

4.8 LAND USE/PLANNING

This section evaluates the potential for significant impacts on Land Use due to the proposed project. Consistent with the discussion in Section 4.0 (Introduction to the Analysis), based on a preliminary environmental analysis of the proposed project prepared prior to commencement of this EIR and analysis already completed for the BECSP Program EIR, substantial additional analysis of Land Use impacts is not required. Rather, this section includes a discussion of the current environmental setting, the proposed project and its relationship to the BECSP, where applicable; a discussion of consistency with the environmental analysis prepared for the BECSP, where applicable; any new information or analysis pertinent to the current analysis and identification of impacts; and significance conclusions. All impacts are considered to be less than significant.

Data used to prepare this section were obtained from the BECSP Program EIR and City of Huntington Beach General Plan. Full bibliographic entries for all reference materials are provided in Section 4.8.5 (References) at the end of this section.

4.8.1 Environmental Setting

The proposed mixed-use project is located on a 9.4-acre, L-shaped parcel at the southwest corner of Beach Boulevard and Warner Avenue in the City of Huntington Beach, approximately one mile south of I-405. The project site is bound to the north by Warner Avenue, to the east by Beach Boulevard, to the south by Cypress Avenue and Sycamore Avenue, and to the west by Elm Street and Ash Street. The project site is surrounded to the north, east, and southeast by commercial uses and to the west, south, and southwest by residential uses.

The project site is currently developed with retail, restaurant, and office uses. A portion of the project site at the corner of Cypress Avenue and Elm Street is currently undeveloped. Existing development on the project site includes a fifteen-story office tower at the corner of Beach Boulevard and Warner Avenue, several one- and two-story strips of retail and restaurant uses along both Beach Boulevard and Warner Avenue, as well as a two-story movie theater, a six-story parking structure, and a two-story Bally's total fitness.

The proposed project site has a General Plan Land Use designation of Mixed Use-Specific Plan-Design Overlay (M-sp-d). The M-sp-d designation permits a range of commercial and multi-family residential uses. The exact density, location and mix of uses permitted in this designation is governed by a Specific Plan ("sp"), allowing for greater design flexibility and to address the uniqueness of a particular area.

The project site is zoned as Specific Plan 14 (SP-14), also known as BECSP. The project site is designated as a Neighborhood Center within BECSP, adopted in March 2010. Within areas designated as Neighborhood Center, existing shopping centers are encouraged to intensify development with a mixture of complimentary uses that are less exclusively auto-oriented. BECSP Section 1.4.1 identifies Neighborhood Centers as existing shopping centers that would retain their overall function and encourage eventual transition of the properties to achieve greater land use efficiency and a mixture of complementary uses with less exclusively auto-oriented type of development through an intensification

of uses with upper level housing, office and lodging. Development would be subject to the BECSP's Development Code for this designation, as applicable.

The primary objective of the BECSP is to enhance the overall economic performance, physical beauty, and functionality of both the Beach Boulevard and Edinger Avenue corridors. BECSP Section 1.1 (Community Objectives) provides a number of specific objectives, included in Section 3.3 (Project Objectives) of this EIR. The BECSP is intended to be a guide for future development, and initiate the transformation of the corridors from commercial strip to a pattern of centers and segments.

All new development within the BECSP area must adhere to the BECSP Development Code. The BECSP Development code consists of development standards, development regulations, and guidelines. Conformance to the development standards is mandatory and standards are unique to each designation. The proposed project would be subject to development standards included as BECSP Section 2.1.5 (Neighborhood Center). Development regulations are detailed municipal policies that do not vary by designation. Guidelines are intended to ensure that new development conforms to the intent of the BECSP.

4.8.2 Regulatory Framework

Refer to Section 4.8.2 (Regulatory Framework) of the BECSP Program EIR, for applicable federal, state, and local regulations that would apply to the proposed project. No new regulations have been implemented since the certification of the Program EIR.

The BECSP Development Code, which includes development standards, development regulations, and guidelines, governs all development actions with the BECSP area, including the proposed project site. The proposed project would be subject to development standards specific to the proposed project site's BECSP designation of Neighborhood Center, included as BECSP Sections 2.1.5 (Neighborhood Center Core).

