prior events of this type and there would no longer be uninvited guests. Ms. Scherman said there would be clean-up and parking control.

Considerable discussion ensued concerning staff, parking spaces, and crowd control. Ms. Broeren had a concern about events being held during workdays in a heavily industrialized area.

Ms. Broeren stated that these types of events are not typical for an industrialized area. Ms. Broeren stated that she was going to approve the request and asked staff to modify the suggested findings and/or conditions as follows: Condition No. 10 – a six month review in June 2008 to review how Quiksilver has handled these events.

TEMPORARY USE PERMIT NO. 2007-005 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

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 15304 of the CEQA Guidelines, because the project consists of a minor temporary use of land having negligible or no permanent effects on the environment.

FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 2007-005:

1. Temporary Use Permit No. 07-005 to permit a comprehensive outdoor events calendar consisting of 15 events for a one year period will be located, operated and maintained in a manner consistent with the policies of the General Plan and the provisions of Chapter 241. The events are temporary in nature, compatible with surrounding uses, and consistent with the following Land Use Policies:

LU 7.1 Accommodate the development of a balance of land uses that provide for the housing, commercial, employment, educational, cultural, entertainment, and recreation needs of existing and future residents.

RCS 1 Enrich the quality of life for all citizens of Huntington Beach by providing constructive and creative leisure opportunities.

N 1.8 Minimize the generation of excessive noise level impacts from entertainment and restaurant/bar establishments into adjacent residential or "noise sensitive" land uses.

Approval of the proposed outdoor events calendar allows for the promotion of an existing business within the City and provides for the cultural and entertainment needs of visitors to the City as well as people working and residing within Huntington Beach. The event will be held within an industrial area away from noise sensitive land uses. In addition private security will be provided at all the events to control vehicular and pedestrian access and oversee the safety of all attendees.

2. Approval of the application for Temporary Use Permit No. 07-005 will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. The site is surrounded primarily by industrial uses and approximately .43 miles away from the nearest residential district. Adequate parking for the events will be provided within the Quicksilver campus. A majority of the events will be held for employees and their invited guests. Attendance to the events will be controlled by the distribution of invitations. Parking areas and vehicular traffic will be monitored/controlled by event staff. Alcohol service will be restricted to cordoned off areas and monitored by security personnel.

CONDITIONS OF APPROVAL - TEMPORARY USE PERMIT NO. 2007-005:

1. The site plans and narrative received and dated November 21, 2007 shall be the conceptually approved design.
2. Prior to the commencement of the first event, the following shall be completed:
 - a. Site plans indicating and complying with all Fire Code requirements shall be submitted to the Departments of Fire and Planning. **(FD)**
3. A minimum of 15 days prior to each event, the following shall be completed:
 - a. The applicant shall obtain a Fire Code Permit from the Fire Department. **(FD)**
 - b. The applicant shall obtain clearance from the Liability Coordinator, Risk Management, and/or shall provide a Certificate of Insurance and Hold Harmless Agreement to be executed at least five (5) days prior to the event.
 - c. An announcement shall be made to employees and guests to refrain from parking on neighborhood streets.
 - d. The applicant shall notify the City of Huntington Beach of any changes.
4. The use shall comply with the following:
 - a. Any outdoor activities shall terminate by 10 PM.

- b. Alcohol consumption shall be limited to an area for adults which shall be cordoned off and controlled by Security.
 - c. All security officers shall be required to wear a distinctive, identifiable uniform with "Security" printed or embroidered in contrasting colors on their shirts and/or jackets. **(PD)**
 - d. Any vendor providing alcohol at an event shall possess the appropriate license issued by the California Department of Alcoholic Beverage Control. This license shall be conspicuously posted during the event, and available for inspection by any City or State official. **(PD)**
 - e. At any event where alcohol will be provided, the applicant shall take appropriate steps to identify those persons over the age of 21. **(PD)**
 - f. When the event is labeled "invited guest", or similarly identified as to indicate that the event is not open to the public, each invited guest must receive a unique invitation to the specific event. No blanket or general media invitation (i.e. newspaper or internet invitations) shall be acceptable. **(PD)**
 - g. The applicant shall provide for clean-up of areas after the closing of each event. Clean-up of the site after 10:00 PM and 11 PM shall not include the use of machinery or equipment that may disturb neighbors in the area. All trash, debris, and garbage, as well as special dumpsters, shall be removed from the site within one (1) day of event.
 - h. The applicant shall provide professional clean-up crews to clear the adjacent streets of trash and debris each evening after the event closes.
5. All Alcoholic Beverage Control requirements shall be met.
 6. Quiksilver personnel shall provide the direction of traffic and on-site parking.
 7. In the event that there are any violations of the foregoing conditions or any violations of life safety codes, the temporary activity may be terminated by any Police Officer, Fire Inspector, or authorized personnel of the Department of Planning.
 8. The outdoor calendar of events shall be valid for one year (2008).
 9. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
 10. A review of the use shall be conducted by the Zoning Administrator with a public hearing within six (6) months to verify compliance with all conditions of approval and applicable Chapters of the Huntington Beach Zoning and Subdivision Ordinance. At that time the Zoning Administrator may consider modifications to the conditions of approval.

