

AGENDA HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JUNE 27, 2006
HUNTINGTON BEACH CIVIC CENTER
2000 MAIN STREET, HUNTINGTON BEACH, CALIFORNIA 92648

5:15 P.M. - ROOM B-8 (CITY HALL LOWER LEVEL)

CALL PLANNING COMMISSION MEETING TO ORDER

ROLL CALL: *Burnett, Livengood, Scandura, Dingwall, Ray, Horgan, Dwyer*

AGENDA APPROVAL

A. PROJECT REVIEW (FUTURE AGENDA ITEMS):

- A-1. **CONDITIONAL USE PERMIT NO. 04-56/MITIGATED NEGATIVE DECLARATION NO. 04-10 (HOME DEPOT @19101 Magnolia St.) - Ron Santos**
- A-2. **DOWNTOWN PARKING MASTER PLAN: ANNUAL REVIEW – Ron Santos**
- A-3. **CONDITIONAL USE PERMIT NO. 06-14 (TATTOO SHOP @ 6488 Edinger Ave.) – Paul DaVeiga**

B. STUDY SESSION ITEMS - NONE.

C. AGENDA REVIEW (UPDATE ON ALL AGENDA ITEMS) - NONE

D. PLANNING COMMISSION COMMITTEE REPORTS

E. PUBLIC COMMENTS – Regarding Study Session portion of Meeting

Anyone wishing to speak on Project Review or Study Session items during PUBLIC COMMENTS may do so by filling out a Request To Speak form and giving it to the Secretary. (4 MINUTES PER PERSON, NO DONATING OF TIME TO OTHERS)

F. PLANNING COMMISSION COMMENTS

ADJOURNMENT:

Adjourn to the next regularly scheduled meeting of July 11, 2006.

7:00 P.M. – COUNCIL CHAMBERS

CANCELLED: NO PUBLIC HEARINGS

HUNTINGTON BEACH PLANNING COMMISSION

Public Hearing Procedures

This statement has been prepared to provide a better understanding of the procedures for public hearings before the Planning Commission.

Regular meetings of the Planning Commission are held on the second and fourth Tuesdays of each month beginning at 5:15 p.m. in Room B-8 for a study session and then at 7:00 PM in the Council Chambers. Adjourned meetings, special meetings, and Study Sessions may be scheduled at other times.

Planning Commission proceedings are governed by the Planning Commission By-Laws, Robert's Rules of Order and the Brown Act. The following is the typical sequence of events on public hearing items:

- A. The Chairperson shall announce the item and if the public hearing is open or closed.
- B. The Planning Commission shall disclose any discussions, conversations, etc., with applicants, applicant's representatives or property owners.
- C. The staff report is presented.
- D. Questions by the Planning Commission concerning the staff report may be answered at this time.
- E. The public hearing is opened by the Chairperson.
- F. The applicant or appellant is given an opportunity to address the Commission. Time is not limited but left to the Chairperson's discretion.
- G. Public Comments: Staff will call all speakers by name. Please proceed to the podium. Individuals favoring and opposing the proposal are given an opportunity to address the Commission (up to four (4) minutes), or may choose to donate their time to another speaker if the "Request to Speak" form is filled out and given to the Secretary. A speaker who addresses the Commission on behalf of individuals who donate time are allowed a maximum of 12 minutes. Individuals who donate time must be present when the item is being discussed. Please state your name before addressing the Commission.
- H. The Commission may ask questions of speakers addressing the Commission.
- I. The public hearing is closed.
- J. The Commission will deliberate the matter at this time.
- K. The Commission then acts on the matter by continuing, approving, conditionally approving, or denying the petition.

The Planning Commission receives a staff report packet on the Tuesday preceding the meeting, allowing time to review each case and make further investigations in the field prior to the scheduled meeting.

Staff reports are available in the Planning Department, the Central Library and on the City's website (www.surfcity-hb.org) anytime on Wednesday preceding the Tuesday Planning Commission meeting.



City of Huntington Beach Planning Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Howard Zelefsky, Director of Planning
BY: Ron Santos, Associate Planner *RS*
DATE: June 27, 2006

**SUBJECT: CONDITIONAL USE PERMIT NO. 04-56/ MITIGATED NEGATIVE
DECLARATION NO. 04-10 (HOME DEPOT – 19101 MAGNOLIA STREET)**

This study session report addresses questions raised by the Planning Commission at the June 13, 2006, Planning Commission Study Session which were not addressed at the meeting. Other issues discussed include site drainage, reciprocal access requirements, and whether an updated traffic study was prepared. In addition, the Planning Commission reviewed and discussed a conceptual alternative site layout presented by staff. Staff also advised that the responses to the 36 comment letters received regarding the project Draft Mitigated Negative Declaration are currently being prepared. Staff anticipates that the response to comments will be completed in time for distribution at the June 27, 2006 study session meeting.

Utility Enclosure

The utility enclosure proposed west of and behind the store would accommodate an electrical transformer. The transformer can be expected to generate a low-volume hum which would not exceed any of the City's noise ordinance standards or represent a potential noise impact to the adjacent residential properties.

Roof-Top Equipment

The proposed roof-top equipment is discussed in Section X – *Noise*, of Draft Mitigated Negative Declaration No. 04-10 and is analyzed in the consultant-prepared noise study included as an attachment to D-MND No. 04-10. The analysis concludes that the equipment, as proposed, will not exceed the standards of the City's Noise Ordinance and no mitigation is required. The HBZSO requires roof-top equipment to be setback a minimum of 15-feet from the exterior building walls. Accordingly, based on the proposed 60-foot building setback from the westerly property line, roof-top equipment would be located no closer than 75 from the residential property line.

Operating Hours

The applicant's project narrative indicates that the store's hours will vary during the week but will generally range from 5:30 a.m. to 11:00 p.m., and that deliveries will be received 24 hours per day.

Pedestrian/Vehicular Circulation At Loading Area

The Planning Commission posed questions regarding the concept plan prepared by staff which relocated the enclosed loading dock and the potential for vehicular/pedestrian conflicts at this location and in particular with regard to the disabled access path depicted on the plan. The ADA pathway extending between the Taco Bell and the disabled parking spaces adjacent to the Taco Bell does not violate any ADA access requirements. Moreover, a pathway between the handicapped spaces adjacent to the Taco Bell and the

Home Depot is not required. Notwithstanding, this pathway would facilitate pedestrian and disabled access between the two uses and need not be eliminated.

As discussed at the June 13, 2006 Planning Commission Study Session, the staff-prepared plan is intended to represent a rough concept for an alternative layout which minimizes impacts to adjacent residential properties. It does not represent precise planning, design or code compliance, and it is expected that refinements and adjustments would be necessary to implement the layout. One such adjustment would be to provide a 10-ft. vision clearance triangle across the northeast corner of the garden center, pursuant to HBZSO requirements.

Staff does not believe the concept plan presents unavoidable pedestrian/vehicular conflicts based on the infrequency of deliveries expected at the site. Finally, the staff prepared concept plan represents only one of many potential alternative layouts which would provide greater compatibility with the adjacent residential properties than the applicant's current proposal.

ATTACHMENTS:

1. June 13, 2006 – Planning Commission Study Session Staff Report
2. Draft Suggested Conditions of Approval (Planning Department) – Conditional Use Permit No. 04-56
3. Public Works Department Memorandum dated June 19, 2006 – Draft Suggested Conditions of Approval – Conditional Use Permit No. 04-56
4. Staff-prepared alternative conceptual site plan dated June 13, 2006



City of Huntington Beach Planning Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Howard Zelefsky, Director of Planning
BY: Ron Santos, Associate Planner *RS*
DATE: June 13, 2006
SUBJECT: **CONDITIONAL USE PERMIT NO. 04-56/ MITIGATED NEGATIVE DECLARATION NO. 04-10 (HOME DEPOT – 19101 MAGNOLIA STREET)**

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

Conditional Use Permit No. 04-56 represents a request for the following:

To construct a 130,536 sq. ft. commercial building (Home Depot), including an attached 25,000 sq. ft. garden center, 585 parking stalls, paving, landscaping and other associated site improvements. The approximate maximum height of the proposed building is 44 feet, 6-inches. The proposal includes an enclosed loading dock and a customer pick-up canopy. Access to the site is proposed via three driveways along Magnolia Street and two driveways along Garfield Avenue, at locations generally consistent with the location of existing driveways.

CURRENT LAND USE, HISTORY OF SITE, GENERAL PLAN DESIGNATION

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	CG-F1 (Commercial General – 0.35 FAR)	CG (Commercial General)	vacant retail bldg (former K-Mart), fast-food restaurant; vacant future bank and coffee shop (separate parcel on corner).
North of Subject Property (across Garfield Ave., City of Fountain Valley):	commercial, residential	commercial, residential	commercial, single-family residential
East of Subject Property: (across Magnolia St.)	CG-F1 (Commercial General – 0.35 FAR); RMH-25 (Residential Medium High Density – 25 units/acre max.); RL-7 (Residential Low Density)	CG (Commercial General); RMH (Residential Medium High Density); RL (Residential Low Density)	commercial center, multi-family residential, single-family residential.
South of Subject Property:	CG-F1 (Commercial General – 0.35 FAR); P (Public)	CG (Commercial General); RL (Residential Low Density)	commercial center
West of Subject Property:	RL-7 (Residential Low Density)	RL (Residential Low-Density)	single-family residential

The site is currently developed with a 125,487 sq. ft. (including an attached 8,500 s.f. garden center) retail building constructed in 1970, formerly occupied by K-Mart/Savers. The K-Mart/Savers building has been vacant since October 2004 and is proposed to be demolished. In addition, a 2,994 sq. ft. fast-food restaurant (Taco Bell) constructed in 2000 will remain on the site.

APPLICATION PROCESS AND TIMELINES

<u>DATE OF COMPLETE APPLICATION:</u>	<u>MANDATORY PROCESSING DATE(S):</u>
Negative Declaration: March 2, 2006	August 24, 2006 (180 days)
Conditional Use Permit: March 2, 2006	Within 60 days from Negative Declaration Approval

Conditional Use Permit No. 04-56 was filed on October 7, 2004 and deemed complete March 2, 2006. Pursuant to the California Environmental Quality Act, the lead agency must adopt the project Negative Declaration within 180 days of accepting the application as complete (i.e., by August 24, 2006). A second Planning Commission study session is scheduled for June 27, 2006 and a formal hearing is tentatively scheduled for July 11, 2006. The next regularly scheduled meeting of the Planning Commission is July 25, 2006. A decision on the project must be rendered within 60 days of adoption of the Negative Declaration.

CEQA ANALYSIS/REVIEW

Mitigated Negative Declaration No 04-10 analyzes the potential environmental impacts associated with implementation of the proposed project and the appropriate mitigation measures. MND No. 04-10 identifies potentially significant impacts related to Geology/Soils, Transportation/Traffic and Noise, and ten suggested mitigation measures which render those impacts less than significant. The Planning Department advertised draft MND No. 04-10 for thirty days commencing on April 27, 2006 and ending on May 1, 2006. Thirty-six comments letters were received.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

Comments from other City Departments have been transmitted to the applicant separately, and in addition, have been compiled into a draft code requirements letter (dated January 30, 2006) also transmitted to the applicant. The analysis and conclusions included in Draft Mitigated Negative Declaration No. 04-10 reflect and are based in part on consultation with the Departments of Building and Safety, Community Services, Fire, Police and Public Works. There are no other responsible public agencies. In addition, staff has transmitted application filing status letters dated November 2, 2004, February 17, 2005, May 27, 2005, and October 27, 2005 which identified applicable code requirements and staff recommendations. The final list of recommended conditions of approval is currently being compiled.

PUBLIC MEETINGS, COMMENTS AND CONCERNS

The applicant held a community meeting on February 23, 2005 at the Civic Center, which was attended by approximately 65 people, most of which expressed opposition to the project and concerns regarding the project's potential to impact the surrounding neighborhood. The Design Review Board (DRB) reviewed the project at an advertised meeting on November 21, 2005, and recommended conditions of approval. The EAC held three public meetings at which D-MND No. 04-10 was considered: December 1, 2005, December 19, 2005 and February 2, 2006. A Planning Commission study session on the appeal of the Envi-

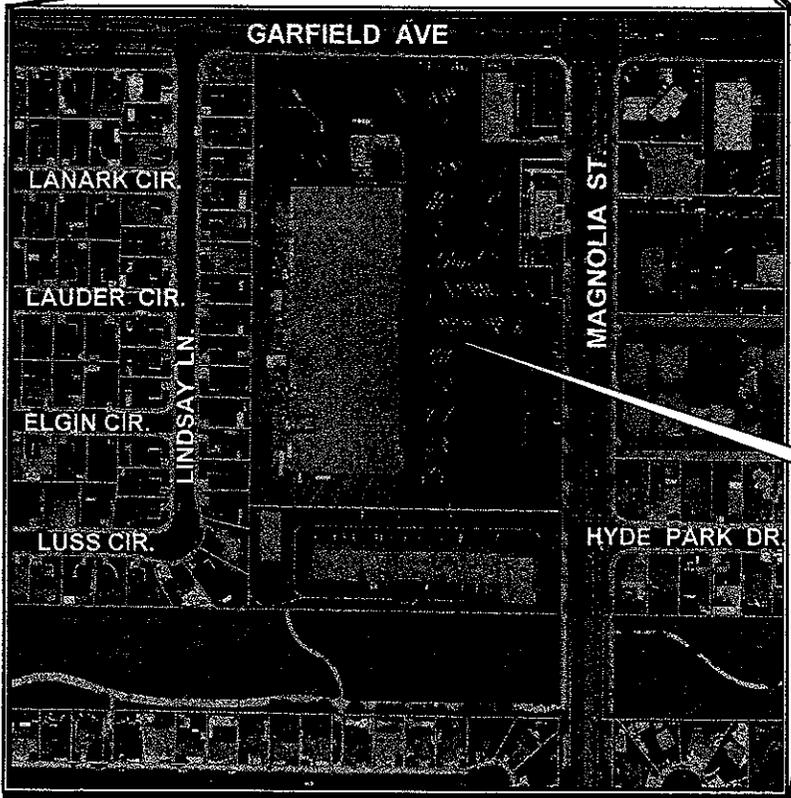
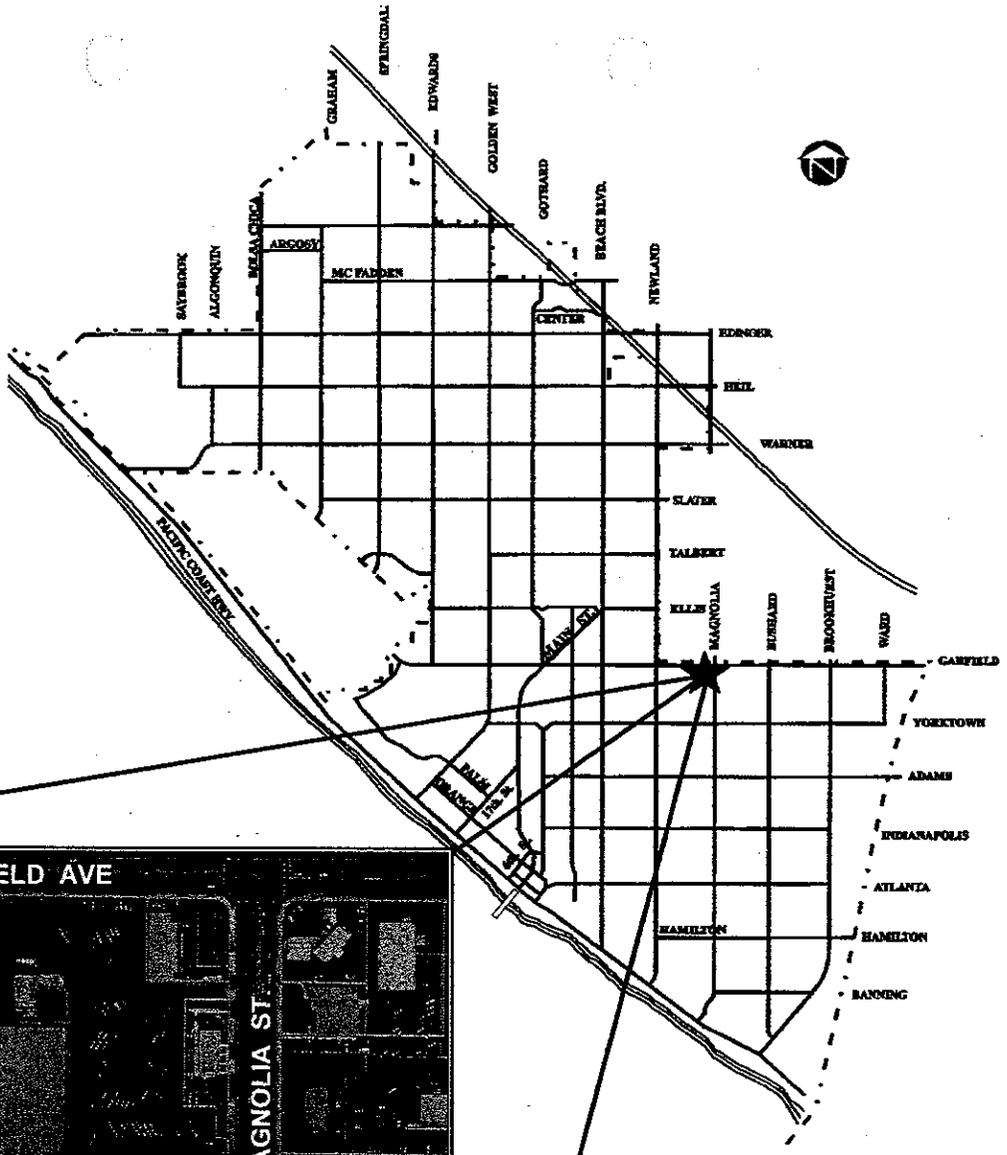
Environmental Assessment Committee's (EAC) determination to process Draft Mitigated Negative Declaration D-MND No. 04-10 was held February 28, 2006. A noticed public hearing to consider the appeal of the Environmental Assessment Committee's (EAC) determination to process Draft Mitigated Negative Declaration, filed by Planning Commissioner Steve Ray, was held on March 14, 2006 by the Planning Commission. The Planning Commission voted to continue processing D-MND No. 04-10. The Environmental Board reviewed D-MND No. 04-10 at their April 6, 2006 meeting and subsequently submitted a comment letter.

