



City of Huntington Beach Planning Department
STAFF REPORT

TO: Planning Commission
FROM: Howard Zelefsky, Director of Planning
BY: Paul Da Veiga, Associate Planner
DATE: May 25, 2004

SUBJECT: **APPEAL OF THE ZONING ADMINISTRATOR'S APPROVAL OF CONDITIONAL USE PERMIT NO. 03-35 (Target Demolition and Rebuild)**

APPLICANT: John Warren, Pacific Land Services, 2151 Salvio St. Ste. 250, Concord, CA 94520

APPELLANT: Charles Ball, Business Properties, 17631 Fitch, Irvine, CA 92614-6021

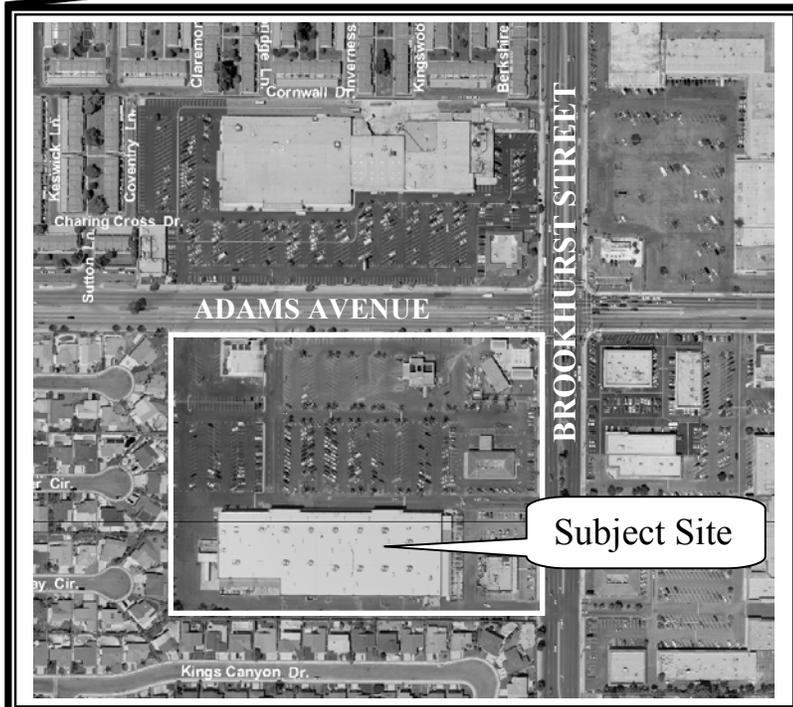
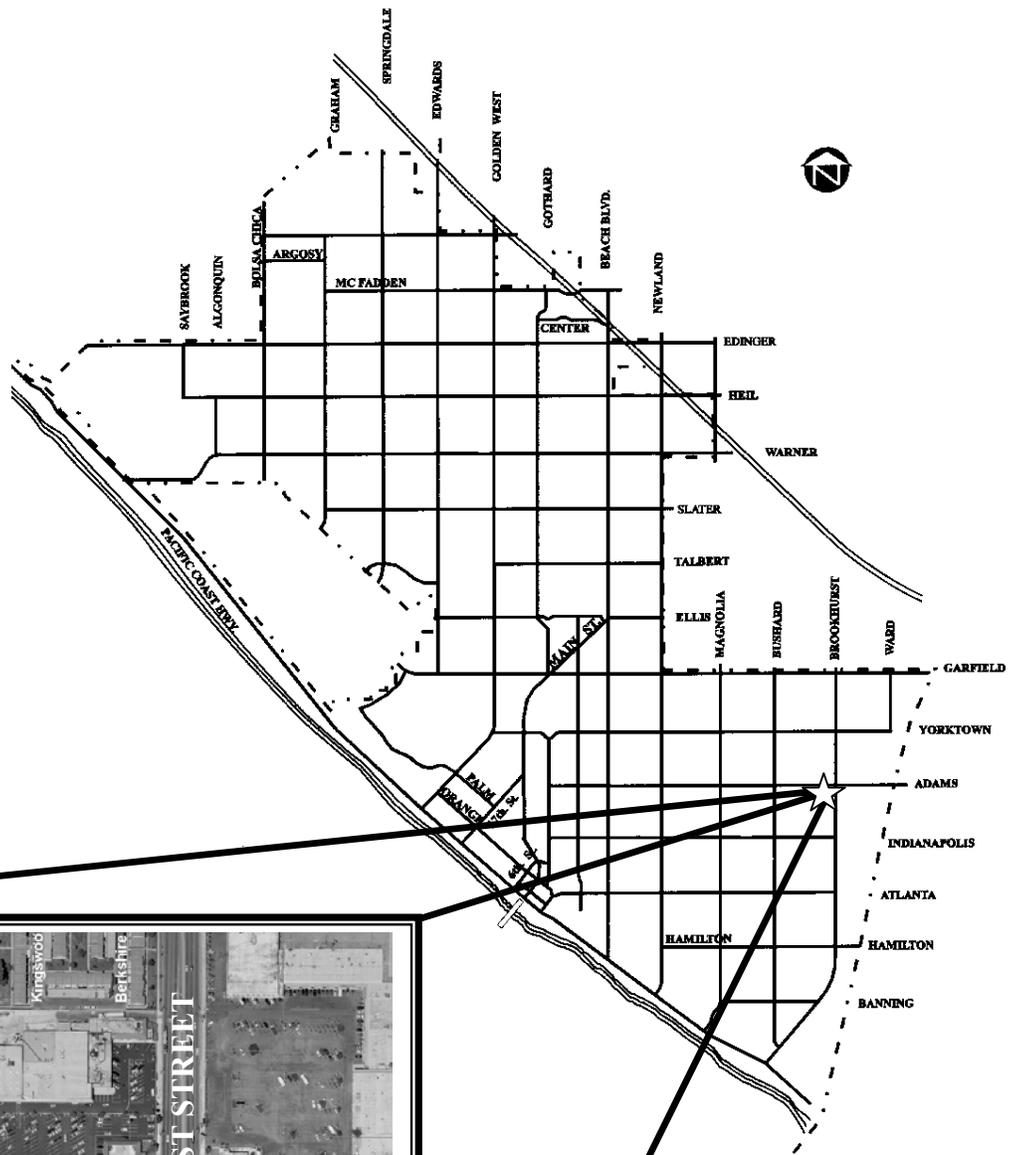
PROPERTY OWNER: Target Corporation, 1000 Nicollet Mall, Minneapolis, MN 55403

LOCATION: 9882 Adams Avenue (southwest corner of Brookhurst Street and Adams Avenue)

STATEMENT OF ISSUE:

- ◆ Conditional Use Permit No. 03-35 request:
 - To permit the demolition of a 103,458 sq. ft. retail commercial building and construction of a new 123,800 sq. ft. Target department store with an attached 8,100 square foot garden center.
 - Allow 9% (63 spaces) of the 666 total parking spaces on the Target site to be compact in size.
 - Redesign the parking area layout including the installation of new landscaping, pedestrian walkways, and public art.

