

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

**WEDNESDAY, SEPTEMBER 17, 2008 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Ricky Ramos

**STAFF MEMBER:** Jill Arabe, Hayden Beckman, Andrew Gonzales, Rami Talleh, Kimberly De Coite (recording secretary)

**MINUTES:** July 23, 2008  
August 13, 2008  
August 27, 2008  
**APPROVED AS SUBMITTED**

**ORAL COMMUNICATION:** **NONE**

**ITEM 1: CONDITIONAL USE PERMIT NO. 08-027 (BOUNCE U CENTER – CONTINUED FROM THE AUGUST 27, 2008 MEETING)**

**APPLICANT:** Tim Kosmos  
**PROPERTY OWNER:** CT Huntington, LLC, 20151 S. W. Birch Street Ste. 200, Newport Beach, CA 92660  
**REQUEST:** To establish, maintain, and operate a commercial recreation and personal enrichment establishment consisting of a children's activity and instructional center. The activity center will contain up to nine (9) large inflatable attractions (i.e. bounce houses) within an existing 10,632 sq. ft. industrial unit. The establishment will include organized play groups, development classes for children six years old and younger, and pre-planned birthday parties.  
**LOCATION:** 5445 Oceanus Drive #114 & #115, 92649 (north side of Oceanus Drive, west of Graham Street.)  
**PROJECT PLANNER:** Jill Arabe

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

Ms. Arabe stated that no public comments had been received.

**THE PUBLIC HEARING WAS OPENED.**

Tim Kosmos, applicant, stated that he had no comments.

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

Mr. Ramos removed the reference to policy LU 12.1 from section 4 of the Findings for Approval. Mr. Ramos stated that, for clarity and convenience, the maximum number of students and the size of the instruction area will be listed in the Conditions of Approval. He noted that a minor correction the CEQA exemption would be conveyed to staff.

Mr. Ramos stated that, based on the information provided, he will approve the request as recommended by staff with the changes as noted.

**CONDITIONAL USE PERMIT NO. 08-027 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 15301 of the CEQA Guidelines, because the project involves establishment of a new use within an existing building involving no expansion of the existing structure.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2008-027:**

1. Conditional Use Permit No. 2008-027 for the establishment, maintenance and operation of a commercial recreation and personal enrichment establishment consisting of a children's activity center containing up to nine (9) large inflatable attractions (i.e. bounce houses) for play groups, development classes, and private birthday parties within an existing 10,632 sq. ft. industrial unit 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 proposed use will not create any significant noise or impact at levels inconsistent with the industrial zoning applicable to the subject property. All business activities will be conducted within the interior of the building and by reservation only. The organized play groups and development classes will occur between the hours of 9 AM and 2 PM Monday through Friday, and will be limited to 16 participants. These morning activities will not overlap or occur concurrently. The private parties will occur between the hours of 2 PM and 10 PM Monday through Friday, and between the hours of 9 AM and 10 PM on Saturday and Sunday. Based on data obtained from existing activity centers, the site has adequate parking for the use. The use will be consistent with the parking requirements for manufacturing uses, 1 space per 500 sq. ft. Furthermore, the highest demand for parking will occur on evenings and weekends, when most of the surrounding businesses are closed.



- c. All business activities shall be conducted within the interior of the building and the roll-up door must remain closed during business hours.
  - d. The maximum number of students/participants utilizing the facility between the hours of 9 AM and 2 PM Monday through Friday shall not exceed 16 during any session.
  - e. The instructional area shall not exceed 75 percent of the total floor area occupied by the personal enrichment use, or 7,164 square feet.
4. The applicant shall submit a check in the amount of \$50 for the posting of a Notice of Exemption at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Zoning Administrator's action.
  5. The Planning Director ensures that all conditions of approval herein are complied with. The Planning Director shall be notified in writing if any changes to the site plan and floor plans are proposed as a result of the plan check process. Building permits shall not be issued until the Planning Director has reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action and the conditions herein. 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 HBZSO.
  6. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.

**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.

**ITEM 2: NEGATIVE DECLARATION NO. 2008-009 (WESLEY PARK SECTION— SINGLE-FAMILY RESIDENCE DEMOLITION)**

APPLICANT: Tony Murguia  
PROPERTY OWNER: Surendra P. Barot, 528 16<sup>th</sup> Street, Huntington Beach, CA 92648  
REQUEST: To review the potential environmental impacts associated with the demolition of two existing single-family dwellings and an accessory structure located within the Wesley Park District, a potentially historic district identified in the Historic and Cultural Resources Element of the City of Huntington Beach General Plan.

