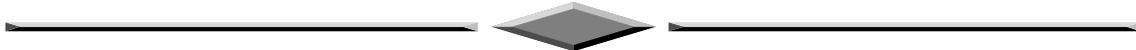


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Kimo Burden, Planning Aide
DATE: April 5, 2017

SUBJECT: TEMPORARY USE PERMIT NO. 17-001 (DAVITA MEDICAL TRAILER)

LOCATION: 19066 Magnolia Street, 92646 (southeast corner of Magnolia St. and Garfield Ave.)



Applicant: Charles Doughan, 515 South Figueroa Street, Suite 1275, Los Angeles, CA 90071

Property Owner: 19066 Magnolia LTD., 201 Wilshire Boulevard, 2nd Floor, Santa Monica, CA 90401

Request: To permit a 2,880 sq. ft. temporary medical office trailer located in the parking lot of an existing commercial center for approximately 12 months.

Environmental Status: This request is covered by Categorical Exemption, Section 15304, Class 4, California Environmental Quality Act.

Zone: CG (Commercial General)

General Plan: CG-F1 (Commercial General – 0.35 FAR)

Existing Use: Medical 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 15304 of the CEQA Guidelines, because the project involves a minor temporary use of land having negligible or no permanent effects on the environment.

SUGGESTED FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 17-001:

1. The proposed temporary use to permit a 2,880 sq. ft. temporary medical trailer located in the parking lot of an existing commercial center for approximately 12 months will be located, operated and maintained in a manner consistent with the policies of the General Plan and the provisions of Chapter 241. The Land Use Element designation on the subject property is CG-F1 (Commercial General – 3.5 FAR). The proposed use is consistent with the goals and policies of the City’s General Plan as follows:

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.

Objective LU 10: 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 residents, serve the surrounding region, serve visitors to the City, and capitalize on Huntington Beach’s recreational resources.

Policy 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.

Goal LU 11: Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.

The proposed temporary use will allow the medical facility to continue to provide patient care to residents and visitors of the City while the remodel of the medical facility is under construction. A 2,880 sq. ft. temporary medical trailer comprised of a waiting room, office space, 13 exam rooms, restrooms and a kitchen will be used for an anticipated 12 months while the medical facility is under construction. As proposed, the temporary medical trailer is not anticipated to have negative impacts to their patients and the surrounding uses.

2. Approval of the proposed 2,880 sq. ft. temporary medical trailer located in the parking lot of an existing commercial center for approximately 12 months, as conditioned, will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. The proposed temporary use will occur on private property within an existing parking lot area, and as conditioned, will ensure that adequate public, disabled, and emergency access will be maintained. The proposed displacement of approximately 18 parking stalls will have less than a significant impact on the site as it represents less than six (6) percent of the existing parking spaces within the commercial center. With the temporary loss of parking, the site has a surplus of 36 parking stalls. No significant impacts related to noise, traffic, or safety, are anticipated because the proposed use will operate during normal business hours and for a duration of 12 months.

SUGGESTED CONDITIONS OF APPROVAL - TEMPORARY USE PERMIT NO. 17-001:

1. The site plan, floor plans, and elevations received and dated March 3, 2017 shall be the conceptually approved design.
2. All ADA parking requirements and landscaping improvement surrounding the temporary trailer shall be reviewed under the proposed Tenant Improvement building permits for the medical facility.
3. The temporary medical trailer shall be removed by April 5, 2018.
4. A \$500 cash bond shall be submitted to the Community Development Department to guarantee removal of any structure, clean up of site upon termination of the temporary use, and to guarantee maintenance of the property.
5. The structure(s) shall not be occupied until the following have been completed:
 - a. All landscaping and parking stall striping shall be returned to its original form within two months of completion of construction. A hold will be put at final building permit inspection to ensure all landscaping and parking lot striping will be completed.
6. The use of the temporary medical office trailer shall comply with the following:
 - a. Hours of operation: 8:00 a.m. – 5:00 p.m. Monday through Friday.
 - b. A sign shall be posted on the temporary trailer stating, “no cash, medical supplies or drugs are kept on-site.” **(PD)**
 - c. Lighting shall surround the trailer through all hours of darkness. Special concentration of lighting shall be placed on the south and east sides of the temporary trailer. Additionally, the temporary trailer shall be equipped with motion sensor lights located around the temporary trailer. All lights shall not spill beyond the property lines. **(PD)**
 - d. The temporary trailer shall be equipped with a security alarm located at all access points of the temporary trailer. Additionally, the temporary trailer shall have surveillance cameras and signs stating their existence. **(PD)**
 - e. Temporary signage, such as a banner, may be permitted subject to review and approval by the Community Development Department for the duration that the temporary use is located onsite. It shall be maintained in a good appearance at all times and removed upon vacation of the site.
7. Temporary Use Permit No. 17-001 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 Department of Community Development 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.