

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

WEDNESDAY, SEPTEMBER 18, 2013 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos

STAFF MEMBER: Tess Nguyen, Hayden Beckman, Jill Arabe, Ethan Edwards,
Judy Demers (recording secretary)

MINUTES: **NONE**

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 12-014/ CONDITIONAL USE PERMIT NO. 12-027 (LARSON RESIDENCE ADDITION):

APPLICANT: Garrett Hoskins, Architect
PROPERTY OWNER: Lory Larson, 16621 Nalu Circle, Huntington Beach, CA 92649
REQUEST: **CDP:** To permit an approximately 1,935 sq. ft. building addition, an approximately 694 sq. ft. garage addition, and approximately 488 sq. ft. decks and balconies addition to an existing two-story single family residence; **CUP:** To permit (a) approximately 433 sq. ft. of third-floor building area addition and (b) approximately 442 sq. ft. of decks and balconies above the second story top plate line.
LOCATION: 3761 Nimble Circle, 92649 (terminus of Nimble Circle – Trinidad Island)
PROJECT PLANNER: Tess Nguyen

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

Ricky Ramos, Zoning Administrator, stated he had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Garrett Hoskins, applicant noted that the proposed project is a three-story residence instead of a two-story as stated in the notice.

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

Mr. Ramos verified the roof component would conceal the railing. Mr. Hoskins noted that the roof design had changed to a mansard style. Ms Nguyen verified the change. Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff.

COASTAL DEVELOPMENT PERMIT NO. 12-014/ CONDITIONAL USE PERMIT NO. 12-027 WERE 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) WORKING 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 additions to existing structures are exempt provided that they are less than 50% of the floor area of the existing structures.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 12-014:

1. Coastal Development Permit No. 2012-014 to permit the construction of an approximately 1,935 sq. ft. building addition, an approximately 694 sq. ft. garage addition, and an approximately 488 sq. ft. decks and balconies addition to an existing three-story single-family residence at an overall building height of 35 ft. conforms with the General Plan, including the Local Coastal Program designation of Residential Low-Density. The proposed project is consistent with Coastal Element Policy C 1.1.1 to encourage new development to locate within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project complies with all applicable development regulations, including minimum setbacks and on-site parking, and maximum building height and site coverage.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The project will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roads.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access, recreation, or views to coastal resources.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2012-027

1. Conditional Use Permit No. 2012-027 to permit (a) an approximately 433 sq. ft. of third floor habitable area and (b) an approximately 442 sq. ft. of decks and balconies above the second story top plate line 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 third floor habitable area at an overall height of 35 ft. will be located within the confines of the second story roof volume. The proposed third floor addition and decks and balconies will be accessible only from the interior of the building. All windows

within the third floor and decks and balconies above the second story top plate line will face the harbor thereby protecting privacy of adjacent residences. Based on code requirements, the proposed decks and balconies will be setback a minimum of 5 ft. from the building exterior which will minimize the visual mass and bulk of the residence.

2. The conditional use permit will be compatible with surrounding uses because the third floor habitable area will be integrated into the design of the residence in order to resemble the two-story homes in the adjacent neighborhood. The third floor habitable area is integrated within the confines of the second story roof volume which is compatible to the mass and scale of surrounding homes. The overall building height will match the surrounding properties because the project is adjacent to existing two-story, single-family residences with similar building heights. The third story decks and balconies will be primarily oriented towards the harbor which will protect direct views onto adjacent residences. Furthermore, the proposed decks and balconies will be setback a minimum of 5 ft. from the building exterior which allows the residence to be compatible with the mass and scale of structures in the surrounding neighborhood.
3. The 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 project complies with minimum onsite parking and building setbacks, and maximum lot coverage and building height. The third floor habitable area, including decks and balconies, are allowed within the RL (Residential Low Density) zoning district with approval of a conditional use permit.
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 RL-7 (Residential Low Density—7 units per acre) on the subject property. In addition, it is consistent with the following objective and policy of the General Plan:

A. Land Use Element

Policy – 9.2.1: Require that all new residential development within existing residential neighborhoods be compatible with existing structures, including (b) use of building heights, grade elevations, orientation and bulk that are compatible with the surrounding development; and (d) maintenance of privacy on abutting residences.

B. Coastal Element

Objectives – C 1.1: Ensure that adverse impacts associated with coastal zone development are mitigated or minimized to the greatest extent feasible.