- ◆ Staff's Recommendation:
Approve Conditional Use Permit No. 03-35, based upon the following:
 - The proposed development is consistent with the existing commercial use of the site and can be integrated and be sensitive to the surrounding land uses with adequate buffers, site layout recommendations, FAR limits, and design amenities.
 - The project, as conditioned and with mitigation measures to reduce potential environmental impacts, will not be detrimental to the general health, welfare and safety to persons working or living in the area, nor detrimental to the value of the property or improvements in the area.
 - The proposed Target department store will be compatible with the uses and structures on the adjacent surrounding properties because of proper setbacks, noise attenuation, access drive locations, and architectural quality.
 - The proposed development will increase the potential for taxable sales and provide additional funds to the city.



VICINITY MAP
Conditional Use Permit No. 03-35
9882 Adams Avenue
THE CITY OF HUNTINGTON BEACH

◆ Staff's Recommendation (*Continued*):

- The proposed development can mitigate the potential impacts to the surrounding area to the greatest extent possible, while still allowing for a market-driven commercial project.
- The proposed project, as conditioned, will provide multiple roof planes, significant building wall articulation, landscaping at the building base, and an enhanced entry to improve the overall aesthetic appearance of the project design consistent with the City's Urban Design Guidelines.
- The proposed project is consistent with the CG-F1 (Commercial General – FAR .35) Land Use designation of the General Plan.
- With the conditions imposed, the project will comply with General Commercial development standards and will not be materially detrimental to surrounding properties or residents.

RECOMMENDATION:

Motion to:

- A. "Approve Conditional Use Permit No. 03-35 with findings and suggested conditions of approval (Attachment No. 1)."

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. "Deny Conditional Use Permit No. 03-35 with findings for denial."
B. "Continue Conditional Use Permit No. 03-35 and direct staff accordingly."

PROJECT PROPOSAL:

Conditional Use Permit No. 03-35, pursuant to Section 211.04, Land Use Controls, of the HBZSO represents a request for the following:

- A. To demolish an existing 103,458 sq. ft. retail commercial building and to allow for the construction of a new 123,800 sq. ft. Target department store with an attached 8,100 square foot garden center pursuant to Section 211.04, Land Use Controls, of the HBZSO.
- B. To allow 9% (63 spaces) of the 666 total parking spaces on the Target site to be compact in size pursuant to section 231.20 A. Off-street Parking and Loading Provisions of the HBZSO.
- C. To redesign the parking area layout including the installation of new landscaping and pedestrian walkways throughout the subject site pursuant to Chapter 231 Off-Street Parking and Loading Provisions and Chapter 232.08 C. Off-Street Parking Facilities of the HBZSO.

Target Department store requests a conditional use permit in order to demolish the existing Target building and garden center and replace it with a new 123,800 square foot building with an attached 8,100 square foot garden center. The orientation of the building will change to face Brookhurst Street instead of

Adams Avenue. The applicant proposes to construct the new building at the southwest corner of the subject site approximately 60 feet from the westerly property line and approximately 40 feet from the southerly property line. The garden center is proposed along the south side of the store and is located approximately 40 feet from the southerly property line. The height of the building ranges from 26 feet to 42 feet with the portion of the building nearest to residential at the lower height.

The proposed loading dock is located at the northwest corner of the subject building. The new loading dock faces Adams Street and will be enclosed on three sides in order to block visibility and reduce noise impacts to adjacent residential properties. The loading dock will receive approximately one 62-foot Target truck per day and two trucks per day during the holiday season. The trucks will enter and exit the site from the main drive aisle along Adams Avenue without having to travel around the subject building.

The entire site will be upgraded including 10-foot wide landscape planters along the perimeter of the subject site and interior landscaping and parking in accordance with the Huntington Beach Zoning and Subdivision Ordinance. The proposal includes a request for 63 compact spaces (9%) distributed throughout the subject site.

The proposed uses within the new Target Department store include a 1,708 square foot snack shop, an 8,100 square foot garden center, and 14,438 square feet of storage/stock area, and approximately 107,654 square feet of floor area dedicated to retail sales. The proposed hours of operation will remain the same as the existing store, which are 8:00 a.m. to 10 p.m. Monday through Sunday.

Zoning Administrator Action

The conditional use permit and mitigated negative declaration were considered by the Zoning Administrator at a public hearing held on March 31, 2004. Testimony in support of the request was received from the applicant, architect, and property owner. Three residents from the adjacent residential neighborhood identified concerns regarding the potential for noise impacts within the proposed garden center, loading area, and behind the subject building.

Staff recommended denial of the request on the basis that the proposed architectural design was not in compliance with the Urban Design Guidelines and the lack of design features to mitigate potential noise from the garden center and loading area. The Zoning Administrator approved the mitigated negative declaration but continued the conditional use permit application to give the applicant the opportunity to address concerns regarding the design of the proposed structure and potential noise impacts. At the April 14, 2004 meeting, the applicant introduced a new contemporary design for the building, which included a solid wall along the entire garden center and an enclosed loading and unloading area to address design and noise concerns. The Zoning Administrator approved the conditional use permit and included conditions of approval requiring the following:

- Sound absorbing material within the loading area designed to minimize noise impacts associated with loading and unloading activities.
- The design, colors, and materials are subject to the review of the Design Review Board.
- Parking along the rear of the store shall be designated for employees only.
- Two speed bumps shall be provided along the rear drive aisle behind the store to prevent speeding and cut-through traffic behind the store.

