

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, July 22, 2009 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Jill Arabe, Rami Talleh, Kimberly De Coite (recording secretary)

MINUTES: June 17, 2009
APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: CONDITIONAL USE PERMIT NO. 2009-010 (GUSTAFSON WAREHOUSE)

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.

LOCATION: 19161 Gothard Street, 92648 (west side of Gothard Street, northwest of Main Street)

PROJECT PLANNER: Jill Arabe

Jill Arabe, Assistant Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary.

Ms. Arabe stated that staff had received one phone call regarding the location of the building but no other submitted public comments.

Ms. Arabe stated that, upon further review of the suggested findings for CEQA exemption, staff found a more appropriate finding under Section 15332 for infill projects.

Mr. Ramos asked staff if the project had been presented to the Design Review Board. Ms. Arabe stated that it had not been recommended for design review based on the location of the building on the site and that it would match the existing buildings on site. Mr. Ramos asked staff if the previous entitlement for the cover and exterior improvements had gone before the Design Review Board. Ms. Arabe confirmed that it had.

THE PUBLIC HEARING WAS OPENED.

John Gustafson, property owner, stated that he had questions regarding the issue of outside storage listed in the code requirement letter. Rami Talleh, Senior Planner, stated that while vehicles may be stored outside, the maintenance work on those vehicles may not be performed outside. He indicated that this particular code requirement encompasses various uses such as service stations as well as auto repair facilities.

Mr. Gustafson asked for an explanation of Condition No. 2. Mr. Talleh stated that the Public Works Department is asking that the current Water Quality Management Plan be amended and some measures should be included for water treatment on site.

Mr. Ramos noted that the drive aisle for three new parking spaces on the north side of the warehouse would encroach underneath a portion of the existing canopy. He stated that this portion of the canopy area would be required to remain clear to accommodate this as required by code and asked Mr. Gustafson if he had any issues in complying with this requirement. Mr. Gustafson indicated that he did not.

Mr. Ramos asked if anything could be done to visually enhance the elevations. Bill Pettett, architect, indicated that the project would be a pre-engineered building similar to the other buildings on the site. He noted that there would be corrugations in the panels and would be painted out. Mr. Gustafson noted that the building would not be visible from off site.

Mr. Ramos stated that similar projects have provided additional treatments, such as wainscoting, to prefabricated buildings and asked if Mr. Gustafson or Mr. Pettett had any concerns with adding visual enhancement to the building. Mr. Pettett reiterated that the building would not be visible off site and was wary of the additional costs that might be incurred. Mr. Gustafson noted that one of the buildings on site has a dark blue band across the top and stated that the rain gutter on the requested building could be painted to mirror that.

Mr. Ramos stated that he is amenable to the painted rain gutter. He indicated that he is concerned that the building does not meet design guidelines. Mr. Gustafson noted that if wainscoting was applied to the building then it would no longer match the other buildings onsite. He noted that the windows on the existing buildings were bronze tinted and indicated that the windows and doors on the requested building could also be bronze tinted. Mr. Ramos asked if more windows could be added and Mr. Pettett and Mr. Gustafson were agreeable to this.

Mr. Ramos indicated that he wanted the design to raise the standard for any future improvements. He stated that he would be including a requirement for an accent band, the installation of two windows on the east elevation, and wainscoting on the east and north elevations in the Conditions of Approval. Mr. Pettett clarified that Mr. Ramos was asking for the wainscoting to be a different material from the rest of the building. Mr. Ramos confirmed this. Mr. Talleh asked if the wainscoting would be included only on the east elevation and Mr. Pettett indicated that it would wrap around three to four feet on either side. Mr. Ramos asked if there was any concern with two additional windows. Mr. Gustafson indicated that he had no objection to the additional windows.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

Mr. Ramos stated that, given the information provided, he could approve the request as recommended by staff with modifications to the Conditions of Approval and the suggested modification to the Findings for Projects Exempt from CEQA. He noted that he would have staff note on the site plans the 26 foot back up aisle for the three parking spaces on the north side of the warehouse.

CONDITIONAL USE PERMIT NO. 2009-010 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

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 15332 of the CEQA Guidelines, because the project is an in-fill development on a lot which does not exceed five (5) acres in size.

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 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 provide 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.

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 with the following modifications to the approval of Planning staff:
 - a. An accent band similar to that on the existing buildings shall be painted along the top of the building.
 - b. Wainscoting along the bottom four feet of the building shall be installed at minimum on the east and north elevations. It shall be composed of split-face concrete block or some other compatible material.
 - c. Two windows shall be installed on the east elevation.
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 principles to reduce runoff to a level consistent with the maximum extent practicable. (Examples of LID principles include directing runoff to pervious or landscaping areas, minimizing quantities

of 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.

THE MEETING WAS ADJOURNED AT 1:55 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, JULY 29, 2009 AT 1:30 PM.



Ricky Ramos
Zoning Administrator

RR:kdc