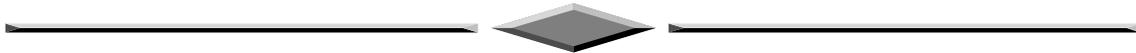


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jessica Bui, Assistant Planner
DATE: January 31, 2018

SUBJECT: **CONDITONAL USE PERMIT NO. 17-040/ VARIANCE NO. 17-006 (ROD & GUN CLUB - CONTINUED FROM THE JANUARY 17, 2018 MEETING)**

LOCATION: 5872 Engineer Drive, 92649 (northwest corner of Engineer Dr. and Transistor Ln.)



Applicant: Julio Gener, Studio Architects, PO Box 3793, Costa Mesa, CA 92628

Property Owner: Tim Miller, 5872 Engineer Drive, Huntington Beach, CA 92649

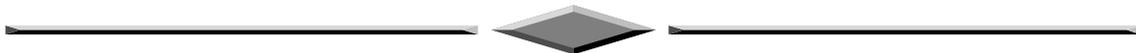
Request: **CUP:** To permit: 1) an approximately 5,084 sq. ft. addition to an existing 26,124 sq. ft. industrial building; 2) a commercial recreation use consisting of a private shooting range, car collection showroom, and members lounge with the onsite sales and consumption of alcohol (Type 57 ABC License); and 3) a request for reduced parking with a parking study. **VAR:** To permit: 1) a 6 ft. 5 in. wide landscape planter in lieu of the required minimum of 10 ft. along Engineer Drive; 2) a 17 ft. 1 in. wide drive aisle width in lieu of the required minimum of 20 ft. on the north parking lot fronting Engineer Drive; 3) a 19 ft. 5 in. wide drive aisle in lieu of the required minimum of 20 ft. in the parking lot fronting Transistor Lane; and 4) a 19 ft. 3 in. drive aisle width in lieu of the required minimum 26 ft. in the parking lot fronting Transistor Lane.

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

General Plan: I (Industrial)

Zone: IL (Limited Industrial)

Existing Use: Industrial



RECOMMENDATION: Staff recommends approval of Conditional Use Permit No. 17-040 and denial of Variance No. 17-006 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 negligible expansion of approximately 5,084 sq. ft. to an existing structure.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 17-040:

1. Conditional Use Permit No. 17-040 for an approximately 5,084 sq. ft. addition to an existing 26,124 sq. ft. industrial building to establish a commercial recreation use consisting of a private shooting range, car collection showroom, and members lounge with the onsite sales and consumption of alcohol (Type 57 ABC License); and a request for reduced parking with a parking study 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 site is entirely surrounded by industrial uses and there are no anticipated impacts to the adjacent properties. As conditioned, all doors shall remain closed at all times and all activity shall occur indoors. Additionally, a range master will be present at all times the firing range is in use to ensure safe operation and enforcement of conditions of approval. The nearest residential use is approximately 520 ft. to the east across Springdale Street and is buffered by buildings, parking lots, and arterial streets and there are no anticipated impacts to the residential use.
2. Conditional Use Permit No. 17-040 for an approximately 5,084 sq. ft. addition to an existing 26,124 sq. ft. industrial building to establish a commercial recreation use consisting of a private shooting range, car collection showroom, and members lounge with the onsite sales and consumption of alcohol (Type 57 ABC License), and a request for reduced parking with a parking study will be compatible with surrounding uses as the project site is entirely surrounded by industrial uses. The proposed use is conditioned to have all activities indoors to minimize any potential noise impacts. Furthermore, the use is subject to comply with the Noise Ordinance of the Huntington Beach Municipal Code which will ensure the use is compatible with the surrounding uses.
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 with the exception for reduced parking, as approved by a parking study prepared by a licensed engineer. Based on the parking study by Kunzman Associates, Inc., dated January 16, 2018, the use will require 40 parking spaces, and as conditioned, a minimum of 40 parking spaces will be required to be striped onsite. The project is located in the IL zone (Limited Industrial District) and as conditioned, will comply with minimum landscaping requirements, drive aisle widths, setbacks, building height, floor area ratio, and lot coverage.
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 I (Industrial) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Goal LU-5: Industrial businesses provide employment opportunities for residents, supporting the local economy.

Policy LU-5 A: Support and attract new businesses in the city's industrial areas.

Goal LU-13: The city provides opportunities for new businesses and employees to ensure a high quality of life and thriving industry.

Policy LU-5 A: Encourage expansion of the range of goods and services provided to accommodate the needs of all residents and the market area.

Conditional Use Permit No. 17-040 for an approximately 5,084 sq. ft. addition to an existing 26,124 sq. ft. industrial building to establish a commercial recreation use consisting of a private shooting range, car collection showroom, and members lounge with the onsite sales and consumption of alcohol (Type 57 ABC License) will support a new business and provide employment opportunities within the community. In addition, the use will diversify the range of services to accommodate the needs of residents and visitors from the surrounding region.