PLANNING ISSUES

Staff will be recommending conditions of approval to mitigate potential impacts to the adjacent residential neighborhood that would require the project be redesigned. The suggested conditions of approval would eliminate non-emergency truck/ vehicle traffic and parking behind the building; and increase the distance between the loading dock, outdoor will call, and building material storage areas to the westerly residential properties.

ATTACHMENTS:

1. Vicinity Map
2. Project Plans -- Received and Dated September 9, 2005.



SUBJECT SITE

VICINITY MAP
PROPOSED HOME DEPOT
19101 Magnolia Avenue
THE CITY OF HUNTINGTON BEACH



Huntington Beach

City of

CONCEPTUAL PLANS
FOR

THE HOME DEPOT USA, INC.
19101 MAGNOLIA ST.
HUNTINGTON BEACH, CA 92646

ZONING MATRIX

MARKET	ZONING	REQUIREMENTS	PREPARED
Office	OS-1	Office, Professional, and Institutional	10/15/03
	OS-2	Office, Professional, and Institutional	10/15/03
Retail	R-1	Neighborhood Retail	10/15/03
	R-2	Neighborhood Retail	10/15/03
Community	C-1	Community Residential	10/15/03
	C-2	Community Residential	10/15/03
Industrial	I-1	Light Industrial	10/15/03
	I-2	Light Industrial	10/15/03
Manufacturing	M-1	Light Manufacturing	10/15/03
	M-2	Light Manufacturing	10/15/03
Warehouse	W-1	Warehouse	10/15/03
	W-2	Warehouse	10/15/03
Transportation	T-1	Transportation	10/15/03
	T-2	Transportation	10/15/03
Public	P-1	Public	10/15/03
	P-2	Public	10/15/03
Special	S-1	Special	10/15/03
	S-2	Special	10/15/03

SHEET INDEX

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	GENERAL NOTES
3	CONCEPTUAL LOTS/TRACTS PLAN
4	CONCEPTUAL GRADING & DRAINAGE PLAN
5	CONCEPTUAL UTILITY PLAN
6	CONCEPTUAL SITE LIGHTING PLAN
7	CONCEPTUAL SITE FENCE PLAN
8	CONCEPTUAL SIGN LINE / ROOF & SECTIONS PLAN
9	ALTA SURVEY - IMPROVEMENT & EASEMENTS
10	ALTA SURVEY - TOPOGRAPHIC PLAN
11	ALTA SURVEY - BOUNDARY & EASEMENTS
12	CONCEPTUAL SIGNAGE PLAN
13	CONCEPTUAL FLOOR PLAN
14	CONCEPTUAL FLOOR PLAN
15	TRUCK TRACKING PLAN

SCOTT A. MONMOR CONSULTING
 LAND DEVELOPMENT SERVICES
 10000 WILSON AVENUE, SUITE 100
 HUNTINGTON BEACH, CA 92646
 (714) 363-1111
 LOCATION MAP 10/15/03

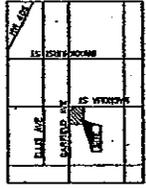


ZONING CLASSIFICATION OR ZONING COMBINATIONS
 DATE OF CONSTRUCTION
 TYPE OF CONSTRUCTION

PROJECT NOTES
 1. THE PROJECT SHALL BE SUBJECT TO ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.
 2. THE PROJECT SHALL FOLLOW ALL PROCEDURES, REGULATIONS AND RESOLUTIONS OF THE HUNTINGTON BEACH CITY COUNCIL AND THE HUNTINGTON BEACH CITY BOARD OF SUPERVISORS.
 3. THE PROJECT SHALL BE SUBJECT TO ALL APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS.
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DATE: 10/15/03
 BY: SCOTT A. MONMOR
 CHECKED BY: SCOTT A. MONMOR
 APPROVED BY: SCOTT A. MONMOR
 PROJECT NO.: 03-001
 SHEET NO.: 1 OF 16
THE HOME DEPOT
HUNTINGTON BEACH, CA
 19101 MAGNOLIA STREET
 HUNTINGTON BEACH, CA 92646
 (714) 363-1111

SCOTT A. MOMMER CONSULTING
 LAND DEVELOPMENT SERVICES
 10000 WILSON AVENUE, SUITE 100
 HUNTINGTON BEACH, CA 92646
 PHONE: (714) 363-1111
 FAX: (714) 363-1112
 WWW: WWW.SAMONMOMMER.COM

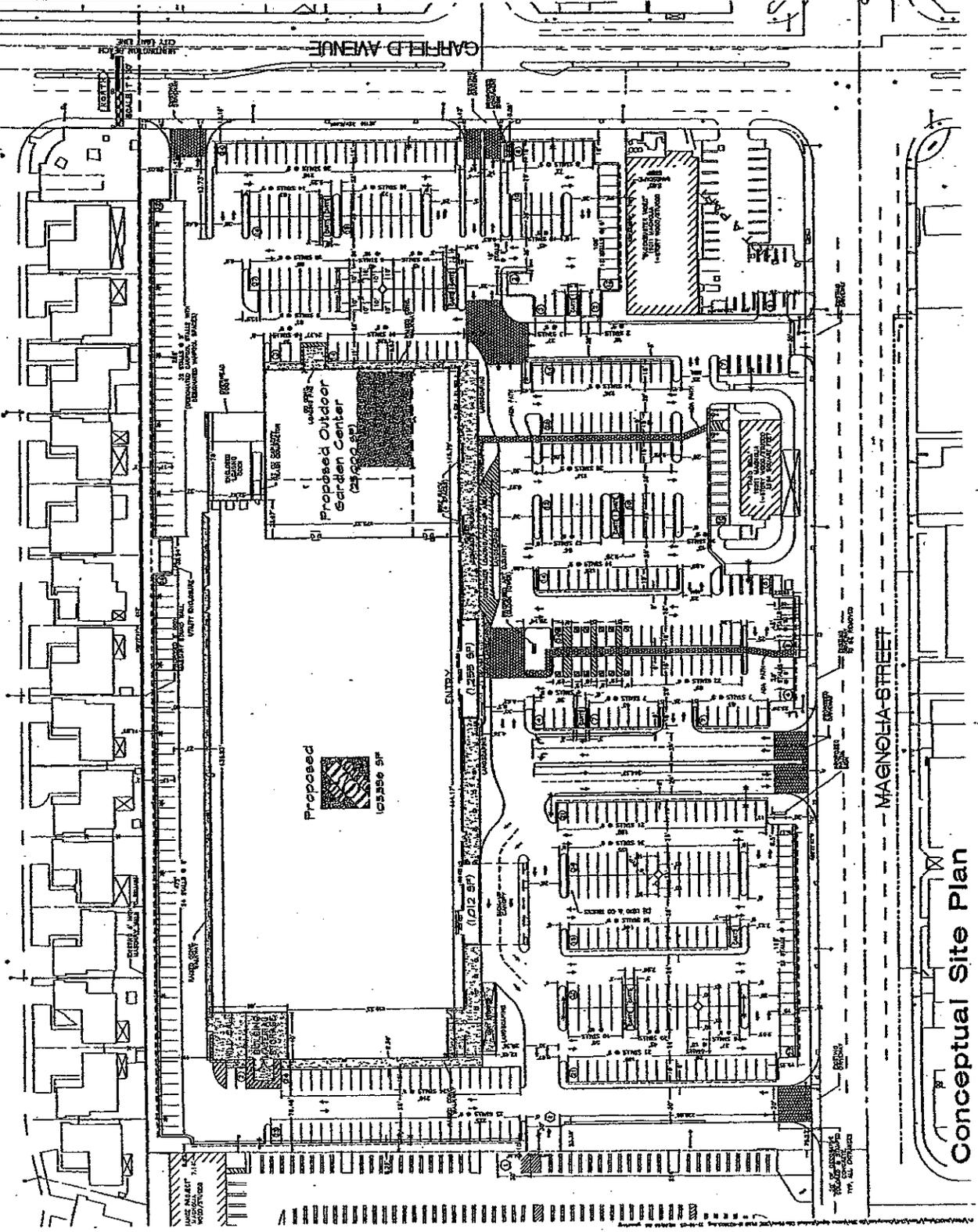


PROJECT INFORMATION
 (PLEASE PRINT CLEARLY)

PROJECT NAME: THE HOME DEPOT HUNTINGTON BEACH, CA
 PROJECT NUMBER: 10000
 DATE: 08/11/10
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

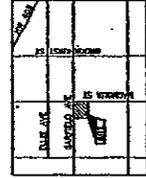
PROJECT NOTES
 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 4. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED PRIOR TO CONSTRUCTION.
 5. THE CONTRACTOR SHALL MAINTAIN PROPER EROSION CONTROL MEASURES THROUGHOUT CONSTRUCTION.

THE HOME DEPOT
HUNTINGTON BEACH, CA
 10000 WILSON AVENUE
 HUNTINGTON BEACH, CA 92646
 PHONE: (714) 363-1111
 FAX: (714) 363-1112
 WWW: WWW.HOMEDEPOT.COM

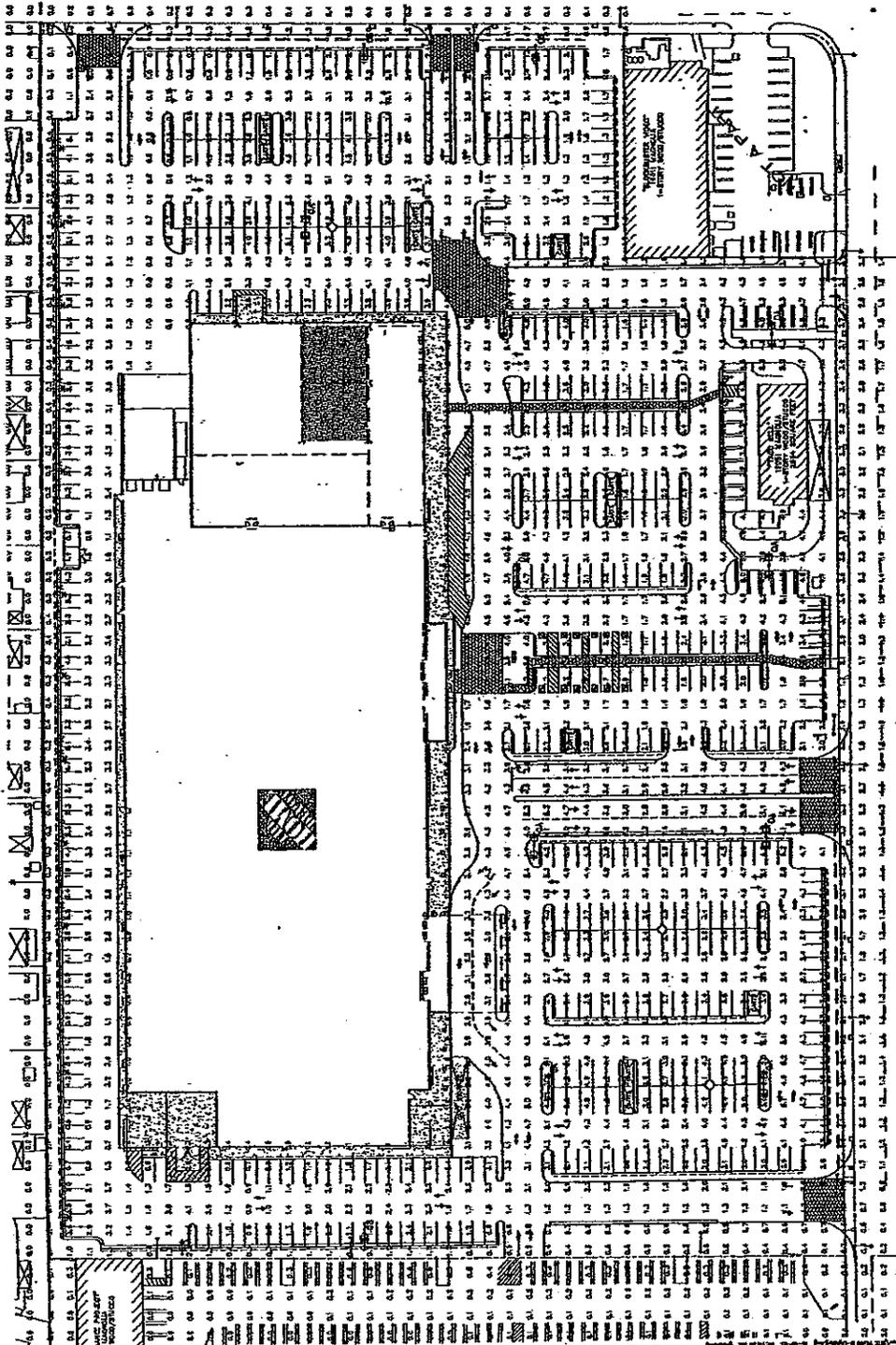


Conceptual Site Plan

SCOTT A. MOMMER CONSULTING
 LAND DEVELOPMENT SERVICES
 10000 HUNTINGTON BEACH BLVD. SUITE 200
 HUNTINGTON BEACH, CA 92646
 TEL: 714.841.1111 FAX: 714.841.1112
 WWW.SAMONMOMMER.COM



GARFIELD AVENUE



MAGNOLIA STREET

SCHEMATIC CLASSIFICATION OF ZONING/COMMITMENT
 ZONING: _____
 COMMITMENT: _____

PROJECT NOTES

PROJECT INFORMATION REGION
 COUNTY: _____
 CITY: _____
 PROJECT NAME: _____
 PROJECT NUMBER: _____
 DATE: _____

THE HOME DEPOT
 HUNTINGTON BEACH, CA
 10000 HUNTINGTON BEACH BLVD.
 HUNTINGTON BEACH, CA 92646

THE HOME DEPOT SITE IS SHOWN
 IN THE SHADING
 CHECKING
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SAM-N
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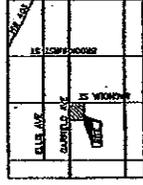
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36	4' x 8'	30'	30'
37	4' x 8'	30'	30'
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39	4' x 8'	30'	30'
40	4' x 8'	30'	30'
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53	4' x 8'	30'	30'
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72	4' x 8'	30'	30'
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77	4' x 8'	30'	30'
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79	4' x 8'	30'	30'
80	4' x 8'	30'	30'
81	4' x 8'	30'	30'
82	4' x 8'	30'	30'
83	4' x 8'	30'	30'
84	4' x 8'	30'	30'
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87	4' x 8'	30'	30'
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89	4' x 8'	30'	30'
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92	4' x 8'	30'	30'
93	4' x 8'	30'	30'
94	4' x 8'	30'	30'
95	4' x 8'	30'	30'
96	4' x 8'	30'	30'
97	4' x 8'	30'	30'
98	4' x 8'	30'	30'
99	4' x 8'	30'	30'
100	4' x 8'	30'	30'

NOTES
 1. All lighting fixtures shall be of the type specified in the schedule.
 2. All lighting fixtures shall be of the type specified in the schedule.
 3. All lighting fixtures shall be of the type specified in the schedule.