- ❑ Perimeter trees that are located directly adjacent to residential properties shall be of a non-deciduous variety resulting in minimal maintenance impacts to surrounding residents.
- ❑ The architecture, colors, and materials of the garden center and enclosed loading area shall be consistent with the overall building architecture.
- ❑ Several massing elements in various volumes shall be incorporated into the design. Varied use of earth tone colors and quality exterior materials such as stone veneer, split-face block, or other similar material shall be incorporated into the buildings exterior to accent prominent portions of the facade.
- ❑ The design of the garden center shall incorporate an enhanced entry design which shall have the appearance of a secondary storefront.
- ❑ The cart corrals shall be constructed of durable materials such as concrete block and shall incorporate similar colors and materials as the Target building.
- ❑ All non-conforming signs shall be eliminated from the subject site, including the pylon sign along the Adams Avenue frontage and a second pylon sign along the Brookhurst Street frontage.

Appeal

The Zoning Administrator’s approval of the conditional use permit was appealed by Charles Ball, representing Business Properties Development Company on April 22, 2003 (attachment No. 4). The appeal was filed on the basis that a traffic signal should be installed at the southerly-most driveway along the Brookhurst Street frontage as a mitigation measure in the mitigated negative declaration. Mitigated Negative Declaration No. 03-02 was approved on March 31, 2004. No appeals were filed during the 10-day appeal period following the approval of the mitigated negative declaration.

Although the conditional use permit was appealed, the basis for the appeal is the lack of a traffic signal along the Brookhurst frontage, which was analyzed as part of the mitigated negative declaration. The locations of traffic signals are analyzed by the Department of Public Works based on the amount of traffic generated by the proposed development, standard code requirements mandated by the Traffic Division, and the traffic analysis prepared by the applicant. The mitigated negative declaration did not identify the requirement for a traffic signal at this location as part of the project. The requirement for a traffic signal is not appealable under the conditional use permit. The appellant should have appealed the mitigated negative declaration and the findings and mitigation measures during the 10-day appeal period. The appellant may pursue the installation of a traffic signal at the Brookhurst Street driveway with the Public Works Department and Public Works Commission. The Planning Commission has no jurisdiction in the requirement for a traffic signal as part of this project.

ISSUES:

Subject Property And Surrounding Land Use, Zoning And General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property	CG-F1 (Commercial General-.35 Floor Area Ratio)	CG-F1 (Commercial General)	Existing Target Dept. Store
North of Subject Property (across Adams Ave.):	CG-F1 (Commercial General-.35 Floor Area Ratio)	CG-F1 (Commercial General)	Retail Shopping Center
South of Subject Property (across Warner Avenue):	RL-7 (Residential Low Density – 7 units per acre)	RL (Residential Low Density)	Single-Family Residential
East of Subject Property	CG-F1 (Commercial General-.35 Floor Area Ratio)	CG-F1 (Commercial General)	Retail Shopping Center
West of Subject Property:	RL-7 (Residential Low Density – 7 units per acre)	RL (Residential Low Density)	Single-Family Residential

General Plan Conformance:

The General Plan Land Use Map designation on the subject property is CG-F1 (Commercial General-0.35 FAR). The proposed project is consistent with this designation and the goals and objectives of the City’s General Plan as follows:

A. Land Use Element

Goal LU 1: Achieve development that maintains or improves the City’s fiscal viability and reflects economic demands while maintaining and improving the quality of life for the current and future residents of Huntington Beach.

Goal LU 2: Ensure that development is adequately served by transportation, infrastructure, utility infrastructure, and public services adequately serve development.

Goal LU 4: Achieve and maintain high quality architecture, landscape, and public open spaces in the City.

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 10.1.5: Require that buildings, parking, and vehicular access be sited and designed to prevent adverse impacts on adjacent residential neighborhoods.

Policy LU 10.1.6: Require that commercial projects abutting residential properties adequately protect the residential use from the excessive or incompatible impacts of noise, light, vehicular traffic, visual character, and operational hazards.

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 the consideration of:

- ❑ Incorporation of site landscape, particularly along street frontages and in parking lots;
- ❑ Linkage of buildings by common architectural design, landscape and pedestrian systems, to avoid the appearance of independent freestanding structures surrounded by parking;
- ❑ Siting and design of structures to facilitate and encourage pedestrian activity;
- ❑ Siting of one or more buildings in proximity to the street frontage to convey a visual relationship to the street and sidewalks;
- ❑ Architectural treatment of buildings to minimize visual bulk and mass, using techniques such as the modulation of building volumes and articulation of all elevations; and
- ❑ Inclusion of consistent signage designed and integrated into the building's architectural character.

Goal LU 11: Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.

Policy LU 7.1.6: Accommodate the development of additional jobs-generating land uses that improve the 1992 jobs-to-housing ratio of 0.82 to 1.0 or greater; to meet objectives of the Regional Comprehensive Plan (Southern California Association of Governments) and Air Quality Management Plan. These should capitalize upon existing industrial strengths emphasizing the clustering of similar or complementary industries.

The proposed Target store would support the needs and reflect market demand of City residents and visitors. The proposed development improves the project site through the addition of landscape planters along the perimeter of the site and throughout the parking area. In addition, the proposed project would help the City to achieve its goal of enhancing the community image of Huntington Beach through the design and construction of a high-quality, state-of-the-art development; impacts to the surrounding area are mitigated to the greatest extent possible, while still allowing for the market-driven commercial development.

The design of the project promotes development of commercial buildings that convey a unified, high-quality visual image and character. The City's Design Review Board has reviewed the proposed architecture, colors, and materials and recommends preliminary approval of the design concept with minor modifications. Public services are currently available to the project site, as well as the surrounding parcels, and the project includes improvements to existing infrastructure to ensure adequate service after project implementation.

With the recommended conditions of approval, the design of the project meets the objectives of the Urban Design Element through the use of massing elements and architectural detailing on all elevations, in conjunction with a varied roof line in order to eliminate the appearance of an overall "big-box" design. Varied use of earth tone colors and quality exterior materials such as stone veneer, split-face block, and other similar materials is incorporated to accent prominent portions of the building façades.

B. Economic Development Element

Goal ED 1: Provide economic opportunities for present and future Huntington Beach residents and businesses through employment and local fiscal stability.

