



AGENDA
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-7 – Lower Level - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, FEBRUARY 19, 2014 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBERS: Hayden Beckman, Ethan Edwards, Judy Demers (recording secretary)

MINUTES: None

ORAL COMMUNICATION: Anyone wishing to speak on an item not on the agenda may do so. No action can be taken by the Zoning Administrator on items not on the agenda.

SCHEDULED ITEMS:

1. PETITION DOCUMENT: CONDITIONAL USE PERMIT NO. 13-030 (VERIZON WIRELESS ROOFTOP FACILITY)

APPLICANT: Al Gamboa, Milestone Wireless
PROPERTY OWNER: Robert Koury, Main Promenade, Inc., 200 Main Street, Suite 206, Huntington Beach, CA 92648; and Janeen Laudenback, City of Huntington Beach Community Services Department, 2000 Main Street, Huntington Beach, CA 92648

REQUEST: To permit the modification of an existing nonconforming wireless communication facility including replacement of three (3) existing panel antennas, installation of two (2) new panel antennas, and six (6) new remote radio units and a junction box located behind an existing parapet wall. The existing equipment lease area will remain unchanged.

LOCATION: 200 Main Street (Rooftop), 92648 (Block between Main St. and 3rd St. and Walnut Ave. and Olive Ave.)

CITY CONTACT: Hayden Beckman

STAFF RECOMMENDS: Approval based upon suggested findings and conditions of approval

2. PETITION DOCUMENT: SITE PLAN REVIEW NO. 14-001 (PETSMART PET HOTEL)

APPLICANT: Melissa Lopez
PROPERTY OWNER: Coreland Properties, 17542 E. 17th Street, Suite 420, Tustin CA 92780

REQUEST: To permit an ancillary animal boarding use within the interior of an existing pet (retail) store.

LOCATION: 7600 Edinger Avenue, 92647 (south side of Edinger Ave., west of Sher Ln.)

CITY CONTACT: Ethan Edwards

STAFF RECOMMENDS: Approval based upon suggested findings and conditions of approval

AGENDA
(Continued)

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Zoning Administrator is final unless an appeal is filed to the Planning Commission by you or by an interested party. Said appeal must be in writing and must set forth in detail the action and grounds by which the applicant or interested party deems himself aggrieved. Said appeal must be accompanied by a filing fee of One Thousand Nine Hundred Seventeen Dollars (\$1,917.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and Two Thousand Five Hundred One Dollars (\$2,501.00) if the appeal is filed by any other party. The appeal shall be submitted to the Secretary of the Planning Commission within ten (10) calendar days of the date of the Zoning Administrator's action or ten (10) working days for a coastal development permit.

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

TO: Zoning Administrator
FROM: Hayden Beckman, Assistant Planner
DATE: February 19, 2014

SUBJECT: CONDITIONAL USE PERMIT NO. 13-030 (VERIZON WIRELESS ROOFTOP FACILITY)

LOCATION: 200 Main Street (Rooftop), 92648 (Block between Main St. and 3rd St. and Walnut Ave. and Olive Ave.)

Applicant: Al Gamboa, Milestone Wireless, 14110 Ramona Drive, Whittier, CA 90605

Property Owner: Robert Koury, Main Promenade, Inc., 200 Main Street, Suite 206, Huntington Beach, CA 92648; and Janeen Laudenback, City of Huntington Beach Community Services Department, 2000 Main Street, Huntington Beach, CA 92648

Request: To permit the modification of an existing nonconforming wireless communication facility including replacement of three (3) existing panel antennas, installation of two (2) new panel antennas, and six (6) new remote radio units and a junction box located behind an existing parapet wall. The existing equipment lease area will remain unchanged.

Environmental Status: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

Zone: SP5 - CZ (Downtown Specific Plan (District 1) – Coastal Zone)

General Plan: M > 30 – d – sp – pd (Mixed Use – Maximum 30 du/ac – Design Overlay – Specific Plan Overlay – Pedestrian Overlay)

Existing Use: Existing rooftop wireless communication facility

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 15301 of the CEQA Guidelines, because the project consists of a minor alteration of an existing facility involving no expansion of the existing use.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 13-030:

1. Conditional Use Permit No. 13-030 for the modification of an existing nonconforming wireless communication facility resulting in an increase of height less than 10% through the removal and replacement of three (3) existing panel antennas, and the installation of two (2) new panel antennas, six (6) new remote radio units and a junction box located behind an existing parapet wall will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of property and improvements in the neighborhood. The existing wireless facility was previously approved at the height of 30 ft. 1in. above rooftop drive aisle level through Design Review No. 98-53. The proposed modifications to the wireless facility will not generate noise, traffic, and demand for any additional parking or other impacts detrimental to the surrounding property. The facility is located approximately 180 ft. from any residential land use.
2. The conditional use permit will be compatible with surrounding uses because the proposed modifications are to an existing wireless facility located atop a rooftop equipment enclosure centrally located on the top level of a five level parking structure. The existing facility is not readily identifiable from the surrounding streets and the design of the new antennas will blend with the color of the existing antennas and materials of the equipment enclosure.
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. The existing facility was approved at a height of 30 ft. 1 in. above the rooftop drive aisle level through Design Review No. 98-53. The existing facility is currently a legal nonconforming structure. The proposal to add 2 ft. of additional height to the existing nonconforming wireless communication facility is subject to a conditional use permit.
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 M >30 – d – sp –pd (Mixed Use – Max. 30 du/ac – Design Overlay – Specific Plan Overlay – Pedestrian Overlay) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

Land Use Element

Goal – LU.2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

Utility Element

Policy U 5.1: Ensure that adequate natural gas, telecommunication and electrical systems are provided.