Conceptual Site Lighting Plan

SCOTT A. MOMMER CONSULTING
 LAND DEVELOPMENT SERVICES
 20000 JACOB AVENUE - SUITE 100
 THE BRANCHES FOR BRANCHES HUNTINGTON BEACH, CA 92646

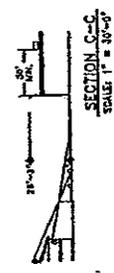
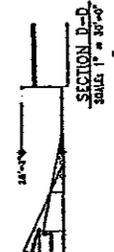
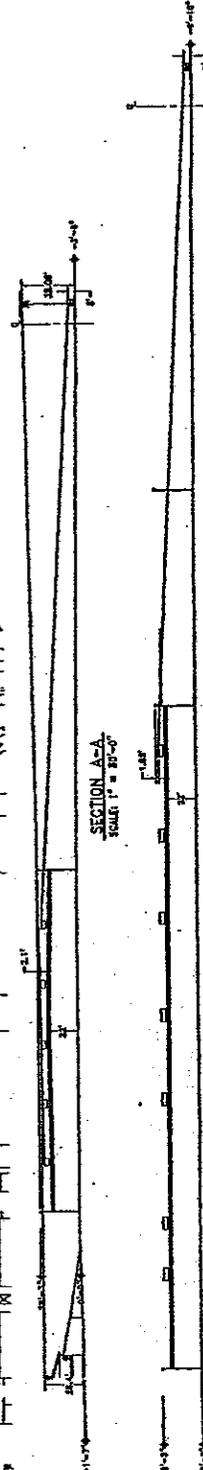
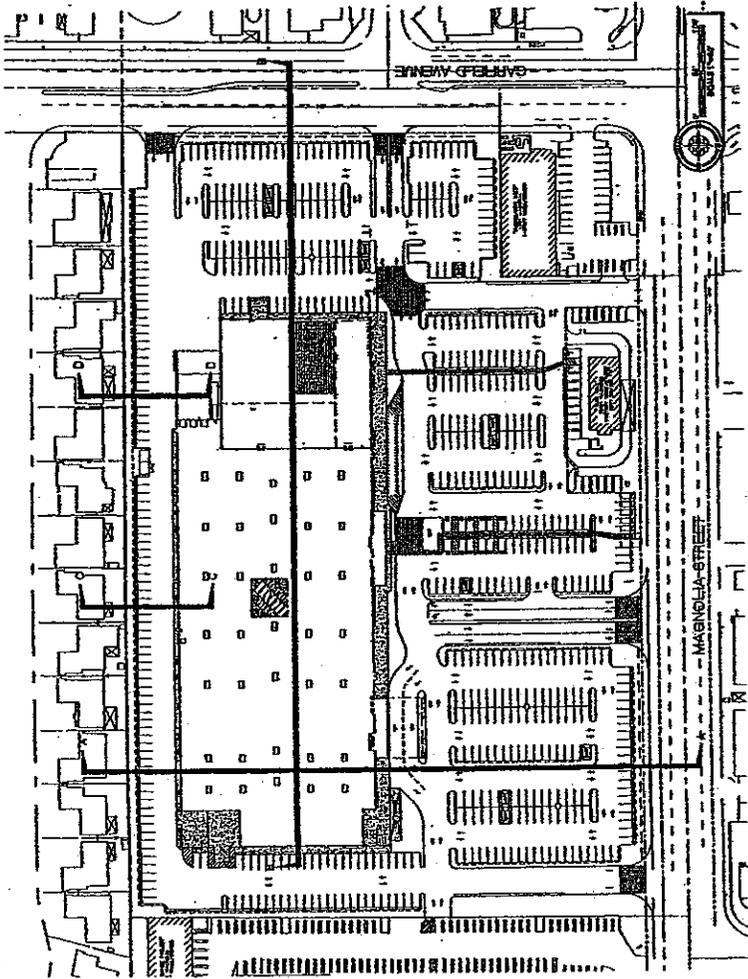


ZONE: COMMERCIAL
 PLANNING DEPARTMENT RECORD
 DATE: 11/14/11
 SCALE: 1" = 30'-0"

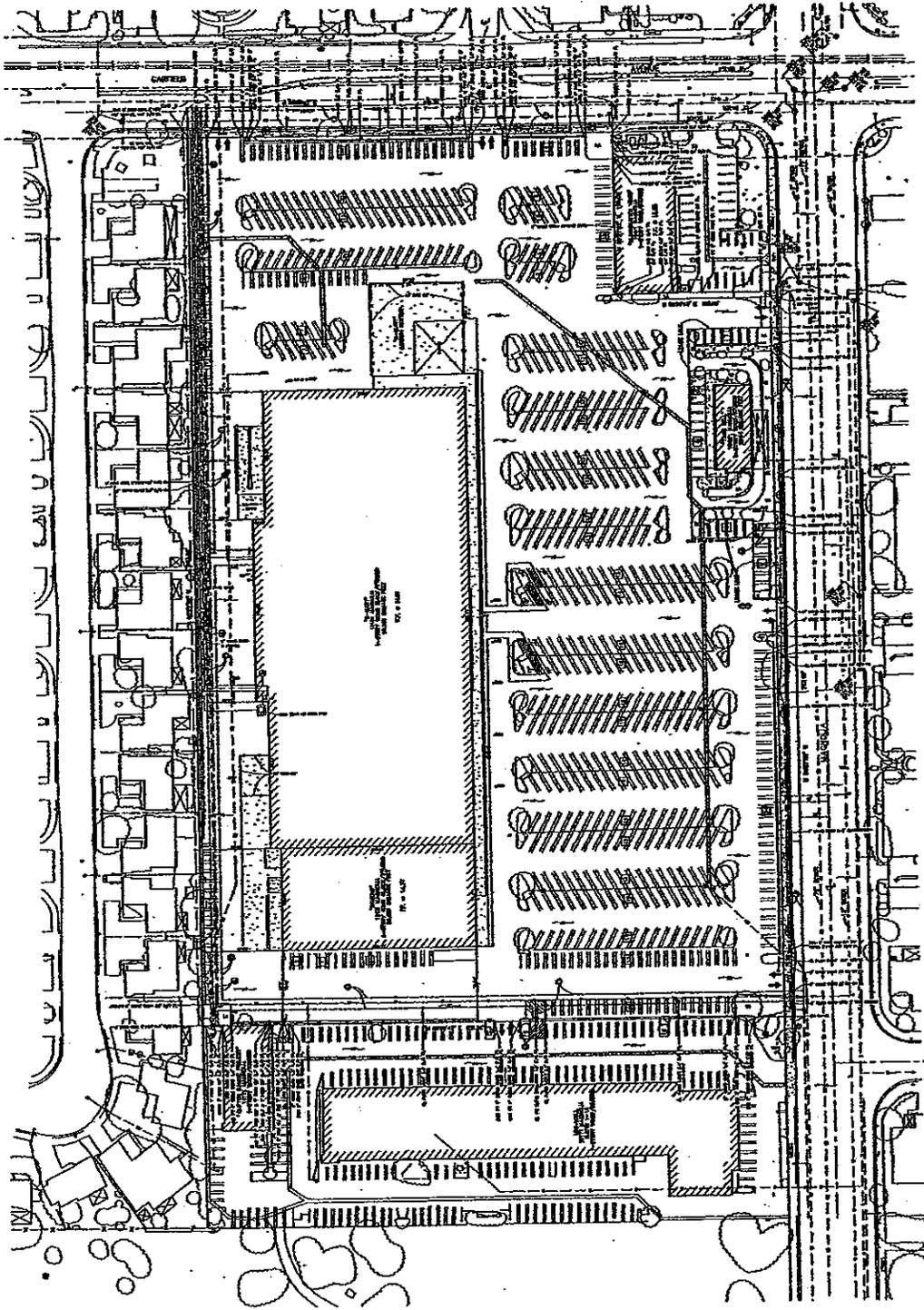
PROJECT NOTES

THE HOME DEPOT
 HUNTINGTON BEACH, CA
 1901 MAGNOLIA STREET
 HUNTINGTON BEACH, CA 92646

SAM-N 8 OF 16



Conceptual Line of Sight / Roof & Section Plan

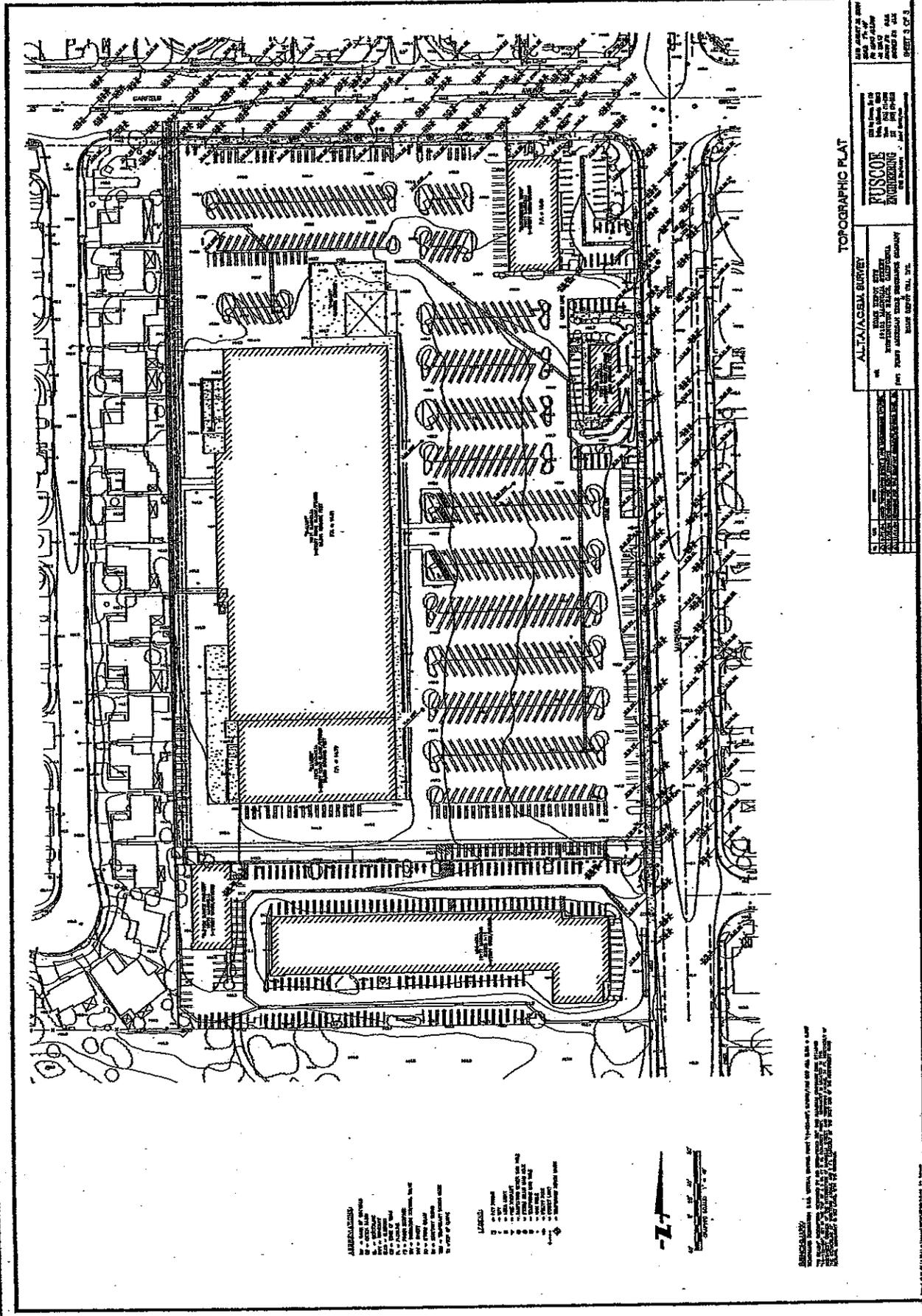


IMPROVEMENT PLAT

IMPROVEMENT AND UTILITY PLAT

ALLTACSBM SURVEY
 RUSCOE ENGINEERING
 1001 WEST UNIVERSITY AVENUE
 SUITE 100
 DENVER, COLORADO 80202
 PHONE 333-7777 FAX 333-7778
 PROJECT NO. 1001

- LEGEND:**
- 1. 1/2" = 1' - 0"
 - 2. 1/4" = 1' - 0"
 - 3. 1/8" = 1' - 0"
 - 4. 1/16" = 1' - 0"
 - 5. 1/32" = 1' - 0"
 - 6. 1/64" = 1' - 0"
 - 7. 1/128" = 1' - 0"
 - 8. 1/256" = 1' - 0"
 - 9. 1/512" = 1' - 0"
 - 10. 1/1024" = 1' - 0"
 - 11. 1/2048" = 1' - 0"
 - 12. 1/4096" = 1' - 0"
 - 13. 1/8192" = 1' - 0"
 - 14. 1/16384" = 1' - 0"
 - 15. 1/32768" = 1' - 0"
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- LEGENDA**
- 1. LINEA DE CERCARE
 - 2. LINEA DE CERCARE
 - 3. LINEA DE CERCARE
 - 4. LINEA DE CERCARE
 - 5. LINEA DE CERCARE
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TOPOGRAPHIC PLAN

