

AGENDA HUNTINGTON BEACH PLANNING COMMISSION

TUESDAY, JUNE 26, 2007
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: *Shier-Burnett, Speaker, Livengood, Scandura, Horgan, Dwyer, Farley*

AGENDA APPROVAL

A. PROJECT REVIEW (FUTURE AGENDA ITEMS)

A-1. **CONDITIONAL USE PERMIT NO. 07-017 (SHARKEEZ DANCING) – Ron Santos**

A-2. **APPEAL OF DESIGN REVIEW BOARD'S APPROVAL OF DESIGN REVIEW NO. 07-010 / PLANNED SIGN PROGRAM NO. 07-002 (AOUIZERAT PROPERTY) – Jill Arabe**

B. STUDY SESSION ITEMS

B-1. **SETTING AGENDAS AND CONDUCTING MEETINGS (GOAL #8) – Chair Scandura**

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

D. PLANNING COMMISSION COMMITTEE REPORTS

E. PUBLIC COMMENTS – Regarding Project Review or Study Session portions 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)
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F. PLANNING COMMISSION COMMENTS

ADJOURNMENT:

Adjourn to the next regularly scheduled meeting of July 10, 2007.

7:00 P.M. – COUNCIL CHAMBERS

CANCELLED: NO PUBLIC HEARINGS



City of Huntington Beach Planning Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, Director of Planning
BY: Ron Santos, Associate Planner *RS*
DATE: June 26, 2007

SUBJECT: **CONDITIONAL USE PERMIT NO. 07-017 (SHARKEEZ DANCING)**

LOCATON: 211 Main Street, 92648 (northwest side of Main St., between Olive Ave. and Walnut Ave.)

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

Conditional Use Permit No. 07-017 is a request to permit dancing (80 sq. ft. dance floor), in conjunction with previously approved entertainment, within an existing 2,625 sq. ft. eating and drinking establishment. The hours proposed for dancing are 10:00 p.m to 1:30 a.m.

The City previously approved outdoor dining within a semi-enclosed private patio area at the front of the establishment and within the public right-of-way area located between the sidewalk and Main Street, directly in front of the restaurant. The applicant proposes to restrict use of the public right-of-way portion of the outdoor dining (325 sq. ft.) when dancing occurs, in order offset the requirement for one additional parking space generated by the proposed dance floor. In addition, the applicant proposes to utilize the outdoor dining area (within the public right-of-way) for customer queuing, in order to maintain unobstructed access on the public sidewalk.

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	MV-F6/25-sp-pd (Mixed Use Vertical- 2.0 max. floor area ratio/ max. 25 dwelling units/acre – Specific Plan Overlay - Pedestrian Overlay)	SP5-CZ (Downtown Specific Plan – District 5: Mixed Use – Coastal Zone)	Eating and Drinking Establishment
North, South, East (across Main St.) and West of Subject Property:	MV-F6/25-sp-pd	SP5-CZ	Eating and Drinking Establishments, Offices, Retail, Parking Structure

APPLICATION PROCESS AND TIMELINES

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

June 4, 2007

Aug. 3, 2007

Conditional Use Permit No. 07-017 was filed on April 17, 2007, and deemed complete June 4, 2007. The application is tentatively scheduled for public hearing before the Planning Commission on July 10, 2007.

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 of existing facilities involving negligible or no expansion of use are exempt from further environmental review.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

The Departments of Building & Safety, Economic Development, Fire, Planning, Police and Public Works have reviewed the application and identified any applicable code requirements (Attachment No. 4).

The Department of Economic Development recommends denial of the request based on concerns regarding the proposed use of the outdoor dining area for queuing of persons waiting to enter the establishment. In addition, Economic Development has advised that a consultant has been hired to analyze the number of establishments providing alcohol and dancing (as part of the update of the Downtown Specific Plan) and that the request can not be supported until the analysis is completed.

The Police Department also recommends denial due to concerns regarding the frequently crowded conditions inside the establishment, the associated customer queues in the public right-of-way, a prior history of Police Department contacts at the establishment and recent negative experiences with other businesses in the Downtown which were previously approved for dancing. In addition, the Police Department believes that the narrow width of the establishment (25 ft.) is not conducive to dancing.

PUBLIC MEETINGS, COMMENTS AND CONCERNS

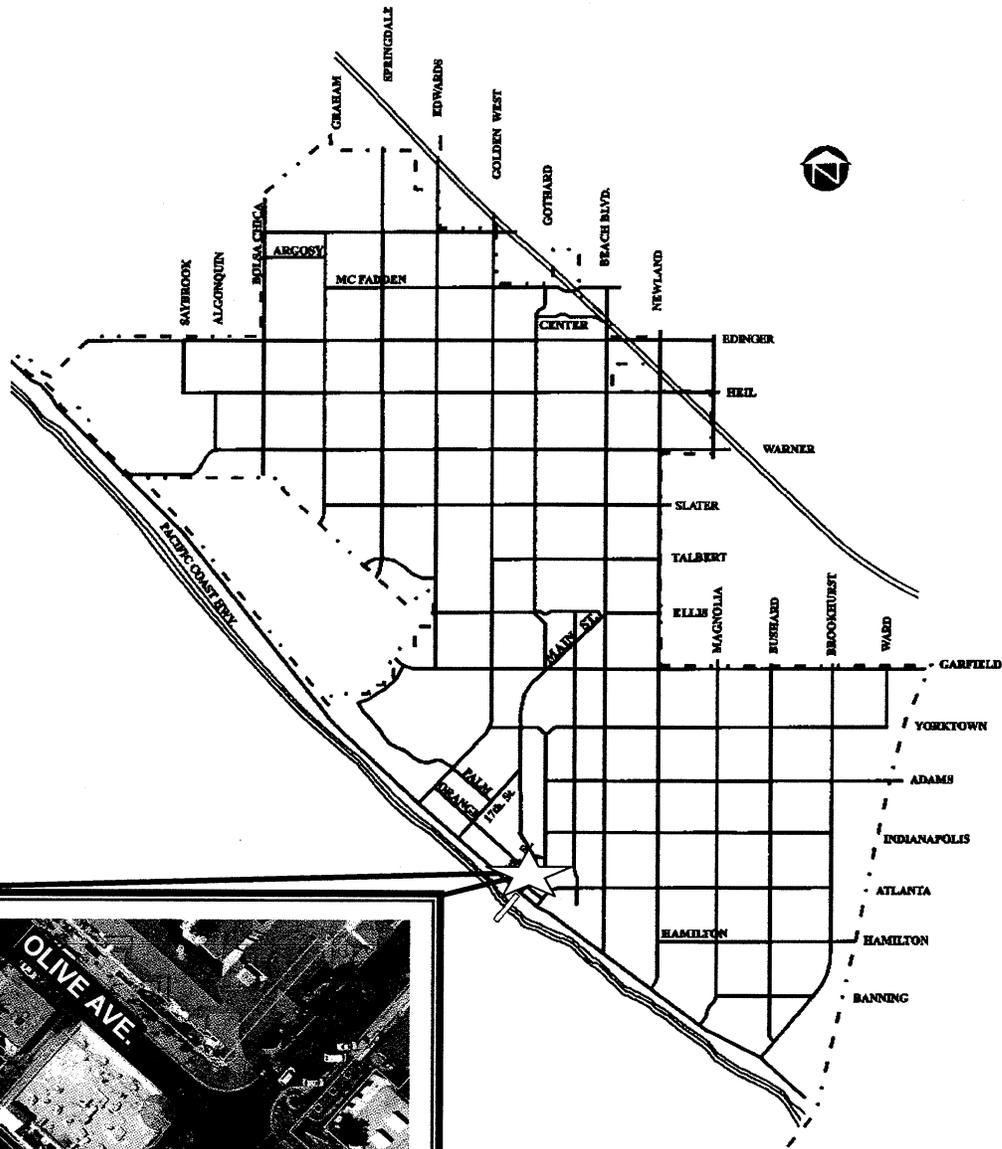
To date, there have been no public meetings on this project or comments received from the public regarding this request.