SUGGESTED FINDINGS FOR DENIAL - VARIANCE NO. 17-006:

1. The granting of Variance No. 17-006 for: 1) a 6 ft. 5 in. wide landscape planter in lieu of the required minimum of 10 ft. along Engineer Drive; 2) a 17 ft. 1 in. wide drive aisle width in lieu of the required minimum of 20 ft. on the north parking lot fronting Engineer Drive; 3) a 19 ft. 5 in. wide drive aisle in lieu of the required minimum of 20 ft. in the parking lot fronting Transistor Lane; and 4) a 19 ft. 3 in. drive aisle width in lieu of the required minimum 26 ft. in the parking lot fronting Transistor Lane will constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. The existing site, based on the last approved building plans, show that the property is conforming to the minimum 10 ft. wide landscape planter and the minimum drive aisle widths. As such, there are no physical constraints that limit the applicant from meeting the minimum landscape planter widths and drive aisle widths while providing the minimum 40 parking stalls identified by the traffic engineers parking study. The requests for the variances are to accommodate higher parking demands for the addition of approximately 5,084 sq. ft. and the proposed commercial recreation use. Based on the approved parking study by Kunzman Associates, Inc., dated January 16, 2018, 40 parking spaces are required to support the proposed use and can be accommodated without variances.
2. Because there are no special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is not found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The existing site based on the last approved building plans show that the property is conforming to the minimum 10 ft. wide landscape planter and the minimum drive aisle widths. As such, there are no physical constraints that limit the applicant from meeting the minimum landscape planter widths and drive aisle widths. The requests for the variances are to accommodate higher parking demands for the addition of approximately 5,084 sq. ft. and the proposed commercial recreation use. Furthermore, properties in the vicinity have been developed with the minimum 10 ft. wide landscape planter width and minimum drive aisle widths. Therefore, no other variances have been requested or approved for other properties in the immediate vicinity.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 17-040:

1. The site plan, floor plans, and elevations received and dated December 20, 2017 shall be the conceptually approved design with the following modifications:
 - a. Revise the site plan demonstrate a minimum of 40 parking stalls per the approved parking study received and dated January 16, 2018 that are striped with the 'hair pin' design in accordance with the design standards of the HBZSO (**HBZSO Section 231.14 Diagram A**) and comply with all other minimum parking design standards.
 - b. The landscape planters along the parking lot on Engineer Drive and Transistor Lane shall be a minimum of 10 ft. in width.
 - c. The drive aisle in the parking lot fronting Engineer Drive shall be a minimum of 20 ft. in width.
 - d. The drive aisle within the parking lot fronting Transistor Lane shall be a minimum of 20 ft. in width for the 60 degree parking stalls on the north side.
 - e. The drive aisle within the parking lot fronting Transistor Lane shall be a minimum of 26 ft. in width for the 90 degree parking stalls on the west side.
2. The use shall comply with the following:
 - a. The hours of operation shall be limited to:
 - Monday – Sunday from 8:00AM to 10:00PM
 - b. All doors must remain closed at all times.
 - c. All activities and operations shall occur indoors unless otherwise permitted by the Community Development Department.
 - d. The establishment shall employ a video surveillance security system and a one-month video library. The minimum requirements for the cameras shall be: color, digital recording to DVR and able to record in low light. The business shall ensure all doors, gun range, gun shop; all display areas, kitchen, and exterior are covered by video surveillance. Electronic copies of video must be made available to the Huntington Beach Police Department within 48 hours of request. Digital recordings shall be made available for viewing on-scene upon request by police officers conducting investigations. You are required to have someone able to operate the system on duty during all business hours. **(PD)**
 - e. Prior to sales, service or consumption of alcoholic beverages the business shall obtain an ABC license authorizing alcohol use. **(PD)**
 - f. No alcoholic beverages shall be allowed in areas where guns are sold, used, or stored. **(PD)**
 - g. No person that has consumed alcoholic beverages, of any amount, shall have access to firearms and firing range. **(PD)**

- h. If alcoholic beverages are provided, sold, or consumed on the premise the business shall have a safety procedure in place to ensure firearms are not handled or used after drinking alcoholic beverages. **(PD)**
 - i. All owners, employees, representatives, and agents shall obey all federal, state, local, and municipal laws, conditions of the Conditional Use Permit, and any other regulations, provision, or restrictions prescribed at all times. **(PD)**
 - j. A range master shall be present to monitor activity at all times when the firing range is in use.
 - k. A copy of the safety procedure required in Condition of Approval No. 2.h shall be submitted to the Police Department and Community Development Department prior to commencement of use.
3. Prior to submittal of building permits, the following shall be completed: Zoning entitlement conditions of approval and code requirements 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.
 4. An application for a Temporary Activity Permit (TAP) to permit a maximum of four outdoor car events per calendar year shall be submitted for review and approval by the Community Development Department prior to the commencement of any outdoor car events. To exceed four outdoor car events per calendar year for up to five years, a Temporary Use Permit (TUP) application shall be submitted for review and approval.
 5. Prior to issuance of building permits, the following shall be completed: a Transportation Demand Management Plan which exceeds the minimum required by Section 230.36 of the HBZSO shall be submitted to the Community Development Department for review and approval by the Director of Community Development.
 6. A review of the use shall be conducted by the Staff (Zoning Administrator with report with public hearing) within six (6) months of the issuance of Certificate of Occupancy or final building permit approval 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.
 7. CUP No. 17-040 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 Department a minimum 30 days prior to the expiration date.
 8. 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 Community Development 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.

9. 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 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.