

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

WEDNESDAY, AUGUST 15, 2007 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Jill Arabe, Ron Santos, Jeanie Cutler (recording secretary)

MINUTES: June 6, 2007
July 18, 2007
APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO. 2007-007 (SAPERSTEIN RESIDENCE)

APPLICANT: David Pacheco, 714 Adams Ave #207, Huntington Beach, CA 92649

PROPERTY OWNER: Michael Saperstein, 16372 Ardsley Circle, Huntington Beach, CA 92649

REQUEST: To permit approximately 620 sq. ft., first and second floor addition to an existing two-story single family residence and construct a 120 sq. ft., balcony.

LOCATION: 16372 Ardsley Circle, 92649 (northeast of Ardsley Circle, southeast of Humboldt Drive – Huntington Harbor)

PROJECT PLANNER: Jill Arabe

Jill Arabe, Staff Planner, displayed project plans and photographs and stated the purpose, location, zoning, and surrounding 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 stated that no written or verbal comments were received in response to the public notification and recommended approval of the request based upon the suggested findings and conditions as outlined in the executive summary.

Mary Beth Broeren, Zoning Administrator, discussed the architectural feature on the second floor balcony with staff.

THE PUBLIC HEARING WAS OPENED.

David Pacheco, applicant, explained that the architectural feature on the second floor balcony is a part of the facade remodeling update to improve the appearance of the building and confirmed that the plans are currently in plan check.

Ms. Broeren requested Mr. Pacheco change the wording on the final plans from *ornamental* feature to *architectural* feature.

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

CONDITIONAL USE PERMIT NO. 2007-007 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) 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 addition will not result in an increase of more than 50% of the floor area of the existing structures.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-007:

1. Coastal Development Permit No. 2007-007 for an approximately 620 sq. ft. first and second floor addition and a 120 sq. ft balcony to an existing two-story single family residence 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 site 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 project will not impede public access or impact public views to coastal resources.

CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-007:

1. The site plan, floor plans, and elevations received and dated June 25, 2007 shall be the conceptually approved design.
2. Prior to final inspection or occupancy, the applicant shall water jet the existing sewer lateral pipe and provide a color video recording to the Public Works Department to verify the working condition of the sewer lateral. If the sewer does not pass Public Works inspection, a new sewer lateral shall be installed connecting to the main in the street per Public Works Standard Plans 507 and 516. If the new sewer lateral is not constructed at the same location as the existing lateral, then the existing lateral shall be severed and capped at the main or chimney. (PW)

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.

NON PUBLIC ITEM:

ITEM 2: TRANSFER OF CONDITIONAL USE PERMIT NO. 1993-025 (SHARKEEZ OUTDOOR DINING)

APPLICANT: Ron Newman, 211 Main Street, Suite A, Huntington Beach, CA 92648

PROPERTY OWNER: Richard Harlow, 211 Main Street, Suite B, Huntington Beach, CA 92648

REQUEST: To permit the transfer of Conditional Use Permit No. 1993-025 for outdoor dining on site and within the public right-of-way to Baja Sharkeez, pursuant to the provisions of the Downtown Specific Plan.

LOCATION: 211 Main Street, Suite A, 92648 (northwest side of Main St., between Walnut Ave., and Olive Ave.)

PROJECT PLANNER: Ron Santos

Ron Santos, Staff Planner, stated the purpose, location, zoning, and existing uses of the request. Staff stated that it had recently come to the City's attention that the conditional use permit had not been transferred with the change of restaurant ownership. Staff presented an overview of the proposed request and recommended approval of the permit transfer as required by the Downtown Specific Plan.

Mr. Santos stated that prior to the transfer it is required that the applicant amend or obtain a new license agreement in addition to complying with the provisions for outdoor dining. He indicated that the applicant would be subject to the original Conditional Use Permit conditions of approval.

Mary Beth Broeren, Zoning Administrator, confirmed with staff that the initial findings have been analyzed to ensure they can still be made.

Mr. Cressman, 211 Main Street, representative for the applicant, confirmed with the Zoning Administrator that he has a copy of the conditional use permit, is familiar with the conditions of approval and is abiding by them.

In response to a question from the Zoning Administrator staff confirmed that the current plan is consistent with the Conditional Use Permit plan.

Ms. Broeren stated that she would approve the transfer as recommended by staff on the basis that the previous conditional use permit will be complied with, which would be consistent with the findings outlined in the Downtown Specific Plan under Section 4.2.33.2.i.

THE TRANSFER OF CONDITIONAL USE PERMIT NO. 1993-015 WAS APPROVED BY THE ZONING ADMINISTRATOR. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

THE MEETING WAS ADJOURNED AT 1:50 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, AUGUST 22, 2007 AT 1:30 PM.


Mary Beth Broeren
Zoning Administrator

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