PLANNING ISSUES

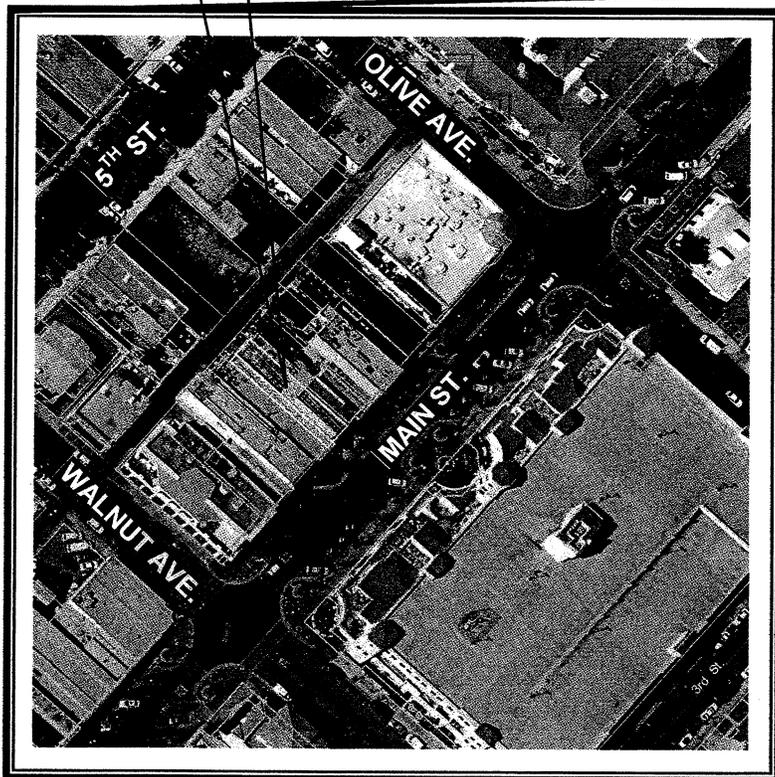
Issues for consideration by the Planning Commission include those identified by the Departments of Economic Development and Police as described above. In addition, the Planning Commission should consider whether the applicant's proposal to address parking requirements by restricting use of the outdoor dining area within the public right-of-way to customer queuing is acceptable and appropriate use of the public right-of-way.

ATTACHMENTS:

1. Vicinity Map
2. Site Plan and Floor Plan received and dated June 11, 2007
3. Project Narrative received and dated May 30, 2007
4. Code Requirements Letter Dated June 14, 2007 (for information purposes only)
5. Police Department memorandum received and dated May 9, 2007
6. Economic Development memorandum received and dated June 14, 2007.



SHARKEEZ



VICINITY MAP
CONDITIONAL USE PERMIT NO. 07-017
(SHARKEEZ DANCING – 211 MAIN ST.)

REVISED NARRATIVE

LOCATION:

211 Main Street (Baja Sharkeez Sports Grill)
Downtown Huntington Beach

REQUEST:

To permit dancing in conjunction with previously approved entertainment within an existing 2,625 sq. ft. restaurant (Sharkeez). The dance floor will occupy approximately 80 sq. ft. within the existing dining room. The dancing use will compliment the previously approved entertainment.

**ZONING AND
GENERAL PLAN:**

The property is zoned Downtown Specific Plan, District No. 5; General Plan designation of Mixed Use.

PROJECT DESCRIPTION:

Site Area: 2,875 sq. ft.

Building Area: 3,624 sq. ft.

- Restaurant – 2,325 sq. ft.
- Office – 999 sq. ft.
- Private covered patio – 300 sq. ft.
- Outdoor dining (on public right of way) – 400 sq. ft.

The restaurant employs approximately 30 people who work in multiple shifts throughout the day

Hours of operation: Mon – Fri 11AM – 2AM
Sat, Sun 9AM – 2AM

Hours of entertainment: 6:00PM – 1:30AM daily

SURROUNDING USES:

North – Sugar Shack Cafe

East – Retail/Parking Structure (across Main St.)

West – Luggiatti's Italian Grill/Public Plaza (across alley)

South – Killarney Pub & Grill

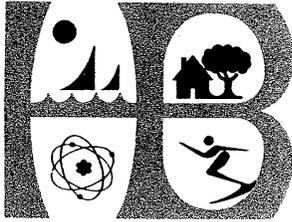
PARKING:

The use of 80 sq. ft. (approx. 6-7' wide by 12') of the dining room for a dance floor will require one additional parking space. The parking requirement will be addressed by restricting the use of a portion of the outdoor dining area on the public right of way when dancing occurs. In order to address concerns raised by the Police Department, the outdoor dining area may be used for queuing lines in order to maintain unobstructed access on the public sidewalk.

May 30, 2007

RECEIVED MAY 30 2007

ATTACHMENT NO. 3



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING

Phone 536-5271
Fax 374-1540

June 14, 2007

Michael C. Adams Associates
21190 Beach Boulevard
Huntington Beach, CA 92646

**SUBJECT: CONDITIONAL USE PERMIT NO. 2007-017 (SHARKEEZ DANCING)
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

Dear Mr. Adams,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Planning Commission. Please note that if the design of your project or site conditions change, the list may also change.

The attached project implementation code requirements may be appealed to the Planning Commission as a matter separate from the associated entitlement(s) within ten calendar days of the approval of the project pursuant to the Huntington Beach Zoning and Subdivision Ordinance Section 248.24. The appeal fee is \$494.00.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at 714-536-5561 or at rsantos@surfcity.hb.org and/or the respective source department (contact person below).

Sincerely,

RON SANTOS
Associate Planner

Enclosure

cc: Gerald Caraig, Building and Safety Department – 714-374-1575
Lee Caldwell, Fire Department – 714-536-5531
Steve Bogart, Public Works – 714-536-1692
Herb Fauland, Principal Planner

Richard Harlow
211-B Main Street
Huntington Beach, CA 92648

Wayne Carvalho
349 Elmhurst Place
Fullerton CA 92835



CITY OF HUNTINGTON BEACH

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: JUNE 14, 2007

PROJECT NAME: SHARKEEZ DANCING

ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 07-017

PROJECT LOCATION: 211 MAIN STREET, HUNTINGTON BEACH

PLAN REVIEWER: RON SANTOS, ASSOCIATE PLANNER

TELEPHONE/E-MAIL: (714) 536-5271/ rsantos@surfcity-hb.org

PROJECT DESCRIPTION: TO PERMIT DANCING (80 SQ. FT. DANCE FLOOR), IN CONJUNCTION WITH PREVIOUSLY APPROVED ENTERTAINMENT, WITHIN AN EXISTING 2,625 SQ. FT. EATING AND DRINKING ESTABLISHMENT.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated June 11, 2007. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

CONDITIONAL USE PERMIT NO. 07-017:

1. The site plan and floor plan approved by the Planning Commission shall be the conceptually approved design.
2. Prior to commencing dancing, the following shall be completed:
 - a. The applicant shall file an application to amend the restaurant's entertainment permit in order to allow dancing, consistent with Conditional Use Permit No. 07-017. A copy of an amended Entertainment Permit, approved by the Police Department and issued by the Business License Department, shall be submitted to the Planning Department. All conditions of the Entertainment Permit shall be observed.
 - b. A new Certificate of Occupancy application shall be approved by the Department of Planning and issued by the Department of Building & Safety. A detailed, fully-dimensioned floor plan, consistent with the floor plan approved in conjunction with Conditional Use Permit No. 07-017, shall be submitted with the Certificate of Occupancy application.
 - c. Any increase in occupancy loading shall require separate review and approval by the Fire Department. **(FD)**

3. The use shall comply with the following:
 - a. Prior to the sale of alcoholic beverages, a copy of the Alcoholic Beverage Control Board (ABC) license, along with any special conditions imposed by the ABC, shall be submitted to the Planning Department. Any conditions that are more restrictive than those set forth in this approval shall be adhered to.
 - b. Prior to commencing live entertainment activities, a copy of an approved Entertainment Permit, approved by the Police Department and issued by the Business License Department, shall be submitted to the Planning Department. All conditions of the Entertainment Permit shall be observed.
 - c. All required paths of egress shall be maintained clear during times of live entertainment and dancing. (FD)
4. The Development Services Departments (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18.
5. 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.
6. Conditional Use Permit No. 07-017 shall not become effective until the ten calendar day appeal period from the Planning Commission approval of the entitlements has elapsed.
7. Conditional Use Permit No. 07-017 shall become null and void unless exercised within one year 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.
8. The Planning Commission reserves the right to revoke Conditional Use Permit No. 07-017 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs.
9. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein.
10. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Planning Commission's approval of entitlements.