Goal ED 2: Aggressively retain and enhance the existing commercial, industrial, and visitor-serving uses while attracting new uses to Huntington Beach.

Goal ED 3: Enhance Huntington Beach's economic development potential through strategic land use planning and sound urban design practices.

The proposed project promotes development in accordance with Huntington Beach's Economic Development Element. The proposed project expands upon an already successful retail commercial development that, with the additional floor area proposed, will broaden and stabilize the City's economic base. New employment opportunities will be created both in the construction of the proposed development and in the long-term operations of the retail establishment.

C. Circulation Element

Goal CE 1: Provide a balanced transportation system that supports the policies of the General Plan and facilitates the safe and efficient movement of people and goods throughout the City while providing a balance between economic development and the preservation of residential neighborhoods, and minimizing environmental impacts.

Goal CE 2: Provide a circulation system which supports existing, approved, and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections.

Policy CE 2.1.1: Maintain a city-wide level of service (LOS) not to exceed LOS "D" for intersections during the peak hours.

Policy CE 2.1.2: Maintain a city-wide level of service (LOS) not to exceed LOS "C" for daily traffic, with the exception of Pacific Coast Highway south of Brookhurst Street.

Goal CE 5: Provide sufficient, well-designed, and convenient on- and off-street parking facilities throughout the City.

Goal CE 7: Maintain and enhance the visual quality and scenic views along designated corridors.

A traffic impact analysis has been completed by a traffic engineering firm to ensure a balanced transportation system that adequately mitigates the project's potential traffic impacts while still allowing for commercial development to be achieved. The developer will be required to contribute a fair-share payment toward traffic system improvements to mitigate the project's proportionate impacts to certain intersections and roadways. Through the recommended conditions of approval, the project will be required to provide a much-needed traffic signal at one of the most dangerous intersections in the City. The well-designed parking facilities include compact spaces distributed throughout the site, access between existing parcels without re-entering the public street system, reciprocal driveways between uses, parking lot landscape planters, and perimeter landscaping to enhance the view of the parking area from the surrounding street system.

Zoning Compliance:

The proposed project complies with all applicable development standards of the CG (Commercial General) zoning designation.

Urban Design Guidelines Conformance:

The proposed project has been analyzed for conformance with the Urban Design Guidelines, Chapter 4, General Commercial and Chapter 6, Special Consideration Commercial Guidelines Big Box Retail. The applicant has completed the Urban Design Checklist for the proposed project and indicates compliance with the majority of the Guidelines.

The Urban Design Guidelines recommend specific design criteria for big box retail. In particular, several recommendations are discussed for site planning and for building design. The Urban Design Guidelines for big box building design recommend incorporation of a two foot high building base, durable building materials, multiple roof planes, significant building wall articulations, landscaping at building base on all four sides, and integration of outdoor storage and/or garden center into building design to complement the building architecture. The applicant is utilizing a variety of building materials and design elements, such as split face block, smooth face block, trellises, decorative columns, and a canopy feature at the main entrance to the subject building in order to comply with the Design Guidelines.

As recommended by staff on all major commercial and residential projects within the City, staff recommends that a public art element be incorporated into the site design. Specifically, staff recommends that public art be integrated and located within a publicly accessible place within the Target project. Public art shall include art that is:

- a) Innovative, original, and of artistic excellence;
- b) Appropriate to the design of the project; and,
- c) Reflective of the community's cultural identity (ecology, history, society).

Target is aware of and has committed to the Public Art component of the project and has selected an artist to design an art piece that meets the criteria listed above. Staff suggests the public art element be reviewed and approved by the Design Review Board prior to issuance of a building permit for the project. The public art shall be in place prior to final inspection.

Environmental Status:

The project's potential environmental impacts were analyzed under Mitigated Negative Declaration No. 03-02. Staff, in its initial study of the project, determined that the proposed development, with mitigation, would not have any significant environmental effects and that a mitigated negative declaration was warranted. Mitigated Negative Declaration No. 03-02 was approved by the Zoning Administrator on March 31, 2004. No appeal was filed during the 10-day appeal period.

Coastal Status: Not Applicable

Redevelopment Status: Not Applicable

Design Review Board:

The proposed project was submitted to the Design Review Board (DRB) on January 15, 2004. The Board reviewed the colors, materials, design, and preliminary plans for the proposed Target department store. The Board was informed of staff's recommendations regarding compliance with the Urban Design Guidelines and reviewed photographs of existing Target stores in other cities. The Board expressed concerns regarding the entrance design, design of the garden center, and the need for articulation of all four sides of the building. In summary, the Board expressed concerns regarding the architecture and compliance with the Urban Design Guidelines for general commercial, big box retail, and for providing unique and rich building materials. The Board recommended that the project be brought back before the Design Review Board following project approval.

Subdivision Committee: Not Applicable

Other Departments Concerns and Requirements:

The Departments of Public Works, Fire, and Building and Safety have recommended conditions that are noted for the applicant as typical code requirements or are incorporated into the conditions of approval if they are unique to the project proposal. The Public Works Department recommends that a traffic signal be installed at the main entrance to the subject site along the Adams Avenue frontage as mitigation for the proposed development.

Public Notification:

Legal notice was published in the Huntington Beach/Fountain Valley Independent on May 13, 2004, and notices were sent to property owners of record and tenants within a 300 ft. radius of the subject property, individuals/organizations requesting notification (Planning Department's Notification Matrix), applicant, and interested parties. As of May, 20, 2004, no additional items of communication have been received by staff.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:

Conditional Use Permit: December 9, 2003

Mit. Negative Declaration: December 9, 2003

MANDATORY PROCESSING DATE(S):

May 9, 2003 (Within 180 days after application deemed complete) – Approved by Zoning Admin. 4/14/04*

May 31, 2004 (Within 60 days from adoption date of the Mitigated Negative Declaration – March 31, 2004)

* The project was heard by the Zoning Administrator on March 31, 2004, which complies with the State of California Planning, Zoning, and Development Laws relative to mandatory processing times.

ANALYSIS:

As discussed below, there are two major issues for analysis in this proposed retail commercial project. The Target Department Store has been studied with regards to land use compatibility and traffic and circulation. The following is an analysis of the primary issues of the proposed project.

