

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

TO: Zoning Administrator
FROM: Jill Arabe, Assistant Planner
DATE: July 22, 2009
SUBJECT: **CONDITIONAL USE PERMIT NO. 2009-010 (GUSTAFSON WAREHOUSE)**
LOCATION: Gothard Street, 92648 (west side of Gothard Street, northwest of Main Street)

Applicant: Bill Pettett, architect, 2120 Main Street, Suite 230, Huntington Beach, CA 92648

**Property/
Business
Owner:** John Gustafson, 19161 Gothard Street, Huntington Beach, CA 92648

Request: To permit the construction of an approximately 4,950 sq. ft., 22'-0" tall, single-story warehouse building as an ancillary use to an existing automotive repair business.

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

Zone: SP – 9 (Holly Seacliff Specific Plan)

General Plan: I – F2 – d (Industrial – 0.50 Maximum Floor Area Ratio – design overlay)

Existing Use: Vehicle repair

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 project involves new construction of an accessory structure to an existing automotive repair business.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2009-010:

1. Conditional Use Permit No. 2009-010 for the construction of an approximately 4,950 sq. ft., 22'-0" tall, single-story warehouse building as an ancillary use to an existing automotive repair business 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. Residential uses are located east of the subject property across Gothard Street, which is an approximately 80-foot wide street. The proposed building will be used for parts storage and will not negatively impact the noise-sensitive uses. It will be setback approximately 250 linear feet from the front property line and surrounded by existing eight (8) foot high block walls. The residential uses will be sufficiently buffered from the new building by a 330-foot separation. The proposed building will be built to match the design and materials of existing buildings on the property. It will improve the existing facility by providing larger storage area for the relocation of parts and equipment. The warehouse storage use will not generate noise levels greater than which is existing. Additionally, the subject automotive repair business has been in operation in this location for more than 20 years and is surrounded by other automotive and industrial business facilities.

2. The conditional use permit will be compatible with surrounding uses because the proposed building is ancillary to and does not intensify the existing automotive repair business. The building use is similar to surrounding industrial uses providing warehouse storage. It will not negatively impact nearby residential uses because it will be oriented at the southwest corner of the subject site thereby providing an adequate setback from residential uses to the east. The orientation of the building coupled with the parking lot and eight-foot high block walls provides an adequate buffer of 330 feet to nearby residential buildings. In addition, the setback to the building exceeds the code requirements.
3. The proposed 4,950 sq. ft., 22'-0" tall, single-story warehouse building 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 project complies with all aspects of the Holly Seacliff Specific Plan including parking, landscaping, setbacks, and separation between industrial and residential uses. It is also consistent with the Design Guidelines because it will match the existing buildings on-site.
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 General Industrial on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

LU 12.1.4: Require that new and recycled industrial projects be designed and developed to achieve a high level of quality, distinctive character, and be compatible with existing uses.

ED 2.5.1: Encourage and assist existing and potential industrial owners to update, modernize, and expand their industrial properties.

N 1.4: Minimize noise spillover or encroachment from commercial and industrial land uses into adjoining residential neighborhoods or "noise-sensitive" uses.

The proposed building will match in design and construction materials with the previously upgraded, existing buildings. It will improve the facility by providing a separate structure for the storage of parts and equipment. The project is compatible because it involves the construction of a storage building ancillary to an existing automotive repair business, which is similar to existing industrial uses in the vicinity. The residential uses will be buffered from the project by an approximately 330-foot separation and a parking lot surrounded by eight (8)-foot high block walls.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2009-010:

1. The site plan dated July 15, 2009, floor plans and elevations dated June 4, 2009, shall be the conceptually approved design.
2. Prior to issuance of grading permits, the Amended Water Quality Management Plan for the subject site shall incorporate Low Impact Development (LID) site design principals to reduce runoff to a level consistent with the maximum extent practicable. (Examples of LID principles include directing runoff to previous or landscaping areas, minimizing quantities stormwater directed to impervious surfaces and routing roof drain downspouts to landscape or permeable areas.) **(PW)**
3. Prior to submittal for building permits, 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.
4. 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/index.cfm?fuseaction=guidelines>).

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.