CITY OF HUNTINGTON BEACH
INTER-DEPARTMENT COMMUNICATION

TO: Kenneth W. Small
Chief of Police

FROM: M. Reynolds, Lieutenant *MOR*
Special Enforcement Bureau

DATE: 5/4/2007

HBPDCHEF*07MAY 7 7:38

SUBJECT: Comments on CUP 2007-017

Baja Sharkeez Sports Grill is attempting to modify their Conditional Use Permit (C.U.P.) to allow patron dancing. They are asking to remove seating area in their existing restaurant and create an 8'X 12' dance floor.

The Police Department is opposed to this modification because of the crowded conditions that exist inside the business. Sharkeez is one of the most popular nighttime businesses in the downtown area. They regularly have line queues waiting to enter their business because they are at their maximum occupancy. The business' layout is dictated by the long and narrow design of the structure. The proposed dance floor would be difficult to maintain and the tight quarters would make dancing difficult.

The lines that queue in front of the business impede the normal flow of pedestrian traffic on the public sidewalk. The sidewalk is approximately eight feet wide between the front patio and the outdoor dining railing. The line queue forms at the entrance and flows to north in front of Sugar Shack, which is closed in the evening hours. Frequently, people are standing two abreast talking with one another while they wait to enter the business.

The Police Department feels that permitting dancing in Sharkeez may expose the business to increased negative contacts with the Police Department. A nearby restaurant was granted dancing and since that time their operation has become problematic. There have been several violations of their entertainment permit, some involving the dancing provision, which is now causing the Police Department to pursue disciplinary action through the Department of Alcoholic Beverage Control (ABC) and administratively within the City.

With the high concentration of drinking establishments in the downtown area, it is important to have the proper controls in place to preserve a safe environment.

MAY - 9 2007

ATTACHMENT NO. 5



CITY OF HUNTINGTON BEACH
INTER-DEPARTMENT COMMUNICATION
Economic Development Department

TO: Ron Santos, Associate Planner
FROM: Paul Da Veiga, Project Manager 
CC: Stanley Smalewitz, Director of Economic Development
DATE: June 14, 2007
SUBJECT: **Planning Application No. 2007-0086**
211 Main Street – Sharkeez Dancing

The Economic Development Department has reviewed the proposed request for dancing and has the following comments/concerns:

- As part of the upcoming Downtown Specific Plan update, the consultant will be analyzing the mix of uses within the downtown in order to ensure that future uses compliment the Strand and Pacific City developments and the overall Strategic Plan goal of transitioning into a destination economy. We will be analyzing the number of alcohol related establishments (including dancing) in the downtown as part of this effort and whether or not there is an overabundance of these establishments. At this time, the Economic Development Department will not support requests for dancing until we are further along with the land use analysis portion of the Downtown Specific Plan update.
- Economic Development is also concerned with the proposal to utilize the outdoor dining area for queuing of persons waiting to enter Sharkeez. We do not feel that this is the intended use of this space which should be reserved for outdoor dining. The purpose of the outdoor dining areas is to enhance the pedestrian experience and ambiance along Main Street not to serve as queuing lines to enter the restaurants and bars.

If you have any questions, please call me at x5544.

City of Huntington Beach

JUN 14 2007

ATTACHMENT NO. 6



City of Huntington Beach Planning Department
STUDY SESSION REPORT

TO: Planning Commission
FROM: Scott Hess, Director of Planning
BY: Jill Arabe, Planning Aide *JA*
DATE: June 26, 2007

SUBJECT: **APPEAL OF DESIGN REVIEW BOARD'S APPROVAL OF DESIGN REVIEW NO. 07-010 / PLANNED SIGN PROGRAM NO. 07-002 (AOUIZERAT PROPERTY)**

LOCATION: 526 Main Street, 92648 (east side of Main St., between 6th St. & Acacia Ave.)

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

This item is an appeal filed by City Council Member Bohr of the Design Review Board's approval of Design Review (DR) No. 07-010 and Planned Sign Program (PSP) No. 07-002, which represent a request for the following:

To adopt a planned sign program that will allow for the installation of wall signs on a building wall not adjacent to a business suite for a mixed use building consisting of two commercial units and four residential units. The commercial units are located on the first floor with one unit along Main Street and another located in the rear of the building along the alley. The residential units are located on the second floor. The proposed planned sign program would allow for two channel letter wall signs on the second floor of the building facing west toward Main Street, one for each of the commercial units, and one sign on the second floor facing south toward a parking lot for the commercial unit in the rear. The front and rear commercial units are occupied by Pacific Stone Design and HB Skin Spa, respectively.

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property	M-F11/25-sp-pd (Mixed Use – 2.0 max. Floor Area Ratio – 25 du/ac max. – Specific Plan Overlay – Pedestrian Overlay)	SP5 – CZ (Downtown Specific Plan – District 6: Mixed Use – Coastal Zone)	Mixed Use (Retail/Residential)
North of the Subject Property	M-F11/25-sp-pd	SP5 – CZ	Art Center
South of the Subject Property	M-F11/25-sp-pd	SP5– CZ	Restaurant
West of the Subject Property (across Main St)	P (Public)	SP5– CZ	Library
East of the Subject Property	M-F11/25-sp-pd	SP5– CZ	Retail

The two-story building was originally occupied by a liquor store on the first floor and four residential units on the second floor. Previous signage for the commercial unit consisted of cabinet signs occupying wall space on the upper level (Attachment 2). In October 2004, the Design Review Board (DRB) approved a façade remodel for the building. In 2005, interior improvements divided the first floor into two separate units with the additional tenant to occupy the rear of the building.

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION:
April 25, 2007

MANDATORY PROCESSING DATE(S):
June 24, 2007

DR No. 07-010 and PSP No. 07-002 were filed on March 30, 2007, and deemed complete on April 25, 2007. The DRB approved the request on May 24, 2007 in compliance with mandatory processing times. The appeal is tentatively scheduled for the Planning Commission meeting of July 10, 2007.

CEQA ANALYSIS/REVIEW

The proposed project is Categorical Exempt pursuant to Section 15311, Class 11, of the California Environmental Quality Act, which states that construction or placement of on-premise signs accessory to existing facilities are exempt from further environmental review.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

No comments were received from other departments.

PUBLIC MEETINGS, COMMENTS AND CONCERNS

On May 10, 2007, the DRB reviewed the applicant's request to adopt a planned sign program that will allow for ground floor commercial tenants to install signage on the second floor of a mixed use building. Planned sign programs allow for flexibility in sign location, design, and size. The applicant explained that the unique building layout does not give street frontage to the rear commercial unit. In addition, first floor signs were difficult and ineffective for this building because of the lack of space on the first floor for channel letter wall signs. The applicant asserted that the proposed location of the wall signs on the second floor was the only alternative.

Staff had presented design concerns with the proposed signage on the second floor to the DRB. Blade and under canopy signs on the first floor were recommended alternative designs (Attachment 3). These recommendations were not satisfactory for the applicant. The applicant's reasons included the inability to see an under canopy sign beneath the façade inset of the front unit, and trees and cars blocking the view of the signs. The DRB took a straw vote (2-1) to allow non-illuminated second floor wall signs, but continued the application to the next DRB meeting for revisions to incorporate code requirements.

