

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

WEDNESDAY, JUNE 25, 2008 - 1:30 P.M.

ZONING ADMINISTRATOR: Ricky Ramos,

STAFF MEMBER: Ron Santos, Andrew Gonzales, Rami Talleh, Judy Demers (acting recording secretary)

MINUTES: **NONE**

ORAL COMMUNICATION: **NONE**

ITEM NO.1 COASTAL DEVELOPMENT PERMIT NO. 2008-011; CONDITIONAL USE PERMIT NO. 2008- 021 (SAWYER RESIDENCE)

APPLICANT: Jay Golison, 5500 Bolsa Avenue, Suite No. 15, Huntington Beach, CA 92649

PROPERTY OWNER: Matt Sawyer, 16701 Peale Lane, Huntington Beach, CA 92647

REQUEST: CDP: To permit the demolition of an existing single-family dwelling and the construction of approximately 4,876 sq. ft., 35 ft. tall single-family dwelling with a 600 sq. ft. attached garage; CUP: To allow (a) approximately 1,029 sq. ft of habitable space above the 2nd story and; (b) an overall building height exceeding 30 ft. The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/ privacy issues, such as window alignments, building pad height, and floor plan layout.

LOCATION: 16701 Peale Lane, 92649 (west side of Peale Lane, north of Gilbert Drive-Huntington Harbour)

PROJECT PLANNER: Ron Santos

Ron Santos, stated that the applicant has requested to continue the item to the July 23, 2008 meeting.

AS THERE WERE NO PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST THE PUBLIC HEARING WAS NOT OPENED.

COASTAL DEVELOPMENT PERMIT NO. 2008-011 AND CONDITIONAL USE PERMIT NO. 2008- 021 WERE CONTINUED TO THE JULY 23, 2008 MEETING AT THE APPLICANT'S REQUEST.

ITEM NO. 2: RECONSIDERATION OF TEMPORARY USE PERMIT NO. 2008-003 (SAINTS SIMON AND JUDE OUTDOOR CHURCH SERVICES)

APPLICANT: Gil Michalek, 20444 Magnolia Street, Huntington Beach, CA 92646
PROPERTY OWNER: Roman Catholic Bishop of Orange, 20444 Magnolia Street, Huntington Beach, CA 92646
REQUEST: To reconsider the temporary use of a tent for church services, due to insufficient Public Notification. The outdoor services will occur for a period of eight (8) months from June 15, 2008 through January 31, 2009.
LOCATION: 20444 Magnolia Street, 92646 (northeast corner of Magnolia Street and Indianapolis Avenue)
PROJECT PLANNER: Andrew Gonzales

Andrew Gonzales, Assistant Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the subject site. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary. Mr. Gonzales explained that the item was scheduled for reconsideration due to insufficient public notification.

Staff suggested that a modification to the conditions requiring that two of the tent openings remain closed during all services.

Mr. Gonzales stated that he had not received any comments regarding this project since the last hearing.

THE PUBLIC HEARING WAS OPENED.

John Blake, 9182 Browning, spoke in opposition of the project. He stated that he has concerns that a temporary sound wall would not help control the increase in noise. He did mention that he would support a permanent sound wall to help with all the noise issues generated by the church's regular activities.

James Ayres, 20386 Flora, inquired of staff as to whether the parking spaces provided were in compliance with the City's requirements. Mr. Gonzales replied that the required 266 spaces is met as the church currently has 328 spaces.

Karen Young, 9162 Browning, questioned staff as to the Church's ability to use the gymnasium that is on the property.

Ricky Ramos, Zoning Administrator, asked the applicant, Mr. Gil Michalek to respond to Ms. Young's inquiry.

Mr. Michalek, responded that the gymnasium is not available as it is too small to accommodate the parishioners and is also used by the students on a daily basis.

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

Ricky Ramos, Zoning Administrator, indicated that he was going to approve the request with the conditions recommended by staff.

TEMPORARY USE PERMIT 2008-003 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15304 of the CEQA Guidelines, because the project consists of a minor temporary use of land having negligible or no permanent effects on the environment.

FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 2008-003:

1. Temporary Use Permit No. 2008-003 to establish outdoor church services within a tent for a period of eight (8) months from July 13, 2008 through March 13, 2009 will be located, operated and maintained in a manner consistent with the policies of the General Plan and the provisions of Chapter 241. The use is temporary in nature, compatible with surrounding uses, and consistent with the following Land Use Policies:

LU 9.4 Provide for the inclusion of recreational, institutional, religious, educational and service uses that support resident needs within residential neighborhoods.

LU 9.4.1 Accommodate the development of religious facilities and similar community-serving uses in all residential areas, provided that they are compatible with adjacent residential uses and subject to review and approval by the City and other appropriate agencies.

LU 13.1.2 Allow for the continuation of existing and development of new religious facilities in any land use zone where they are compatible with adjacent uses and subject to the City review and approval.

Saints Simon and Jude Church is in the process of expanding their existing church building. The proposed outdoor church services will allow the church to continue regular worship services until construction activity is completed. The temporary use will not operate concurrently with existing church services or operations. The proposed services will not remove or require additional onsite parking.

2. Approval of the request to establish outdoor church services within a tent for a period of eight (8) months from July 13, 2008 through March 13, 2009 will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. Church services will operate in a similar manner prior to the church expansion with exception of mass services provided within the outdoor tent during construction. As conditioned, potential adverse impacts associated with noise will be mitigated through the incorporation of sound walls which will be located adjacent to the tent walls closest to residences. Furthermore, the project will direct entrances/exits and the stage area away from adjoining residences so as not to impact adjacent residential uses.

CONDITIONS OF APPROVAL - TEMPORARY USE PERMIT NO. 2008-003:

1. The site and floor plan received and dated April 17, 2008 and Exhibit A received and dated May 22, 2008 shall be the conceptually approved layout with the following modification:
 - a. Revise Exhibit A received and dated May 22, 2008, to include an additional sound barrier along the east and west sides of the tent, as needed, to comply with the City's Noise Ordinance.
2. The use shall comply with the following:
 - a. The north and east openings of the tent shall be closed at all times.
 - b. One electronic piano and cantor shall be allowed. All other amplified or non-amplified music is prohibited. The aforementioned items shall not be directed towards any housing area.
 - c. Portable or theatrical lighting sets shall be positioned and aimed so that they do not shine towards or blind on-coming street traffic or adjoining residences.
 - d. The outdoor church services shall operate for a period of eight months from July 13, 2008, through March 13, 2009.
3. The Planning Director ensures that all conditions of approval herein are complied with. The Planning Director shall be notified in writing of any changes to the operations of the church services. 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 Huntington Beach Zoning and Subdivision Ordinance.
4. Only the uses described in the narrative dated April 17, 2008 shall be permitted.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

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

THE MEETING WAS ADJOURNED AT 1:51 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, JULY 2, 2008 AT 1:30 PM.



Ricky Ramos
Zoning Administrator

RR:jd