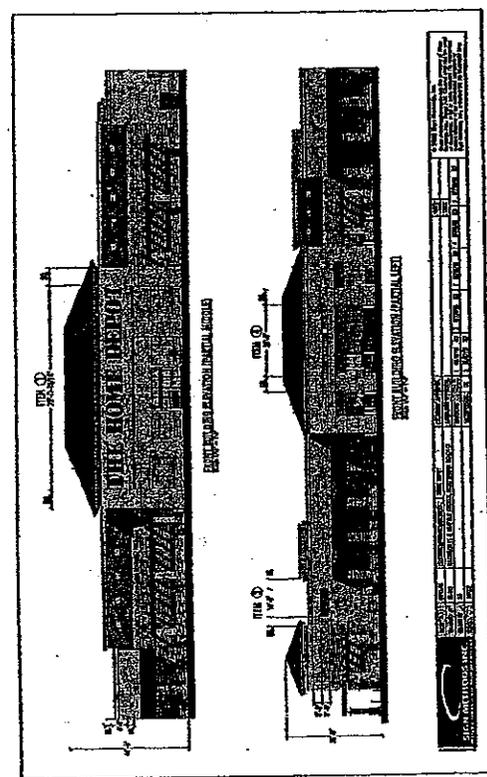
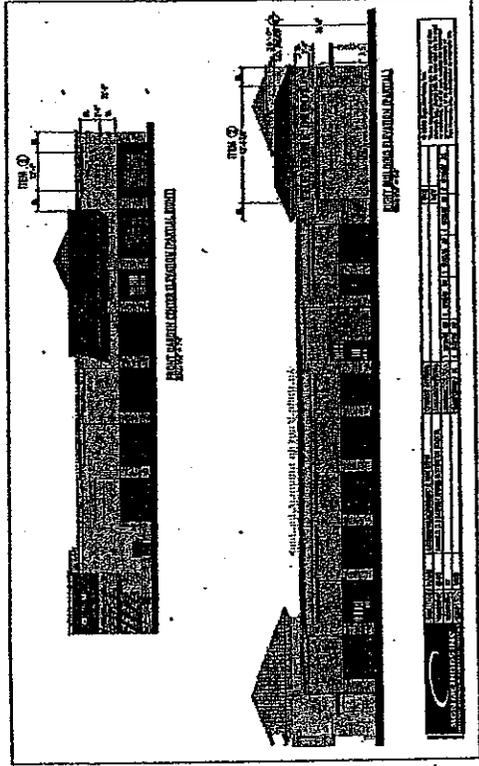
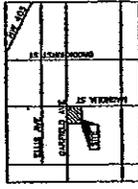
ALTAJACSA SURVEY
 BY THE
 UNITED STATES ARMY
 ENGINEERING CENTER
 FORT BELVOIR, COLORADO
 PER 2007 ARMY REGULATIONS (AR 600-10)
 DATE 08/11/04, 11/04, 11/04

FUSCOE ENGINEERING
 1000 N. 10TH ST.
 DENVER, CO 80202
 (303) 733-1111
 WWW.FUSCOE.COM

DATE: 11/04/04
 SHEET: 1 OF 1

SCOTT A. MOMMER CONSULTING
 LAND DEVELOPMENT SERVICES
 10000 W. 11TH AVENUE, SUITE 100
 DENVER, COLORADO 80233
 PHONE: 303.755.1100 FAX: 303.755.1101
 WWW.SAMONN.COM

LOCATION MAP (NOT TO SCALE)



THE HOME DEPOT
 1917 MAGNOLIA STREET
 HUNTINGTON BEACH, CA

PROJECT NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2015 CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE AND EROSION CONTROL MEASURES.
6. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SAFETY MEASURES ON THE CONSTRUCTION SITE.
7. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDS OF ALL CONSTRUCTION ACTIVITIES.
8. THE CONTRACTOR SHALL MAINTAIN ADEQUATE COMMUNICATIONS WITH THE ARCHITECT AND OWNER.
9. THE CONTRACTOR SHALL MAINTAIN ADEQUATE QUALITY CONTROL MEASURES.
10. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SCHEDULING AND TIMELINESS.

SCALE: 1/4" = 1'-0"

DATE: 10/15/2015

BY: [Signature]

THE HOME DEPOT
 1917 MAGNOLIA STREET
 HUNTINGTON BEACH, CA

PROJECT NOTES

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10. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SCHEDULING AND TIMELINESS.

SCALE: 1/4" = 1'-0"

DATE: 10/15/2015

BY: [Signature]

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 PROJECT NUMBER: 15-001

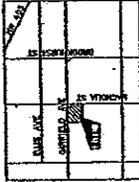
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SCALE: 1/4" = 1'-0"

BY: [Signature]

SCOTTA, MCMANER CONSULTING
LAND DEVELOPMENT SERVICES
4275 WILSON AVENUE SUITE 100
SAN JOSE, CALIFORNIA 95128
TEL: (415) 435-1000 FAX: (415) 435-1001
WWW.SMCMANER.COM

LOCATION MAP (PART 10) (SHEET 10)



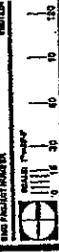
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TYPE OF CONSTRUCTION: TYPE III
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PLANNING AREA: 15011

PROJECT NOTES

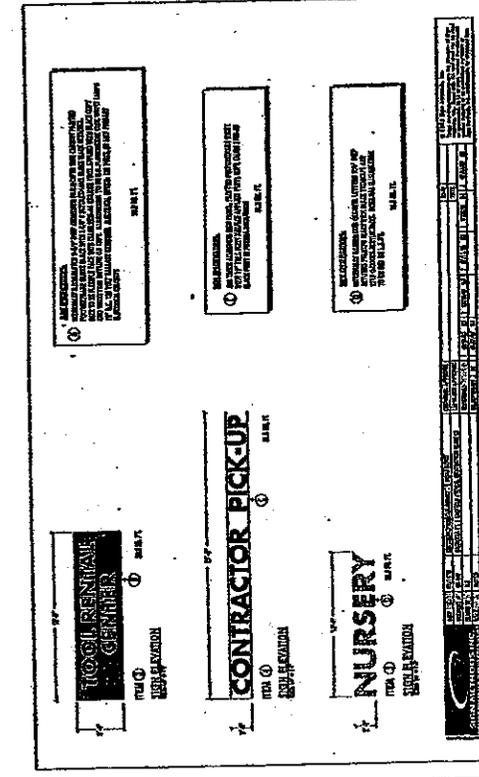
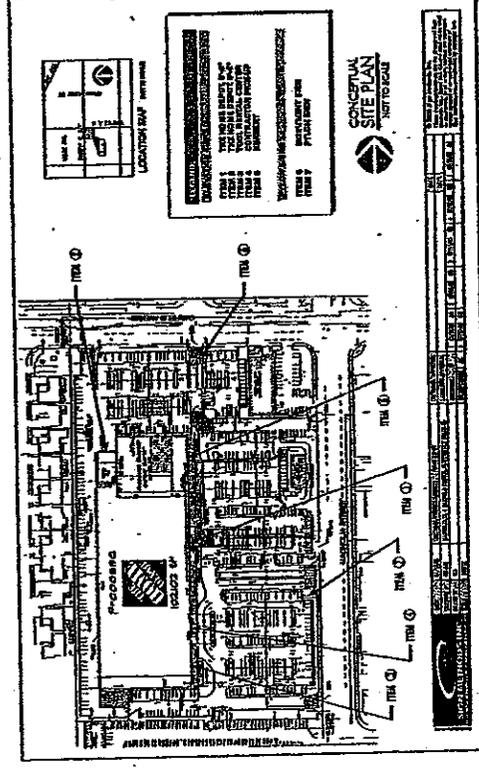
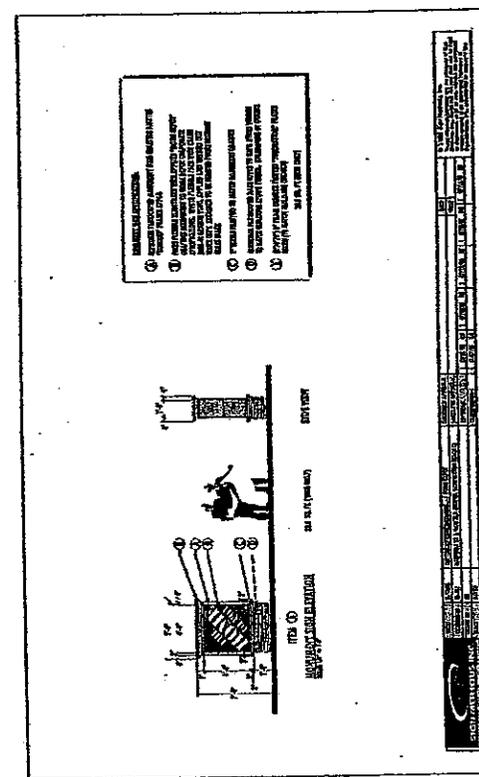
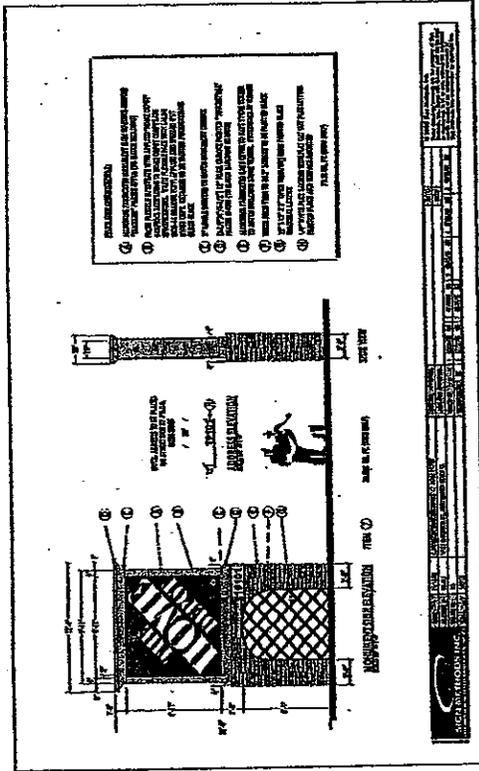
DATE: 08/11/16
DRAWN BY: J. MCMANER
CHECKED BY: J. MCMANER
SCALE: AS SHOWN

THE HOME DEPOT
HUNTINGTON BEACH, CA
15011 HUNTINGTON STREET

THE HOME DEPOT STORE NUMBER: 15011
THE HOME DEPOT STORE NAME: THE HOME DEPOT
THE HOME DEPOT STORE ADDRESS: 15011 HUNTINGTON STREET
THE HOME DEPOT STORE CITY: HUNTINGTON BEACH, CA
THE HOME DEPOT STORE STATE: CA
THE HOME DEPOT STORE ZIP: 92648



SAM-N
14 OF 16



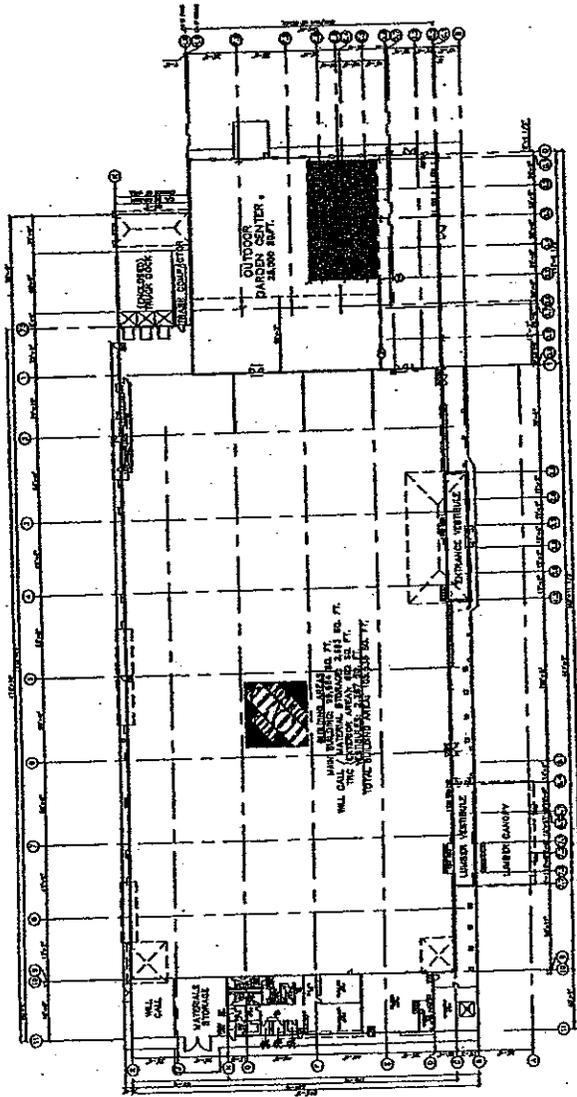
SCOTT A. MCMILLER CONSULTING
 LAND DEVELOPMENT SERVICES
 10000 WILSON AVENUE SUITE 100
 FORT WORTH, TEXAS 76150-3000
 PHONE: 817.335.1100 FAX: 817.335.1101
 WWW: WWW.SAM-CON.COM



PROJECT INFORMATION
 PROJECT SUBMISSION: ORIGINAL SUBMITTAL
 TYPE OF CONSTRUCTION: RETAIL
 TITLE: SAM-N

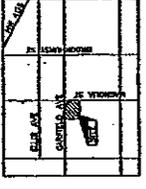
COMPILED FOR THE PROJECT BY: [Name]
 DATE: [Date]
 SITE PLAN: [Name]
 ARCHITECT: [Name]
 PROJECT NAME: THE HOME DEPOT
 HUNTINGTON BEACH, CA
 1100 ANTONIOLA STREET
 THE HOME DEPOT SITE # NUMBER: [Number]
 THE HOME DEPOT SITE # NUMBER: [Number]
 THE HOME DEPOT SITE # NUMBER: [Number]

SAM-N
 15 OF 16



Conceptual Floor Plan

SCOTT A. MCHAMBER CONSULTING
 LAND DEVELOPMENT SERVICES
 10000 WILSON AVENUE, SUITE 100
 HUNTINGTON BEACH, CA 92646
 (714) 363-1100
 WWW.SAM-CONSULTING.COM



