

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

WEDNESDAY, JANUARY 10, 2007 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Tess Nguyen, Andrew Gonzales, Ron Santos, Jeanie Cutler (recording secretary)

MINUTES: December 20, 2006
APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: CONDITIONAL USE PERMIT NO. 2006-045 (MONKEY HOUSE CAFE)

APPLICANT: Daniel Untalan, 18822 Beach Boulevard #108, Huntington Beach, CA 92648
PROPERTY OWNER: P.A. Poon & Soni Angeli Poon, 18822 Beach Boulevard #103, Huntington Beach, CA 92648
REQUEST: To permit the sale of alcoholic beverages for on-site consumption within an existing coffee house located within 300 ft. of a residential zone district.
LOCATION: 18862 Beach Boulevard #101 and #102 (east side of Beach Boulevard, south of Constantine Drive)
PROJECT PLANNER: Tess Nguyen

Tess Nguyen, Staff Planner, displayed project plans and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary. No other written or verbal comments were received in response to the public notification.

Mary Beth Broeren, Zoning Administrator, confirmed with staff the hours of operation of the project. Staff confirmed that no comments were received from the Police Department.

THE PUBLIC HEARING WAS OPENED.

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

Ms. Broeren engaged in discussion with Mr. Untalan, Applicant, regarding the hours of operation and the type of alcohol and food to be served. Mr. Untalan confirmed that only beer and wine would be sold, and the hours of operation are 6:00am to 8:00pm Monday through Friday, 7:00am to 7:00pm Saturday, closed Sundays and public holidays and no entertainment would be provided.

CONDITIONAL USE PERMIT NO. 2006-045 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 CAN 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 15301 of the CEQA Guidelines, because the project consists of the minor modification to an existing use within an existing commercial center.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2006-045

1. Conditional Use Permit No. 2006-045 to permit the sale of alcoholic beverages for onsite consumption at an existing coffee house located within 300 feet of a residential zone 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 alcohol sales at an existing coffee house will not generate noise, traffic, demand for parking, or other impacts detrimental to surrounding property and inconsistent with the subject property's commercial zoning. The site provides the necessary parking to accommodate the proposed use.
2. The conditional use permit will be compatible with surrounding uses because it will permit alcohol sales at an existing coffee house located within an existing commercial center with adequate parking capacity, in a suite adequately buffered from adjacent residential land uses to ensure no detrimental impact.
3. The proposed conditional use permit 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. The coffee house is located within an existing commercial center which conforms to land use, setbacks, building height, and landscaping standards applicable to the General Commercial (CG) zoning designation.
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 General Commercial on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

- a. 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, and capitalize on Huntington Beach's recreational resources. (LU 10.1)
- b. 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. (ED 2.4.3)

The requested conditional use permit will accommodate an existing development by allowing the addition of alcohol sales to a permitted land use (coffee house). 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. It will be located in an existing shopping center, which includes service related uses.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2006-045

- 1. The site plan and floor plans received and dated November 20, 2006 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 2: CONDITIONAL USE PERMIT NO. 2006-037 (ROYAL STREET COMMERCIAL WIRELESS COMMUNICATION FACILITY)

APPLICANT: Ramsey Faris, 2362 Mc Gaw Avenue, Irvine, CA 92614
 PROPERTY OWNER: Southern California Edison, 2131 Walnut Avenue, Rosemead, CA 91770
 REQUEST: To permit the installation of a wireless communications facility consisting of 8 antennas at a height of 52 ft. 6 in. on an existing Southern California Edison tower and 4 mechanical cabinets located at the base of the tower within a 12 ft. by 18 ft. block wall enclosure.
 LOCATION: 19250 Brookhurst Street (east side of Brookhurst Street, between Kukui Drive and Kamuela Drive)
 PROJECT PLANNER: Andrew Gonzales

Andrew Gonzales, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary. No other written or verbal comments were received in response to the public notification.

Ms. Broeren confirmed with staff the height of the equipment structure and the existing masonry wall on Brookhurst Street both to be 6 ft. tall, and that the equipment structure will not be visible from the street.

THE PUBLIC HEARING WAS OPENED.

Mr. Abid Hussain, 10272 Kamuela Drive, Huntington Beach, spoke in opposition to the project stating his major concern was the ugly appearance of the towers. Mr. Hussain confirmed with the Zoning Administrator he had viewed the project plans.

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

Ms. Broeren acknowledged Mr. Hussain's concern and confirmed the equipment structure would be screened from the street which will help to minimize any visual intrusion.

Ms. Broeren approved the request and asked staff to modify the suggested Finding for Approval No. 2 as follows:

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2006-037:

2. The conditional use permit will be compatible with surrounding uses because the proposed facility will be located on and adjacent to existing Southern California Edison transmission towers, on an existing SCE right-of-way *and the mechanical equipment will be screened from public view due to an existing perimeter wall.* The design of the facility, which features antennas painted to match the tower to which it is attached, and an equipment shelter constructed of decorative masonry to match an existing perimeter masonry wall, will ensure compatibility of the proposed facility with surrounding uses.

