

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Tess Nguyen, Associate Planner
DATE: September 2, 2015

SUBJECT: COASTAL DEVELOPMENT PERMIT NO. 15-009/ CONDITIONAL USE PERMIT NO. 15-014 (CHASE BANK)

LOCATION: 21502 Brookhurst Street, 92646 (southeast corner of Brookhurst St. and Hamilton Ave.)

Applicant: Bob Superneau, Stantec Architecture Inc., 38 Technology Drive, Suite 100, Irvine, CA 92618

Property Owner: 58 Wilfred LLC, 2700 Pacific Coast Highway, Second Floor, Torrance, CA 90505

Request: To permit the construction of an approximately 3,130 sq. ft. bank with a drive-thru canopy and 21 parking spaces on a 0.52-ac. site within the appealable area of the Coastal Zone

Environmental Status: This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

Coastal Status: Appealable

Zone: CG-CZ (Commercial General - Coastal Zone)

General Plan: CG-F1 (Commercial General – 0.35 FAX Max)

Existing Use: Gas Station

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the proposed development consists of the construction of a new bank building with 3,130 sq. ft. of floor area

not involving the use of significant amounts of hazardous substances, where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 15-009:

1. Coastal Development Permit No. 15-009 to permit the construction of an approximately 3,130 sq. ft. bank with a drive-thru ATM canopy and 21 parking spaces on a 0.52-acre commercial site within the appealable area of the Coastal Zone conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following policies:

Policy – C 1.1.4: Where feasible, locate visitor-serving commercial uses in existing developed areas or at selected points of attraction for visitors.

Policy – C 1.2.1: Accommodate existing uses and new development in accordance with the Coastal Element Land Use Plan and the Development and Density Schedule Table C-1.

The proposed use is similar to and compatible with existing uses within the vicinity to serve the residents in the community and visitors to the area.

2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The project complies with all applicable land use controls and development standards, including minimum on-site parking requirements and setbacks, maximum building height and floor area ratio.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The project will involve construction on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roads.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access, recreation, or views to coastal resources.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 15-014:

1. Conditional Use Permit No. 15-014 for the construction of an approximately 3,130 sq. ft. bank with a drive-thru ATM canopy and 21 parking spaces on a 0.52-acre commercial site will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The project will not significantly impact adjoining properties because it will be located within an established commercial district containing similar commercial uses to the north, south, east, and west of the subject site. To maximize the distance for vehicle queuing, the drive-through is located to the rear of the building, away from the main entrance and street frontage, providing sufficient vehicle queuing and efficient onsite circulation. The layout of the site and reciprocal access with adjacent properties along the east and south property lines will provide safe conditions for pedestrian and vehicular circulation. The proposed use will be adequately parked and will have minimal impacts onto the adjacent properties. Furthermore, the project will not generate significant noise, odors, or other detrimental impacts to the surrounding area.

2. The construction of an approximately 3,130 sq. ft. bank with a drive-thru ATM canopy and 21 parking spaces will be compatible with surrounding uses because the proposed commercial use will serve the surrounding neighborhood and is designed to be consistent with the surrounding neighborhood by providing appropriate scale through a single-story design with appropriate proportion and character through variable façade offsets and harmonious color palette and materials. The project, as proposed, conforms to City of Huntington Beach Urban Design Guidelines for drive-through and general commercial buildings by providing a functional site layout, featuring a variety of roof lines and façade treatments, and providing adequate drive-through queuing. The location of the drive-through will not visually impact the area because it will be screened by the building and perimeter landscaping.
3. The proposed construction of an approximately 3,130 sq. ft. bank with a drive-thru ATM canopy and 21 parking spaces will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The proposed development complies with the development standards and land use provisions in the Commercial General (CG) zoning district including minimum building setbacks, onsite landscaping, and off-street parking, and maximum building height and floor area ratio.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of CG-F1 (Commercial General – 0.35 Max. Floor Area Ratio) on the subject property. In addition, it is consistent with the following goals, policies, and objectives of the General Plan:

A. Land Use Element

Goal - LU 10: Achieve the development of a range of commercial uses.

Objective – LU 10.1: Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residents, serve the surrounding region, serve visitors to the City, and capitalize on Huntington Beach’s recreational resources.

Policy - LU 10.1.4: Require that commercial buildings and sites be designed to achieve a high level of architectural and site layout quality.

Policy - LU 10.1.12: Require that Commercial General uses be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development, including: (a) incorporation of site landscaping, particularly along street frontages and in parking lots; (e) architectural treatment of buildings to minimize visual bulk and mass, using techniques such as the modulation of building volumes and articulation of all elevations.