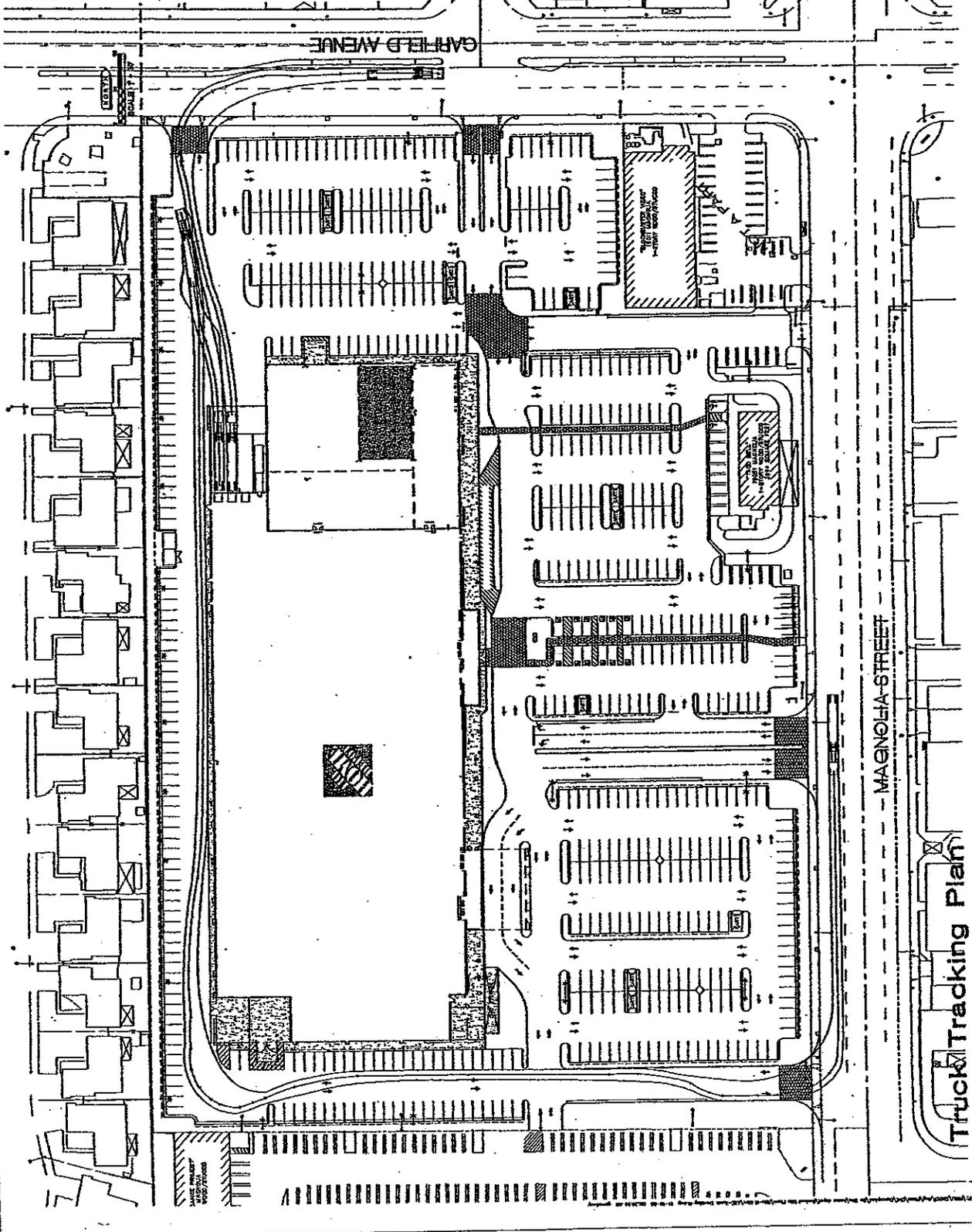
PROJECT INFORMATION

DRAWING REVISIONS
 DATE: _____
 BY: _____
 CHECKED BY: _____
 APPROVED BY: _____
 PROJECT NAME: _____
 PROJECT NUMBER: _____
 SHEET NUMBER: _____

THE HOME DEPOT
 HUNTINGTON BEACH, CA
 18101 MAGNOLIA STREET

THE HOME DEPOT SITE # NUMBER: _____
 2017 PLAN NUMBER: _____
 SHEET NUMBER: _____

SAM-N
 16 OF 16



SCOTT A. MOMMER CONSULTING
 LAND USE CONSULTING SERVICES
 10000 WILSON AVENUE, SUITE 100
 HUNTINGTON BEACH, CA 92646
 TEL: 714/363-1111 FAX: 714/363-1112
 WWW.SAM-0.COM

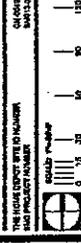
LOCATION MAP (NOT TO SCALE)



PROJECT INFORMATION

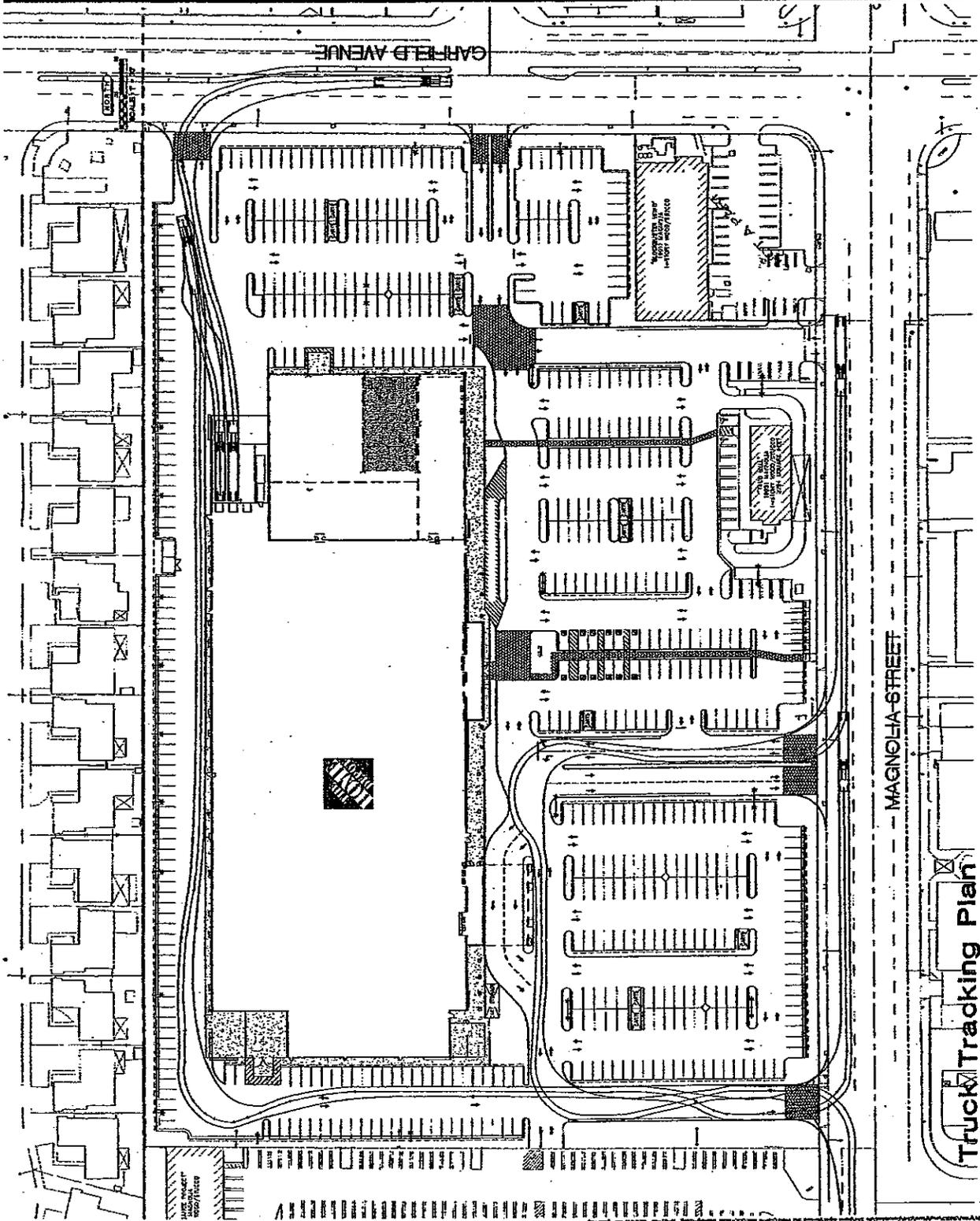
CLIENT: THE HOME DEPOT
 PROJECT NAME: HUNTINGTON BEACH, CA
 PROJECT ADDRESS: 15011 MAGNOLIA STREET
 PROJECT NUMBER: SAM-0
 DATE: 1/21/16

DESIGNED BY: SCOTT A. MOMMER CONSULTING
 CHECKED BY: SCOTT A. MOMMER
 DATE: 1/21/16



SAM-0

16 OF 16



Truck Tracking Plan

SUGGESTED CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 04-56:

1. The site plan, floor plans and elevations received and dated September 9, 2005 and the colored elevations and materials board reviewed by the Design Review Board on November 21, 2005 and maintained in case file DRB No. 00-24 as "DRB Exhibit A", shall be the conceptually approved design with the following modifications:
 - a. The parking spaces proposed along the westerly property line shall be eliminated. **(DRB)** (These parking spaces to be eliminated must be provided elsewhere on the site and/or the size of the building/garden center shall reduced, such that the project maintains the number of parking spaces required pursuant the HBZSO).
 - b. The width of the landscape planter along the westerly property line shall be increased to a minimum of 28 feet in conjunction with the elimination of parking stalls along the westerly property line. Landscaping within this planter shall be limited to ground cover, low-growing shrubs and non-deciduous 36-inch box trees spaced (approximately) 35-feet on center.
 - c. The drive aisle behind (on the west side of) the building shall be gated and designed for emergency access only and in accordance with Fire Department requirements. Gates shall be installed at the northerly and southerly end of the drive aisle, parallel to and in alignment with the northerly and southerly building walls. Fixed-fencing shall extend between the gates and the westerly property line. Gates and fencing shall be consistent with the design and materials used at the garden center (black ornamental fence and security mesh). The emergency access drive aisle shall be paved with turfblock or other similar material as approved by the Departments of Fire and Planning.
 - d. The enclosed loading dock shall be relocated to the northeast corner of the building, the southeast corner of the building or other suitable location approved by the Planning Department; provided however that such alternative location shall maintain a minimum separation of 100 feet from the westerly property line and shall preclude orientation of the loading door to the west.
 - e. The outdoor will call and building material storage area shall be relocated to the northeast corner of the building, the southeast corner of the building or other suitable location approved by the Planning Department; provided however that such alternative location shall maintain a minimum separation of 100 feet from the westerly property line, including all portions of the corresponding loading space.
 - f. The width of all substandard portions of the landscaped setback proposed along the Garfield Avenue street frontage shall be increased as necessary to the code required 10-foot minimum (exclusive of curbs and parking stall overhang) along the entire street frontage, except at approved driveways. The increased planter width shall be provided without reduction or exception to any other code requirement and/or development standard, including but not limited to minimum dimensions for parking stalls, drive aisles and interior parking lot landscape planters.
 - g. In the event that the garden center is relocated westerly of the proposed location in order to accommodate relocation of the loading dock, a full-height solid wall shall enclose the garden center along its westerly side. Said wall shall incorporate decorative treatments consistent with the facades of the main building. The garden center loading pad shall be located a minimum of 100 feet from the westerly property line.
 - h. A reciprocal access driveway shall be constructed between the subject property and the property to the north. The precise design and location shall be subject to review and approval by the Departments of Planning and Public Works.

DRAFT

- i. Driveways along Magnolia Street may be consolidated subject to review and approval by the Departments of Planning and Public Works.
 - j. The plans shall include a depiction and construction details for the public art element approved by the Design Review Board on November 17, 2005 and maintained by the Planning Department as "Public Art Exhibit A". In addition, a second public art element shall be provided on site. Public Art shall be innovative, original, and of artistic excellence; appropriate to the design of the project; and reflective of the community's cultural identity (ecology, history, or society) and approved by the Design Review Board. **(DRB)**
 - k. A darker color shall be used for the horizontal bands at the tops of the columns at the primary entrance and the pick-up canopy, in lieu of the color "sisal". The height of the bands shall be increased. **(DRB)**
 - l. The raised concrete walkway proposed along the south side of the building shall be extended easterly so as to intersect with the drive aisle. **(DRB)**
 - m. The tool rental center shall be redesigned to allow a clear, paved passage way between the walkway proposed along the south side of the building and the walkway proposed along the east side of the building. **(DRB)**
 - n. The downspouts proposed at the rear of the building shall be concealed or designed as a decorative architectural feature. **(DRB)**
 - o. The lattice work proposed under the primary freestanding sign shall be eliminated. **(DRB)**
 - p. The cart corrals shall be constructed of durable and decorative material(s), designed for compatibility with the building (including color(s), or shall be limited to curbing. The final design of the cart corrals shall be depicted in detail on the final working drawing sets.
2. Prior to issuance of demolition permits, the following shall be completed:
- a. The eight-foot tall wall required as a mitigation measure along the westerly property line shall be constructed. The wall shall be designed in accordance with the City of Huntington Beach Urban Design Guidelines for walls/fences.
 - b. The applicant shall submit a plan for recycling of building materials and other construction debris for review and approval by the Planning Department.
3. Prior to submittal for building permits, the following shall be completed:
- a. The applicant shall submit a copy of the revised site plan, floor plans and elevations pursuant to Condition No. 1 for review and approval and inclusion in the entitlement file to the Planning Department.
 - b. The applicant shall submit receipts or other evidence that demolition building materials and other construction debris were recycled in accordance with the approved recycling plan.
4. Prior to issuance of building permits, the following shall be completed:
- a. The subject property shall enter into irrevocable reciprocal driveway easement(s), between the subject site and adjacent southerly and northerly properties. The location and width of the accessways shall be reviewed and approved by the Departments of Planning and Public Works. The subject property owner shall be responsible for making necessary improvements to implement the reciprocal driveway. The legal instrument shall be submitted to the Planning Department a minimum of 30 days prior to building permit issuance. The document shall be approved by the Planning Department and the City Attorney as to form and content

and, when approved, shall be recorded in the Office of the County Recorder prior to final building permit approval. A copy of the recorded document shall be filed with the Planning Department for inclusion in the entitlement file prior to final building permit approval. The recorded agreement shall remain in effect in perpetuity, except as modified or rescinded pursuant to the expressed written approval of the City of Huntington Beach.

5. The structure(s) cannot be occupied, the final building permit(s) cannot be approved, and utilities cannot be released for commencement of use and issuance of a Certificate of Occupancy until compliance with all conditions of approval specified herein are accomplished and verified by the Planning Department.
6. The use shall comply with the following:
 - a. Deliveries and outdoor storage of any kind shall be prohibited behind (west of) the building, and shall be limited to the designated loading/unloading bays and pads, and lumber unloading at the pick-up canopy along the front of the store.
 - b. Loudspeakers and/or other amplified devices within the garden center shall be prohibited.
 - c. All doors along the westerly facade of the building shall remain closed at all times.
 - d. Loitering by patrons or employees within the outdoor area to the rear (west) of the building shall be prohibited. Signs shall be posted to indicate no loitering in all areas located behind the building. Store managers shall be responsible for regulating all activity occurring at the rear of the building at all times.
 - e. A store liaison shall be permanently established and available to assist neighbors and residents with issues regarding the site during construction and after completion of the project when the development is open for business. A sign identifying the store contact and telephone number shall be permanently posted on-site at locations approved by the Planning Department.
 - f. Customer store hours shall be limited to 6:00 a.m. to 10:00 p.m. Monday – Saturday and 8:00 a.m. to 8:00 p.m. Sunday.
 - g. Stocking, re-merchandising and other activities shall be limited to approved customer store hours.
 - h. Parking lot lights shall be automatically dimmed to minimal security level lighting one hour after closing and shall be maintained at minimum security level at all times behind (west of) the building.
 - i. Signs shall be posted and maintained in their parking lot at all times, in accordance with the provisions of Huntington Beach Municipal Code Section 9.88.040 – *Solicitation Prohibited in Nonresidential Parking Areas*. The location of signs shall be subject to review and approval by the Departments of Police and Planning. **(PD)**
 - j. The applicant shall prepare a plan in consultation with the Departments of Economic Development and Police, which includes provisions for disseminating information regarding the City of Huntington Beach Luis Ochoa Job Center to store customers, contractors, and day laborers. In addition, the plan shall include methods to be implemented by the store to discourage the hiring of day laborers on or in the vicinity of the project site. **(PD)**
7. The project shall comply with all mitigation measures adopted in conjunction with Mitigated Negative Declaration No. 04-10.

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.