Land Use Compatibility:

The proposed Target building is separated from residential uses to the south, and west by a six-foot block wall (approx. 8 feet on the residential side), drive aisle, landscaping planters and parking spaces. The setback to the southerly property line is 79 feet to the building wall and 40 feet to the garden center. The setback to the westerly property line is 60 feet.

The existing Target building is currently setback 60 feet from the southerly property line and approximately 78 feet from the westerly property line to the nearest portion of the structure. The existing building extends approximately 590 feet along the southerly property line at the current 60-foot setback because of its long, rectangular shape. The newly proposed building is a more proportionate, square design, that extends approximately 312 feet along the southerly property line at a 79-foot setback to the building wall, and a 40-foot setback to the garden center. The proposed shape and placement of the building is superior to the existing configuration and reduces noise and visual impacts to adjacent residents because of the increased setback to the building wall and less expanse of wall along the southerly property line. Although the proposed westerly setback (60 feet) is less than the existing building (78 feet), truck traffic around the rear of the building will be eliminated based on the new location of the loading dock along the northerly elevation, which will reduce noise and air quality impacts to adjacent residential properties.

As part of the environmental review process conducted for Mitigated Negative Declaration No. 03-02, an Acoustical Analysis evaluated the potential noise impacts of the proposed project to the existing surrounding noise sensitive residential uses. The noise study indicated that the average noise levels during daytime conditions ranged from 45.6 decibels (dBA) to 48.2 dBA. The maximum decibel level allowed under Chapter 8.40 Noise of the Huntington Beach Municipal Code is 55 dBA. The proposed development will not introduce new noise impacts that do not already occur with the existing Target development. The findings of the noise study accounted for the noise from surrounding arterials, truck deliveries to the site, loading and unloading activities, and parking lot noise.

Truck deliveries to the Target Department store will occur via a partially enclosed loading dock located along the northerly frontage of the building, approximately 60 feet from adjacent residential development. The current location of the loading area is at the southwest corner of the subject site and requires that truck traffic travel behind the building, adjacent to single family residences. The new location of the loading area allows deliveries truck to enter the loading dock without having to travel behind the subject building, thereby reducing noise impacts to adjacent residential properties. In addition, the applicant is proposing a loading dock design that is completely enclosed on three sides, and which will incorporate sound absorbing material into its design. Additionally, a mitigation measure requires that rubber noise seals be installed at the openings to the building to create a seal between the trucks and the building in order to ensure minimal noise disturbances to adjacent residences during loading and unloading activities.

The attached garden center is located along the southerly elevation of the proposed building, and is setback approximately 40 feet from the south property line. The noise study identified sound readings along the southerly property line as being below the maximum allowable decibel level of 55 dBA. A community meeting was held with surrounding neighbors who voiced concerns regarding the location of the proposed garden center based on the current impacts that exist with the existing garden center including excessive noise from loudspeakers and occasionally the voices of patrons shopping. Based on these concerns, additional conditions of approval prohibiting loudspeakers and requiring a solid

attenuating wall along the entire side of the garden center are being proposed by the applicant. These conditions will significantly reduce any noise impacts associated with the garden center operation.

The following conditions of approval were incorporated into the conditional use permit approval to protect surrounding residents from noise impacts:

- 1) Delivery hours for vendor truck deliveries, Target product delivery, and trash pickup shall be limited to Monday through Friday between the hours of 7:00 AM to 7:00 PM. All delivery vehicles, including Target trucks and outside vendors that cannot be accommodated with a typical 9 foot wide by 19 foot deep parking stall shall utilize the enclosed delivery bays for all loading and unloading activities. All other delivery vehicles that are no larger than a typical parking stall size may utilize the parking lot and access the store through the main entrance. Deliveries of any kind shall be prohibited behind the subject building, other than the designated loading and unloading bays.
- 2) Delivery trucks shall not leave engines idling while delivering merchandise to the Target store. Trucks shall turn-off engines once they reach the loading dock.
- 3) There shall be no loudspeakers or other amplified devices within the garden center, at any time.
- 4) Rubber noise seals shall be provided around the opening to the building at the location of the loading dock.
- 5) The trash compactor shall not be operated before 8:00 AM and after 7:00 PM.
- 6) All doors along the southerly and westerly facades of the building shall remain closed at all times.
- 7) The access gates to the rear of the building shall remain closed during times in which the store is closed to the public.
- 8) There shall be no loitering by patrons or employees within the parking areas located at the rear of the subject building. Signs shall be posted to indicate that no loitering in all parking areas located behind the subject building. Store managers shall be responsible for regulating all activity occurring at the rear of the subject building at all times.
- 9) 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.

Based on the separation between the site and adjacent properties, existing buffers, and recommended conditions of approval, residential properties are adequately protected from the proposed commercial development and no adverse noise impacts are anticipated.

Traffic and Circulation:

The proposed project is projected to generate approximately 7,560 trip ends per day, including 132 trips during the AM peak hour and 566 trips during the PM peak hour. The current site generates

approximately 6,470 trip-ends per day with 113 trips during the AM peak hour and 484 trips during the PM peak hour. The net increase in floor area between the existing Target store and new store is projected to result in approximately 1,090 new vehicle trips/day (ADT). The existing Average Daily Traffic (ADT) along both Brookhurst Street and Adams Avenue respectively is approximately 45,000 vehicle trips per day according to the General Plan. The anticipated net increase in vehicle trips per day to the subject site represents a slight increase in ADT to the adjacent major arterials. The increase in vehicle trips for the proposed project is negligible in light of the existing trips already generated by the Target store and existing traffic flow on surrounding arterials.

The proposed project will not significantly impact the existing levels of service at the Brookhurst St./Adams Ave. intersection. The current Level of Service (LOS) at the intersection of Brookhurst Street and Adams Avenue is LOS E (at or near capacity) during the AM peak hour and LOS D (high density but stable) during PM peak hour. The proposed project will not further degrade the existing level of service at the subject intersection. However, with the City's planned improvements consisting of right hand turn lanes installed at the intersection of Brookhurst Street and Adams Avenue in the northbound, eastbound, and westbound directions, the LOS E in the AM peak hour will be improved to an LOS D, which is an acceptable level of service to the Traffic Division. In conclusion, the impacts to level of service at this intersection will be less than significant.