On May 24, 2007, the DRB reviewed the revised planned sign program (Attachment No. 4). Staff summarized the project and previous action at the prior DRB meeting. Staff presented the changes to the originally proposed planned sign program to address previous DRB recommendations. The applicant agreed with the revisions. The DRB approved the planned sign program with a 3-2 vote to allow non-

illuminated second floor wall signs with modifications. To date, there have been no comments from the public regarding this request.

PLANNING ISSUES

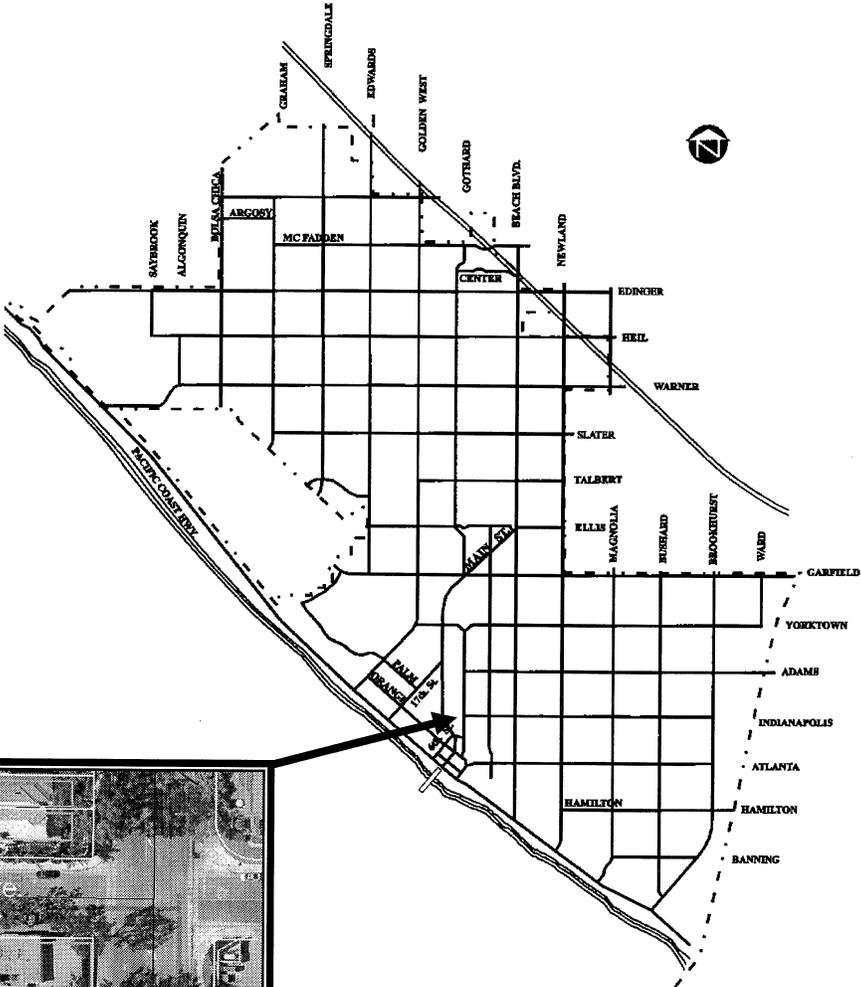
The primary issues for the Planning Commission to consider are sign compatibility and design. Additionally, City Council Member Bohr cites concerns with the location of the wall signs on the second story and the size and materials of the wall signs in relation to the building.

ATTACHMENTS:

1. Vicinity Map
2. Pictures of old façade and signage dated March 12, 2004
3. Alternative staff recommendations dated May 10, 2007
4. Planned Sign Program dated May 24, 2007
5. Design Review Board Notice of Action – DR 07-010/ PSP 07-002 dated May 24, 2007
6. Council Member Bohr appeal letter dated June 4, 2007

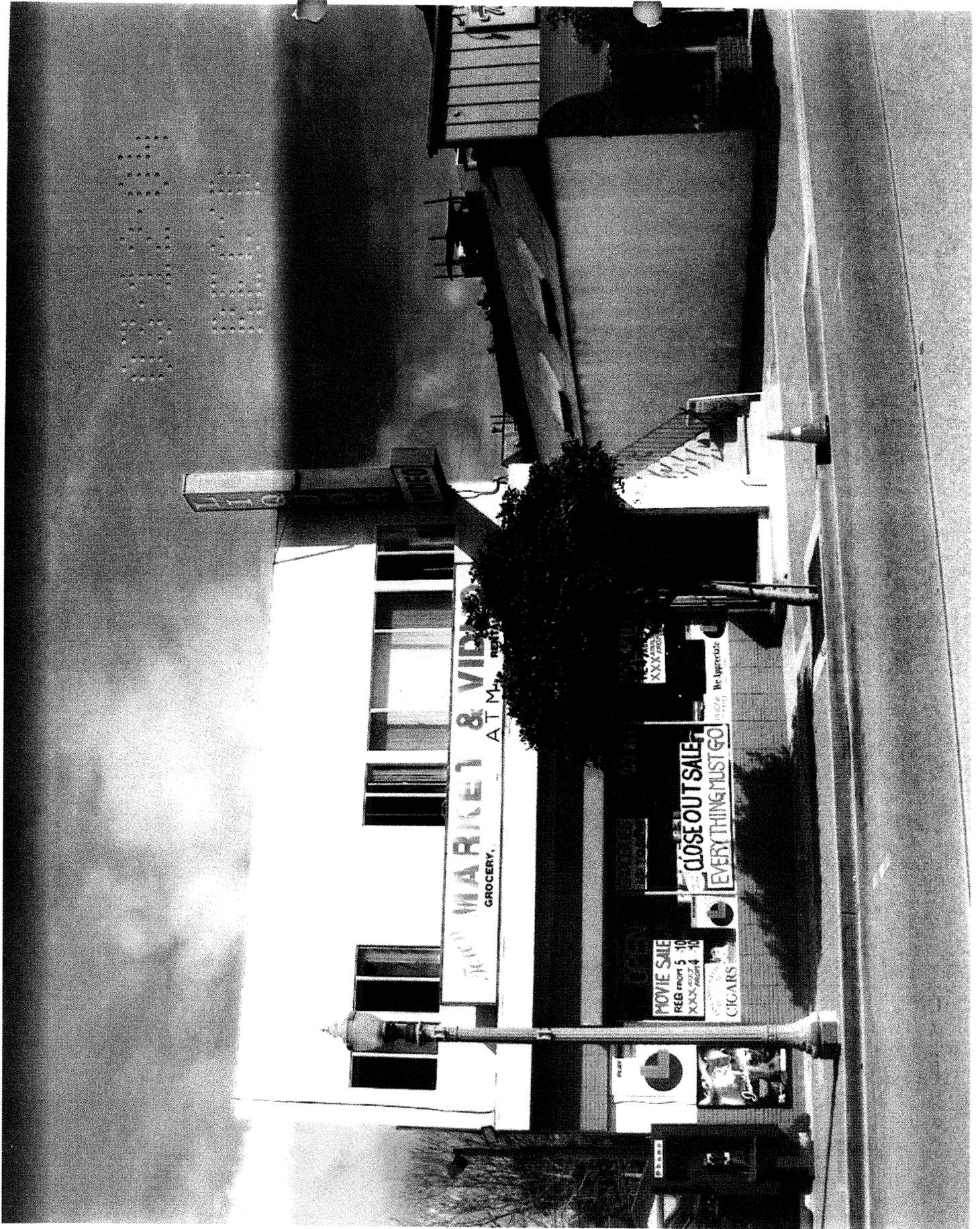
SH:HF:RR:JA:sh

**PROJECT
SITE**



VICINITY MAP

DESIGN REVIEW NO. 07-010
PLANNED SIGN PROGRAM NO. 07-002
(AOUZERAT PROPERTY - 526 Main Street)