CITY OF HUNTINGTON BEACH

INTERDEPARTMENTAL COMMUNICATION

TO: Ron Santos, Associate Planner

FROM: Steve Bogart, Associate Civil Engineer

DATE: June 19, 2006

SUBJECT: CUP 04-56\EA 04-10 (19101 Magnolia Street – Home Depot) Conditions

**THE FOLLOWING CONDITIONS ARE REQUIRED TO BE COMPLETED PRIOR TO
ISSUANCE OF A GRADING PERMIT:**

1. The site plan received and dated September 9, 2005 shall be the conditionally approved layout, except for the following:
 - a. Reciprocal access shall be provided from the subject property to the adjoining property to the northeast and to the adjoining property to the south.
 - b. The southerly driveway on Magnolia Street shall be eliminated.
 - c. The easterly driveway on Garfield Avenue shall be reconfigured to include two egress lanes.
 - d. On-site drive aisle intersections shall be configured to allow for simultaneous two-way traffic flow. The intersection adjacent to the northwest corner of the building does not appear to allow for two-way simultaneous traffic flow.
 - e. The island separating the drive aisle for the westerly driveway onto Garfield Avenue and the drive aisle to the most northerly parking aisle shall be modified in order that a southbound vehicle can make the 180 degree turn into the exit aisle without encroaching into the opposing traffic entering the site.
2. The Precise Grading Plan to be submitted to the Public Works Department for review and approval shall include:
 - a. Design of the reciprocal access to the adjoining property to the northeast (formerly Blockbuster site).
 - b. All streetlighting electroliers fed by overhead circuits at the Magnolia Street property frontage shall be removed and replaced with new streetlighting electroliers, which are fed by underground circuits. This work shall be coordinated with Southern California Edison.
3. All existing overhead utilities exclusively serving the site shall be undergrounded. This includes all aerial cables from Southern California Edison (SCE) pole no. 1587495E (on the north side of Garfield Avenue), across Garfield Avenue to SCE pole no. 4322964E (on the south side of Garfield Avenue at the property frontage). Additionally, SCE pole no. 4322964E at the project's frontage on the south side of Garfield Avenue shall be removed.

ATTACHMENT NO. 3.1

THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO FINAL INSPECTION OR OCCUPANCY:

1. Complete construction of the reciprocal access to the adjoining property to the northeast.
2. Complete construction of all utility undergrounding.

SCOTT A. MOMMER CONSULTING
 LAND DEVELOPMENT SERVICES
 10000 S. GARDEN AVENUE, SUITE 100
 HUNTINGTON BEACH, CALIFORNIA 92646
 TEL: 949.286.2700 FAX: 949.286.2701
 WWW.SAMONMOMMER.COM



PROJECT INFORMATION
 (1) PROJECT NAME: THE HOME DEPOT
 (2) PROJECT ADDRESS: 1310 HUNTINGTON BEACH BLVD
 (3) PROJECT CITY: HUNTINGTON BEACH, CA
 (4) PROJECT COUNTY: ORANGE
 (5) PROJECT STATE: CALIFORNIA
 (6) PROJECT ZIP: 92646
 (7) PROJECT DATE: 06/13/06
 (8) PROJECT STATUS: PRELIMINARY
 (9) PROJECT TYPE: RETAIL

PROJECT INFORMATION
 (10) PROJECT AREA: 49,717 SF
 (11) SITE COVERAGE: 27.00%
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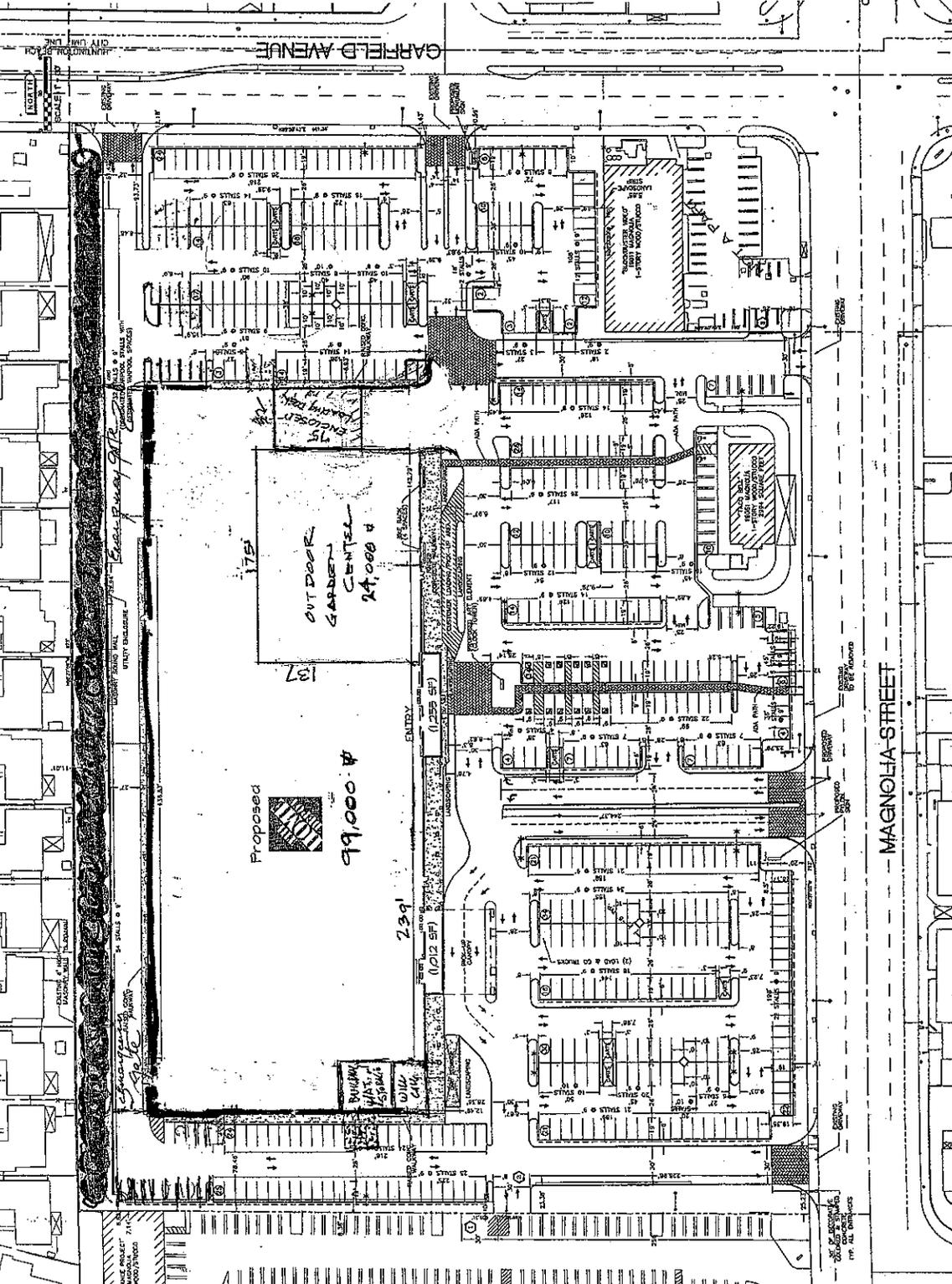
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PROJECT INFORMATION
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 (80) TOTAL FLOOR AREA: 97,450 SF



Conceptual Site Plan

STAFF - ALTERNATIVE SITE PLAN - 6/13/06

SAM-N 2 OF 16



City of Huntington Beach Planning Department **STUDY SESSION REPORT**

TO: Planning Commission
FROM: Howard Zelefsky, Director of Planning
BY: Ron Santos, Associate Planner *RS*
DATE: June 27, 2006

SUBJECT: 2005 ANNUAL REVIEW AND MONITORING REPORT - DOWNTOWN PARKING MASTER PLAN (DPMP)

APPLICANT: City of Huntington Beach

LOCATION: Downtown Parking Master Plan

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

The Downtown Parking Master Plan (DPMP) includes a provision for an annual review and monitoring report. The purpose of the annual review and monitoring report is to analyze and document building activity within the DPMP area. This monitoring report analyzes development activity approved between June 1, 2004 and June 1, 2005.

The DPMP provides for shared parking for commercial uses within the downtown core area (see Attachment No.1). The shared parking concept allows one parking space to serve two or more individual land uses without conflict due to variations in peak parking demands (seasonal uses, days of week, hours of day, etc.). The development potential within the DPMP area is established based on existing available parking, such that new development may occur without provision of addition parking, provided the proposed development does not exceed the established threshold.

In addition, the Huntington Beach Zoning & Subdivision Ordinance (Section 231.10) and the DPMP provides for the payment of fees in-lieu of providing required parking to accommodate new development. Participation in the in-lieu fee program requires approval by the Planning Commission. The established in-lieu fee is currently \$15,563.30 per parking space (July, 2005) and is subject to annual adjustment. The program also provides for in-lieu fees to be amortized over a 15-year period, with a mechanism to secure annual payments.

CURRENT LAND USE, HISTORY OF SITE, GENERAL PLAN DESIGNATION

The DPMP area is composed of portions of three DTSP mixed-use zoning districts and is largely developed with office, retail, restaurant and other miscellaneous commercial uses (e.g., movie theater, post office, etc.), as well as the residential components of existing mixed use developments. The DPMP extends across three mixed-use General Plan designations (MV-F12-sp-pd, MV-F6/25-sp-pd, M-F11/25-sp-pd), the policies and provisions of which are implemented by the Downtown Specific Plan.

The DPMP was originally approved by the City Council and California Coastal Commission in 1995 in conjunction with the Downtown Specific Plan (DTSP) "Village Concept" update. The original development potential under the 1995 plan called for up to 500,000 sq. ft. of development. A comprehensive update of the 1995 DPMP was approved by the City Council in 2000 and certified by the California Coastal

Commission. The update increased commercial development potential from 500,000 sq. ft. to 715,000 sq. feet.

APPLICATION PROCESS AND TIMELINES

A formal presentation of the 2005 DPMP Annual Review is tentatively scheduled for the July 25, 2006 Planning Commission meeting. Following the Planning Commission's review, the update will be presented to the City Council for approval and forwarded to the Executive Director of the California Coastal Commission for review. This is the seventh annual review of the DPMP. To date, the Planning Commission, City Council and California Coastal Commission have approved all of the submitted monitoring reports.

City Council has directed staff (May 5, 2006) to prepare a Request for Council Action (RCA) that appropriates the resources necessary to begin the process to amend (zoning text amendment, local coastal program amendment) the Downtown Specific Plan and Downtown Parking Master Plan. The amendment process is anticipated to require in excess of two years to complete. If and when this process is formally initiated by the City Council, the annual review and monitoring reports may be temporarily suspended until such time as the review and amendment is completed.

CEQA ANALYSIS/REVIEW

The DPMP was established as a component of Code Amendment No. 92-5, the "Village Concept" amendment to the Downtown Specific Plan, which is covered by Environmental Impact Report (EIR) No. 82-2.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

Not Applicable

PUBLIC MEETINGS, COMMENTS AND CONCERNS

By City policy, the annual review is noticed as a public hearing. Courtesy notices will be mailed to property owners and tenants within the DPMP area for the July 25, 2006 meeting, in accordance with standard practice.

PLANNING ISSUES

The DPMP monitoring report addresses the following issues:

- 1) Amount and type of development square footage approved during the annual review period;
- 2) Total amount of square footage in the Downtown Parking Master Plan area;
- 3) An inventory of existing parking spaces;
- 4) A parking utilization study;
- 5) An assessment of parking demand compared with parking supply; and
- 6) A determination of whether adequate parking remains to serve development allowed up to the total development cap.

The Planning Commission's role is to ensure that the monitoring report has been conducted consistent with the monitoring provisions of the Downtown Parking Master Plan and to forward a recommendation to the City Council. A review of downtown activity reveals no development approvals occurred during the 2004-2005 annual review period that altered the mix of uses or inventory of available parking and no projects involving payment of parking in-lieu fees were processed.

ATTACHMENTS: Downtown Parking Master Plan Area Map

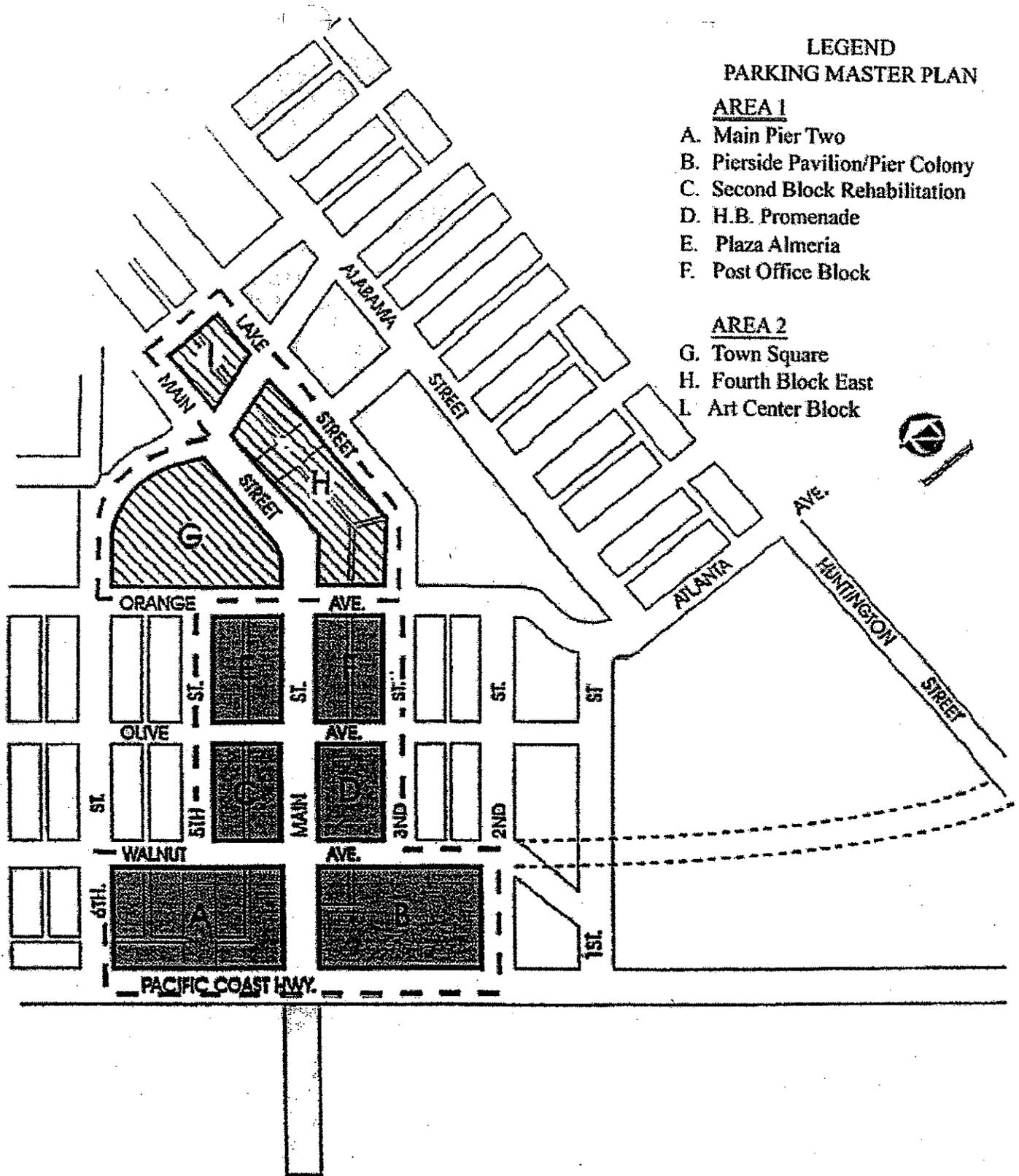
LEGEND
PARKING MASTER PLAN

AREA 1

- A. Main Pier Two
- B. Pierside Pavilion/Pier Colony
- C. Second Block Rehabilitation
- D. H.B. Promenade
- E. Plaza Almeria
- F. Post Office Block

AREA 2

- G. Town Square
- H. Fourth Block East
- I. Art Center Block



VICINITY MAP
Downtown Parking Master Plan
THE CITY OF HUNTINGTON BEACH

ATTACHMENT NO. 11



City of Huntington Beach Planning Department **STUDY SESSION REPORT**

TO: Planning Commission
FROM: Howard Zelefsky, Director of Planning
BY: Paul Da Veiga, Associate Planner 
DATE: June 27, 2006

SUBJECT: CONDITIONAL USE PERMIT NO. 06-14 (TATTOO SHOP – 6488 EDINGER AVENUE)

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

Conditional Use Permit No. 06-14 represents a request for the following:

To permit the establishment of a small tattoo shop (130 square feet) as an ancillary use to an existing 935 square retail clothing store pursuant to HBZSO Section No. 211.04, CO, CG, and CV Districts: Land Use Controls - Tattoo Establishments. The ancillary tattoo shop will operate on Tuesday through Saturday between the hours of 11:00 a.m. to 9 p.m. Two employees will operate the shop with an additional apprentice added in the future.

