

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

WEDNESDAY, MARCH 5, 2008 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Jill Arabe, Ron Santos, Andrew Gonzales, Rami Talleh,
Pamela Avila (recording secretary)

MINUTES: **NONE**

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 2008-002 (KAMMERMAN RESIDENCE)

APPLICANT/

PROPERTY OWNER: Mark Kammerman, 16792 Intrepid Ln., Huntington Beach, CA
92649

REQUEST: To permit the construction of an approximately 400 sq. ft. second
story addition to an existing single-family dwelling.

LOCATION: 16792 Intrepid Ln., 92649 (Northeast side of Intrepid Ln.,
northwest of Broadway – Huntington Harbor)

PROJECT PLANNER: Jill Arabe

Jill Arabe, Planning Aide, displayed project plans and photographs and stated the purpose, location, zoning, and existing use 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.

No comments or inquiries were received from any neighbors on the proposed project.

THE PUBLIC HEARING WAS OPENED.

There were no comments.

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

**COASTAL DEVELOPMENT PERMIT NO. 2008-002 WAS APPROVED BY THE ZONING
ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL.
THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING
ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN
(10) WORKING DAYS.**

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project consists of an addition to an existing single-family dwelling.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-002:

1. Coastal Development Permit No. 2008-002 to permit construction of an approximately 400 square foot second-story addition to an existing two-story single-family dwelling, as proposed, conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code including maximum lot coverage, maximum building height, minimum yard setbacks, and minimum on-site parking.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed addition will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer and roads.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The proposed addition will not impede public access or impact public views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-002:

1. The site plan, floor plans, and elevations received and dated January 15, 2008 shall be the conceptually approved design.
2. Prior to issuance of building permits, a letter from the property owner's association stating that the proposed project has been approved, denied or that association review is not required shall be submitted to the Planning Department.
3. 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/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

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

ITEM 2: VARIANCE NO. 2008-003 (FORD OFFICE BUILDING REMODEL)

APPLICANT: William Handley, 130 El Camino Real, Suite 200, Tustin, CA 92780
PROPERTY OWNER: Scott and Julie Ford, 16511 Goldenwest, Unit D, Huntington Beach, CA 92647
REQUEST: To permit an approximately 5 ft.-2 in. wide landscape planter along a portion of the project site's Goldenwest Street frontage in lieu of the minimum required 10 ft. wide planter, in conjunction with the facade remodel of an existing office building.
LOCATION: 16511 Goldenwest Street, 92647 (southwest corner of Goldenwest St. and Heil Ave.)
PROJECT PLANNER: Ron Santos

Ron Santos, Associate Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use 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.

Staff reported that the applicant's proposal will increase the percentage of landscaping on the property to the maximum extent possible.

Mary Beth Broeren, Zoning Administrator, inquired if the development had originally complied with landscaping requirements when the office building was originally developed. Staff did not confirm if the site had a variance at that time. However, staff noted that plans from 1971 reflected that there was no landscaping provided.

Ms. Broeren inquired if the variance applies to the entire frontage. Staff responded that it did.

Staff reported that there were no written or verbal comments received in response to the public notification.

THE PUBLIC HEARING WAS OPENED.

Bill Handley, applicant, stated that he was available to answer any questions.

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

Ms. Broeren commented that the additional landscaping provided was a positive improvement to the property. She inquired if the site met the parking requirements. Staff responded that the site complied with parking and that there was no further reduction in parking.

Ms. Broeren noted that there appeared to be a surplus parking space that could be used for an increase in landscaping.

Staff responded that the property complies with the minimum required onsite landscaping requirements. Eliminating one parking space would add additional onsite landscaping; however, that will not contribute toward the planter width requirement along the site's Goldenwest Street frontage.

Ms. Broeren stated that due to the circumstances of the landscaping increase on the site, the lot configuration, and the location of existing buildings the variance was warranted. Ms. Broeren approved the variance with revised findings to reflect the fact that the site exceeds the minimum required onsite landscaping.

VARIANCE NO. 2008-003 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15305 of the CEQA Guidelines, because the project represents a minor alteration in land use limitations which will not result in any changes in land use or density.

FINDINGS FOR APPROVAL - VARIANCE NO. 2008-003:

1. The granting of Variance No. 2008-003 to permit an approximately 5 ft.-2 in. wide landscape planter along a portion of the project site's Goldenwest Street frontage in lieu of the minimum required 10 ft. wide planter, will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. The project site can not comply with the applicable landscape code requirements and simultaneously maintain compliance with applicable parking requirements without demolishing at least a portion of the existing building, which would constitute undue hardship. Consequently, the requested variance provides for the remodeling of an aging commercial center, which would not be inconsistent with the limitations on other properties in the vicinity.
2. Because of special circumstances applicable to the subject property, including size, shape, location or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under

identical zone classification. The project site is constrained by special circumstances which include its existing legal non-conforming condition with respect to the width of the landscape planter along the Goldenwest Street frontage. The project site can not meet current code requirements for the width of the landscape planter and maintain conformance with current parking standards, due to the existing location of the building, "L" shaped lot, and other site improvements which can not be relocated.