4.8.3 Project Impacts and Mitigation

This section provides a discussion of impacts related to land use based on Appendix G of the 2010 CEQA Guidelines thresholds of significance, as follows:

- Physically divide an established community
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect
- Conflict with any applicable habitat conservation plan or natural community conservation plan

■ Physically Divide an Established Community

The proposed project site is currently fully developed (with the exception of a portion of the site at the corner of Cypress Avenue and Elm Street) and is surrounded in its entirety by established paved roadways. The proposed project would not extend past these existing property boundaries. Land uses adjacent to the project site include commercial to the north, east and southeast; and residential uses to

the south, west, and southwest. Implementation of the proposed project would result in the construction of a mixed-use project that would act as a buffer and transition between residential neighborhoods to the south and west, and the existing commercial uses on the project site. Residential uses on the project site would be oriented towards existing residential uses located along Sycamore Avenue, Ash Street, Elm Street, and Cypress Avenue. As such, the introduction of residential uses on the project site oriented towards the existing residential neighborhood would create a continuation of the established community. As the proposed project would not encroach on the existing residential neighborhood and would create a transition between the existing adjacent land uses, implementation of the proposed would not result in the division of an established community. This is considered a *less than significant* impact.

■ Conflict with Any Applicable Land Use Plan, Policy, or Regulation

Overall, the proposed project is consistent with the City's land use policies that generally encourage projects to provide a mix of uses that are compatible and harmonious with surrounding development, and amenities that enhance the image and quality of life and the environment. The proposed project is also consistent with General Plan policies that are designed to address the image of the community, promote compatibility between land uses, and support the City's image as a regional activity center that would provide the community and region with economic and service benefits. A consistency analysis for applicable land use policies is provided under Impact 4.8-1 of the BECSP EIR. Applicable plans in this consistency analysis include SCAG's Regional Comprehensive Plan (RCP) and Regional Transportation Plan (RTP), as well as the City of Huntington Beach General Plan Urban Design and Land Use Elements. The proposed project implements the broad policies established in the City of Huntington Beach General Plan to guide growth and change within the City.

The proposed project was designed to respond to the issues facing the corridors and improve the existing visual character and quality of the project site and its surroundings. Additionally, the project would achieve the stated community objectives of the BECSP, included in Section 3.3 of this EIR, through the application of the BECSP Development Code. The proposed project site is located within Neighborhood Center designation of the BECSP. As such, development on the proposed project site is regulated by this district designation and applicable development standards included in BECSP Section 2.1.5.

Existing development on the project site includes a fifteen-story office tower at the corner of Beach Boulevard and Warner Avenue, several one- and two-story strips of retail and restaurant uses along Beach Boulevard and Warner Avenue, as well as a two-story movie theater, a six-story parking lot, and a two-story Bally's total fitness. A portion of the project site at the corner of Cypress Avenue and Elm Street is currently undeveloped. The proposed project would maintain much of the existing development on the project site including the existing fifteen-story, 196,000-square-foot (sf) office building; the 18,531 sf retail/restaurant building along Warner Avenue; the 7,205 sf restaurant on Beach Boulevard; and the six-story, 863-stall parking structure located on the northeast corner of Sycamore Avenue and Ash Street would remain. The internal roadway and plaza area would remain with implementation of the proposed project.

The proposed project includes the construction of the Beach Mixed-Use building bound by Beach Boulevard to the east, Cypress Avenue to the south, Elm Street to the west, and the internal roadway to

the north. The Beach Mixed-Use building would include a total of 247,421 sf of building area, consisting of retail, restaurant, and residential units. This building would replace one of the existing restaurants and all of the retail and office uses located on Beach Boulevard, as well as the Bally's Total Fitness, and would develop the vacant lot on the corner of Elm Street and Cypress Avenue. Proposed retail and restaurant uses would front Beach Boulevard, while residential uses would front Elm and Cypress, and be located on the upper levels of the remainder of the building.

The proposed project also includes the Warner Mixed-Use building bound to the north by Warner Avenue, to the east by the internal roadway, to the south by the existing six-story parking structure, and to the west by Sycamore Avenue. The Warner Mixed-Use building would include a total of 89,044 sf of building area, consisting of retail, restaurant, and residential uses. This building would replace the existing two-story movie theater building located on the corner of Warner Avenue and Sycamore Street. Retail and restaurant uses would front Warner Avenue and the internal roadway. Residential uses would front Ash Street and Warner Avenue, and be located on the upper levels of the remainder of the building. Four live/work units would be located along Warner Avenue, and would be accessible from street level.

Finally, two new one-story, 5,500 sf retail buildings would be constructed on the corner of Beach Boulevard and Warner Avenue, flanking the existing fifteen-story office tower. The orientation of the proposed buildings and the existing fifteen-story office would activate a public plaza on the corner.

BECSP Section 2.1.5 (Neighborhood Center) includes development standards relating to building use, building scale, frontage and building placement, streets, open space parking, and architecture. Proposed development is consistent with these development standards. Proposed uses on the project site include retail, restaurant, office, live/work, and multi-family residential dwelling units, all of which are permitted under BECSP Section 2.2.1 (Use Types) within the Neighborhood Center.