CURRENT LAND USE, HISTORY OF SITE, GENERAL PLAN DESIGNATION

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	CN-F1 (Commercial Neighborhood – 0.35 FAR)	CG (Commercial General)	Shopping Center
North of Subject Property (across Edinger Ave.)	CN-F1 (Commercial Neighborhood – 0.35 FAR)	CG (Commercial General)	Shopping Center
South and West of Subject Property:	RL-7 (Residential Low Density)	RL (Residential Low-Density)	Single-Family Residential
East of Subject Property: (across Edwards St.)	CN-F1 (Commercial Neighborhood – 0.35 FAR)	CG (Commercial General)	ARCO Gas Station

The site is currently developed with an 8,742 sq. ft. strip commercial center constructed in 1986. There are six businesses operating within the shopping center including a donut shop, hair salon, sandwich shop, dry cleaners, nail salon, and retail clothing store.

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION: **MANDATORY PROCESSING DATE(S):**

Conditional Use Permit: June 15, 2006

August 15, 2006

Conditional Use Permit No. 06-14 was filed on April 7, 2006 and deemed complete June 15, 2006. The application is tentatively scheduled for the Planning Commission meeting of July 11, 2006.

CEQA ANALYSIS/REVIEW

The proposed project is Categorically Exempt pursuant to Class 1, Existing Facilities, Section 15301 of the California Environmental Quality Act, which states that minor alterations and operation to existing structures are exempt from further environmental review.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

Comments from other City Departments have been transmitted to the applicant separately and have been compiled into a code requirements letter transmitted to the applicant on June 19, 2006. The business is subject to Huntington Beach Municipal Code Chapter 8.70, Tattooing Establishment and Operation Regulations and will be regulated and inspected for compliance by City staff and the County of Orange Health Care Agency (Environmental Health). A Registered Environmental Health Specialist (REHS) coordinates registration of each tattoo artist with the County, performs yearly random inspections to verify compliance with regulations, and assists City staff in responding to complaints regarding tattoo operations.

PUBLIC MEETINGS, COMMENTS AND CONCERNS

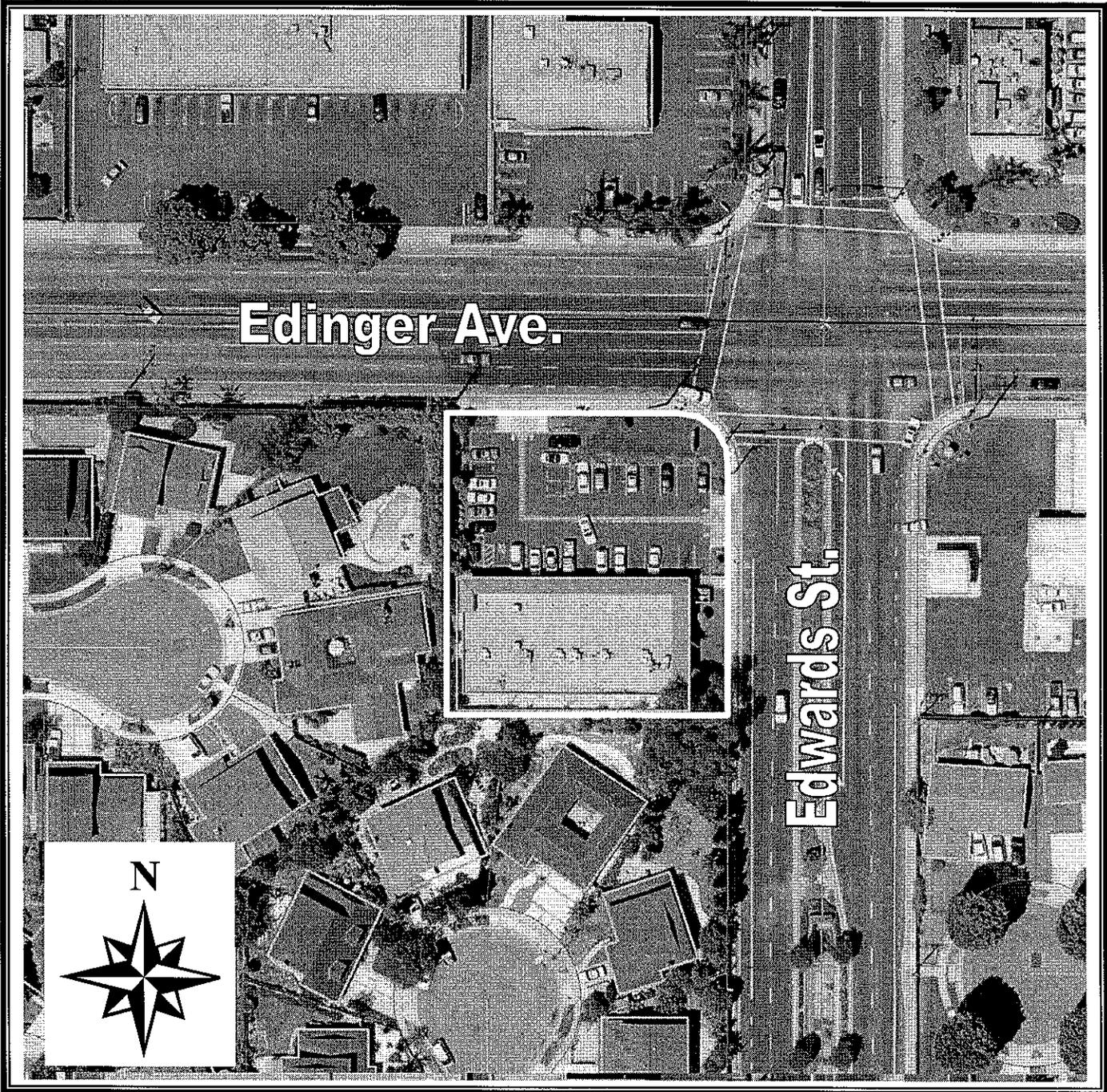
There have been no public meetings regarding this request since it is minor in nature and consists of performing tattoos as an ancillary use to an existing retail clothing shop. To date, there have been no comments from the public regarding this request.

PLANNING ISSUES

The tattoo business is proposed as an ancillary use to an existing retail (clothing) business located within a small strip center. Tattoo businesses are subject to unique municipal code requirements regarding maintenance of the premises and equipment, sterilization practices, cleanliness, health conditions of both customers and operators, and penalties (by misdemeanor) for failing to conform to the regulations established. The business will be regulated and inspected for compliance with the municipal code by the staff of the County of Orange Health Care Agency (Environmental Health). The tattoo business is not expected to create an undue amount of noise or traffic and is anticipated to be compatible with other surrounding uses.

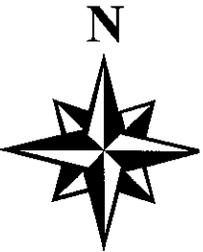
ATTACHMENTS:

1. Vicinity Map
2. Project Plans – Received and Dated April 7, 2006
3. HBMC Chapter 8.70 - Tattooing Establishment and Operation Regulations



Edinger Ave.

Edwards St.

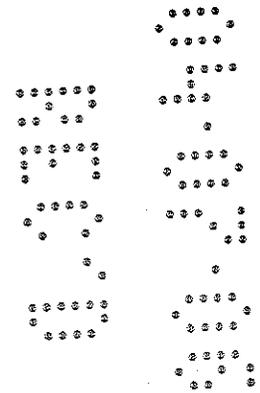
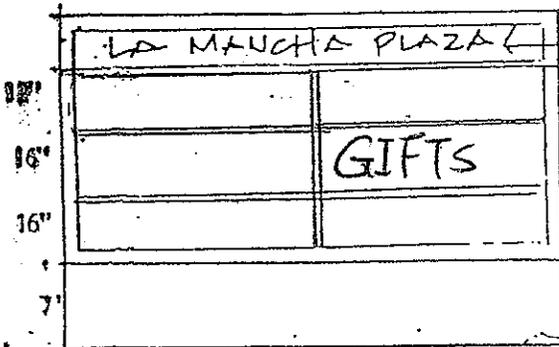
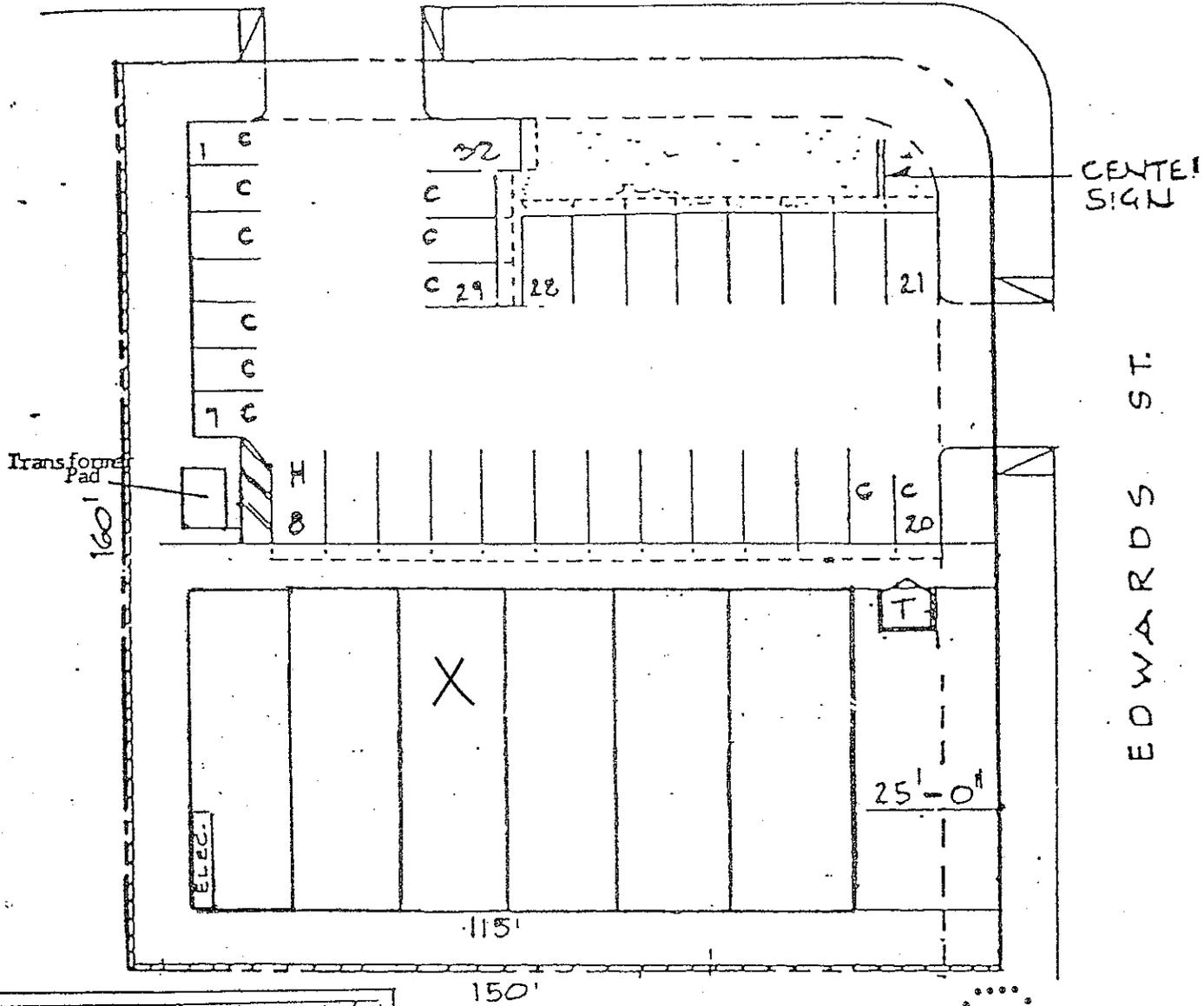


VICINITY MAP
Proposed Main/Crest Neighborhood Conservation District
THE CITY OF HUNTINGTON BEACH