The traffic analysis reviewed the accident history of the two full access driveways existing on the site. The first full access driveway intersection provides access to the Target center as well as the Mervyn's center to the north of the site. The first driveway is located along Adams Avenue approximately 700 feet west of the intersection of Brookhurst Street and Adams Avenue. The traffic analysis identified 26 traffic accidents within the past 44 months at the subject driveway. Many of the accidents were auto right-of-way violations, involving left turns exiting the site or through vehicle conflicts in the vicinity of the driveway. The Adams Avenue driveway had an accident rate of 0.54 accidents per million entering vehicles which exceeds the expected rate of 0.22 for urban areas. The number of accidents that have occurred at this location meet the Caltrans Warrant 6 for a traffic signal based on five correctible accidents in a year identified at this intersection. In order to mitigate any future traffic impacts to the surrounding street system, a new traffic signal shall be installed at the intersection of the full access driveway located along Adams Avenue in order to correct the existing inadequate access through the subject intersection.

The second full access driveway intersection is located along Brookhurst Street, approximately 720 feet south of the intersection of Brookhurst Street and Adams Avenue. There were significantly fewer accidents at this location with a total of eight traffic accidents within the past 44 months. Nearly all of the accidents were auto right of way violation conflicts based on left turn movements through the intersection. The Brookhurst Street driveway had an accident rate of 0.16 accidents per million entering vehicles which is below the expected rate of 0.22 for urban areas. The number of accidents at this intersection does not meet Warrant 6 for a traffic signal based on five correctible accidents in a year.

In conclusion, the impacts to traffic load and capacity associated with this project will be mitigated based on the proposed improvements required under the conditional use permit, and in conjunction with the City's planned improvements at the intersection of the Brookhurst Street and Adams Avenue.

SUMMARY:

As conditioned, the project is consistent with the Commercial General land use designation, therefore, staff recommends approval of Conditional Use Permit No. 03-35 for the following reasons:

- ◆ The proposed development is consistent with the existing commercial use of the site and can be integrated and be sensitive to the surrounding land uses with adequate buffers, site layout recommendations, FAR limits, and design amenities.
- ◆ The project, as conditioned and with mitigation measures to reduce potential environmental impacts, will not be detrimental to the general health, welfare and safety to persons working or living in the area, nor detrimental to the value of the property or improvements in the area.
- ◆ The proposed Target department store will be compatible with the uses and structures on the adjacent surrounding properties because of proper setbacks, noise attenuation, access drive locations, and architectural quality.
- ◆ The proposed development will increase the potential for taxable sales and provide additional funds to the city to reduce service costs.
- ◆ The proposed development can mitigate the potential impacts to the surrounding area to the greatest extent possible, while still allowing for a market-driven commercial project.
- ◆ The project, as conditioned and with mitigation measures to reduce potential environmental impacts, will not be detrimental to the general health, welfare and safety to persons working or living in the area, nor detrimental to the value of the property or improvements in the area.
- ◆ The proposed project, as conditioned, will provide multiple roof planes, significant building wall articulation, landscaping at the building base, and an enhanced entry to improve the overall aesthetic appearance of the project design consistent with the City's Urban Design Guidelines.
- ◆ The proposed project is consistent with the CG-F1 (Commercial General – FAR .35) Land Use designation of the General Plan.
- ◆ With the conditions imposed, the project will comply with General Commercial development standards and will not be materially detrimental to surrounding properties or residents.

ATTACHMENTS:

1. Suggested Findings and Conditions of Approval –Conditional Use Permit No. 03-35
2. Site Plan, Floor Plans, Elevations, etc. dated April 14, 2004
3. Project narrative dated September 16, 2004
4. Appeal letter dated April 22, 2004
5. Mitigated Negative Declaration No. 03-02

SH:HF:PD:rl

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL **CONDITIONAL USE PERMIT NO. 03-35**

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 03-35:

1. Conditional Use Permit No. 03-35 to permit the demolition of a 103,458 sq. ft. retail building and construction of a new 123,800 sq. ft. Target department store with an 8,100 sq. ft. attached garden center 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 proposed project meets or exceeds all Huntington Beach Zoning and Subdivision Ordinance standards. The proposed architecture, colors, and materials are consistent with the Urban Design Guidelines through the use of varied quality building materials such as stone veneer, stucco, and concrete tile roof. The design incorporates multiple plane rooflines and a substantial amount of massing in the design to eliminate the “big-box” appearance of the subject building. Based upon the conditions imposed, the 8,100 square foot garden center will be designed with a solid wall running along its entire length, which will reduce potential noise impacts from garden center activities to adjacent properties. In addition, the loading and unloading area will be designed to minimize potential impacts to adjacent residences. With the implementation of MND No. 03-02 mitigation measures, conditions of approval, and design modifications, the potential impacts of the project have been mitigated to a level of insignificance.
2. The conditional use permit will be compatible with surrounding uses which consist of commercial uses to the north and east, and single-family residences to the south and to the west of the subject site. A noise study was conducted on the subject site and recommended mitigation measures have been incorporated into the conditions of approval. The garden center will be equipped with a solid block wall along its entire length to mitigate any potential noise impacts to nearby residents. The operation of the garden center will be regulated through the conditions of approval and shall not contain any amplified loudspeakers, which would disrupt adjacent residents. Hours of operation for loading and unloading of product have been regulated in the conditions of approval to allow deliveries during daytime hours only. The proposed truck loading will be constructed with sound attenuating material such as solid walls, roof, rubber seals, and sound absorbing material to reduce noise impacts to adjacent residents. In addition, loitering by employees or patrons shall not be allowed behind the subject building and signs shall be posted which prohibit loitering activity.
3. The proposed Conditional Use Permit No. 03-35 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 and any specific condition required for the proposed use in the district in which it would be located.
4. The granting of the conditional use permit will not adversely affect the General Plan. The project is consistent with the Land Use Element designation of CG-F1 (General Commercial – FAR 0.35) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Goal LU 1: Achieve development that maintains or improves the City's fiscal viability and reflects economic demands while maintaining and improving the quality of life for the current and future residents of Huntington Beach.

Goal LU 2: Ensure that development is adequately served by transportation, infrastructure, utility infrastructure, and public services adequately serve development.

