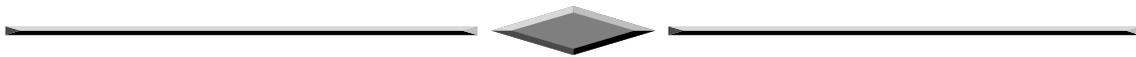


**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Jill Arabe, Associate Planner  
**DATE:** March 18, 2015

**SUBJECT: TEMPORARY USE PERMIT NO. 15-001 (EQUINOX TEMPORARY BUILDING)**

**LOCATION:** 101 Walnut Avenue, 92648 (west side of Walnut Ave., north of First St.)



**Applicant/  
Property**

**Owner:** Kellee Fritzal, Office of Business Development, 2000 Main Street, 5<sup>th</sup> Floor, Huntington Beach, CA 92648

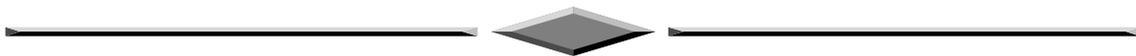
**Request:** To permit a temporary modular building and parking lot for Equinox Gym marketing and new membership signups during construction of their permanent location at Pacific City.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15304, Class 4, California Environmental Quality Act.

**Zone:** SP5-CZ (Downtown Specific Plan – Coastal Zone – District 1)

**General Plan:** M>30-d-sp-pd (Mixed Use > 30 du/acre – Design Overlay - Specific Plan Overlay – Pedestrian Overlay)

**Existing Use:** Vacant



**RECOMMENDATION:** Staff recommends approval of the proposed project based upon the following findings:

**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 15304 of the CEQA Guidelines, because the project involves a minor temporary use of land having negligible or no permanent effects on the environment.

**SUGGESTED FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 15-001:**

1. The proposed temporary use will be located, operated and maintained in a manner consistent with the policies of the General Plan, the Local Coastal Program, the provisions of Chapter 241, and the Downtown Specific Plan. The Land Use Element designation on the subject property is M->30-sp-pd (Mixed Use - >30 du/ac – Specific Plan Overlay – Pedestrian Overlay). The proposed use is consistent with the following goals and policies of the City’s General Plan as follows:

Policy LU 10.1.17: Require the inclusion of uses and elements that contribute amenities for visitors, such as public activity areas and onsite recreational facilities (health clubs, spas, etc.)

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 ED 3.2.3: Upgrade and modernize high-activity nodes and districts.

Goal UD 1: Enhance the visual image of the City of Huntington Beach.

The proposed temporary use will assist in the promotion of a new health club to the vicinity. The health club will be located within Pacific City, which is currently under construction and anticipated to open at the end of the year. The site will be improved with perimeter landscaping and a parking lot that will visually enhance the streetscape. Existing chain link fencing and vegetation will be removed to activate the site and upgrade its compatibility with the neighborhood.

2. Approval of the application for the proposed temporary use will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. The site will be aesthetically improved with permanent perimeter landscaping and a parking lot. The temporary location of a modular building onsite will provide for the marketing and membership sales of the Equinox Gym while their permanent location is under construction. Adequate vehicular and pedestrian public access will be provided to and from the site. No significant impacts related to noise, traffic, or safety, are anticipated because the proposed use will operate during normal business hours and for a duration of six months.

**SUGGESTED CONDITIONS OF APPROVAL - TEMPORARY USE PERMIT NO. 15-001:**

1. The site plan, floor plans, and elevations received and dated February 25, 2015, shall be the conceptually approved design with the modification that bicycle racks shall be provided onsite.
2. Prior to issuance of building permits, the following shall be completed:
  - a. Landscape plans shall be submitted to the Planning Division for review by the Departments of Planning & Building, Public Works, and Office of Business Development.

3. The structure(s) cannot be occupied until the following has been completed:
  - a. Landscape plans shall be approved by the Departments of Planning & Building and Public Works.
  - b. Complete all improvements as shown on the approved grading, landscape and improvement plans.
  - c. A \$500 cash bond shall be submitted to the Planning and Building Department to guarantee removal of any structure, clean up of site upon termination of the temporary use, and to guarantee maintenance of the property.
4. The use shall comply with the following:
  - a. Hours of operation: 9:00 a.m. – 8:00 p.m. daily
  - b. The site shall be vacated and any temporary structures shall be removed by December 1, 2015.
  - c. Temporary signage, such as a banner, may be permitted subject to review and approval by the Planning & Building Department for the duration that the temporary use is located onsite. It shall be maintained in a good appearance at all times and removed upon vacation of the site.
  - d. Outdoor activities or special events including amplified music shall be subject to review and approval of a Temporary Activity Permit or Temporary Use Permit.
5. The Development Services Departments and divisions (Fire, Planning & Building, 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.
6. 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.