OLD FACADE AND SIGNAGE

City of Huntington Beach

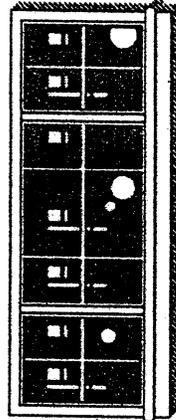
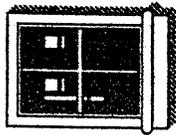
MAY 10 2007

50'-0"

36'-0"

24'-0"

12'-0"

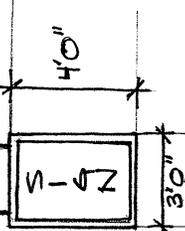


13'6"

5'26"

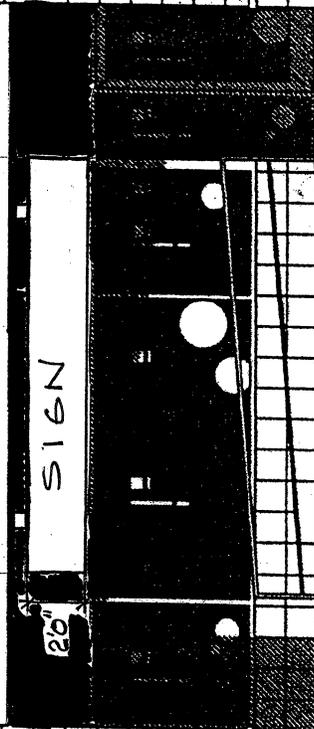
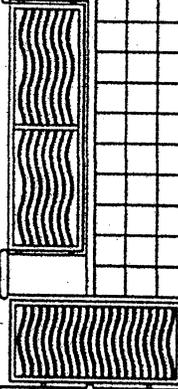
24'-11"

3'-2 1/2"



4'0"

3'0"

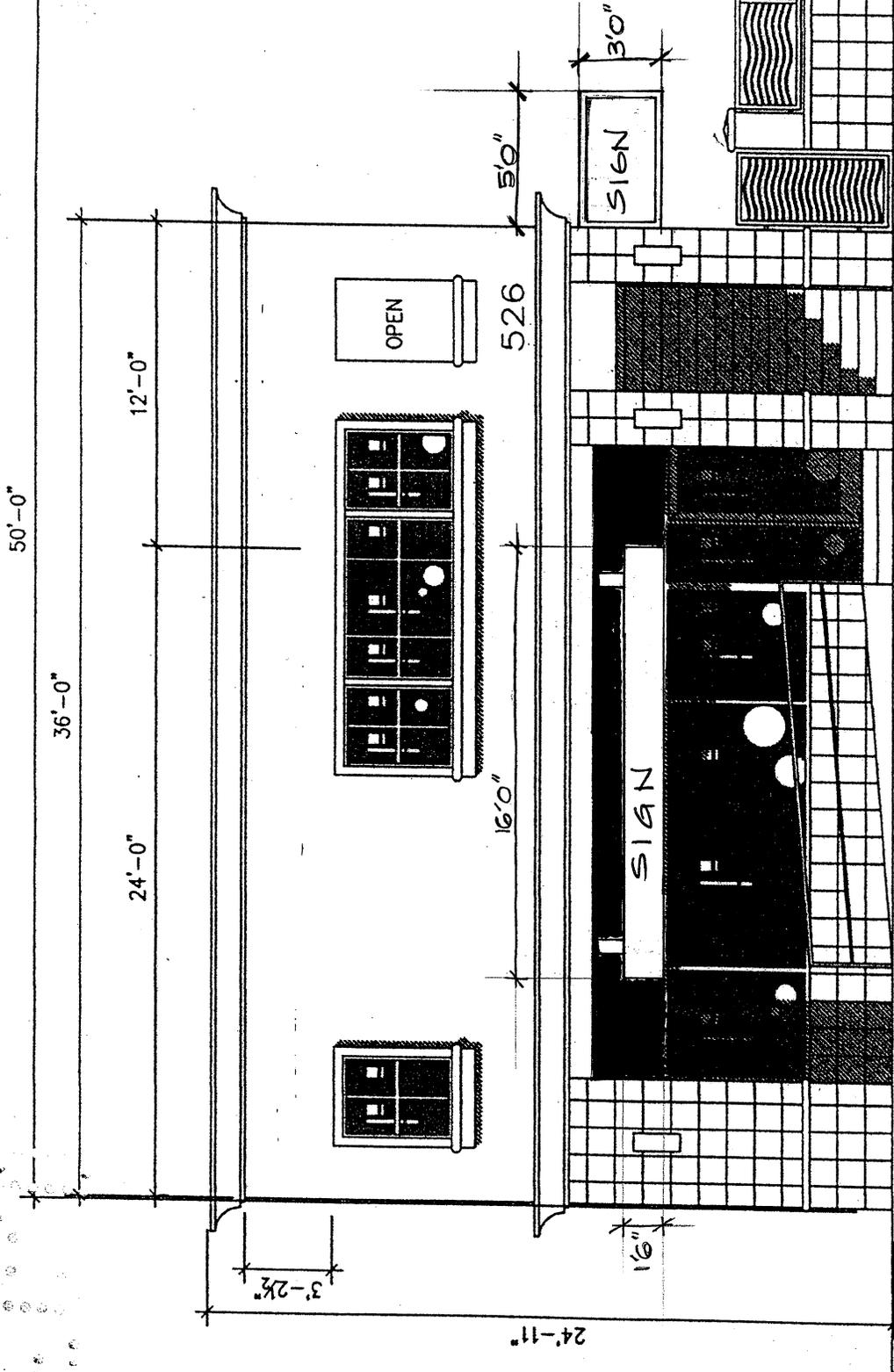


Main Street Elevation

ALTERNATIVE # 1

City of Huntington Beach

MAY 10 2007



Main Street Elevation

- ALTERNATIVE # 2 -

City of Huntington Beach

MAY 10 2007

50'-0"

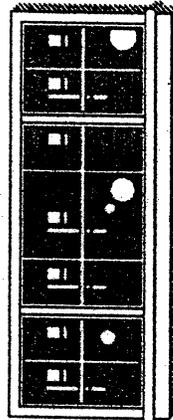
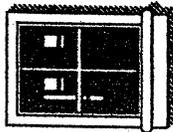
36'-0"

24'-0"

12'-0"

3'-2 1/2"

24'-11"



OPEN

16'0"

5'26"

1'6"

SIGN

SIGN

2'6"

6'0"

8'0"

Main Street Elevation

ALTERNATIVE # 3

City of Huntington Beach

MAY 10 2007

50'-0"

36'-0"

24'-0"

12'-0"

3'-2 1/2"

24'-11"

12'-0"

526

OPEN

Floor and Tile Company, Inc.

HB
SKIN
SPR

4'-0"

6'-0"

2'-6"

8'-9"

Main Street Elevation

- ALTERNATIVE # 4 -

SIGN CRITERIA
526 Main Street
Huntington Beach, CA

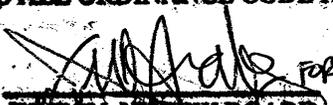
PLANNED SIGN PROGRAM 07-002

526 Main Street, Inc.
526 Main Street
Huntington Beach, CA 92648
714-969-1516

MAY 24 2007

CONDITIONALLY APPROVED

CONCEPTUAL SITE PLAN
THIS REPRESENTS A CONCEPTUAL SITE PLAN ONLY
IT IS NOT A PRECISE SITE PLAN APPROVAL AND
DOES NOT NECESSARILY REFLECT CONFORMANCE
TO ALL ORDINANCE CODE REQUIREMENT


**DESIGN REVIEW BOARD
SECRETARY**

FOR: 5/24/07
DATE

ATTACHMENT NO. 4.1

Narrative

This property is located in the heart of Main Street. It consists of two ground level retail spaces and four residential apartments on the second floor. The retail space has been divided into approximately 2500 square feet to be used as a Flooring Design Center and 1200 square feet as a Skin Spa. Both businesses are open seven days a week with business hours from 9:00 AM to 8:00 PM.

