

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

**WEDNESDAY, DECEMBER 4, 2013 - 1:30 P.M.**

**ZONING ADMINISTRATOR:** Ricky Ramos

**STAFF MEMBER:** Hayden Beckman, Kristi Rojas, Ethan Edwards, Judy Demers  
(recording secretary)

**MINUTES:** February 20, 2013  
August 21, 2013

**APPROVED AS SUBMITTED**

**ORAL COMMUNICATION:** **NONE**

**ITEM 1: DRAFT MITIGATED NEGATIVE DECLARATION NO. 13-007 (MAGNOLIA STREET BRIDGE PREVENTATIVE MAINTENANCE PROJECT):**

**APPLICANT/  
PROPERTY OWNER:**

Jo Claudio, P.E., Public Works Department, City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

**REQUEST:**

To analyze the potential environmental impacts associated with a maintenance activities on the existing Magnolia Street bridge to restore the integrity of its original design. Repair/rehabilitation would require the following maintenance measures: Removal and replacement of the concrete barrier and chain link railing on both sides of the bridge with corrosion-resistant materials such as stainless steel fence posts and epoxy coated reinforcing steel. Removal and replacement of existing asphalt concrete (AC) overlay to protect the bridge and channel from water leaks and to provide a durable driving surface. Removal of unsound concrete and patch concrete (or shotcrete) at the bridge pier walls. Concrete work over or near the channel will require working platforms with fully enclosed protective covers. Restoration of the original rock slope protection in the channel embankment area will include 142 square yards of rock slope protection fabric placed over the area and 142 cubic yards of ¼ ton rock, 3-feet thick would be placed over the fabric. All existing utilities attached or adjacent to the bridge will be protected in-place.

**LOCATION:**

The project site is the existing Magnolia Street bridge, spanning approximately 145 linear feet over the Huntington Beach Channel, a tidally influenced waterway connecting the Pacific Ocean with the Talbert and Magnolia marshes. The project rehabilitation area includes support structures beneath the roadway surface and rockslope protection extending into the Huntington Beach Channel beneath the bridge. The property is not designated as a hazardous waste property on any of the lists of such sites pursuant to Section 65962.5 of the Government Code.

**PROJECT PLANNER:**

Hayden Beckman

Hayden Beckman, Assistant Planner, stated that staff is requesting a continuance to the December 18, 2014, meeting. The request is due to the City's required response to comments and completing the analysis requested by the California Department of Fish and Wildlife. The response to comments document will be completed and circulated for review prior to the requested meeting date.

**AS THERE WAS A REQUEST FOR CONTINUANCE, THE PUBLIC HEARING WAS NOT OPENED**

Mr. Ramos stated that he would continue the item as requested by staff.

**DRAFT MITIGATED NEGATIVE DECLARATION NO. 13-007 WAS CONTINUED TO THE DECEMBER 18, 2013 MEETING.**

**ITEM 2: CONDITIONAL USE PERMIT NO. 13-008/ NEGATIVE DECLARATION 13-004/ TENTATIVE PARCEL MAP 12-146 (SHEA INDUSTRIAL BUILDINGS)**

APPLICANT: Elizabeth Cobb and John Marchiorlatti, Shea Properties  
PROPERTY OWNER: Shea Properties, 130 Vantis, Suite 200, Aliso Viejo, CA 92656  
REQUEST: To permit the construction of two industrial condominium buildings that will total 142,300 square feet (93,100 square feet and 49,200 square feet) on an approximately 6.5 acre parcel (former Randall Lumber Site).  
LOCATION: 17332 Gothard Street, 92647 (east side of Gothard Street, south of Warner Avenue and north of Slater Avenue)  
PROJECT PLANNER: Kristi Rojas

Kristi Rojas, Project Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the subject site. Staff provided an overview of the proposed project and the suggested findings and conditions for approval as presented in the executive summary. Ms. Rojas noted that staff recommends amending Condition No. 2 of the Tentative Parcel Map to read as other approved entitlements establishing consistency. Ms. Rojas stated that the applicant would like Condition No. 1 (b) be eliminated which would require a parking analysis be provided if the use changes. Ms. Rojas also noted that staff received one public comment from Susan Whitaker of the Ocean View School District citing concerns with the intensification of industrial uses allowed near schools.