The proposed project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other provisions of the Municipal Code including maximum site coverage, maximum building height, and minimum on-site parking. The proposed third floor habitable area will be integrated within the confines of the second story roof volume. The third story decks and balconies will be primarily oriented toward the harbor, minimizing impact to privacy on adjoining properties. The decks and balconies will also be setback a minimum of 5 ft. from the building exterior to reduce the mass and bulk of the structure.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 12-014/CONDITIONAL USE PERMIT NO. 12-027:

1. The site plan, floor plans, and elevations received and dated July 31, 2013 shall be the conceptually approved design.
2. Prior to submittal of building permits, zoning entitlement conditions of approval and code requirements identified in separately transmitted memorandum from the Departments of Fire, Planning and Building, 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.
3. 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 10 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.
4. The structure(s) cannot be occupied and the final building permit(s) cannot be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Planning and Building Department.
 - c. 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.
5. Coastal Development Permit No. 12-014 and Conditional Use Permit No. 12-027 and shall become null and void unless exercised within two years of the date of final Coastal Development Permit approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning & Building Department a minimum 30 days prior to the expiration date.
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.
7. 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/green-building-guidelines-rating/>).

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: COASTAL DEVELOPMENT PERMIT NO. 13-013 (JOHNSON RESIDENCE ADDITION)

APPLICANT: Jay Earl, Jay Earl Designs, 16541 Marina Circle, Huntington Beach, CA 92649

PROPERTY OWNER: Rich and Lynn Johnson, 16792 Coral Cay Lane, Huntington Beach, CA 92649

REQUEST: To permit an increase of more than 10% of internal floor area for an approximately 766 sq. ft. second story addition including two new balconies (approximately 22 sq. ft. and 55 sq. ft.) and a new 208 sq. ft. first floor covered entryway with privacy wall on a property located within the Coastal Zone.

LOCATION: 16792 Coral Cay Lane, 92649 (west of Coral Cay Lane, south of Courtside Circle)

PROJECT PLANNER: Hayden Beckman

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

THE PUBLIC HEARING WAS OPENED.

Jay Earl, applicant, stated that he had no comments or concerns with staff's recommendations.

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 would approve the request as recommended by staff.

COASTAL DEVELOPMENT PERMIT NO. 13-013 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) WORKING 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 consists of an

addition to an existing structure that will not result in an increase of more than 50 percent of the floor area.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-013:

1. Coastal Development Permit No. 13-013 to permit an increase of more than 10% of internal floor area for an approximately 766 sq. ft. second story addition including two new balconies (approximately 22 sq. ft. and 55 sq. ft.) and a new 208 sq. ft. first floor covered entryway with privacy wall to an existing two-story single-family residence conforms to the General Plan, including the Local Coastal Program Land Use Designation of Residential Low Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage new development to locate within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The addition will comply with all applicable development regulations, including minimum on-site parking, maximum building height, and minimum yard setbacks.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed addition will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-013:

1. The site plan, floor plans, and elevations received and dated September 12, 2013 shall be the conceptually approved design.
2. Prior to submittal for building permits, zoning entitlement conditions of approval 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.
3. Prior to issuance of building permits, staff shall stamp the demo/infill requirements on the plans.
4. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. No more than 50 percent of the existing walls shall be demolished per demolition plans dated September 12, 2013.
 - b. Construction equipment shall be maintained in peak operating condition to reduce emissions.

- c. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - d. Truck idling shall be prohibited for periods longer than 10 minutes.
 - e. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - f. Discontinue operation during second stage smog alerts.
 - g. 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.
5. The final building permit cannot be approved until the following have been completed:
- a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Planning & Building Department.
 - c. 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.
6. Coastal Development Permit No. 2013-013 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date.
7. 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/green-building-guidelines-rating>).

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. 13-021 (VERIZON MONOPOLE)

APPLICANT: Kim Nguyen, Core Development, 2749 Saturn street, Brea, CA 92821
PROPERTY OWNER: Huntington Beach Union High School District, Nelson Cayabyab, 5832 Bolsa Avenue, huntington Beach, CA 92649
REQUEST: To permit the installation of five unpermitted antennas at a rad center location of 60 ft. high on an existing 126 ft. high monopole, replacement of three 4 ft. long antennas with three 6 ft. - 4 in. long antennas and addition of three new radio remote units.
LOCATION: 15871 Springdale Street, 92649 (northwest corner of Springdale Street and Edinger Avenue – Marina High School)
PROJECT PLANNER: Jill Arabe

Jill Arabe, associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary. Ms. Arabe noted that she received one call opposing the proposed project, citing concerns with potential environmental and negative health impacts.

Ricky Ramos, Zoning Administrator, stated he had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

Kim Nguyen, applicant, stated that she had no comments or concerns with staff's recommendations.