Dwelling Units

The proposed project site was contemplated in the IS/NOP prepared for the BECSP EIR (July 2008). For the proposed project site, a project consisting of 272 residential dwelling units (totaling approximately 297,850 sf), 29,600 sf of retail uses, 6,000 sf of restaurant uses, and 7,000 sf of residential common area was identified in the BECSP IS/NOP. The project, as proposed, is 7 dwelling units (7,014 sf) larger than the project contemplated for the project site in the IS/NOP. However, the proposed project is well within the approved number of dwelling units in the BECSP and would not conflict with the total number of units approved for the area nor the approved uses. As such, this small addition of units would not substantially alter the environmental analysis prepared for the BECSP and the proposed project would result in a less than significant impact due to a potential conflict.

Building Height

The height of the proposed buildings would range from one to six stories, as shown in Figure 4.1-3 (Project Sections), with the greatest height concentrated in the southeast portion of the project site near Beach Boulevard and Cypress Avenue. These heights are consistent with the heights of existing development on the project site that would remain with implementation of the proposed project, including the fifteen-story office tower and six-story parking structure. BECSP Section 2.3.1 allows building heights up to five stories in the Neighborhood Center designation, however Special

Condition C13, allows buildings up to six stories in height with a conditional use permit (CUP) when existing development on the project site exceeds six stories. Along Beach Boulevard, as illustrated in Figure 4.1-2, building heights would be limited to four stories for a horizontal distance of 65 feet from the back-of-sidewalk, as required by Building Scale Regulation 2.3.2(1) of the BECSP. Consistent with BECSP Section 2.3.2, which requires development across the street from housing to be a maximum of two-stories in height, townhouses proposed on Elm Street would be two stories in height. However, additional levels, up to six stories would be stepped back from the street, as shown in Figure 4.1-3. All building frontages would be oriented toward existing roadways or the internal roadway, as required by BECSP Section 2.4.1 (Building Orientation to Street and Public Open Spaces) and would be designed in compliance with BECSP Section 2.4.2 (Private Frontage Types). BECSP Section 2.4.2(3) includes specifications for private building frontages, including allowable façade and entrance treatment for various types of entrances.

Street and Public Open Space Design

Both existing and proposed streets would include public frontage improvements, as required by BECSP Section 2.5.1(1)(c). Along Beach Boulevard, Palm Tree Boulevard specifications with Neighborhood Center street-front improvements would be implemented. The proposed project would also be consistent with BECSP Section 2.6 (Open Space Regulations) which requires the provision of public open space at a rate of 50 sf for every 1,000 sf of retail uses (including restaurant) and dwelling unit. The project proposes a total of 75,000 sf of public open space distributed amongst the project site, in the form of a plaza at the corner of Beach Boulevard and Warner Avenue, and a courtyard plaza located in the center of the project site, as well as several pedestrian paseos.

Affordable Housing

Additionally, the proposed project would be subject to BECSP Section 2.2.3 (Affordable Housing Requirements) which requires that 15 percent of all new residential construction in a redevelopment project area be affordable housing units. This section allows for the affordable units to be provided at an off-site location to fulfill the affordable housing requirements. Compliance with BECSP Section 2.2.3 would contribute to the City meeting its RHNA. As such, 42 of the 279 housing units proposed shall be affordable housing units. These units may be provided off site, but if located outside of the redevelopment area, affordable units would be provided at a ratio of 2:1. Compliance with the affordable housing requirement would contribute to the City meeting its RHNA.

To ensure that proposed development is consistent with the BECSP, the proposed project is required to submit a Site Plan Review application. In order for the Site Plan Review application to be approved, the Director of Planning and Building must make the following findings:

- i. The project is consistent with the City's General Plan and all applicable requirements of the Municipal Code
- ii. The project will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood
- iii. The project will not adversely affect the Circulation Plan of this Specific Plan
- iv. The project complies with the applicable provisions of the BECSP and other applicable regulations

Approval of the proposed project's Site Plan Review application will ensure that the proposed project would not conflict with any applicable plans, policies, and regulations. This is considered a *less than significant* impact.

■ Conflict with Any Applicable Habitat Conservation Plan or Natural Community Conservation Plan

There are no applicable habitat conservation plans or natural community conservation plans within the BECSP area, including the proposed project site. *No impact* would occur.

Applicable Mitigation of the BECSP EIR

No mitigation relating to Land Use was required in the BECSP EIR.

All impacts with respect to land use were determined to be less than significant in this or the BECSP EIR analysis.

4.8.4 Cumulative Impacts

Project-related impacts for environmental issue areas that did not require substantial additional analysis from what was provided in the BECSP EIR are considered to be less than significant with mitigation. In addition, the proposed project would not result in impacts different from or greater than previously analyzed in the BECSP EIR. Therefore, additional cumulative impact analysis is not required for these issue areas, including Land Use.

4.8.5 References

Huntington Beach, City of. *Beach and Edinger Corridors Specific Plan Environmental Impact Report*, November 2009.