B. Economic Development Element

Objective - ED 2.4: Revitalize, renovate and expand existing Huntington Beach commercial facilities while attracting new commercial uses.

Policy - ED 2.4.3: Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market area.

The proposed project consists of a neighborhood serving commercial use in an area designated for commercial uses. The proposed use will market its services to local residents and residents in the surrounding region thereby expanding the service-based commercial opportunities in the City. The project design features quality architecture and exterior finish materials, a variety of roof lines and façade treatments, and a functional site layout. The proposed building complies with the City of Huntington Beach Urban Design Guidelines for drive-through and general commercial buildings, including modulation of building volumes, articulation of elevations, and screening of drive-through lanes.

SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 15-009 /CONDITIONAL USE PERMIT NO. 15-014:

1. The site plan, floor plans, and elevations received and dated July 9, 2015 shall be the conceptually approved design with the following modification:
 - a. Utility meters shall be screened from view from public right-of-ways. Backflow prevention devices shall be setback a minimum of 5 feet from the front property line and shall be screened from view. Mechanical equipment shall not be visible from a street or adjoining lot. **(HBZSO Section 230.76)**
2. Prior to issuance of demolition permits, the following shall be completed:
 - a. The applicant shall follow all procedural requirements and regulations of the South Coast Air Quality Management District (SCAQMD) and any other local, state, or federal law regarding the removal and disposal of any hazardous material including asbestos, lead, and PCB's. These requirements include but are not limited to: survey, identification of removal methods, containment measures, use and treatment of water, proper truck hauling, disposal procedures, and proper notification to any and all involved agencies.
 - b. Pursuant to the requirements of the South Coast Air Quality Management District, an asbestos survey shall be completed.
 - c. The applicant shall complete all Notification requirements of the South Coast Air Quality Management District.
 - d. The City of Huntington Beach shall receive written verification from the South Coast Air Quality Management District that the Notification procedures have been completed.
 - e. All asbestos shall be removed from all buildings prior to demolition of any portion of any building.
3. Prior to issuance of grading permits, the following shall be completed:
 - a. Evidence of a temporary construction easement (or other means of access authorization by the adjacent property owner), for construction access from APN 149-321-20 to the subject site, shall be submitted to Public Works. **(PW)**
 - b. At least 14 days prior to any grading activity, the property owner/developer shall provide notice in writing to property owners and tenants on record of properties immediately adjacent to and across the street from the project site. The notice shall include a general description of planned grading activities and an estimated timeline for commencement

and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Planning and Building Department.

4. Prior to submittal for building permits, the following shall be completed:
 - a. One set of revised site plan and elevations in accordance with Condition No. 1 shall be submitted to the Planning Division for review and approval and inclusion in the entitlement file.
 - b. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
5. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - c. Truck idling shall be prohibited for periods longer than 5 minutes.
 - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - e. Discontinue operation during second stage smog alerts.
 - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/ grading activity.
6. The structure cannot be occupied, the final building permit(s) cannot be approved, utilities cannot be released, and a Certificate of Occupancy cannot be issued until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - b. The applicant shall obtain the necessary permits from the South Coast Air Quality Management District and submit a copy to the Planning Division.
 - c. Compliance with all conditions of approval specified herein shall be verified by the Planning Division.
 - d. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
 - e. A Certificate of Occupancy must be approved and issued by the Planning and Building Department.

- f. All existing overhead utilities that occur along the project's Hamilton Avenue frontage, including half street crossing across Brookhurst Street from the subject property's frontage, shall be under-grounded. This includes the Southern California Edison (SCE) aerial distribution lines (12kV) along the entire length of the northerly frontage of the subject project. If required, easements shall be quitclaimed and/or new easements granted to the corresponding utility companies. As an alternate to performing the actual undergrounding, the applicant may pay a fair-share fee, in the amount of \$46,200 to the City of Huntington Beach Public Works Department for said undergrounding of the existing overhead utility lines along the project's Hamilton Avenue frontage. **(PW)**
7. Coastal Development Permit No. 15-009 and Conditional Use Permit No. 15-014 shall become null and void unless exercised within two years of the date of final Coastal Development Permit approval by the City or by the Coastal Commission if the Coastal Development Permit is appealed, or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning & Building Department a minimum 30 days prior to the expiration date.
8. The Development Services Departments and divisions (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 and Building 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 Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.
9. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.