

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

**TO:** Zoning Administrator  
**FROM:** Tess Nguyen, Associate Planner  
**DATE:** July 11, 2012  
**SUBJECT:** **CONDITIONAL USE PERMIT NO. 12-06 (CHASE BANK)**  
**LOCATION:** 20001 Brookhurst Street, 92646 (southwest corner of Brookhurst Street and Adams Avenue)

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**Applicant:** Stephen Bull, 4675 MacArthur Court, No. 350, Newport Beach, CA 92660

**Property Owner:** Tarek Berri, NB Oil. 3620 Pacific Coast Highway, No. 200, Torrance, CA 90505

**Request:** To permit the construction of an approximately 4,335 sq. ft. bank on a 0.57-acre commercial site. The proposed onsite improvements will include the installation of a freestanding automatic teller machine (ATM), 19-space parking lot, and associated site improvements. A minimum of three (3) parking spaces are proposed to be provided on an adjacent commercial property (Target site) through a long-term lease agreement to meet the total minimum parking requirement for the proposed use.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

**Zone:** CG (Commercial General)

**General Plan:** CG – F1 (Commercial General – 0.35 Max. Floor Area ratio)

**Existing Use:** Shell Gas Station

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**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 15303 of the CEQA Guidelines, because the proposed development consists of the construction of a new bank building with 4,335 sq. ft. of floor area not involving the use of significant amounts of hazardous substances where all necessary

public services and facilities are available and the surrounding area is not environmentally sensitive.

**SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 12-06:**

1. Conditional Use Permit No. 12-06 for the a) construction of an approximately 4,335 sq. ft. bank on a 0.57-acre commercial site; b) onsite improvements including a freestanding automatic teller machine (ATM), 19-space parking lot, and associated site improvements; and c) a minimum of three (3) parking spaces on an adjacent commercial property (Target site) through a long-term lease agreement to meet the total minimum parking requirement for the proposed use 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 not significantly impact adjoining properties because it will be located within an established commercial district containing similar commercial uses to the north, south, east, and west of the subject site. To maximize the distance for vehicle queuing, the drive-through is located to the rear of the building, away from the main entrance and street frontage, providing sufficient vehicle queuing and efficient onsite circulation. The layout of the site and reciprocal access with adjacent properties along the west and south property lines will provide safe conditions for pedestrian and vehicular circulation. The proposed use will be adequately parked and will have minimal impacts onto the adjacent properties. The structure will be setback at least 540 ft. away from the nearest residential properties. Furthermore, the project will not generate significant noise, odors, or other detrimental impacts to the surrounding area.
2. The conditional use permit will be compatible with surrounding uses because the proposed commercial use will serve the surrounding neighborhood and is designed to be consistent with the surrounding neighborhood by providing appropriate scale through a single-story design with appropriate proportion and character through variable façade offsets and harmonious color palette and materials. The project, as proposed, conforms to City of Huntington Beach Urban Design Guidelines for drive-through and general commercial buildings by providing a functional site layout, featuring a variety of roof lines and façade treatments, and providing adequate drive-through queuing. The location of the drive-through will not visually impact the area because it will be partially screened by the building, parking lot, and perimeter and parking lot landscaping.
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 proposed development complies with the development standards and land use provisions in the Commercial General (CG) zoning district including minimum building setbacks, minimum onsite landscaping, minimum off-street parking, maximum building height, and maximum floor area ratio.
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 CG-F1 (Commercial General – 0.35 Max. Floor Area Ratio) on the subject property. In addition, it is consistent with the following goals, policies, and objectives of the General Plan:

A. Land Use Element

Goal - LU 10: Achieve the development of a range of commercial uses.

Objective – LU 10.1: 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 - 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 10.1.12: Require that Commercial General uses be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development, including: (a) incorporation of site landscaping, particularly along street frontages and in parking lots; (e) architectural treatment of buildings to minimize visual bulk and mass, using techniques such as the modulation of building volumes and articulation of all elevations.

B. Economic Development Element

Objective - ED 2.4: Revitalize, renovate and expand existing Huntington Beach commercial facilities while attracting new commercial uses.