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.

ITEM 2: COASTAL DEVELOPMENT PERMIT NO. 2007-005; CONDITIONAL USE PERMIT NO. 2007-023 (NGUYEN ADDITION)

APPLICANT: Art Kent, 325 2nd Street, Suite A, Huntington Beach, CA 92648
PROPERTY OWNER: Son Dinh Nguyen, 17051 Edgewater Lane, Huntington Beach, CA 92649
REQUEST: **CDP:** To permit the construction of an approximately 1,301 sq. ft. first, second, and third story addition to an existing single family home; **CUP:** To permit the construction of an approximately 665 sq. ft. third story addition and an approximately 180 sq. ft. third story deck with an overall building height of 33 ft.-0 in.
LOCATION: 17051 Edgewater Ln., 92649 (south side of Edgewater Ln., west of Waverly Ln.)
PROJECT PLANNER: Tess Nguyen

Tess Nguyen, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff received one letter from the Huntington Harbor Homeowners' Association objecting to the proposed project because the owner has not received the approval of the Architectural Review Committee and the proposed project exceeds the 30 ft. height limitation set forth in the CC&Rs.

Staff received one phone inquiry from a resident regarding the Conditional Use Permit and the resident was satisfied with the information provided.

Staff received a letter from Fernando and Daphna Zago objecting to the 33 ft. height because their bedroom looks out to the front of the house. Their home is located on Roundhill Drive. Their property is separated from the subject site by a street and another residence. They submitted a photo.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary.

Mary Beth Broeren, Zoning Administrator, asked about the setback for the deck which turned out to be a flat roof. She asked if the elevations reflect that it is a roof and staff stated yes.

THE PUBLIC HEARING WAS OPENED.

Art Kent, architect, agreed with staff's recommendation and was available to answer questions.

Fernando Zago, property owner and nearby resident, opposes the request due to height considerations. He said that the proposed project will look into his property, specifically his bedroom.

Son Nguyen, the owner, said that his property is not bound by the CC&Rs but as a courtesy he contacted the Huntington Harbor Homeowners' Association and submitted his plans. He has owned the property for over 20 years.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Ms. Broeren discussed the 30 ft. height and stated that the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) allows structures up to 35 ft. in height with approval of a Conditional Use Permit. The Huntington Harbor routinely has up to 35 ft. heights on their homes. Ms. Broeren stated that the privacy concerns of the nearby resident would not be infringed upon as the property is more than a block away with another lot in between which will eventually be developed and present the same privacy issues. There is enough separation from the other property.

COASTAL DEVELOPMENT PERMIT NO. 2007-005; CONDITIONAL USE PERMIT NO. 2007-023 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

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 of the CEQA Guidelines, because the project consists of an addition less than 50 percent of an existing single-family home.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-005:

1. Coastal Development Permit No. 2007-005 for the construction of an approximately 1,301 sq. ft. first, second, and third story addition to an existing single-family residence conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code, including maximum

site coverage, maximum building height, minimum yard setbacks, minimum on-site parking, and third story design criteria.

3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed addition will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roads.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views to coastal resources.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2007-023:

1. Conditional Use Permit No. 2007-023 for the construction of an approximately 665 sq. ft. third story addition and an approximately 180 sq. ft. third story deck with an overall height of 33 ft. 0 in. 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 proposed habitable area will be located within the confines of the second-story roof volumes, thus minimizing mass and bulk of the structure. The overall building height is not anticipated to impact surrounding properties because the project is adjacent to two-story single family residences. The proposed rooftop deck will be located at the front of the house and oriented toward the public right-of-way to insure privacy for adjacent properties. The proposed rooftop deck is setback 13 ft. from the north property line, 25 ft. from the south property line, and at least five feet from the building exterior.
2. The conditional use permit will be compatible with surrounding uses consisting of single-family homes because the three-story residence is designed to be comparable to two-story homes in the vicinity. The home is designed as a two-story residence with the rooftop deck above the second story which is within the height and setback limitations identified in the Zoning Code. The rooftop deck has substantial setbacks from the property line, located at the front of the house, and oriented towards the public right-of-way to insure privacy for adjacent properties.
3. The proposed conditional use permit 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 (HBZSO). The project complies with the maximum building height, maximum lot coverage, and minimum building setbacks. Habitable area, including rooftop decks, above the second story are allowed in the base zoning district with approval of a conditional use permit. The proposed deck will be setback a minimum of five feet from the second-story façade as required by the HBZSO.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RL-7 (Low Density Residential — 7 units per acre) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
 - a. LU 9.2.1b: Use of building heights, grade elevations, orientation, and bulk that are compatible with the surrounding development;

- b. LU 9.2.1d: Maintenance of privacy on abutting residences.