We are requesting a sign plan similar to the one that was approved at our other commercial property located at 438 Main Street. We would like the Planned Sign Program to provide the present and future tenants with as many options as possible in regard to size, font, colors, lighting, etc.

Hopefully you will find our application complete.

I can be reached at 714 969-1516.



Margaret Van Herk
M&H Property Services
9121 Atlanta Avenue #537
Huntington Beach, CA 92646

CONDITIONALLY APPROVED

MAY 24 2007

INTRODUCTION:

1. The intent of the sign criteria is to provide the guidelines necessary to achieve a visually coordinated, balanced and appealing signage environment.
2. Compliance to this Sign Criteria shall be strictly enforced and unauthorized, illegal and/or nonconforming signs shall be removed by the Tenant or designated Sign Company at their expense upon the demand by the Landlord upon notification from the City.
3. Each Tenant must comply with the Landlord's Sign Criteria and must not conflict in any way with the City of Huntington Beach Sign Ordinance Code.
4. Each Tenant or designated Sign Company shall submit three colored copies of proposed sign plans showing size, location, layout, color, lettering / type style, and/or graphics to the Landlord or his agent for approval.
5. After Landlord or designated management company representative approval, the Tenant or designated Sign Company shall then submit three sets of fully dimensioned plans drawn to scale and bearing Landlord or management designee stamp or signature of approval to the City of Huntington Beach for approval. Landlord's written approval is required prior to submittal of a sign request to the City.
6. The tenant or designated Sign Company must obtain the proper permits from the City of Huntington Beach prior to installation.
7. The Tenant shall be financially responsible for their sign, including manufacturing, installation, labor, materials and maintenance and for costs of City permits.
8. Modifications of signage beyond what is approved in this plan sign program require an amendment to this plan.

CONDITIONALLY APPROVED

MAY 24 2007

SIGNAGE SPECIFICATIONS

1. Tenant signs shall be non-illuminated channel letters on the second floor of the Main Street elevation and south wall elevation. There shall be no 'box' signs.
2. Channel lettering for all signs will be of similar letter size and font style.
3. The total Main Street building frontage is 36 linear feet. Units 101 and 102 shall locate signs as designated by Exhibit "A".
4. The south building wall is 10 linear feet. Unit 102 may locate a sign, matching the primary sign, on this wall as designated by Exhibit "B". The maximum square footage for this sign shall be 14 square feet.
5. The total square footage for the signage on the front of the building shall not exceed 1.1 square foot per lineal foot of building frontage. The maximum sign area is 40 square feet. The maximum square footage for each sign shall be:
 - a. Unit 101 – sign square footage of 26 square feet
 - b. Unit 102 – sign square footage of 14 square feet
6. Letter or Logo Height Maximum: 28 inches
7. Maximum sign area length (Main Street elevation):
 - a. Unit 101 – 70% of designated wall width, or 17 feet
 - b. Unit 102 – 70% of designated wall width, or 8 feet
8. Maximum sign area length (south wall elevation):
 - a. Unit 102 – 70% of designated wall width, or 7 feet
9. The faces shall be a minimum of 1/8" acrylic or polycarbonate plastic, copper, brass, or polished stainless steel. Colors shall be in black, brown or in the business logo colors, also subject to the City's and Landlord's approval.
10. All Manufacturing shall be U.L. approved and labeled.
11. All signs shall comply with the 526 Main Street Sign Criteria, the City of Huntington Beach Sign Ordinance and are subject to the Landlord's and City approval prior to installation.

CONDITIONALLY APPROVED

MAY 24 2007

INSTALLATION REQUIREMENTS

1. Contractors installing signs are to be State Registered Contractors in good standing and are to have a current City Business License.
2. Any damage to the building or property that is caused by the Tenant or their contractor will be repaired by the Tenant or their contractor at their expense.
3. Contractor will be required to have \$1,000,000 (one million dollars) in insurance. Contractor shall deliver Certificate of Insurance to the Landlord prior to any construction as evidence of compliance with said requirement. Renewal Certificates shall be delivered to Landlord prior to the expiration date.

CONDITIONALLY APPROVED

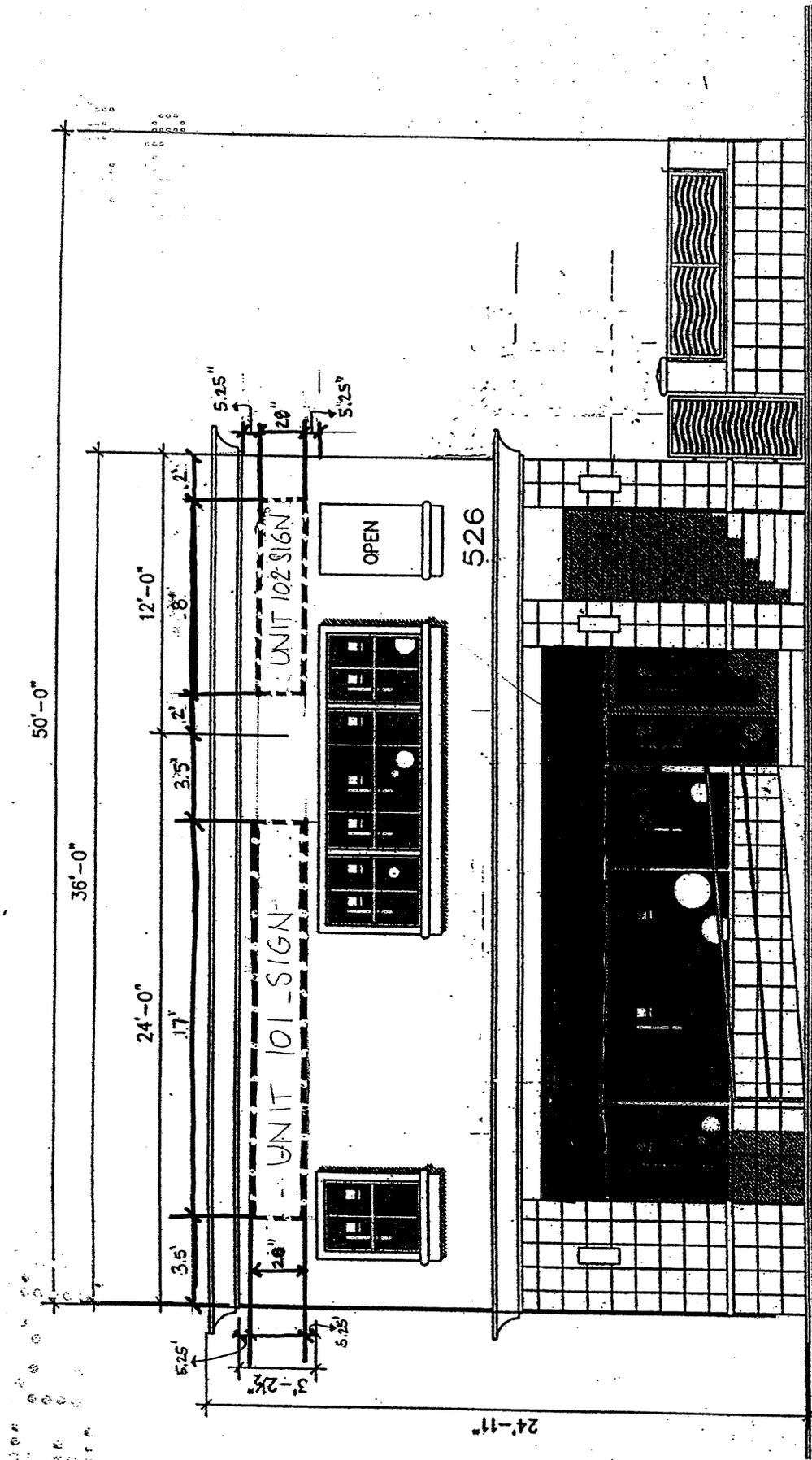
MAY 24 2007

PROHIBITED SIGNS:

1. Flashing, moving, pulsating, or intermittently lighted signs, including searchlights.
2. Signs which conflict with any traffic control device due to color, working, design, location, or illumination, or conflicts with the safe and efficient flow of traffic, both vehicular and pedestrian.
3. Animals or human beings live or simulated utilized as signs.
4. Loudspeakers or signs that emit sound, odor or visible matter.
5. Mechanical movement signs.
6. Roof signs or projecting signs.
7. Banners, kites, flags, pennants, or balloons, except if permitted as temporary signs pursuant to the city of Huntington Beach Sign Ordinance. Tenant shall obtain city approval before display of these devices.
8. Signs which constitute a nuisance or hazard due to their intensity of light.
9. Signs which no longer identify a bona fide business, conducted on the premises. Such signs shall be removed by the owner of the sign within ten days of the business closing date.