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 project consists of a neighborhood serving commercial use in an area designated for commercial uses. The proposed use will market its services to local residents and residents in the surrounding region thereby expanding the service-based commercial opportunities in the City. The project design features quality architecture and exterior finish materials, a variety of roof lines and façade treatments, and a functional site layout. The proposed building complies with the City of Huntington Beach Urban Design Guidelines for drive-through and general commercial buildings, including modulation of building volumes, articulation of elevations, and screening of drive-through lanes.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 12-06:**

1. The site plan, floor plans, and elevations received and dated April 27, 2012 shall be the conceptually approved design with the following modification:
  - a. The planter area adjacent to the parking spaces in proximity of the south property line shall be widened by 2 feet for the vehicle overhang area.
  - b. The drive-through aisle shall provide a minimum 25-foot interior radius for any curve.
2. Prior to issuance of demolition permits, the following shall be completed:
  - a. The applicant shall follow all procedural requirements and regulations of the South Coast Air Quality Management District (SCAQMD) and any other local, state, or federal law regarding the removal and disposal of any hazardous material including asbestos, lead, and PCB’s. These requirements include but are not limited to: survey, identification of removal methods, containment measures, use and treatment of water,

- proper truck hauling, disposal procedures, and proper notification to any and all involved agencies.
- b. Pursuant to the requirements of the South Coast Air Quality Management District, an asbestos survey shall be completed.
  - c. The applicant shall complete all Notification requirements of the South Coast Air Quality Management District.
  - d. The City of Huntington Beach shall receive written verification from the South Coast Air Quality Management District that the Notification procedures have been completed.
  - e. All asbestos shall be removed from all buildings prior to demolition of any portion of any building.
3. Prior to issuance of grading permits, the following shall be completed:
- a. Evidence of an easement (for the subject site's private sewer) running over the adjacent larger commercial development (APN 151-461-28), shall be submitted to Public Works. If said easement does not currently exist, a new easement shall be dedicated by the adjacent development (APN 151-461-28) to allow sanitary sewerage from the subject site to be conveyed through the existing private sewer main. **(PW)**
  - b. At least 14 days prior to any grading activity, the property owner/developer shall provide notice in writing to property owners and tenants on record of properties immediately adjacent to and across the street from the project site. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Planning and Building Department.
4. Prior to submittal for building 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. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works 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.
  - c. An "Acceptance of Conditions" form shall be properly executed by the developer and an authorized representative of the owner of the property, recorded with the County Recorder's Office, and returned to the Planning Division for inclusion in the entitlement file. Conditions of approval shall remain in effect in the recorded form in perpetuity, except as modified or rescinded pursuant to the expressed written approval of the City of Huntington Beach.

5. Prior to issuance of building permits, a long-term lease for the required parking spaces on an adjacent lot shall be submitted to the Planning and Building Department a minimum 30 days prior to the building permit issuance. A copy of the long-term lease shall be approved by the City Attorney as to form and content and, when approved, shall be recorded in the Office of the County Recorder. A copy of the recorded document stipulating the reservation of the property for parking purposes shall be filed with the Planning and Building Department prior to the issuance of a building permit. No use shall be continued if the parking is removed from the adjacent lot unless substitute parking is provided. The recorded agreement shall remain in effect in perpetuity, except as modified or rescinded pursuant to the expressed written approval of the City of Huntington Beach.
6. During demolition, grading, site development, and/or construction, the following shall be adhered to:
  - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
  - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
  - c. Truck idling shall be prohibited for periods longer than 5 minutes.
  - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
  - e. Discontinue operation during second stage smog alerts.
  - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/ grading activity.
7. The structure cannot be occupied, the final building permit(s) cannot be approved, and utilities cannot be released and issuance of a Certificate of Occupancy until the following has been completed:
  - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
  - b. The applicant shall obtain the necessary permits from the South Coast Air Quality Management District and submit a copy to the Planning Division.
  - c. Compliance with all conditions of approval specified herein shall be verified by the Planning Division.
  - d. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
  - e. A Certificate of Occupancy must be approved and issued by the Planning and Building Department.
  - f. Copy of the recorded long-term lease, as specified by Condition No. 5, shall be provided.