Gary Ellis, resident, stated that he opposed the proposed project citing his concern for the negative aesthetics to the area. Mr. Ramos noted that the pole has been at the location for some time and the changes are minor.

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 would approve the request as recommended by staff.

CONDITIONAL USE PERMIT NO. 13-021 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) WORKING 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 consists of a minor alteration of an existing facility involving no expansion of the existing use.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 13-021:

1. Conditional Use Permit No. 13-021 for the installation of five unpermitted antennas at a radar center location of 60 ft. high on an existing 126 ft. high monopole, replacement of three 4 ft. long antennas with three 6 ft. - 4 in. long antennas and addition of three new radio remote units 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 wireless facility was previously approved at the height of 126 ft. under Conditional Exception No. 94-4 and Conditional Use Permit No. 94-5. The proposed changes to the wireless facility will not generate noise, traffic, and demand for any additional parking or other impacts detrimental to surrounding property. The facility is located approximately 800 ft. from any residential land use.
2. The conditional use permit will be compatible with surrounding uses because the proposed changes are to an existing wireless facility located at the rear of a high school campus. Adjacent land uses are primarily industrial and the facility is located sufficiently away from residential uses. The design of the new antennas will blend with the color of existing antennas on the tower.
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 existing facility was approved at a height of 126 ft. pursuant to Conditional Exception No. 94-4 and Conditional Use Permit No. 94-5. The proposal to permit antennas at a height of 60 ft. on the existing pole is subject to a conditional use permit.
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 the PS (Public-Semi-public) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Goal – LU 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

B. Utility Element

Policy U 5.1: Ensure that adequate natural gas, telecommunication and electrical systems are provided.

Policy U 5.1.1: Continue to work with service providers to maintain current levels of service and facilitate improved levels of service.

The proposed project is consistent with the General Plan because the facility will enhance wireless communications in the community by improving signal transmission and reception in the project vicinity. The location is approximately 800 ft. from the nearest sensitive land use and the site is primarily surrounded by industrial uses.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 13-021:

1. The site plan, floor plans, and elevations received and dated July 16, 2013 shall be the conceptually approved design with the modification that the monopole be painted a light blue color pursuant to Condition of Approval No. 1a of Conditional Use Permit No. 94-5.
2. CUP No. 13-021 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Division a minimum 30 days prior to the expiration date.

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 4: SITE PLAN REVIEW NO. 13-003 (HARBOR BEVERAGE DISTRIBUTION)

APPLICANT:	Mike Vaca, Loan-Oak Huntington Beach LLC,, 1625 South Lewis Street, Anaheim, CA 92805
PROPERTY OWNER:	LBA RIV-Company VX LLC, Mike Johnson
REQUEST:	To permit revisions to CUP 95-63 including a new curb cut adjacent to Able Lane, create an approximately 10,000 sq. ft. fleet maintenance shop within an existing building, adding 15 new delivery dock doors, modifying the parking lot and landscape areas, and modifying the existing conditions of approval to allow 24-hour trucking operations for a wholesale beverage distributor.
LOCATION:	5901 Bolsa Avenue, 92647 (northwest corner of Bolsa Avenue and Springdale Street)
PROJECT PLANNER:	Jill Arabe

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

Ricky Ramos inquired of staff if landscape plans had been submitted to ensure the screening of the loading dock area. Ms. Arabe noted that currently there are existing trees and staff had required a berm be placed in the area. She also noted that landscape plans must be submitted to staff prior to any improvements in the parking area.

THE PUBLIC HEARING WAS OPENED.

Mike Vaca, applicant, stated that he would like clarification regarding the limited traffic access off of Eagle Road. Ms. Arabe clarified that the limited hours is for all vehicles including employees.

Kurt Roemer, Harbor Distribution, commented that working with staff has been a pleasant experience and he looks forward to relocating to Huntington Beach.

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 would approve the request as recommended by staff.

SITE PLAN REVIEW NO. 13-003 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 – Existing Facilities of the CEQA Guidelines, because the project consists of alterations to an existing building with no expansion of existing warehouse use.

