

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

WEDNESDAY, JULY 11, 2007 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Andrew Gonzales, Tess Nguyen, Rami Talleh, Judy Demers (recording secretary), Jeanie Cutler

MINUTES: June 20, 2007
APPROVED AS SUBMITTED

ORAL COMMUNICATION: **NONE**

Item 2 was moved to the end of the agenda. Please note the Minutes will reflect actions taken in their original order.

ITEM 1: CONDITIONAL USE PERMIT NO. 2007-019 (COMFORT SUITES ADDITION);

APPLICANT: Mike Azad, 16301 Beach Boulevard, Huntington Beach, CA 92647
PROPERTY OWNER: Sagar Hotels, Inc., 16301 Beach Boulevard, Huntington Beach, CA 92647
REQUEST: To allow the construction of approximately 413 sq. ft. second floor addition consisting of an office/employee lunch room. The addition will be constructed in an area currently used as a patio.
LOCATION: 16301 Beach Boulevard, 92647 (west side of Beach Boulevard, between Edinger Avenue and Heil Avenue)
PROJECT PLANNER: Tess Nguyen

Tess Nguyen, Staff 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 recommended approval based upon 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.

THE PUBLIC HEARING WAS OPENED.

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

CONDITIONAL USE PERMIT NO. 2007-019 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.

SUGGESTED 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 a minor addition to an existing commercial building not resulting in an increase of more than 50 percent of the floor area before the addition or 2,500 square feet.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 2007-019:

1. Conditional Use Permit No. 2007-019 for the construction of an approximately 413 sq. ft. second floor addition consisting of an office/employee lunch room 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 413 sq. ft. addition represents a negligible expansion of an existing commercial building in an area currently used as a patio. The proposed addition will be architecturally integrated with the existing building. The addition will not generate traffic, noise, odors, lighting or other impacts at levels inconsistent with the commercial zoning applicable to the subject property. Furthermore, the adjacent residential uses to the west are adequately screened and buffered from the proposed addition by an approximately 70-foot separation, including the 60-foot deep, three-story western wing of the hotel.
2. The conditional use permit will be compatible with surrounding uses because the project represents a minor expansion of an existing commercial building used as a hotel. The project is proposed on a parcel designated for commercial use, adjacent to commercial properties to the north, south, and east.
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 minimum building setbacks, maximum building height, and minimum on-site parking requirements.
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 CG-F2-a (Commercial General - 0.50 Maximum Floor Area Ratio - Automobile District) on the subject property. The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

LU 10.1 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 residences, serve the surrounding region, serve visitors to the City, and capitalize on Huntington Beach's recreational resources.

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.

ED 2.4.3 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.

The project will provide the opportunity for the subject business to continue to serve visitors to the City and capitalize on Huntington Beach's recreational resources. The proposed addition is designed as an architecturally compatible and integrated component of the larger building. The proposed project will provide adequate setbacks to residential uses to the west.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2007-019:

1. The site plan, floor plans, and elevations received and dated April 18, 2007 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: VARIANCE NO. 2007-007 (TINKER CARPORT ADDITION)

APPLICANT/

PROPERTY OWNER: Fred Tinker, 6465 Marigayle Circle, Huntington Beach, CA 92648
REQUEST: To permit the construction of an approximately 424 sq. ft. carport with three posts at a three ft. side yard setback in lieu of the minimum required five ft. side yard setback.

LOCATION: 6465 Marigayle Circle, 92648 (terminus of Marigayle Circle, west of Edwards Avenue – Nautical North)

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 as presented in the executive summary.

The proposed project is on a limited cul de sac. The site does contain the required parking.

There was a slight revision by the applicant on the plans, and this was given to staff as a late communication. It is the applicant's intent to create a solid structure and remove the lattice feature. This revision was received the day of the hearing.

THE PUBLIC HEARING WAS OPENED.

Gary Eaton, neighbor, said that the inspector told him about the 5 ft. minimum setback and he contacted the City.

Fred Tinker, applicant, talked about the parking situation in his neighborhood and the problems he has had getting this carport approved.

Michael Tinker, family member at same address as applicant, talked about parking on weekends in the neighborhood. He stated it would be a benefit to have additional parking, both to residents and visitors.