CONDITIONAL USE PERMIT NO. 2006-037 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING MODIFIED FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN 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 15303 – *New Construction or Conversion of Small Structures* of the CEQA Guidelines, which exempts the installation of small new equipment and facilities in small structures.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2006-037:

1. Conditional Use Permit No. 2006-037 to install a wireless communications facility consisting of antennas attached to an existing Southern California Edison tower at a height of 52 ft. 6 in. and a 216 square foot block wall enclosure located at grade, beneath the tower, will not be detrimental to the value of the property and improvements in the neighborhood. The proposed facility will not generate noise, traffic, and demand for additional parking or other impacts detrimental to surrounding property.
2. The conditional use permit will be compatible with surrounding uses because the proposed facility will be located on and adjacent to existing Southern California Edison transmission towers, on an existing SCE right-of-way, and the mechanical equipment will be screened from public view due to an existing perimeter wall. The design of the facility, which features antennas painted to match the tower to which it is attached, and an equipment enclosure constructed of decorative masonry to match an existing perimeter masonry wall, will ensure compatibility of the proposed facility with surrounding uses.
3. The proposed conditional use permit 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, including the provisions of HBZSO Section 230.96 – Wireless Communications Facilities.
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 P (Public) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:
 - L.U. 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.
 - U. 5.1: Ensure that adequate natural gas, telecommunication and electrical systems are provided.
 - U. 5.1.1: Continue to work with service providers to maintain current levels of service and facilitate improved levels of service.

The proposed facility will enhance wireless communications in the community by improving signal transmission and reception in the project vicinity. In addition, the proposed installation of antennas on an existing transmission tower, and screening of equipment cabinets with a decorative masonry wall, will minimize the project's visual impacts

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2006-037:

1. The site plan, floor plans, and elevations received and dated September 28, 2006, shall be the conceptually approved layout.

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: CONDITIONAL USE PERMIT NO. 2006-038 (EDISON PARK WIRELESS COMMUNICATION FACILITY)

APPLICANT: Ramsey Faris, 2362 Mc Gaw Avenue, Irvine, CA 92614
PROPERTY OWNER: Southern California Edison, 2131 Walnut Avenue, Rosemead, CA 91770
REQUEST: To permit the installation of a wireless communications facility consisting of eight antennas at a height of 50 ft. on an existing Southern California Edison tower and four mechanical cabinets located at the base of the tower within a 16 ft. by 16 ft. roofed enclosure.
LOCATION: 8811 Hamilton Avenue (north side of Hamilton Avenue, between Seaforth Lane and Magnolia Street – Edison Park)
PROJECT PLANNER: Andrew Gonzales

Andrew Gonzales, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing uses of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions of approval by the Design Review Board (DRB) as presented in the executive summary. No written or verbal comments were received in response to the public notification.

THE PUBLIC HEARING WAS OPENED.

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

Ms. Broeren confirmed with staff that the proposed equipment enclosure will match the adjacent existing structure and is to be located entirely underneath the footprint of the existing tower.

CONDITIONAL USE PERMIT NO. 2006-038 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 CAN 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 15303 – *New Construction or Conversion of Small Structures* of the CEQA Guidelines, which exempts the installation of small new equipment and facilities in small structures.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2006-038

1. Conditional Use Permit No. 2006-038 to install a wireless communications facility consisting of antennas attached to an existing Southern California Edison tower at a height of 50 ft. and a 256 square foot equipment enclosure located at grade, beneath the tower, will not be detrimental to the value of the property and improvements in the neighborhood. The proposed facility will not generate noise, traffic, and demand for additional parking or other impacts detrimental to surrounding property.
2. The conditional use permit will be compatible with surrounding uses because the proposed facility will be located on and adjacent to existing Southern California Edison transmission towers, on an existing SCE right-of-way. The design of the facility, which features antennas painted to match the tower to which it is attached, and an equipment shelter constructed of decorative masonry with a tiled roof to match an existing equipment shelter adjacent to the subject site, will ensure compatibility of the proposed facility with surrounding uses.
3. The proposed conditional use permit 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, including the provisions of HBZSO Section 230.96 – Wireless Communications Facilities.
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 P (Public) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

L.U. 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

U.D. 2.2: Minimize the visual impact of oil production facilities and other utilities where they encroach upon view corridors or are visually incompatible with their surrounding uses.

U. 5.1: Ensure that adequate natural gas, telecommunication and electrical systems are provided.

U. 5.1.1: Continue to work with service providers to maintain current levels of service and facilitate improved levels of service.

The proposed facility will enhance wireless communications in the community by improving signal transmission and reception in the project vicinity. In addition, the proposed installation of antennas on an existing transmission tower, and screening of equipment cabinets with a roofed enclosure, will minimize the project's visual impacts.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2006-038:

1. The site plan, floor plan and elevations received and dated September 28, 2006, shall be the conceptually approved layout with the following modifications:
 - a. The proposed wireless telecommunication equipment shelter shall be modified to match the adjoining wireless telecommunication equipment shelter (i.e., hipped roof and solid metal door). **(DRB)**
 - b. A landscape plan shall be submitted to ensure that any landscaping disturbed during the construction process is replaced to its original conditions. **(DRB)**

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 1:50 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, JANUARY 24, 2007 AT 1:30 PM.

Mary Beth Broeren
Zoning Administrator

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