LOCATION: 601 8<sup>th</sup> Street and 806 Acacia Street, 92648 (northwest corner of 8<sup>th</sup> Street and Acacia Street)

PROJECT PLANNER: Hayden Beckman

Hayden Beckman, Planning Aide, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the subject sites. Staff presented an overview of the proposed project and the suggested findings for approval as presented in the executive summary.

Mr. Beckman stated that no public comments were received. He stated that one letter was received from the Environmental Board which noted concerns regarding post demolition activities, notifying Habitat for Humanity for possible salvaging of the existing structures, and improvement concerns not relating directly to the project. Staff forwarded the letter to the applicant and the property owner.

Mr. Beckman stated that the Historic Resources Board was notified by letter and no comments have been received from them at this time.

**THE PUBLIC HEARING WAS OPENED.**

Tony Murguia, applicant, stated that he had read the staff report and had no comments or concerns.

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

Mr. Ramos stated that, based on the information provided, he is in agreement with staff's findings and will approve the request as recommended by staff.

**NEGATIVE DECLARATION NO. 2008-009 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 APPROVAL – NEGATIVE DECLARATION NO. 2008-009**

1. The Negative Declaration No. 08-009 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of twenty (20) days. Comments received during the comment period were considered by the Zoning Administrator prior to action on the Negative Declaration.
2. There is no substantial evidence in light of the whole record before the Zoning Administrator that the project will have a significant effect on the environment. The Historic Resources Assessment for the subject property concludes that although the existing structures have not been subject to documented change of any kind, the property is not associated with any significant historical events and does not meet necessary criteria for listing as a historic resource in the National Register of Historic Places, or criteria for inclusion in a State of local listing of historic significance.

The subject property was also included as part of the Windshield Survey of the 1986 Windshield Survey of the 1986 Historic Resources Survey Report for the City of Huntington Beach. Each of the 556 buildings included in the Survey were given an A, B, C, or D rating. Only A-rated and B-rated buildings were found to be "architecturally distinctive" in terms of characteristics or age. The subject property, along with the majority of the buildings in the survey, was given a C-rating, which means that while the buildings retain most of their original style, they are of modest design and are generally important when they are part of a group of structures that many convey a sense of history by retaining the image of the original neighborhood. However, many surrounding residences adjacent to the subject site have been altered significantly since the time of the survey was conducted, and the subject structures' eligibility as contributing to a potentially significant historical district has been considerably diminished.

While the General Plan has given a local landmark designation to the Wesley Park section and identified the area as a potential Historic/Conservation District, no standards or requirements have been adopted to preserve the area. This has resulted in many alterations to properties within the Wesley Park section. Based on the findings of the Historic Resources Assessment, the project's potential impacts on the Wesley Park section as a significant historic resource are considered less than significant.

### **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.

### **ITEM 3: CONDITIONAL USE PERMIT NO. 08-030 (DEMESNE COMMERCIAL DEVELOPMENT)**

APPLICANT: Johnathan Matson  
PROPERTY OWNER: Demesne Development Company, 8442 Alondra Boulevard,  
Paramount, CA 90723  
REQUEST: To permit the construction of an approximately 10,000 sq. ft., single-  
story multitenant commercial/retail building and associated site  
improvements.  
LOCATION: 9500 Garfield Avenue, 92649 (southeast corner of Bushard Street  
and Garfield Avenue)  
PROJECT PLANNER: Andrew Gonzales

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

Mr. Gonzales stated that modifications to suggested Condition of Approval No. 4 were received on September 16, 2008 from the Public Works Department, requiring undergrounding utilities on both Bushard Street and Garfield Street. Mr. Gonzales noted that Terri Elliott, Principal Civil Engineer, was present to answer any questions about the conditions required by the Public Works Department.

Mr. Gonzales stated that two inquiries were received on this project, one from an adjoining property owner expressing concern over the location of the trash enclosure, indicating a preference to move it closer to Bushard Street. Mr. Gonzales noted that there has been a history of transients frequenting the area and moving the trash enclosure would be an attempt to discourage that. The second inquiry listed general concerns about possible tenants, specifically liquor stores or other similar uses. Mr. Gonzales indicated that alcohol sales would be subject to a discretionary permit and neighbors would be noticed should that permit be requested. Mr. Gonzales stated that there was also concern with rodent infestation at two palm trees located at the north east corner of the lot. He stated that the palm trees would be removed and replaced with two Live Oak trees.

Mr. Ramos asked if the applicant had been provided with the revised condition from the Public Works Department. Mr. Gonzales stated that staff provided the applicant with that condition directly prior to the meeting.

#### **THE PUBLIC HEARING WAS OPENED.**

Johnathan Matson, applicant, stated that he was concerned with the suggested condition of approval requiring undergrounding of utilities. He stated that he did not object to undergrounding the utilities to the single pole on Garfield but that including the poles on Bushard seemed unreasonable given that no adjacent properties have similar conditions. He noted that the additional costs of undergrounding might encourage the owner to develop a different property.