Ricky Ramos verified with staff the location of the additional windows on building one. Ms. Rojas stated the elevations had been revised and the additional windows would be located on building two only.

**THE PUBLIC HEARING WAS OPENED.**

Ms. Morris, representing the applicant, stated that she had no comments or concerns with staff's recommendations, however, as staff noted, the applicant would like to eliminate Condition No. 1 (b) from the Conditional Use Permit. Mr. Ramos explained that the requirement for a submittal of a parking analysis if the use changes is a code requirement.

Susan Whitaker, Ocean View School District, cited concerns with the intensification of industrial uses being allowed near schools. She also cited concerns with the impacts of dust during construction as well as any outdoor manufacturing and stockpiling. Mr. Ramos stated that the

project is for indoor manufacturing and warehouse use. The code does not allow outdoor manufacturing and the proposed request does not include stockpiling outdoors.

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

Mr. Ramos stated that, based on the information provided, he would approve the request as recommended by staff. He noted that he would add Condition No. 3 requiring revised plans be submitted for staff review prior to submittal for building permits and also Condition No. 5 requiring a parking analysis be submitted if the current use is changed in the future.

**CONDITIONAL USE PERMIT NO. 13-008/ NEGATIVE DECLARATION 13-004/ TENTATIVE PARCEL MAP 12-146 WERE APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. STAFF STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR MAY BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) CALENDAR DAYS.**

**FINDINGS FOR APPROVAL – NEGATIVE DECLARATION NO. 2013-004**

1. The Negative Declaration No. 13-004 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of twenty (20) days. There were no comments received during the comment period.
2. There is no substantial evidence in light of the whole record before the Zoning Administrator that the project will have a significant effect on the environment.

**FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 2012-146**

1. Tentative Parcel Map No. 2012-146 to subdivide the 6.5-acre site into two numbered lots and one lettered lot for the construction of two two-story industrial buildings (one on each numbered lot) totaling 142,300 square feet and associated parking. Lot 1 will consist of 2.11 acres and be developed with a 93,100 square foot building (Building 1). Lot 2 will consist of 1.12 acres and be developed with 49,200 square foot building (Building 2). Lot A will consist of 3.30 acres and be developed with 241 parking spaces and required landscaping areas. The proposal is consistent with the General Plan Land Use designation of I-F2-d (Industrial) on the subject property. The proposed subdivision complies with all applicable code provisions of the Subdivision Map Act and the Huntington Beach Zoning and Subdivision Ordinance (HBZSO).
2. The site is physically suitable for the type and density of development. The proposed subdivision will comply with all applicable code provisions of the HBZSO. The site is located in an industrial area, is regular in shape, and has no unique topographical or other constraints for development.
3. The design of the subdivision will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The site is currently developed with three vacant structures and does not contain wildlife or habitat. The applicant has prepared a Draft Negative Declaration that determined the proposed project would not have an impact on the environment and there are no mitigations required.

4. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless alternative easements, for access or for use, will be provided. Access will be provided off Gothard Street, requiring relocation of the two existing drives to improve circulation for the proposed uses. Access to the property in terms of each proposed lot will be a shared use of Lot A via Gothard Street that will only contain the parking and landscaping portion of the project. As such, a reciprocal access, circulation, and parking easement between the three parcels will need to be recorded against the property.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 13-008:**

1. Conditional Use Permit No. 13-008 for the construction of two industrial condominium buildings that will total 142,300 square feet (93,100 square feet and 49,200 square feet) on an approximately 6.5-acre parcel (former Randall Lumber Site) 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 current site and structures (an office building and two barn-like structures) have been vacant since 2006 and have been vandalized numerous times, which is a detriment to the surrounding area. The proposed industrial condominium buildings are similarly designed, scaled and oriented as the surrounding industrial uses in the area. The proposed project also includes construction of two 6 feet tall, wrought iron privacy gates for each building. The design and location have been reviewed and approved by the Fire and Public Works Departments.

