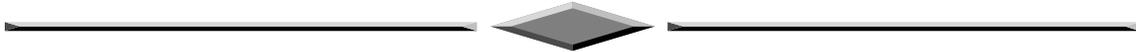


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jessica Bui, Assistant Planner
DATE: May 17, 2017

SUBJECT: CONDITONAL USE PERMIT NO. 17-007 (PENSKE TRUCK RENTAL)

LOCATION: 19101 Magnolia Street, 92646 (Southwest Corner of Magnolia St. and
Garfield Ave.)



Applicant: Scott Mommer, 4694 W. Jacquelyn Avenue, Fresno, CA 93722

**Property
Owner:** Jeff Hardman, Home Depot USA, Inc., 3800 W. Chapman Avenue, Orange,
CA 92868

Request: To permit an ancillary truck rental service located in the parking lot of a
commercial retail business (Home Depot).

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

Zone: CG (Commercial General)

General Plan: CG-F1 (Commercial General - .35 FAR)

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 consists of a minor alteration of an existing commercial parking lot involving no expansion in the overall floor area of the structure.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 17-0007:

1. Conditional Use Permit No. 17-0007 to permit an ancillary truck rental service located in the parking lot of an existing commercial retail business (Home Depot) will not be detrimental to the general welfare or persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed truck rental service will be conducted entirely within the existing building and the trucks are parked in 6 stalls located within the existing parking lot and will not impact the subject property or improvements in the neighborhood. Additionally, the parking area will be setback approximately 300 feet along Magnolia Street and will not be visible from the public right-of-way. The truck rental service area will not encroach into the required pedestrian access areas or vehicular drive aisles, and fire access lanes will not be diminished as a result of the proposed use. As conditioned, the truck parking area adjacent to the entrance of the retail business shall be delineated with adequate signage to ensure the area is easily identifiable to ensure pedestrian and vehicular safety is maintained at all times.
2. Conditional Use Permit No. 17-0007 to permit an ancillary truck rental service located in the parking lot of an existing commercial retail business (Home Depot) will be compatible with surrounding uses because the truck rental service will occur entirely indoors of the existing retail building and the 6 parking stalls where the trucks will be temporarily stored for pick up and drop off will not obstruct pedestrian or vehicular access. The trucks are stored at an off-site location and will be dropped off and picked up as requested. Additionally, the proposed truck rental service is an ancillary component to the existing commercial retail business and the site is adjacent to other commercial uses. The proposed parking area for the trucks will be located approximately 240 feet from the nearest residential use and is buffered by the parking lot and a masonry block wall. Furthermore, as conditioned, fueling and truck maintenance on-site will be prohibited to ensure the use will be compatible with the surrounding uses.
3. Conditional Use Permit No. 17-0007 to permit an ancillary truck rental service located in the parking lot of an existing commercial retail business (Home Depot) will comply with the provisions of the base district and other applicable provisions in Titles 21-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), and any specific condition required for the proposed use in the district in which it would be located. The HBZSO allows for the rental of vehicles, subject to approval of a conditional use permit. The use will comply with the applicable development standards such as parking. There are adequate parking stalls available as the use complies with the required parking ratio for hardware stores at 1 per 200 square feet, excluding areas used for storage or loading. Furthermore, the proposed parking area is conditioned to be striped in accordance with the striping requirements of the HBZSO.
4. Conditional Use Permit No. 17-0007 to permit an ancillary truck rental service located in the parking lot of an existing commercial retail business (Home Depot) will not adversely affect the General Plan. It is consistent with the Land Use Element designation of CG-F1 (General Commercial – 0.35 Floor Area Ratio) on the subject property. In addition, it is consistent with the following objectives and policies of the General Plan:

Land Use Element

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.

Policy ED 2.4.1: Encourage and assist existing and potential commercial owners to modernize and expand their commercial properties.

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.

The proposed ancillary truck rental service in conjunction with the retail sales at the Home Depot store will promote the economic success of the business by allowing for the expansion of services which will provide greater retail options to residents and visitors.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 16-025:

1. The site plan, floor plans, elevations, and the shared parking analysis received and dated March 22, 2017 shall be the conceptually approved layout with the following modifications:
 - a. The site plan shall identify the location of signage for the truck parking area.
 - b. Parking stalls shall be striped in accordance with Diagram A of Section 231.14 of the Huntington Beach Zoning and Subdivision Ordinance.
 - c. If any shelving is proposed within the outdoor display area, identify this on all applicable sheets with dimensions.
2. The use shall comply with the following:
 - a. Rental trucks shall not be stored on-site for a period of more than 24-hours.
 - b. Customer's utilizing the truck rental service shall not store personal vehicles on-site.
 - c. Truck maintenance and fueling shall not occur on-site.
 - d. Semi-trucks or tractor trailer type vehicles shall be rented on-site.
3. Prior to submitting for Building permits, the applicant shall submit a revised set of plans pursuant to Condition No. 1 in order to update and include the approved plans for the entitlement records for CUP No. 17-0007 to the Planning Division.
4. CUP No. 17-0007 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 Community Development Department a minimum 30 days prior to the expiration date.
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 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.

6. 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.