Goal LU 4: Achieve and maintain high quality architecture, landscape, and public open spaces in the City.

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 10.1.5: Require that buildings, parking, and vehicular access be sited and designed to prevent adverse impacts on adjacent residential neighborhoods.

Policy LU 10.1.6: Require that commercial projects abutting residential properties adequately protect the residential use from the excessive or incompatible impacts of noise, light, vehicular traffic, visual character, and operational hazards.

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 the consideration of:

- ❑ Incorporation of site landscape, particularly along street frontages and in parking lots;
- ❑ Linkage of buildings by common architectural design, landscape and pedestrian systems, to avoid the appearance of independent freestanding structures surrounded by parking;
- ❑ Siting and design of structures to facilitate and encourage pedestrian activity;
- ❑ Siting of one or more buildings in proximity to the street frontage to convey a visual relationship to the street and sidewalks;
- ❑ Architectural treatment of buildings to minimize visual bulk and mass, using techniques such as the modulation of building volumes and articulation of all elevations; and
- ❑ Inclusion of consistent signage designed and integrated into the building's architectural character.

Goal LU 11: Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.

Policy LU 7.1.6: Accommodate the development of additional jobs-generating land uses that improve the 1992 jobs-to-housing ratio of 0.82 to 1.0 or greater; to meet objectives of the Regional Comprehensive Plan (Southern California Association of Governments) and Air Quality Management Plan. These should capitalize upon existing industrial strengths emphasizing the clustering of similar or complementary industries.

The proposed Target store would support the needs and reflect market demand of City residents and visitors. The proposed development improves the project site through the addition of landscape planters along the perimeter of the site and throughout the parking area. In addition, the proposed project would help the City to achieve its goal of enhancing the community image of Huntington Beach through the design and construction of a high-quality, state-of-the-art development; impacts to the surrounding area are mitigated to the greatest extent possible, while still allowing for the market-driven commercial development.

The design of the project promotes development of commercial buildings that convey a unified, high-quality visual image and character. The City's Design Review Board has reviewed the proposed architecture, colors, and materials and recommends preliminary approval of the design concept with minor modifications. Public services are currently available to the project site, as well as the surrounding parcels, and the project includes improvements to existing infrastructure to ensure adequate service after project implementation.

With the recommended conditions of approval, the design of the project meets the objectives of the Urban Design Element through the use of massing elements and architectural detailing on all elevations, in conjunction with a varied roof line in order to eliminate the appearance of an overall "big-box" design. Varied use of earth tone colors and quality exterior materials such as stone veneer, split-face block, and other similar materials is incorporated to accent prominent portions of the building façades.

B. Economic Development Element

Goal ED 1: Provide economic opportunities for present and future Huntington Beach residents and businesses through employment and local fiscal stability.

Goal ED 2: Aggressively retain and enhance the existing commercial, industrial, and visitor-serving uses while attracting new uses to Huntington Beach.

Goal ED 3: Enhance Huntington Beach's economic development potential through strategic land use planning and sound urban design practices.

The proposed project promotes development in accordance with Huntington Beach's Economic Development Element. The proposed project expands upon an already successful retail commercial development that, with the additional floor area proposed, will broaden and stabilize the City's economic base. New employment opportunities will be created both in the construction of the proposed development and in the long-term operations of the retail establishment.

C. Circulation Element

Goal CE 1: Provide a balanced transportation system that supports the policies of the General Plan and facilitates the safe and efficient movement of people and goods throughout the City while providing a balance between economic development and the preservation of residential neighborhoods, and minimizing environmental impacts.

Goal CE 2: Provide a circulation system which supports existing, approved, and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections.

Policy CE 2.1.1: Maintain a citywide level of service (LOS) not to exceed LOS “D” for intersections during the peak hours.

Policy CE 2.1.2: Maintain a city-wide level of service (LOS) not to exceed LOS “C” for daily traffic, with the exception of Pacific Coast Highway south of Brookhurst Street.

Policy CE 2.1.3: Identify and improve roadways and intersections that are approaching, or have reached, unacceptable levels of service.

Goal CE 5: Provide sufficient, well-designed, and convenient on- and off-street parking facilities throughout the City.

Goal CE 7: Maintain and enhance the visual quality and scenic views along designated corridors.

A traffic impact analysis has been completed by a traffic engineering firm to ensure a balanced transportation system that adequately mitigates the project’s potential traffic impacts while still allowing for commercial development to be achieved. The developer will be required to contribute a fair-share payment toward traffic system improvements to mitigate the project’s proportionate impacts to certain intersections and roadways. Through the recommended conditions of approval, the project will be required to provide a much-needed traffic signal at one of the most dangerous intersections in the City. The well-designed parking facilities include compact spaces distributed throughout the site, access between existing parcels without re-entering the public street system, reciprocal driveways between uses, parking lot landscape planters, and perimeter landscaping to enhance the view of the parking area from the surrounding street system.

CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 03-35:

1. The site plan, floor plans and elevations received and dated March 18, 2004 shall be the conceptually approved layout with the following modifications:
 - a. The loading dock enclosure shall be constructed with sound absorbing material designed to minimize noise impacts associated with loading and unloading activities. Truck loading and maneuvering shall be designed to provide the greatest separation possible from the adjacent residential properties. The architecture colors and materials of the enclosure shall be consistent with the overall building architecture.
 - b. The architecture colors and materials of the garden center shall be consistent with the overall building architecture.
 - c. The design, colors, and materials for the subject building shall be reviewed by the Design Review Board (DRB) following approval by the Zoning Administrator.

- 1) Elevations shall be revised to incorporate multiple roof planes and/or a variety of roof slopes to reduce the overall mass and bulk of the building and comply with the Urban Design Guidelines.
- 2) The overall architectural theme shall reflect a contemporary architectural design consistent with the design concept identified on elevation dated April 14, 2004. Several massing elements, in various volumes, shall be incorporated into the design. Varied use of earth tone colors and quality exterior materials such as stone veneer, split-face block, or other similar material shall be incorporated to accent prominent portions of the building façades.
- 3) The design of the garden center shall incorporate an enhanced entry design which shall have the appearance of a secondary storefront. The design of the garden center shall include similar architectural design as the overall building.
- 4) A public art element shall be integrated and be in a location that is visible to the public within the project site. Public art shall incorporate the following:
 - i) Artistic excellence and innovation
 - ii) Appropriate to the design of the project
 - iii) Indicative of the community's cultural identity (ecology, history, society)

The Design Review Board's recommended public art element shall be reviewed and approved by the Planning Director, prior to issuance of a building permit for the project. The public art shall be in place at the subject site prior to final building inspection.