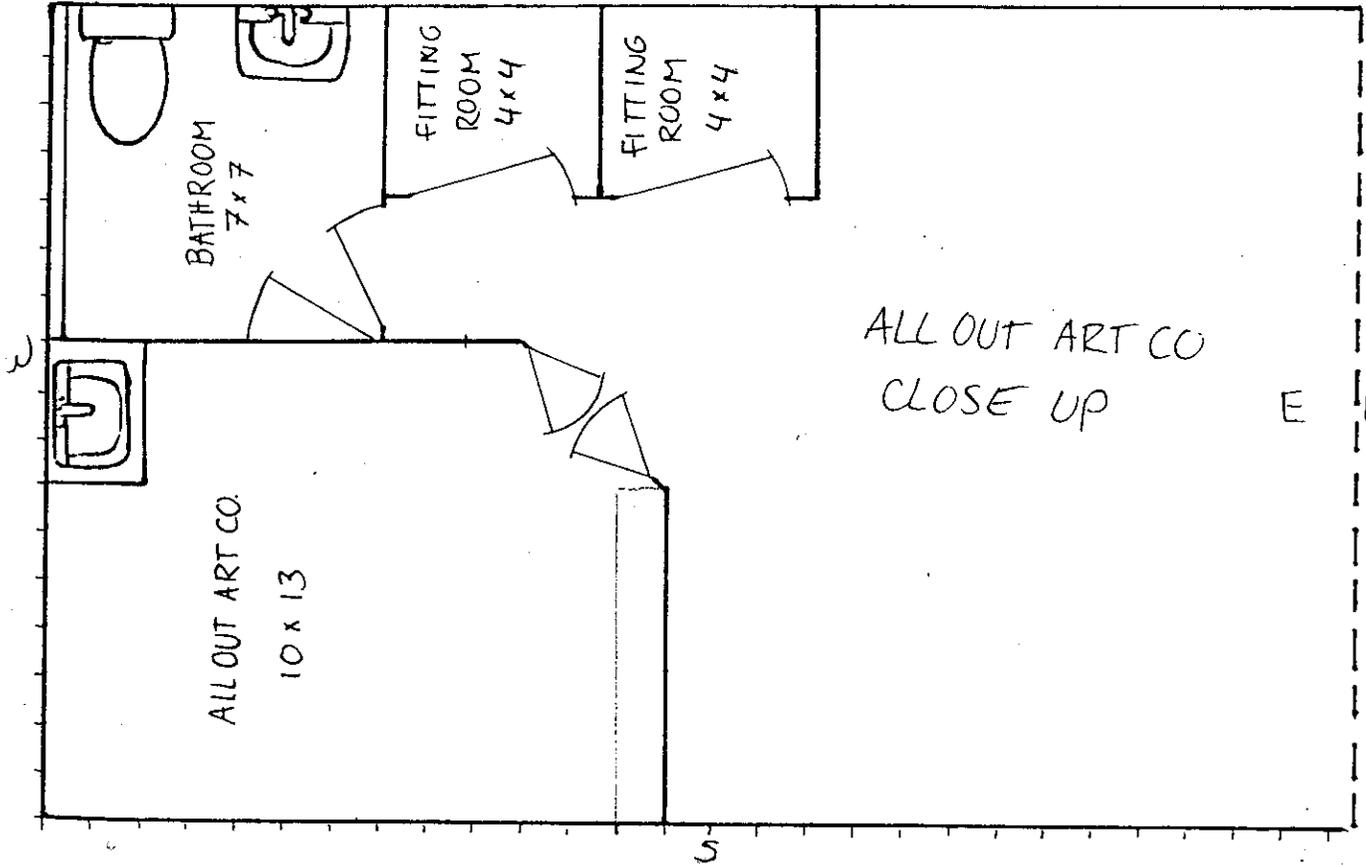
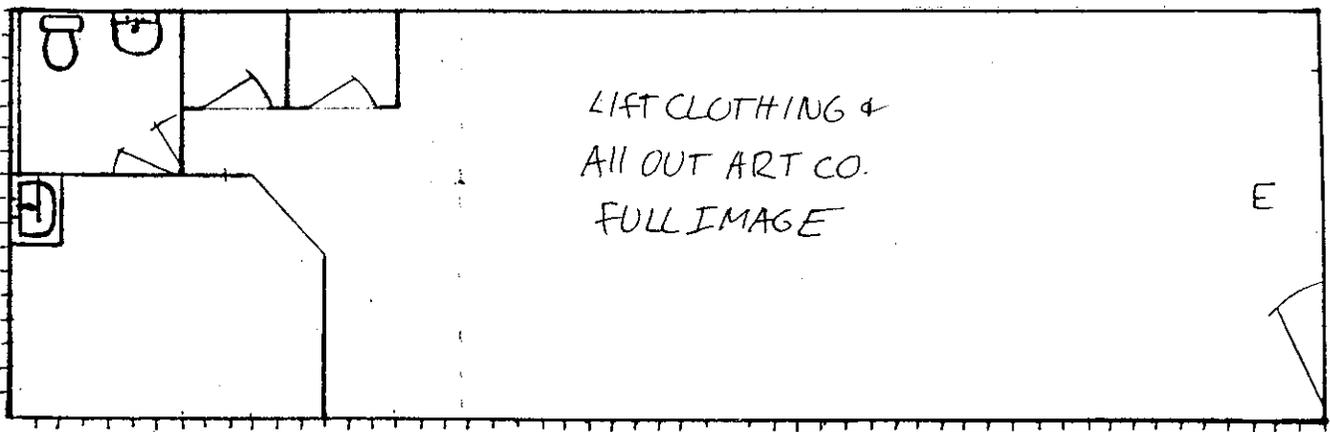
EXHIBIT "A"

SITE PLAN AND POLE SIGN RENDERING:

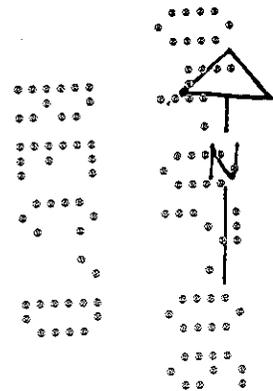
EPINGER AVE



ALL INFORMATION OR DESIGN INDICATED HEREON IS PRELIMINARY ONLY. IT IS SUBJECT TO MODIFICATION BY SURVEY AND APPROVAL BY GOVERNING AGENCIES



'LIFT' CLOTHING TOTAL SQ. FT. 805
 All OUT ART CO. TOTAL SQ FT 130
 All TOGETHER TOTAL SQ FT 935



Chapter 8.70**TATTOOING ESTABLISHMENT AND OPERATION REGULATIONS**

(3237-7/94)

Sections:

- 8.70.010 Definitions
- 8.70.020 Maintenance of premises
- 8.70.030 Source of dyes and inks
- 8.70.040 Maintenance of pigments, dyes and equipment
- 8.70.050 Maintenance of stencils
- 8.70.060 Tattooing operations -- Skin condition of customers
- 8.70.070 Tattooing operations -- Health history of customers
- 8.70.080 Tattooing operations -- Health conditions of Operator
- 8.70.090 Tattooing operations -- Smoking
- 8.70.100 Tattooing operations -- Apparel of Operator
- 8.70.110 Tattooing operations -- Cleanliness of Operator
- 8.70.120 Tattooing operations -- Shaving
- 8.70.130 Tattooing operations -- Skin preparation
- 8.70.140 Tattooing operations -- Use of stencils
- 8.70.150 Tattooing operations -- Use of approved dyes
- 8.70.160 Tattooing operations -- Use of sterile dyes
- 8.70.170 Tattooing operations -- Use of Sterile equipment
- 8.70.180 Tattooing operations -- Discarding of certain equipment
- 8.70.190 Inspections -- Health Services fee schedule
- 8.70.200 Penalties

8.70.010 Definitions.

- (a) **Health Officer.** That person or office designated by order of the City Council of the City of Huntington Beach or by contract approved by the said Council as the person or office having responsibility for the enforcement of the provisions of this article. (3237-7/94)
- (b) **Operator.** Any person, whether the proprietor or another person, administering a tattoo to any customer of a tattooing establishment. (3237-7/94)
- (c) **Proprietor.** The person having general control and management over the conduct of business at a tattooing establishment, whether or not such person is the legal owner of the premises or the business. (3237-7/94)
- (d) **Tattoo.** An indelible mark or figure fixed upon a body by insertion of pigment under the skin or by production of scars. (3237-7/94)
- (e) **Tattooing establishment.** Premises used for the business of marking or coloring the skin with tattoos, and all furnishings, equipment, instruments, dyes and inks, and other facilities maintained therein incidental to such use. (3237-7/94)

8.70.020 Maintenance of premises. (3237-7/94)

- (a) All tattooing establishments shall be equipped with running hot and cold water, with adequate toilet facilities and with all such appliances, furnishings and materials as may be necessary to enable persons employed in and about such establishments to comply with the requirements of this Chapter. (3237-7/94)
- (b) The floors, furnishings and equipment of tattooing establishments shall be kept clean at all times during business hours. For purposes of this paragraph a floor shall not be considered clean if it has not been swept and mopped within the preceding twenty-four (24) hour period. (3237-7/94)
- (c) All operating tables in tattooing establishments shall be constructed of metal with white enamel or porcelain finish, or stainless steel. (3237-7/94)
- (d) Each tattooing establishment shall have adequate lighting and ventilation. For purposes of this paragraph lighting or ventilation shall be considered as inadequate if it fails to comply with a standard prescribed by the Health Officer. (3237-7/94)
- (e) No tattooing establishment shall be used as a sleeping room or dormitory. (3237-7/94)

8.70.030 Source of dyes and inks. (3237-7/94)

- (a) Proprietors of tattooing establishments shall, on request of the Health Officer, submit in writing to the Health Officer the source of all dyes or inks retained for use in tattooing operations, and thereafter shall notify the Health Officer in writing of any dyes or inks obtained for use in tattooing operations from any source other than those previously submitted. (3237-7/94)
- (b) No dyes or inks from any sources which have been disapproved by the Health Officer shall be retained available for use in tattooing operations. (3237-7/94)

8.70.040 Maintenance of pigments, dyes and equipment. No pigments, dyes or equipment shall be retained available for use in tattooing operations unless cleaned and sterilized as provided in this section. For purposes of the section, equipment shall include needles, needle tubes, towels, blade holders, wiping cloths, paper towels and napkins, charcoal, gauze bandages (unless purchased in individual sterile packages), and all similar items. (3237-7/94)

- (a) All equipment shall be thoroughly cleaned before being sterilized. Instruments shall be cleaned with soap or detergent by use of a brush. The interior of needle barrels shall be brushed. After cleaning, equipment shall be thoroughly rinsed under running fresh tap water. (3237-7/94)
- (b) All equipment shall be sterilized by autoclaving. Each piece of equipment shall be individually wrapped with paper in an approved method for autoclaving. Metal foil may not be used. Tattooing needles shall be threaded through the metal tube that attaches to the tattooing vibrator and shall be placed in a glass (or autoclavable plastic test tube) with a cotton plug for

autoclaving. Wiping tissues shall be sterilized in a single pack to be used for one tattoo and then be discarded. All packs shall be marked with temperature recording tape or labels. (3237-7/94)

- (c) Dyes or inks shall be used from containers with a cap that completely covers the opening and is attached to the neck of the dye container, sterilized in an autoclave after first being filled with the dye. Dye shall be handled utilizing aseptic techniques and the dye containers filled with dye shall be autoclaved at least once a week or more often if necessary to keep the dye in a sterile condition. The dyes may be placed in Teflon squeeze bottles that will withstand autoclaving. (3237-7/94)
- (d) Steam sterilization of the above listed equipment shall be accomplished in an autoclave with at least fifteen (15) pounds pressure per square inch (251 F) for at least 15 minutes. Other means of sterilization may be approved by the Health Officer. (3237-7/94)
- (e) All sterilized dyes, pigments and equipment shall be stored in a manner which will insure sterility at the time of use. (3237-7/94)
- (f) Proprietors shall maintain sufficient sterilized equipment available at the beginning of each workday to allow completion of such workday without requiring resterilization of such equipment. (3237-7/94)

8.70.050 Maintenance of stencils. No stencil, whether new or used, shall be retained in a manner available for use in any tattooing operation unless it has been precleaned and disinfected in the following manner: (3237-7/94)

- (a) Each stencil must be precleaned by being scrubbed with soap and brush to the extent necessary to remove all accumulations of carbon and petroleum jelly in the etched grooves of the stencil. (3237-7/94)
- (b) Each stencil, after being precleaned and dried, must be disinfected by being soaked, design-cut side down, in a closed container of seventy percent (70%) alcohol for not less than thirty (30) minutes at room temperature. (3237-7/94)
- (c) Each stencil, after being disinfected, shall be air dried for not less than thirty (30) minutes by being suspended in a manner exposing both sides to the air, and thereafter shall be stored for next use in a clean envelope. (3237-7/94)

8.70.060 Tattooing operations -- Skin condition of customers. No tattooing operation shall be performed on skin surface areas containing any rash, pimples, boils, or infection or otherwise manifesting any evidence of unhealthy conditions. (3237-7/94)

8.70.070 Tattooing operations -- Health history of customers. No tattooing operation shall be performed except after inquiry has been made as to whether the customer has had a history of jaundice or hepatitis, nor in the case when the customer discloses that he has had a history. The Tattoo Operator shall inform the customer of any potential health risks involved whenever the skin is violated as required by the Health Officer. (3237-7/94)

7/94

8.70.080 Tattooing operations -- Health conditions of Operator. No tattooing operations shall be performed unless the Operator is free of communicable diseases and pustular skin lesions. (3237-7/94)

8.70.090 Tattooing operations -- Smoking. No Operator shall smoke while performing a tattooing operation. (3237-7/94)

8.70.100 Tattooing operations -- Apparel of Operator. The Operator must wear a clean, light-colored, short-sleeved smock while performing the tattooing operation. (3237-7/94)

8.70.110 Tattooing operations -- Cleanliness of Operator. No Operator shall perform a tattooing operation with unclean hands. For purpose of this paragraph hands shall not be considered clean unless they have been thoroughly washed with soap from a single service dispenser and warm water, vigorously rubbing all surfaces of lathered hands for at least ten (10) seconds, followed by thorough rinsing under a stream of water. Hands shall be dried using single service towels from a dispenser or hot air blower. If a liquid soap is used, the dispenser shall be cleaned and filled with fresh soap only when empty. (3237-7/94)

Tattoo Operators shall wear protective gloves while handling needles or blades, or doing any procedure that may cause bleeding. Gloves shall be discarded between each customer. (3237-7/94)

8.70.120 Tattooing operations -- Shaving. No tattooing operation involving shaving shall be performed unless the skin is washed with soap prior to the shaving and unless the blade used in shaving is previously unused and unless the blade holder has been autoclaved since its previous use. (3237-7/94)

8.70.130 Tattooing operations -- Skin preparation. No tattooing operations shall be performed unless the skin is adequately prepared prior to the operation. For purposes of this paragraph, skin shall be considered properly prepared if it is thoroughly washed with soap following shaving and thereafter scrubbed gently three (3) times with seventy percent (70%) isopropyl alcohol, using a separate sterile gauze pad each such time; and no alternate method of skin preparation shall be considered adequate unless approved in writing by the Health Officer. (3237-7/94)

8.70.140 Tattooing operations -- Use of stencils. No tattooing operation involving the use of stencils shall be performed unless all of the following requirements have been complied with: (3237-7/94)

- (a) Each stencil must be precleaned pursuant to Section 8.70.050. (3237-7/94)
- (b) Each stencil, having been precleaned, must be wiped with sterile gauze soaked in seventy percent (70%) alcohol and air dried immediately prior to its use in the tattooing operation. (3237-7/94)
- (c) Petroleum jelly used for stencils must be obtained from a collapsible tube which has not previously been used in any tattooing operation and must be applied to the skin with a sterile gauze which has not previously been used. (3237-7/94)

8.70.150 Tattooing operations -- Use of approved dyes. No tattooing operation shall be performed using dyes or inks of a type that has been disapproved for use by the Health Officer pursuant to Section 8.70.030. (3237-7/94)

8.70.160 Tattooing operations -- Use of sterile dyes. No tattooing operation shall be performed unless the following requirements have been complied with: (3237-7/94)

- (a) The dye or ink used for the tattoo must be obtained from presterilized dye or ink bottles and, prior to the tattooing operation, aseptically transferred from such bottles into sterile paper cups which have not previously been used in any tattooing operation. No refilling of the dye cup is permitted. (3237-7/94)
- (b) No dye or ink shall be used in which needles used on another person have been dipped. (3237-7/94)

8.70.170 Tattooing operations -- Use of sterile equipment. No tattooing operation shall be performed using equipment that has not been cleaned and sterilized in the manner set forth in Section 8.70.040. (3237-7/94)

8.70.180 Tattooing operations -- Discarding of certain equipment. Operators can discard the following items immediately after use in any tattooing operation. (3237-7/94)

- (a) Blades used in shaving. (3237-7/94)
- (b) Tubes and gauze used in application of petroleum jelly used for stencils. (3237-7/94)
- (c) Paper cups used for dye or ink. (3237-7/94)

8.70.190 Inspections -- Health Services fee schedule. The County Health Officer shall periodically make inspections of tattooing establishments located in the City of Huntington Beach to determine if the proprietor or operator of such establishments are complying with the provisions of this Chapter. The County shall, by annual Board Resolution, adopt health service fees to be paid by the proprietor or operator of the tattoo establishment. Such fees to be paid directly to the County Health Officer and retained by the County as reimbursement for said services related to this ordinance. (3237-7/94)

8.70.200 Penalties. Each of the following acts or omissions shall constitute a misdemeanor. (3237-7/94)

- (a) Any performance of a tattooing operation by an Operator in violation of any requirement or prohibition imposed by this article. (3237-7/94)
- (b) Any failure by a proprietor to maintain a tattooing establishment in conformity with the requirements of this article. For purposes of this subparagraph (b), each day upon which such a failure to conform occurs shall constitute a separate violation. (3237-7/94)