3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights. The requested variance is necessary in order to allow for the remodel of the existing commercial center. The City's Zoning Ordinance requires that property meet certain minimum requirements for landscaping as a prerequisite to allow exterior modifications. In this case, the project can not meet the applicable landscape requirements to the existing location of buildings and other site improvements. Consequently, strict application of the Zoning Ordinance would deprive the property owner of the right to remodel and improve the property to meet objectives for community character.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification. The requested variance will allow the project site to maintain its existing non-conforming street side landscape planter width and provide for the remodeling of the existing commercial center, which will benefit the public welfare and surrounding property owners by improving the appearance and value of the subject property. In addition, the project will provide additional on-site landscaping such that the total percentage of site landscaping (11%) will exceed the code required minimum (6%) by 5%.
5. The granting of the variance will not adversely affect the General Plan. It is consistent with the Land Use Element designation of CN-F1 (Commercial Neighborhood – 0.35 maximum floor area ratio) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

LU 7.1.2: Require that development be designed to account for the unique characteristics of project sites and objectives for community character and in accordance with the Development "Overlay" Schedule as appropriate.

The requested variance accounts for the unique characteristics of the project site by allowing a minor reduction in the street side landscape width, in order to allow for the remodel of the commercial center and thereby meet objectives for community character.

CONDITIONS OF APPROVAL VARIANCE NO. 2008-003:

The site plan, floor plans, and elevations received and dated February 1, 2008 shall be the conceptually approved design.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

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

ITEM 3: COASTAL DEVELOPMENT PERMIT NO. 2007-020 (PIER PLAZA VISITOR CENTER BUILDING)

APPLICANT: Community Services, City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648
PROPERTY OWNER: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648
REQUEST: To permit the construction of an approximately 144 sq. ft. Visitor's Center building.
LOCATION: 325 Pacific Coast Highway, 92648 (Southwest side of PCH, terminus of Main St. – Pier Plaza)
PROJECT PLANNER: Andrew Gonzales

Andrew Gonzales, Assistant Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use 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.

Staff reported that the proposed project is compatible with the surrounding structures, specifically, Duke's and Savannah's Restaurants. The Visitor Center will be open on weekdays from 12 noon to 7 PM in the off season, and will be open seven days a week from 12 noon to 7 PM during the peak season (Memorial Day to Labor Day).

The project was reviewed by the City Council on February 4th. The Design Review Board reviewed the design, colors, and materials of the proposed structure and recommended approval to the Zoning Administrator.

Staff noted that the Coastal Commission inquired about the project location and proposal. No other inquiries were received regarding this project.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary.

THE PUBLIC HEARING WAS OPENED.

Peter Haddad, the project architect, stated that he was available to answer questions regarding the project.

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

Ms. Broeren inquired if the owners of the restaurant building, Duke's and Savannah's, were involved in the design of the structure. Staff responded that they were involved.

Ms. Broeren inquired if the project complied with setbacks. Staff responded that the project complied with all development standards .

COASTAL DEVELOPMENT PERMIT NO. 2007-020 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project is located within an urbanized area and involves the construction of a new 144 sq. ft. commercial building.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-020:

1. Coastal Development Permit No. 2007-020 for the construction of an approximately 144 sq. ft. Visitors Center building conforms with the General Plan, including the Local Coastal Program land use designation of CV-d (Commercial Visitor – Design Overlay). The project is consistent with Coastal Element Land Use Policy 3.2.1 which encourages facilities and services that increase and enhance public recreational opportunities in the Coastal Zone. The proposed project will replace a similarly sized building adjacent to the Huntington Beach Municipal Pier and will contain uses (Automatic Teller Machine and Visitors Center) that will provide services to the public and promote recreational opportunities within the City.
2. The project is consistent with the requirements of the CZ Overlay District, the Downtown Specific Plan, as well as other applicable provisions of the Municipal Code, including maximum site coverage, and maximum building height.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed project will be constructed on a developed plaza 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 or impact public views.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-020:

1. The site plan, floor plan, and elevations received and dated December 6, 2007 shall be the conceptually approved design.
2. 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/index.cfm?fuseaction=guidelines>).

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 1:44 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, MARCH 12, 2008 AT 1:30 PM.



Mary Beth Broeren
Zoning Administrator

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