- d. The cart corrals shall be constructed with a durable material such as concrete block. The design of the cart corrals shall be consistent with Sheet 6 of the conceptual plans dated March 18, 2004. The colors and materials used on the cart corrals shall be consistent with the subject building.
- e. All non-conforming signs shall be eliminated from the subject site, including the one pylon sign along the Adams Avenue frontage and a second pylon sign along the Brookhurst Street frontage. A planned sign program for all signage on the subject property and outlying commercial pads shall be submitted to the Planning Department. Said program shall be approved prior to the first sign permit request.
- f. Prior to submittal for building permits. 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 and submit 8.5 inch by 10 inch colored elevations, materials board, and renderings to the Planning Department for inclusion in the entitlement file.
- g. All parking that is proposed behind the store, within the access gates, shall be designated as employee-only parking.

- h. A minimum of two speed bumps shall be provided behind the building, subject to review and approval by the Fire Department.
 - i. All perimeter trees located directly adjacent to residential properties shall be of a species that is non-deciduous and results in minimal impacts in maintenance and upkeep to adjacent properties.
2. Prior to issuance of a grading permit, the following shall be completed:
- a. The site plan received and dated April 14, 2003 shall be the approved layout except for the following: **(PW)**
 - 1) The driveway on the south side of the property along Brookhurst Street shall be widened to a minimum of 36-feet in width, to allow for two egress lanes.
 - 2) A minimum 10-foot sight triangle must be provided at all points on the site, including the building corners. Areas of concern include the northwest corner (at the loading dock) and northeast corner of the building. The sidewalk must also be extended a minimum of four feet west of the building corner.
 - 3) A truck-tracking exhibit, utilizing a WB-50 design vehicle, must be provided to demonstrate that delivery trucks can be accommodated. This truck tracking exhibit must illustrate a truck entering the site, accessing the loading docks and egressing the site. It must be demonstrated that the truck movements will not encroach into opposite directions of roadway traffic nor impact the parking spaces shown.
 - 4) A traffic signal shall be constructed at the main driveway entrance on Adams Avenue. This traffic signal shall include the installation of interconnect conduit and cable to the traffic signal controller cabinet at the intersection of Brookhurst Street and Adams Avenue. A traffic signal and maintenance easement shall be provided in the driveway area. The appropriate curb ramp and signing & striping modifications shall be made to accommodate the traffic signal installation. **(PW/MM)**
 - 5) The applicant shall provide the legal description(s), plat(s), and supporting documents necessary for the City to quitclaim any abandoned portions of the existing water line easement dedicated to the City of Huntington Beach. **(PW)**
3. Prior to issuance of building permits, the following shall be completed:
- a. An "Acceptance of Conditions" form shall be properly executed by the applicant and an authorized representative of the owner of the property, recorded with the County Recorder's Office, and returned to the Planning Department for inclusion in the entitlement file. Conditions of approval shall remain in effect in the recorded form in perpetuity, except as modified or rescinded pursuant to the expressed written approval of the City of Huntington Beach.
 - b. The public art element shall be approved by the Design Review Board.

4. 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.
5. The use shall comply with the following:
 - a. Delivery hours for vendor truck deliveries, Target product delivery, and trash pickup shall be limited to Monday through Friday between the hours of 7:00 AM to 7:00 PM. All delivery vehicles, including Target trucks and outside vendors that cannot be accommodated with a typical 9 foot wide by 19 foot deep parking stall shall utilize the enclosed delivery bays for all loading and unloading activities. All other delivery vehicles that are no larger than a typical parking stall size may utilize the parking lot and access the store through the main entrance. Deliveries of any kind shall be prohibited behind the subject building, other than the designated loading and unloading bays. **(MM)**
 - b. Delivery trucks shall not leave engines idling while delivering merchandise to the Target store. Trucks shall turn-off engines once they reach the loading dock. **(MM)**
 - c. There shall be no loudspeakers or other amplified devices within the garden center, at any time.
 - d. Rubber noise seals shall be provided around the opening to the building at the location of the loading dock. **(MM)**
 - e. The trash compactor shall not be operated before 8:00 AM and after 7:00 PM. **(MM)**
 - f. All doors along the southerly and westerly facades of the building shall remain closed at all times. **(MM)**
 - g. The access gates to the rear of the building shall remain closed during times in which the store is closed to the public.
 - h. Parking lot lights shall be automatically dimmed to minimal security level lighting one hour after closing.
 - i. The Target Department Store shall be designated as a single user with a maximum of 10 percent of the gross building floor area devoted to an ancillary retail/restaurant tenant.
 - j. Any re-use of the site or request for future demising walls to allow for a new use within the subject building shall require approval of a conditional use permit by the Planning Department.
 - k. All outdoor display of seasonal, holiday, special events, and temporary outdoor sales events within the parking lot, on sidewalks, or any other portion of the project site shall be subject to the Huntington Beach Zoning and Subdivision Ordinance Code. At no time shall a Temporary

Use Permit be granted for the area between the subject building and the southerly or westerly property lines.

- l. There shall be no outside storage of storage containers or bins, vehicles, vehicle parts, equipment, or trailers. There shall be no outside storage of palettes or other product at any time without the required permits.
 - m. There shall be no loitering by patrons or employees within the parking areas located at the rear of the subject building. Signs shall be posted to indicate that no loitering in all parking areas located behind the subject building. Store managers shall be responsible for regulating all activity occurring at the rear of the subject building at all times.
 - n. 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.
 - o. All Mitigation Measures of Mitigated Negative Declaration No. 03-02 shall be adhered to.
6. The Planning Director ensures that all conditions of approval herein are complied with. The Planning Director shall be notified in writing if any changes to the site plan, elevations and floor plans are proposed as a result of the plan check process. Building permits shall not be issued until the Planning Director has reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action and the conditions herein. 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.
7. 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.

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.