FINDINGS FOR APPROVAL – SITE PLAN REVIEW NO. 13-003:

1. Site Plan Review No. 13-003 for revisions to Conditional Use Permit No 95-63 including a new curb cut adjacent to Able Lane, an approximately 10,000 sq. ft. fleet maintenance shop within the existing building, adding 15 new dock doors, modifying the parking lot and landscape area, and modifying existing conditions of approval to allow 24-hour trucking operations for a wholesale beverage distributor 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 site improvements are primarily along the westerly portion of the site, oriented away from residential uses, which are located east of the site across Springdale Street. The site is currently designed so that truck shipping and receiving activities are oriented towards other industrial uses to the north and west of the subject site and away from residential to the east. The new truck dock doors will be installed on the building's west elevation facing Able Lane. Noise impacts generated by truck operations are not anticipated to exceed levels established by the City's Noise Ordinance as demonstrated by the submitted Noise Analysis Report prepared by Veneklasen Associates. Furthermore, the site is approximately 23 acres and noise sensitive uses are buffered from operational noise by arterial streets, parking lots, and the 493,000 sq. ft. building. The nearest residential use is located approximately 100 ft. from the subject property and more than 600 ft. from truck loading operations. No additional impacts related to traffic, safety, and parking demand are anticipated.
2. The project will not adversely affect the Circulation Plan of the McDonnell Centre Business Park Specific Plan. Street improvements are not proposed for this project since existing access is currently provided to the site. Onsite circulation will be modified to include a new driveway approach from Able Lane and new parking spaces to accommodate the new use

as a wholesale distribution business. With the installation of new loading doors on the building's west elevation, trucks will enter and exit the site from Able Lane. Existing truck routes will be used which involve traveling westbound on Bolsa Avenue and north on Bolsa Chica Street to the 405 freeway. Approximately 320 employees are anticipated for the business operation with no more than 165 individuals at any given time. The site has been reevaluated for parking based on the proposed wholesale distribution use and additional parking per Conditional Use Permit No. 95-63 is not required. 496 parking spaces will be provided onsite to accommodate the proposed use consisting of approximately 93,800 sq. ft. office and 399,500 sq. ft. of warehouse.

3. The proposed project will comply with the provisions of the McDonnell Centre Business Park Specific Plan. In addition, the project meets all applicable provisions of Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The proposed project meets code requirements in terms of parking, landscaping, and setbacks.
4. The granting of the site plan review will not adversely affect the General Plan. It is consistent with the Land Use Element designation of I-F2A-d-sp (Industrial – 0.75 Max. Floor Area Ratio – Design Overlay – Specific Plan Overlay) on the subject property. In addition, it is consistent with the following objectives, goal, and policies of the General Plan:

A. Land Use Element

Goal LU 12: Achieve the development of industrial uses that provide job opportunities for existing and future residents, as well as the surrounding subregion, and generate revenue for the City.

Objective LU 12.1: Provide for the continuation of existing and the development of additional industrial uses that capitalize upon the existing and emerging types of industries, offer opportunities for the clustering of key economic sectors, and maintain the character and quality of the City.

Policy LU 12.1.1: Accommodate the continuation of existing and development of new manufacturing, research and development, professional offices, supporting retail commercial (including, but not limited to, sales areas for manufacturers and photocopy stores), restaurants, financial institutions, and similar uses in areas designed on the Land Use Plan Map in accordance with Policy LU 7.1.1.

Objective LU 15.5: Ensure that development achieves the visual and physical character intended for the district in which it is located.

B. Noise Element

Objective N 1.2: Prevent and mitigate the adverse impacts of excessive noise exposure on the residents, employees, visitors, and noise sensitive uses of Huntington Beach.

Policy N 1.4.1: Require that automobile and truck access of commercial or industrial land uses abutting residential parcels to be located at the maximum practical distance from the nearest residential parcels.

Policy N 1.4.2: Require that the loading and shipping facilities of commercial and industrial land uses abutting residential parcels to be located and designed to minimize the potential noise impacts upon residential parcels.

The project involves the establishment of a wholesale beverage distribution use within an existing industrial building and installation of parking lot improvements. The proposed use will assist the City in retaining an industrial land use base. Proposed site improvements will provide adequate parking for employees and additional landscaping to visually screen trucks and vehicle parking. The location of truck shipping and receiving activities will continue to occur toward other industrial uses to the north and west of the site and away from residential to the east. Noise impacts are not anticipated to exceed thresholds of the City's Noise Ordinance. Limited truck operations are expected during evening hours and based on a submitted noise report will not exceed existing ambient noise levels.