The proposed development is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code, including maximum site coverage, maximum building height, minimum yard setbacks, and minimum on-site parking. The proposed rooftop deck above the second story will be located in the front of the house with substantial setbacks from the building exterior, thus minimizing impacts to privacy on adjoining properties. The proposed deck will be architecturally integrated into the design of the house.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-005/CONDITIONAL USE PERMIT NO. 2007-023:

1. The site plan, floor plans, and elevations received and dated November 29, 2007 shall be the conceptually approved design with the following modification:
 - a. The width of the third story deck facing Edgewater Lane shall be changed from 16 ft. 11 in. to 11 ft. 11 in.
2. 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.

ITEM 3: CONDITIONAL USE PERMIT NO. 2007-034 (SHAW DEVELOPMENT)

APPLICANT/
PROPERTY OWNER: Glen Shaw, 9191 Buttercup Avenue, Fountain Valley CA 92708
REQUEST: To permit the construction of a multi-family development
consisting of two dwelling units with an overall building height of
35 ft.-0 in.
LOCATION: 17061 Sandra Lee Ln., 92649 (west side of Sandra Lee Ln.,
north of Orion Dr.)
PROJECT PLANNER: Tess Nguyen

Tess Nguyen, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff stated that the two homes are compatible with other homes in the surrounding neighborhood.

Staff received one inquiry from John Olsen, who objects to the proposed project as it exceeds 25 ft. which he considers too high for the neighborhood.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary.

Mary Beth Broeren, Zoning Administrator, asked about parking and staff stated that the first level of each house has its own garage. Guest parking is near the garage area.

THE PUBLIC HEARING WAS OPENED.

THERE WERE NO PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Ms. Broeren stated that the proposed project meets code requirements even though the building's height is uncommon for this area. She stated that it is well designed and she will approve the proposed project.

CONDITIONAL USE PERMIT NO. 2007-034 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

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, which exempts multi-family residential structures consisting of six or fewer units in urbanized areas.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2007-034:

1. Conditional Use Permit No. 2007-034 to permit the construction of a multi-family development consisting of two dwelling units with an overall building height of 35 ft. 0 in. 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 generate noise, traffic, odors or other impacts at levels inconsistent with the residential character of the existing neighborhood. Adequate parking to serve the proposed project will be provided on site in conformance with the requirements of the HBZSO. The overall building height is not anticipated to impact surrounding properties because the project is adjacent to two-story and three-story multi-family buildings. The project will provide new housing anticipated to have a positive impact on the value of property in the neighborhood.
2. The conditional use permit will be compatible with surrounding uses because the project consists of construction of townhouse style multi-family residential dwellings in a neighborhood predominantly developed with multi-family housing of comparable design, density and building height. The proposed dwellings are designed to convey a high level of quality and a character consistent with the City of Huntington Beach Urban Design Guidelines.
3. The proposed conditional use permit 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, including maximum density, height, lot coverage, building setbacks, off-street parking, and open space requirements.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of RMH-25 (Residential Medium High Density—25 units/acre) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

L.U. Policy 9.1.1: Accommodate the development of single- and multi-family residential units in areas designated by the Land Use Plan Map, as stipulated by the Land Use and Density Schedules.

The proposed Conditional Use Permit provides for the construction of 2 dwelling units at a density of 10.7 units per acre. The General Plan Land Use and Density Schedule allows for residential development on the subject property at a maximum density of 25 units per acre.

L.U. Policy 9.1.3: Require that multi-family residential projects be designed to convey a high level of quality and distinctive neighborhood character, including the following guidelines:

- a. Design building elevation to convey the visual character of individual units rather than a singular building mass and volumes.

- b. Include separate and well defined entries to convey the visual character of individual identity for each residential unit, which may be accessed from exterior facades, interior courtyards and/or common areas.
- c. Site and design parking areas and facilities that are integrated with but do not dominate the architectural character of the structure.
- d. Include an adequate landscape setback along the street frontage that is integrated with abutting sidewalks and provides continuity throughout the neighborhood.

The proposed design conveys a visual character comparable to single-family residential development and features articulation of building elevations and masses, including a variety of window and door arrangements. All dwellings feature attached integrated garages and covered porch entries.

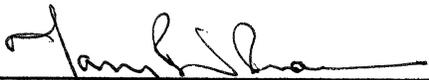
CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2007-034:

1. The site plan, floor plans, and elevations received and dated November 21, 2007 shall be the conceptually approved design.
2. 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.

THE MEETING WAS ADJOURNED AT 2:05 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, JANUARY 2, 2008 AT 1:30 PM.



Mary Beth Broeren
Zoning Administrator

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