CONDITIONALLY APPROVED

MAY 24 2007

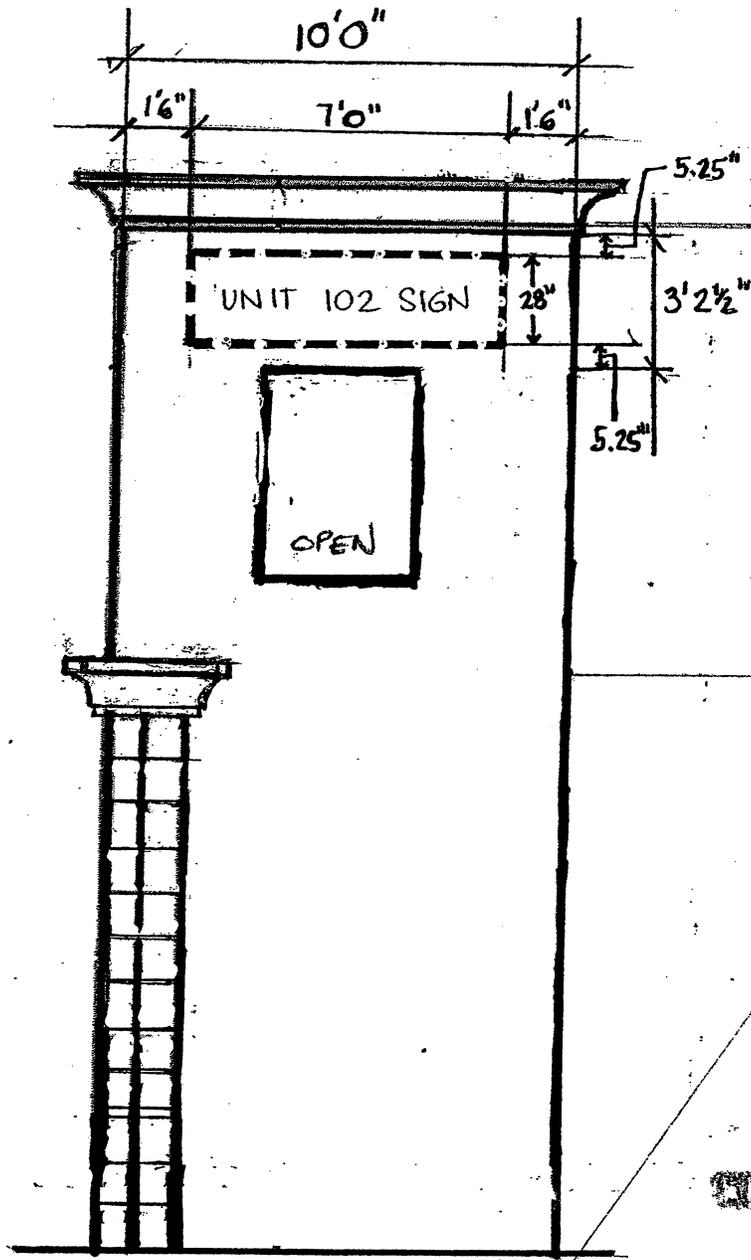


Main Street Elevation

CONDITIONALLY APPROVED

MAY 24 2007

EXHIBIT "A"
ATTACHMENT NO. 4.7

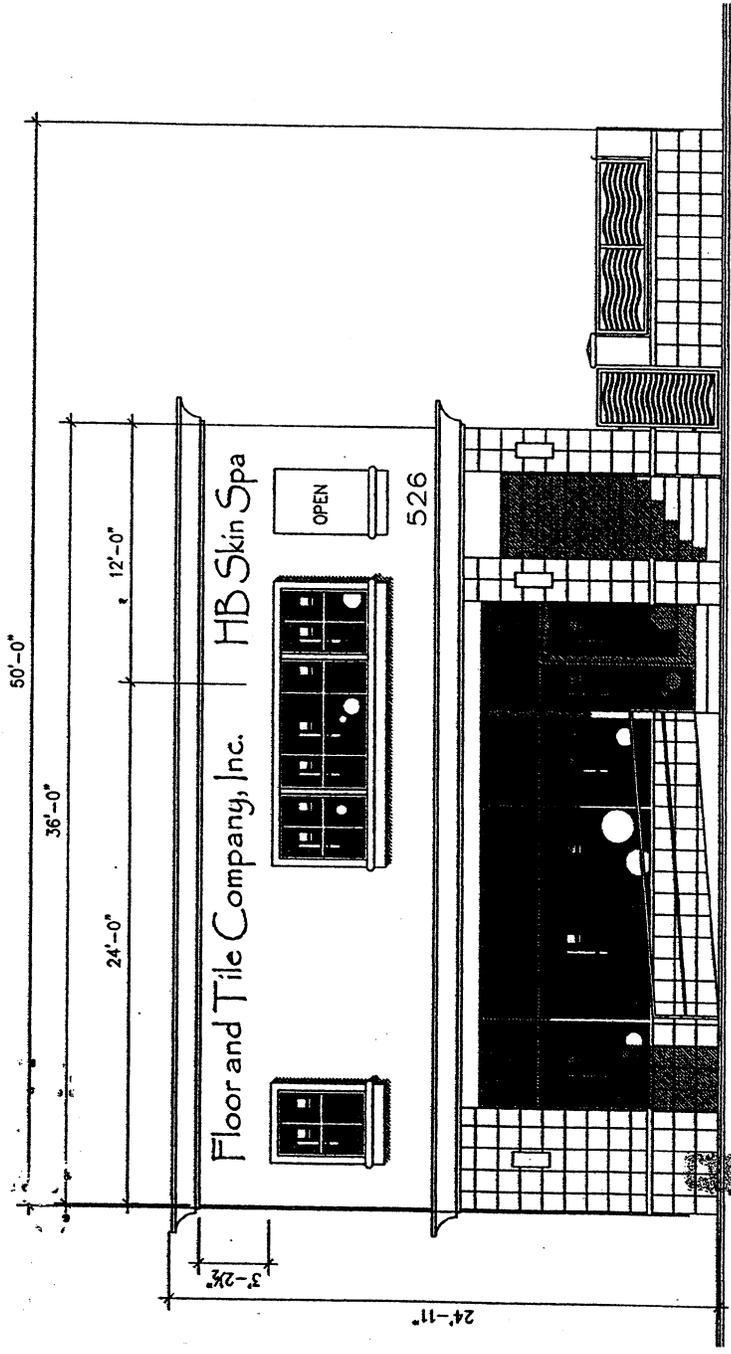


CONDITIONALLY APPROVED

MAY 24 2007

SOUTH WALL ELEVATION
SCALE: 1" = 1/4"