CONDITIONS OF APPROVAL – SITE PLAN REVIEW NO. 13-003:

1. The site plan, floor plans and elevation received and dated August 27, 2013 shall be the conceptually approved design.
2. Prior to issuance of a grading permit, the applicant shall prepare and submit a truck route plan to be implemented by the project's distribution vehicles for review and approval by Public Works. The plan shall provide a written description of the proposed route(s), a map showing the locations and intended traveled streets on the route(s), and show site vehicle ingress and egress locations.
3. The use shall comply with the following:
 - a. Business operations as described in the narrative received and dated August 2, 2013 shall be permitted.
 - b. Business hours of operation may be up to 24 hours per day and shall operate in accordance with the approved Noise Analysis Report prepared by Veneklasen Associates received and dated August 26, 2013.
 - c. Any future changes in the traffic flow and operations shall be reviewed by the Planning Division prior to implementation to assure that the noise levels will remain within the Noise Ordinance standard limits. If the proposed changes are of a substantial nature, an amendment to the entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.
 - d. All entry and exit traffic to and from the facility must use the driveways on Able Lane between the hours of 8:00 PM and 7:00 AM.
 - e. All trucks shall enter through the northwest driveway on Able Lane.
 - f. Vehicles with defective mufflers need to be repaired immediately.
 - g. Upon start of the operations, the business shall perform a noise monitoring program to assure that the noise levels are within the guidelines and make any adjustments if deemed necessary.
 - h. Operations management shall direct all truck traffic to use the Bolsa Chica/Bolsa Avenue/Able Lane route to get to and from the site.
4. All conditions of approval required under Conditional Use Permit No. 95-63 shall remain valid, with exception of the conditions of approval as modified herein.
5. SPR 13-003 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Division a minimum 30 days prior to the expiration date.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project property owner/developer 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 property owner/developer of any claim, action or proceeding and should cooperate fully in the defense thereof.

ITEM 5: COASTAL DEVELOPMENT PERMIT NO. 13-009 (LAFKAS RESIDENCE)

APPLICANT: John Stutzel, 3130 Airway Avenue, Costa Mesa, CA 92626
PROPERTY OWNER: Peter Lafkas, 19401 Sunray Lane, Suite 204, Newport Beach, CA 92663
REQUEST: To permit the demolition of an existing single-family residence and construction of a new approximately 4,310 sq. ft., two-story single-family residence with two garages totaling 800 sq. ft. and 353 sq. ft. 1st floor covered patio and 300 sq. ft. 2nd floor covered balcony above. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/ privacy issues, such as window alignments, building pad height, and floor plan layout.
LOCATION: 16501 Peale Lane, 92649 (west side of Peale Lane between Malden Circle and Wellington Circle)
PROJECT PLANNER: Ethan Edwards

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

Ricky Ramos, Zoning Administrator, stated he had no questions for staff.

THE PUBLIC HEARING WAS OPENED.

John Stutzel, applicant, stated that she had no comments or concerns with staff's recommendations.

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 would approve the request as recommended by staff.

COASTAL DEVELOPMENT PERMIT NO. 13-009 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) WORKING 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 project is located within an urbanized residential zone and involves the reconstruction of a new single-family dwelling.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-009:

1. Coastal Development Permit No. 13-009 for the demolition of an existing single-family residence and construction of a new approximately 4,310 sq. ft., two-story single-family residence with two garages totaling 800 sq. ft. and 353 sq. ft. 1st floor covered patio and 300 sq. ft. 2nd floor covered balcony above conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density (RL). The project is consistent with Coastal Element Policy C 1.1.1 which encourages development within, or contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project complies with the minimum onsite parking, minimum building setbacks, maximum lot coverage, and maximum building height requirements.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed residence will be constructed on a previously developed site in an urbanized area with all the necessary services and infrastructure available, including water, sewer, and roadways.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The proposed residence will not impede public access, recreation, or views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 13-009:

1. The site plan, floor plans, and elevations received and dated June 28, 2013 shall be the conceptually approved design with the following modifications:
 - a. The cantilevered deck over the bulkhead shall be setback a minimum of 5 ft. from the side property lines.
 - b. One 36-inch box tree shall be depicted within the front setback area.
 - c. Provide a minimum 18 ft. wide by 19 ft. deep clearance for two-parked cars in each garage.
2. At least 14 days prior to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties immediately adjacent to 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.

3. Prior to submittal of building permits, zoning entitlement conditions of approval and code requirements identified in separately transmitted memorandum from the Departments of Building & Planning, 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. 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 10 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.
5. The final building permit cannot be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Planning and Building Department.
 - c. 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.
6. Coastal Development Permit No. 13-009 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning and Building Department a minimum 30 days prior to the expiration date.
7. 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.
8. 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/green-building-guidelines-rating>

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 2:01 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, OCTOBER 2, 2013, AT 1:30 P. M.



Ricky Ramos
Zoning Administrator

RR:jd