Building 1 is designated as a speculative building and is parked at one parking space per 500 square feet. While Building 2 is designated as a wholesale, warehouse and distribution building and is parked at one parking space per 1,000 square feet. At this parking ratio, the proposed project exceeds the minimum parking required by providing an additional 6 spaces; therefore, it will not be a detriment to the surrounding area.

2. The conditional use permit will be compatible with surrounding uses because the project is designed in a way to be similar in terms of architectural detail and scale. The intensified landscaping, increased setbacks and appropriate building orientation of the buildings provides an adequate buffer of 150 feet to nearby residential buildings from the subject property line. The arrangement of structures, parking and circulation areas exceed the quality that have been set by surrounding development by incorporating more than the minimum required parking spaces, building setbacks and unique parking circulation that will adequately provide movement for future business and meets the Transportation Demand Management provision.
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. The project complies with all the aspects of the HBZSO including parking, landscaping, setbacks and separation between industrial and residential uses. It is also consistent with the Design Guidelines because the applicant has incorporated elements such as: decorative paving in parking lot design and building entrances, varying heights/massing/setbacks to define different functions of the building, employed various building forms to create visual character, and encouraged on-site pedestrian activity with wide sidewalks and ample landscape.
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 Industrial on the subject

property. In addition, it is consistent with the following goals and policies of the General Plan:

LU 12: Achieve the development of industrial uses that provide job opportunities for existing and future residents, as well as surrounding sub region, and generate revenue for the City.

LU 12.1.4: Require that new and recycled industrial projects be designed and developed to achieve a high level of quality, distinctive character, and be compatible with existing uses.

The proposed project will provide ample job opportunities and generate revenue for the surrounding community. The proposed project will be designed and developed to a high level of quality and is intended to be compatible with surrounding existing uses. The overall architectural design of the project is anticipated to create a distinctive character by conforming to the Huntington Beach Design Guidelines.

**CONDITIONS OF APPROVAL – TENTATIVE PARCEL MAP NO. 12-146:**

1. The Tentative Parcel Map No. 12-146 to subdivide an existing 6.5-acre site into two numbered lots and one lettered lot for the construction of two two-story industrial buildings (one on each numbered lot) totaling 142,300 square feet and associated parking received and dated October 18, 2013 shall be the approved layout.
2. At least 90 days before approval of the final map, CC&Rs shall be submitted to the Planning and Building Department and approved by the City Attorney. The CC&Rs shall identify the common driveway access easements, and maintenance of all walls and common landscape areas by the property owners. The CC&Rs must be in recordable form prior to recordation of the map.
3. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning and Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. 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 provisions of HBZSO Section 241.18.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 13-008:**

1. The site plan, floor plans, and elevations received and dated September 20, 2013 shall be the conceptually approved design with the following modifications to make the project more in compliance with the Huntington Beach Design Guidelines:
  - i. Provide additional windows on all elevations visible to the public right-of-way,

- ii. Varying rooflines,
  - iii. Minimum 2 inch recessed windows
  - iv. Minimum 2 inch reveals on all the elevations,
  - v. The taller roof elements shall be wrapped to tie into roof, and
  - vi. The spandrel window on the south elevation of Building 2 shall have a minimum 1 inch recess.
2. Prior to issuance of grading permits, the following shall be completed: at least 14 days prior to any grading activity, the applicant/developer shall provide notice in writing to property owners of record and tenants of properties immediately adjacent to and across the street/alley from within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Planning Division.
3. Prior to submittal for building permits, the applicant shall submit revised plans pursuant to Condition No. 1 to the Planning Division for review, approval, and inclusion in the entitlement file.
4. The gates located on-site shall remain open during business hours.
5. Any future use changes to the subject buildings will require a parking analysis to ensure adequate parking is provided pursuant to the HBZSO.
6. CUP No. 13-008 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date.
7. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning and Building may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. 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 provisions of HBZSO Section 241.18.
8. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryId=19>) or Build It Green's

Green Building Guidelines and Rating Systems <http://www.builditgreen.org/green-building-guidelines-rating>).

**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 1:45 PM TO THE NEXT REGULARLY SCHEDULED MEETING ON WEDNESDAY, DECEMBER 18, 2013, AT 1:30 P. M.**



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Ricky Ramos  
Zoning Administrator

RR:jd