Mr. Matson raised several concerns regarding other conditions of approval. He stated that he would prefer not to lose the two additional parking spaces and also would prefer to use the metal siding as indicated on his request but would be willing to substitute it for concrete block if required.

Mr. Ramos confirmed with Mr. Matson that he objected to undergrounding anything except the one pole. Mr. Matson stated that undergrounding the one pole was acceptable. He felt anything beyond the one pole was excessive.

Mr. Ramos asked staff what exactly would need to be undergrounded. Ms. Elliot stated that phone lines, cable lines and fiber optic lines would need to be undergrounded.

Mr. Ramos asked staff if other projects with this condition had been completed. Ms. Elliott confirmed that they had. Mr. Ramos asked if the costs for undergrounding utilities for this project were greater than the cost for past projects. Ms. Elliott stated that the costs would be comparable.

Mr. Ramos asked if the applicant had spoken with the property owner regarding this condition. Mr. Matson indicated that he had not sufficient time to do so.

Diana LaRusso, 19051 Windridge Lane, stated that she felt the proposed project would be detrimental to the area. She expressed concern about replacing a single tenant with multiple tenants, citing increased noise and traffic. She inquired about regulations on tenant operating hours, noise restrictions, lighting and security cameras. She requested that the trash enclosure be moved closer to Bushard Street, stating that transients have frequented the enclosure.

Ms. LaRusso asked if the property would share a common wall with her neighborhood. Mr. Gonzales confirmed that the properties would share a common wall. Ms. LaRusso asked if the height of that wall could be raised. Mr. Ramos asked for the current wall height. Mr. Gonzales stated that it was six feet tall.

Mr. Ramos noted that there were no recommended hours for tenants. He stated that there was potential for the trash enclosure to be relocated.

Mr. Gonzales stated that the code required lighting to be energy efficient, and not to reflect glare on residents. He indicated that the lighting would be dimmed when not in use, on a time clock or photo sensor system.

Maria Sesma, 19045 Windridge Lane, requested that the wall height be raised to discourage trespassing and encourage privacy. She noted that the windows of her residence are above the wall line. She stated that she was concerned with the types of businesses that may become tenants and also with the safety of the nearby intersection, noting a high rate of collisions.

Terry Dunne, 19052 Windridge Lane, stated that he was in agreement with Ms. LaRusso's and Ms. Sesma's comments. He stated that he felt the undergrounding utilities was excessive and not cost efficient. He objected to the proposed location of the trash enclosure and encouraged the trash enclosure to be relocated closer to Bushard Street, where it would have a lesser impact on residents. Mr. Dunne requested that the common wall height be raised by two feet due to privacy concerns.



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

Mr. Ramos asked Mr. Matson if he objected to extending the height of the common wall. Mr. Matson requested that the extension be made from non-masonry material, stating that it might otherwise require the wall to be raised and rebuilt in its entirety.

Mr. Ramos indicated that he was not inclined to place a condition on the usage hours at this time.

Mr. Ramos stated that he was in agreement with the condition requiring undergrounded utilities and asked Mr. Matson if he would like a continuance in order to research pricing and present findings on any unique circumstances that would make undergrounding utilities on this project prohibitively more expensive than on other properties that have adhered to the condition in the past. Mr. Matson stated that he did not want a continuation.

Mr. Ramos stated that the findings and conditions of approval would include the following changes: In Finding 1 change west to east and edit the last sentence to say "will have minimal impacts on adjacent properties." In Finding 4 cite general plan policies U.5.1.2 and UD 2.2.4 that pertain to undergrounding of utilities.

Mr. Ramos adopted all of the staff changes to the Conditions of Approval, including Condition 4. He stated that a requirement be added to extend the height of the common wall along east and south sides to eight feet, providing the adjacent owners agree. If the raising of the common wall is not agreed to then an adjacent eight foot high wall will be constructed. Additionally, the trash enclosure would be relocated to the southeast corner of the building, away from residents, and an additional requirement for a dual level lighting system that provides dimming when the site is not in use.

Mr. Ramos stated that he will approve the request as modified.

**CONDITIONAL USE PERMIT NO. 08-030 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING MODIFIED 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 15303 of the CEQA Guidelines, because the proposed development consists of a new construction of multitenant commercial building with 10,000 sq. ft. of floor area not involving significant amounts of hazardous materials on a site where public services and facilities area available and the surrounding area is not environmentally sensitive.