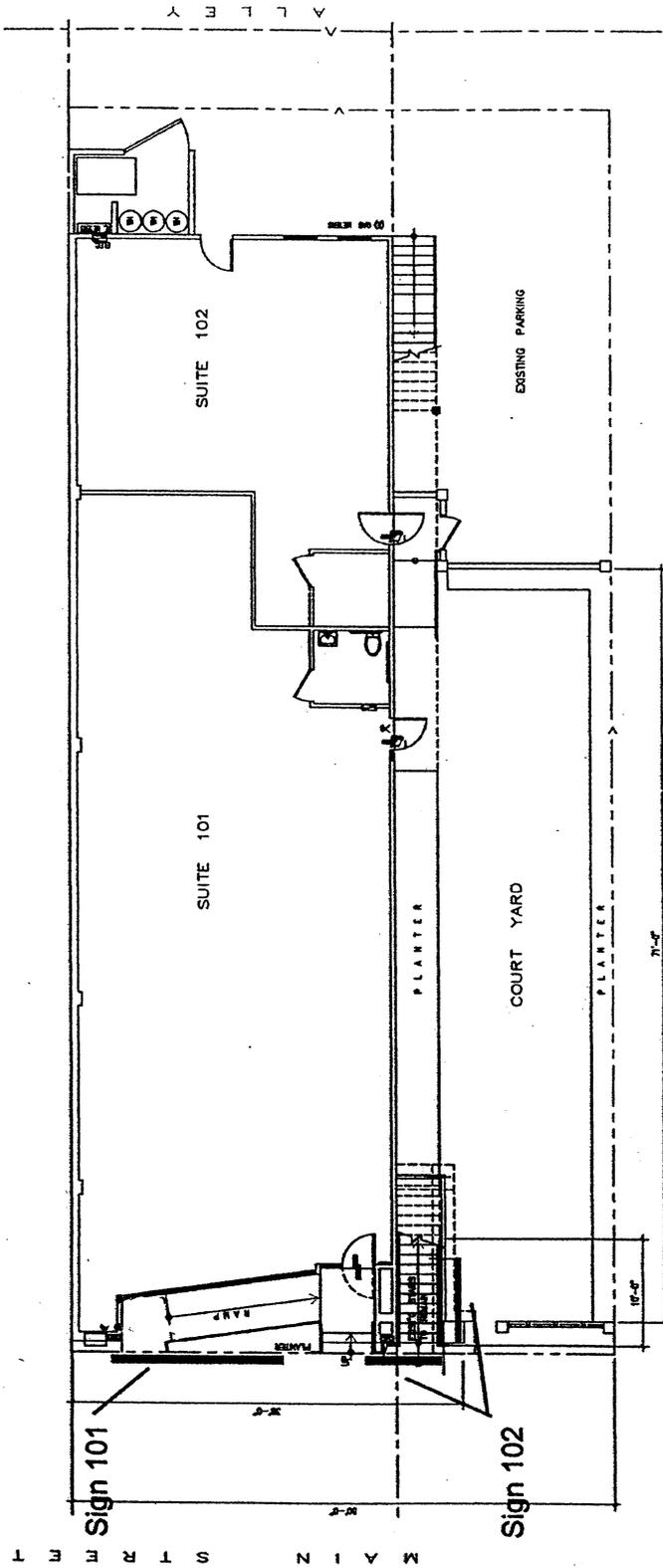
EXHIBIT "B"



Main Street Elevation

CONDITIONALLY APPROVED

MAY 24 2007



526 Main Street Site Plan

CONDITIONALLY APPROVED

MAY 24 2007



MAY 24 2007

CONDITIONALLY APPROVED



CONDITIONALLY APPROVED

MAY 24 2007



CITY OF HUNTINGTON BEACH

2000 MAIN STREET

CALIFORNIA 92648

DESIGN REVIEW BOARD

Phone 536-5271
Fax 374-1540
374-1648

NOTICE OF ACTION

May 29, 2007

Margaret Van Herk
9121 Atlanta Ave. #537
Huntington Beach, CA 92646

APPLICATION: DESIGN REVIEW NO. 07-010/ PLANNED SIGN PROGRAM NO. 07-002 (AOUIZERAT PROPERTY)

APPLICANT: Margaret Van Herk, 9121 Atlanta Ave. #537, Huntington Beach, CA 92646

PROPERTY OWNER: Gilles Aouizerat, 17912 Gothard St., Huntington Beach, CA 92647

REQUEST: Review planned sign program for a 2-unit commercial/residential mixed-use building

LOCATION: 526 Main St. (east side of Main St., between Acacia Ave & 6th St.)

DATE OF ACTION: May 24, 2007

The Design Review Board of the City of Huntington Beach approved your application on May 24, 2007. Attached to this letter are the conditions of approval for your application.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Design Review Board becomes final at the expiration of the appeal period. A person desiring to appeal the decision shall file a written notice of appeal to the Secretary of the Planning Commission within ten calendar days of the date of the Design Review Board's action. The notice of appeal shall include the name and address of the appellant, the decision being appealed, and the grounds for the appeal. A filing fee shall also accompany the notice of appeal. The appeal fee is \$1,287 for a single-family dwelling property owner appealing the decision on his/her own property. The appeal fee is \$1,569 for all other appeals. In your case, the last day for filing an appeal and paying the filing fee is June 4, 2007.

Please be advised that the Design Review Board reviews the conceptual plan as a basic request for entitlement. The action taken by the Design Review Board does not presume issuance of building permits. Provisions of the Huntington Beach Zoning and Subdivision

ATTACHMENT NO. 5.1

Ordinance are such that any application becomes null and void one (1) year after final approval, unless actual construction has started. It is recommended that you immediately pursue completion of the conditions of approval and address all requirements of the Huntington Beach Zoning and Subdivision Ordinance in order to expedite the processing of your building permit application and the completion of your project. The conceptual plan should not be construed as a precise plan, reflecting conformance to all Zoning and Subdivision Ordinance requirements. Please note that there may be additional requirements prior to commencement of the project.

Excepting those actions commenced pursuant to the California Environmental Quality Act, you are hereby notified that you have 90 days to protest the imposition of the fees described in this Notice of Action. If you fail to file a written protest regarding any of the fees contained in this Notice, you will be legally barred from later challenging such action pursuant to Government Code §66020

If you have any questions, please contact Jill Arabe, Planning Aide at (714) 374-5357.

Sincerely,



Ron Santos, Secretary
Design Review Board

RS:JA:jc

ATTACHMENT:

1. Conditions of Approval – DR No. 07-010 / PSP 07-002

- c: Honorable Mayor and City Council
Chair and Planning Commission
Paul Emery, Deputy City Administrator
Scott Hess, Director of Planning
Herb Fauland, Acting Planning Manager
Jacques Pelletier, Division Chief
Terri Elliott, Principal Civil Engineer
Gerald Caraig, Permit-Plan Check Manager
Gilles Aouizerat, 17912 Gothard St., Huntington Beach, CA 92647
Project File

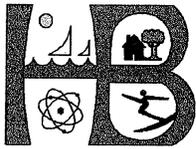
ATTACHMENT NO. 1

CONDITIONS OF APPROVAL - DESIGN REVIEW NO. 07-010 / PLANNED SIGN PROGRAM NO. 07-002

1. The Planned Sign Program dated May 24, 2007 and maintained in entitlement folder DR 07-010 / PSP 07-002 shall be the conceptually approved criteria (see attached).

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 defense thereof.



CITY OF HUNTINGTON BEACH
City Council Interoffice Communication

To: John Scandura, Planning Commission Chair
From: Keith Bohr, City Council Member *KB*
Date: June 4, 2007
Subject: **APPEAL OF DESIGN REVIEW NO. 07-010/ PLANNED SIGN PROGRAM NO. 07-002 (AOUIZERAT PROPERTY – 526 Main St.)**

I am hereby appealing the Design Review Board's May 24, 2007, approval of Design Review No. 07-010/ Planned Sign Program No. 07-002 for exterior wall signage designed for an existing two-story commercial/ residential mixed-use building located at 526 Main Street.

The grounds for my appeal are:

1. Concern over the location of the wall signs which are on the second-story level above the residential windows instead of the ground floor retail windows; and
2. Concern regarding the size and materials of the wall signs as they relate to the building.

Pursuant to Section 248.18 of the HBZSO, the Planning Commission shall hear an appeal from the Design Review Board.

KB:SH

xc: Planning Commissioners
Penelope Culbreth - Graft, City Administrator
Paul Emery, Deputy City Administrator
Herb Fauland, Acting Planning Manager
Jill Arabe, Planning Aide