Policy U 5.1.1: Continue to work with service providers to maintain current levels of service and facilitate improved levels of service.

The proposed project is consistent with the General Plan because the facility will enhance wireless communications in the community by improving signal transmission and reception

in the project vicinity. The location is approximately 180 ft. from the nearest sensitive land use and the height of the existing facility will not be significantly modified.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 13-030:

1. The site plan, floor plans, and elevations received and dated October 17, 2013 shall be the conceptually approved design with the following modification:
 - a. On sheet T-1 under Project Description, remove the portion of the last sentence identifying that the "facility height is to remain unchanged".
 - b. Provide a maximum overall height dimension measurement from existing datum grade (nearest adjacent top of curb) to highest point of panel antennas.
 - c. All exterior panels and associated facility equipment shall be painted to match the existing building colors.
2. Prior to issuance of building permits, the following shall be completed:
 - a. Plans revised according to Condition No. 1 above shall be submitted to the Planning and Building Department for review and approval.
3. CUP No. 13-021 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Division a minimum 30 days prior to the expiration date.
4. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning and Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.

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.

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

TO: Zoning Administrator
FROM: Ethan Edwards, Associate Planner
DATE: February 19, 2014
SUBJECT: **SITE PLAN REVIEW NO. 14-001 (PETSMART PET HOTEL)**
LOCATION: 7600 Edinger Avenue, 92647 (south side of Edinger Ave., west of Sher Ln.)

Applicant: Melissa Lopez, 19601 N. 27th Avenue, Phoenix, AZ 85027
Property Owner: Coreland Properties, 17542 E. 17th Street, Suite 420, Tustin CA 92780
Request: To permit an ancillary animal boarding use within the interior of an existing pet (retail) store.
Environmental Status: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.
Zone: SP14 (Beach & Edinger Corridors Specific Plan)
General Plan: M-sp-d (Mixed Use – specific plan overlay – design overlay)
Existing Use: Pet store

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The proposed project is to permit an ancillary animal boarding use within the interior of an existing pet (retail) store within the Town Center Boulevard Segment of the Beach and Edinger Corridors Specific Plan (BECSP) area. The proposed project is covered by Final Environmental Impact Report (EIR No. 08-008), which was certified by the City of Huntington Beach on December 8, 2009. The proposed project is subject to compliance with the adopted mitigation measures contained in Final EIR No. 08-008. Staff has reviewed the proposed project and environmental assessment for compliance and has determined the project is consistent with the adopted mitigation measures contained in the Final EIR. Compliance with all applicable mitigation measures adopted with the Specific Plan will be required as a condition of approval of the project.

SUGGESTED FINDINGS FOR APPROVAL – SITE PLAN REVIEW NO. 14-001:

1. Site Plan Review No. 14-001 to permit an ancillary animal boarding use within the interior of an existing pet (retail) store, 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 use will not generate traffic or other impacts detrimental to surrounding properties and inconsistent with the adjacent property's zoning. The proposed use is within an existing building approximately 100 ft. north from the nearest residential use, which provides an adequate buffer from potential negative impacts associated with the use.
2. The project will not adversely affect the Circulation Plan of the BECSP. The project will allow for an ancillary animal boarding use within an existing pet (retail) store. The project will maintain vehicular access to the site along Edinger Avenue. No additional street improvements are required to improve capacity and efficiency.
3. The proposed project will comply with the provisions of the BECSP development code as specified in the Town Center – Core and Town Center – Neighborhood segments. In addition, the project meets all applicable provisions of Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The proposed project meets code requirements including parking. The use will be conducted entirely within an existing pet retail store. Potential noise generated from outside activity is required to comply with the City's Noise Ordinance (Municipal Code Chapter 8.40). The proposed use will not detrimentally impact the surrounding uses; and will be consistent and compatible with the nearby neighborhood.
4. The granting of the site plan review will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Mixed Use – Specific Plan Overlay – Design Overlay on the subject property. In addition, it is consistent with the following goals of the General Plan:
 - a. Goal LU 7: Achieve a diversity of land uses that sustain the City's economic viability, while maintaining the City's environmental resources and scale and character.
 - b. Goal LU 8: Achieve a pattern of land uses that preserves, enhances, and establishes a distinct identity for the City's neighborhoods, corridors, and centers.

The proposed ancillary animal boarding use will provide additional service within an existing pet (retail) store that enhances the surrounding neighborhood. The project will provide new job opportunities for existing and future residents and promote economic viability of the shopping center and corridor.

SUGGESTED CONDITIONS OF APPROVAL – SITE PLAN REVIEW NO. 14-001:

1. The site plan, floor plans, and elevations received and dated November 26, 2013 shall be the conceptually approved design.
2. The project shall comply with all mitigation measures adopted for the project in conjunction with Environmental Impact Report No. 08-008.

3. The hours of operation (open to the public) shall be between 7:00 AM and 9:00 PM Monday through Friday and 8:00 AM and 6:00 PM Sunday.
4. Animals shall not be allowed outside at the rear (south) of the building.
5. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning and Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.
6. SPR No. 14-001 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Division a minimum 30 days prior to the expiration date.
7. 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/green-building-guidelines-rating>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project property owner/developer 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 property owner/developer of any claim, action or proceeding and should cooperate fully in the defense thereof.