Matthew Tinker, family member at same address, spoke about the minimal changes the carport would have on the residence.

John Robbins, contractor, was concerned about the restrictions of the narrow driveway and car turn-around radius. He felt that approving the variance would alleviate these restrictions.

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

Ms. Broeren indicated that she would be denying this variance as it is not a property right to have additional parking because of the number of members in a household, holiday parking, or to provide visitor parking and that there is a substantial amount of on-site parking.

VARIANCE NO. 2007-007 WAS DENIED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS. 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 15305, Class 5 of the CEQA Guidelines, which states that minor setback variances not resulting in the creation of any new parcel are exempt from further environmental review.

FINDINGS FOR DENIAL - VARIANCE NO. 2007-007:

1. The granting of Variance No. 2007-007 for the construction of an approximately 424 sq. ft. carport with three posts at a 3 ft. side yard setback in lieu of the minimum required 5 ft. side yard setback will constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. Although, the existing dwelling is sited on an irregularly shaped lot (i.e., flag lot) there is an area north of the proposed carport that is 25 ft. wide that could accommodate a tandem carport. In addition, the property was approved with an extra deep driveway that can accommodate four spaces and a three-car garage.
2. There are no special circumstances applicable to the subject property that would result in strict application of the zoning ordinance to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. Per the parking plan for the tract, the property can accommodate seven onsite parking spaces. There is adequate room to the north of the proposed carport to allow for additional parking.
3. The granting of a variance is not necessary to preserve the enjoyment of one or more substantial property rights. The subject property enjoys substantially more on-site parking than all but one other residence in the subject tract.

ITEM 3: EXTENSION OF TIME NO. 2007-002 (TENTATIVE PARCEL MAP NO. 2005-122 – DAVID SUBDIVISION)

APPLICANT: R.H. Cahl, Jones Cahl & Associates, Inc., 18090 Beach Blvd., Suite 12, Huntington Beach, CA 92648
PROPERTY OWNER: Angelino Rinaldi, Emily Rose Properties, P.O. Box 911, Huntington Beach, CA 92648
REQUEST: To extend the tentative parcel map expiration date for the David Subdivision for one additional year to June 22, 2008.
LOCATION: 615 Hartford Avenue, (north side of Hartford Avenue, east of Delaware Street)
PROJECT PLANNER: Rami Talleh

Rami Talleh, Associate Planner, stated that there are no changes to code, the findings previously stated remain in place, and it is requested that the Tentative Parcel Map be extended until June 22, 2008.

As this was a request for an extension of time, the Public Hearing was not opened on this item.

Ms. Broeren, Zoning Administrator stated that she would approve the extension of time on this item.

EXTENSION OF TIME NO. 2007-002 (TENTATIVE PARCEL MAP NO. 2005-122) WAS APPROVED BY THE ZONING ADMINISTRATOR FOR ONE YEAR ENDING JUNE 22, 2008. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.

ITEM 4: EXTENSION OF TIME NO. 2007-003 (TENTATIVE PARCEL MAP NO. 2004-219 – LORGE CIRCLE INDUSTRIAL SUBDIVISION)

APPLICANT: Debbie Loan, Cardinal Development, 375 Bristol Street, Suite 50, Costa Mesa, CA 92626
PROPERTY OWNER: Jeff Grand Partners, LP., 375 Bristol Street, Suite 50, Costa Mesa, CA 92626
REQUEST: To extend the tentative parcel map expiration date for the Lorge Circle Industrial Subdivision for one additional year to November 11, 2007.
LOCATION: 7451 Lorge Circle (terminus of Lorge Circle, east of Gothard Street)
PROJECT PLANNER: Rami Talleh

Rami Talleh, Staff Planner, stated that applicant has requested an extension until November 11, 2007. There are issues that the applicant had to resolve before this item can be recorded. Staff is recommending approval of this extension.

EXTENSION OF TIME NO. 2007-003 (TENTATIVE PARCEL MAP NO. 2004-219 – LORGE CIRCLE INDUSTRIAL SUBDIVISION) WAS APPROVED BY THE ZONING ADMINISTRATOR UNTIL NOVEMBER 11, 2007. 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 2:23 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, JULY 18, 2007 AT 1:30 PM.


Mary Beth Broeren
Zoning Administrator

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