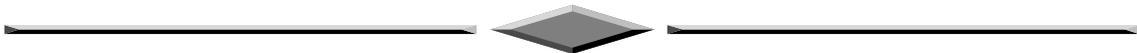


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jill Arabe, Assistant Planner
DATE: February 15, 2012

SUBJECT: CONDITIONAL USE PERMIT NO. 11-026 (MCDONALD'S ADDITION)

LOCATION: 6561 Edinger Avenue, 92647 (north side of Edinger Avenue, east of Edwards Street)



Applicant: Tom Le, Underwood & Associates, 12832 Valley View Street, Suite C, Garden Grove, CA 92845

Property Owner: Randy Kimoto, McDonalds USA, LLC, 3800 Kilroy Airport Way, Suite 200, Long Beach, CA 90806

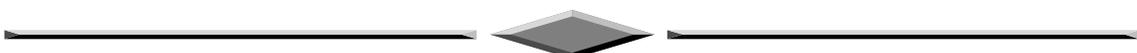
Request: To permit the partial demolition and expansion of an existing 4,100 sq. ft. drive-thru restaurant building and various onsite improvements. The project will remove 1,824 sq. ft. of restaurant area and 500 sq. ft. of combined outdoor dining and playground space. The addition will result in approximately 1,565 sq. ft. of new restaurant area for a total net building size of 3,895 sq. ft.

Environmental Status: This request is covered by Categorical Exemption, Section 15306 Class 6, California Environmental Quality Act.

Zone: CG (Commercial General)

General Plan: CN-F1 (Commercial Neighborhood – 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 15301 of the CEQA Guidelines, because the project involves an addition to an existing structure, with no expansion of the restaurant use.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 11-026:

1. Conditional Use Permit No. 11-026 for the partial demolition and expansion of an existing 4,100 sq. ft. drive-thru restaurant building and various onsite improvements 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 result in a reduced net building area of approximately 3,900 sq. ft. and incorporate a two-way design for the drive-thru lane at the rear of the building. Residential uses will be continually protected because the new improvements will not be located closer than existing improvements. Additional landscaping throughout the site and architectural building enhancements promote a higher design quality to the vicinity. Based upon conditions imposed, the project is consistent with the development standards within the commercial designation. Residential uses are buffered from the restaurant by the existing parking lot and landscaping. The structure is setback more than 100 ft. from the nearest residential use to the north with the addition occurring closer to the street. Improved onsite vehicular circulation will be provided on the site and the site will be sufficiently parked. The improvements and existing use are not anticipated to generate additional noise, traffic, and safety impacts beyond which already exists in the surrounding area.
2. The conditional use permit will be compatible with surrounding uses because the building will be enhanced with contemporary architecture and site improvements to improve vehicular circulation. The project will incorporate a new base treatment along the building facades, articulation to break up the building massing, and new materials and colors. The proposed improvements comply with the Urban Design Guidelines by upgrading the streetscape with a modern style building and landscaping, continuing the existing restaurant use, and providing a new drive aisle for continuous circulation onsite and to surrounding properties. The orientation of the building coupled with the location of the drive-thru lanes provides an adequate buffer to the nearest adjacent residential use. In addition, vehicle queuing in the drive-thru lane exceeds the minimum code requirements. The commercial use is consistent with 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. The addition within 300 ft. of residential uses requires a conditional use permit, which is subject to review and approval by the Zoning Administrator. 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 Land Use Element designation of CN (Commercial Neighborhood) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

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

Policy LU 10.1.6: Require that 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.

B. Urban Design Element

Goal UD 1: Enhance the visual image of the City of Huntington Beach.

Objective UD 1.3: Strengthen the visual character of the City's street hierarchy (i.e., major, primary, etc.) in order to clarify the City's structure and to improve Citywide identity.

The proposed development is in substantial compliance with the Urban Design Guidelines. The design of the proposed structure incorporates quality materials and façade articulation. The building exterior is enhanced with a stone veneer base, canopies, building articulation, and score lines. The siting of the structure considers noise sensitive uses with its configuration closer to the street, away from residential uses and maintaining the existing location within the center of the site. The building is more than 100 ft. from residential uses to the north. Onsite landscaping will be improved along the street and perimeter of the site.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 11-026:

3. The site plan, floor plans, and elevations received and dated January 18, 2012 and the proposed floor plan (Sheet A 1.0) received and dated January 3, 2012 shall be the conceptually approved design with the following modifications:
 - a. The site plan shall depict a minimum of 3 ft. wide perimeter landscaping planters abutting the heads of parking stalls or modified planter widths subject to review and approval by the Planning Division.
 - b. The site plan shall depict minimum interior dimensions for landscape planters.
 - c. The site plan shall depict the street-side planters with a minimum of 10 ft. interior dimension and 25 ft. minimum interior dimension in front of the building.
 - d. The site plan shall depict extended planters adjacent to end aisle parking stalls to provide vehicle protection.
 - e. The site plan shall include the square footage of the building addition.
 - f. A minimum 12 ft. width shall be provided on the curves of the drive-thru lane.
 - g. All referenced property line dimensions and bearings, as stated in the "Legal Description" on the site plan, shall be legibly shown. **(PW)**
 - h. All Accessor's Parcel Numbers for both the subject parcel and the adjacent westerly parcel shall be shown. **(PW)**

- i. The boundary lines of "Parcel C" (also as defined in the Legal Description on said plan) shall be bolded with a heavier linetype to allow clear definition of this parcel. **(PW)**
 - j. All floor plans shall depict accurate dimensions.
 - k. The elevations shall be revised to identify and depict the materials and colors on the building.
 - l. A roof element to match the building exterior shall be provided above the trash enclosure.
4. Prior to issuance of demolition permits, the following shall be completed:
 - a. One set of plans revised in accordance with Condition No. 1 shall be submitted to the Planning Division for review and approval and inclusion in the entitlement file.
 - b. One set of colored rendering/elevations shall be submitted to the Planning Division for review and approval and inclusion in the entitlement file.
5. Prior to submittal for building permits, the following shall be completed:
 - a. A copy of the recorded covenant for reciprocal access and parking between the subject site and adjacent westerly commercial property shall be submitted to the Planning Division. Any necessary revisions to the covenant for reciprocal access and parking shall be reviewed and approved by the City.
 - b. A landscaping plan shall be submitted to the Planning Division for review and approval.
6. Prior to issuance of building permits, the following shall be completed:
 - a. The landscaping plan shall be approved by the Planning Division.
 - b. Any necessary revisions to the covenant for reciprocal access and parking shall be approved by the City and shall be recorded with the County of Orange.
7. During demolition, grading, site development, and/or construction, reciprocal access between the adjacent commercial properties shall be maintained within the rear two-way drive aisle.
8. All rear exterior doors shall remain closed during business hours.
9. CUP No. 11-026 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 & Building Department a minimum 30 days prior to the expiration date.
10. 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.