## **FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2008-030:**

1. Conditional Use Permit No. 2008-030 for the construction of an approximately 10,000 sq. ft., single-story multitenant commercial/retail building and associated site improvements 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 neighborhood 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 72 ft. from the abutting residential properties to the east and 54 ft. from the residential properties to the south. The site will be sufficiently parked and will have minimal impacts on the adjacent properties.
2. The proposed neighborhood shopping center, as conditioned, will be compatible with surrounding uses and developments. The subject project will replace a former commercial building with a single-story, multitenant commercial/retail building. The building's design is conditioned to be more compatible with the surrounding area by incorporating additional façade recesses, architectural eyebrows, and contrasting materials on the building elevations to minimize the structure's mass/bulk and create visual interest along the street frontage. As conditioned, the depth of the driveway adjacent to Garfield Avenue will be increased an additional 10 ft. to create safe vehicular ingress and egress for the site. The placement of the structure will be at the northwest corner of the subject site thereby providing an adequate setback from residential uses to the east and south. In addition, a 10 ft. landscape buffer is provided along the easterly property line to screen the parking lot from adjoining residential uses.
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 building 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 modulation of building volumes and articulation of all elevations.

**UD 2.2.4** Require the undergrounding of utility lines.

**U 5.1.2** Continue to underground above ground electrical transmission lines.

The proposed development is in compliance with the Urban Design Guidelines. The siting and design of the proposed structure allows for pedestrian connectivity between sidewalks and the subject site. The proposed architecture provides variations in roof heights and prominent unit entries and, as conditioned, incorporates quality materials in its design. Additionally, a condition to underground all onsite utility lines will aid to improve the visual character of the surrounding area.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2008-030:**

1. The site plan, floor plans, and elevations received and dated September 5, 2008, and preliminary landscape plan dated September 10, 2008, shall be the conceptually approved design with the following modifications:
  - a. Increase the depth of the parking lot driveway serving Garfield Avenue to 20 ft by removing the northernmost parking spaces on each side of the drive aisle and increase the proposed paving band an additional 10 ft.
  - b. Relocate the proposed trash enclosure in an area adjacent to the southeast corner of the proposed building.
  - c. The corrugated metal panels on the building elevations shall be omitted and replaced with either decorative masonry block or finished wood.
  - d. Limit the number of metal sunshades variations to two designs.
  - e. The uppermost portion of the north and south tower feature shall incorporate a continuous architectural eyebrow utilizing a variation of the sunshade designs, as determined by Condition 1d, around all sides of the building wall.
  - f. The north unit, adjacent to the corner of Garfield Avenue and Bushard Street, shall provide a 1 ft. recess in the areas located above the five windows panes. The recessed area shall match the unit store fronts depicted without exterior reveals.
2. Parking lot lights shall be automatically dimmed to minimal security level lighting one hour after the final business closing and shall be maintained at minimum security level at all times.
3. Prior to issuance of grading permits, the following shall be completed:
  - a. The proposed curb opening and rectangular channel to convey the site's drainage offsite into the public curb and gutter system on Garfield Avenue shall address NPDES requirements for water quality Best Management Practices (BMP). The site's surface drainage shall not drain directly into the City's curb and gutter system without first being treated through a City approved water quality BMP. (PW)
  - b. Provide a Precise Grading Plan identifying that the damaged curb, gutter and sidewalk along the Garfield Avenue and Bushard Street frontages shall be removed and replaced per Public Works Standard Plan Nos. 202 and 207. (PW)

- c. Blockwall/fencing plan (including a site plan, section drawings, and elevations depicting the height, color, and material of all retaining walls, walls, and fences) consistent with the grading plan, shall be submitted to and approved by the Planning Department. The plan shall provide an eight foot tall common wall along the entire length of the east and south property lines. Said walls shall provide a gradual height transition to match adjoining walls. Applicant shall coordinate with adjacent property owners and make reasonable attempts to construct one common property line wall. If coordination between property owners cannot be accomplished, the applicant shall construct the wall located entirely within the subject property and with a two (2) inch maximum separation from the property line. Removal of any walls on private residential property and construction of new common walls shall include approval by property owners of adjacent properties.
4. Prior to submittal for building permits, one set of project plans, revised pursuant to Condition of Approval No. 1, shall be submitted for review, approval and inclusion in the entitlement file, to the Planning Department.
5. Prior to final inspection or occupancy all existing utilities that occur along the project's Bushard Street frontage and all utilities that cross Garfield Avenue to the single pole at the project's Garfield Avenue frontage that are exclusively serving the site shall be undergrounded. This includes the Southern California Edison (SCE) aerial lines and poles along the entire length of the westerly frontage of the subject project. This condition applies to all utilities, including but not limited to all telephone, electric, and Cable TV lines. If required, easements shall be quitclaimed and/or new easements granted to the corresponding utility companies. (PW)
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/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 2:30 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, SEPTEMBER 24, 2008 AT 1:30 PM.

*R. Ramos*

---

Ricky Ramos  
Zoning Administrator

RR:kdc