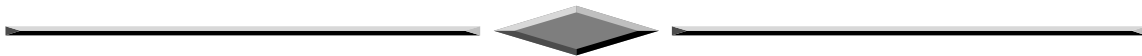


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Rami Talleh, Senior Planner
DATE: May 21, 2008

SUBJECT: CONDITIONAL USE PERMIT NO. 2008-017 (FEIN MEDICAL OFFICE BUILDING)

LOCATION: 7922 Liberty Avenue (south side of Liberty Avenue, west of Beach Blvd)



Applicant: Jeff Bergsma, Team Design, 221 Main Street, Suite S, Huntington Beach, CA 92648

Property Owner: Ernst O'Reilly, P.O. Box 884, La Quinta, CA 92253

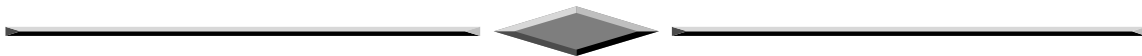
Request: To permit the construction of a two-story, 6,480 sq. ft. office building.

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 maximum Floor Area Ratio)

Existing Use: Multi-Family Residential



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 new construction of a commercial building with less than 10,000 sq. ft. of floor area not involving significant amounts of hazardous materials on a site where public services and facilities are available and the surrounding area is not environmentally sensitive.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2008-017:

1. Conditional Use Permit No. 2008-017 for the construction of a two-story, 6,480 sq. ft. medical office building 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 subject property is designated for commercial general development under the General Plan. The proposed project is consistent with the permitted uses and development standards within this designation. The structure will be setback approximately 73 ft. from the abutting residential property to the west and separated from residential properties to the north by a 50 ft. wide local street. The site will be sufficiently parked and will not have any significant impacts on adjacent properties.
2. The conditional use permit will be compatible with surrounding uses. The subject site will be developed concurrently with the abutting commercial properties to the east and south. The three parcels will share a common driveway with access to Beach Boulevard. The subject building will provide a 10 ft. front yard setback and 43 ft. second story setback from Liberty Avenue thereby providing a buffer to residential uses to the north. The medical office building will consist of similar quality exterior finishes as that concurrently constructed with the subject site as well as other commercial developments along Beach Boulevard.
3. The proposed development 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 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 following goals and policies of the General Plan:

LU10.1.4. Require that commercial buildings and sites be designed to achieve a high level of architectural and site layout quality.

LU10.1.12. Require that Commercial uses be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development including consideration of:

- a. Siting and design of structures to facilitate and encourage pedestrian activity;
- b. Siting of buildings to the street frontage to convey a visual relationship to the street and sidewalks;
- c. Architectural treatment of buildings to minimize visual bulk and mass, using techniques such as the modulation of building volumes and articulation of all elevations.

The proposed development is in substantial compliance with the Urban Design Guidelines. The siting and design of the proposed structure allows for pedestrian connections between sidewalks and the subject site. The proposed architecture provides a prominent entry and incorporates quality materials in its design.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2008-017:

1. The site plan, floor plans, and elevations received and dated April 10, 2008, shall be the conceptually approved design with the following modifications:
 - a. Provide a trash enclosure.
 - b. Provide a three foot wide landscaped planter abutting the parking stall adjacent to the entrance to the tuck under parking.
 - c. Provide wheel stops at the head of all parking spaces without a landscaped overhang.
 - d. Widen parking stalls by three ft. when adjacent to a wall or structure.
 - e. Enclose the space beneath the exterior staircases.
 - f. Enhance driveway entrances by providing decorative pavement for the first 10 ft. The pavement treatment shall match that used for 17701 and 17725 Beach Blvd. (Liberty Liquor and Longs Drugs).
 - g. Enhance elevations by including similar architectural features provided for 17701 and 17725 Beach Blvd. (Liberty Liquor and Longs Drugs) such as stone veneer along the west elevation of the ground floor unit.
 - h. The landscaping treatment shall be consistent with that used for 17701 and 17725 Beach Blvd. (Liberty Liquor and Longs Drugs).
 - i. The primary building color shall match that used for 17701 and 17725 Beach Blvd. (Liberty Liquor and Longs Drugs).
2. Prior to issuance of grading permits, the following shall be completed:
 - a. A Precise Grading Plan shall include the following improvements on the plan: **(PW)**
 - i. Indicate the type and location of Water Quality Treatment Control Best Management Practices (BMPs) on the Grading Plan consistent with the Project WQMP. The WQMP shall follow the City of Huntington Beach; Project Water Quality Management Plan Preparation Guidance Manual dated June 2006. The WQMP shall be submitted with the first submittal of the Grading Plan.
3. The structure cannot be occupied, the final building permits cannot be approved, and utilities cannot be released until the following has been completed: **(PW)**
 - a. All existing overhead utilities that are within the project, or on the southerly property line of the subject project, shall be undergrounded. This condition applies to all aerial cables to and from Southern California Edison (SCE) pole no. 4666878E (which serve the structures at 7906, 7912 and 7922 Liberty Avenue and at 7911 Newman Avenue). Coordinate with SCE to determine the exact length of undergrounding required. The developer for the subject project shall also coordinate sharing the cost of the aforementioned utility undergrounding with adjacent property owners of 7911 Newman Avenue.
 - b. If the subject project is the first to be constructed in relation to the southerly proposed project at 17725 Beach Boulevard, then the full width (26-foot) southerly shared drive aisle shall be constructed prior to issuance of final inspection or occupancy. Any necessary easements (for temporary construction, reciprocal access, etc.) for construction of the aforementioned shared drive aisle shall be coordinated with adjacent southerly property owner and copies shall be provided to Planning and Public Works Departments.

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.