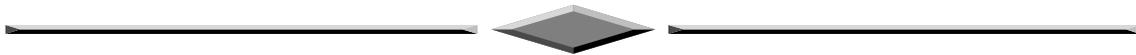


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Tess Nguyen, Associate Planner
DATE: October 6, 2010
SUBJECT: **COASTAL DEVELOPMENT PERMIT NO. 10-015 (BEACH PROMENADE PHASE II)**
LOCATION: 21022-21190 Beach Boulevard, 92648 (southeast corner of Beach Boulevard and Atlanta Avenue)



Applicant: Bijan Sassounian, 21190 Beach Boulevard, Huntington Beach, CA 92648
Property Owner: State of California, Caltrans District 12, 3347 Michelson Drive, Suite 100, Irvine, CA 92648
Request: To permit (a) the removal of existing asphalt curb and construction of street frontage improvements on Beach Boulevard, including driveway approaches, accessible curb ramps, curb and gutter, catch basins, sidewalk, landscaping, and street lights; and (b) the removal of an existing raised highway median and construction of a southbound left turn pocket.
Environmental Status: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.
Zone: SP 14 (Beach and Edinger Corridors Specific Plan – Neighborhood Center)
General Plan: MP – sp – d (Mixed Use – Specific Plan Overlay – Design Overlay)
Existing Use: Commercial Shopping Center



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 15301 of the CEQA Guidelines, because repairing existing highways and streets, sidewalks, gutters, and similar facilities are exempt from further environmental review.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 10-015:

1. Coastal Development Permit No. 10-015 for the (a) removal of existing asphalt curb and construction of street frontage improvements on Beach Boulevard, including driveway approaches, accessible curb ramps, curb and gutter, catch basins, sidewalk, landscaping, and street lights and the (b) removal of an existing raised highway median and construction of a southbound left turn pocket conform with the General Plan, including the Local Coastal Program as follows:

A. Circulation Element

Objective CE 6.1: Promote the safety of bicyclists and pedestrians by adhering to Caltrans and City-wide standards.

Policy CE 6.1.10: Implement appropriate traffic devices and operational programs throughout the community to ensure that conflicts between pedestrians, bicycles, and vehicles are minimized and safety minimized.

The street frontage and median improvement project includes a sidewalk and accessible curb ramp on the east side of Beach Boulevard and left turn pocket in the median of the Beach Boulevard to improve and minimize conflicts between pedestrians, bicyclists and motorists.

Policy CE 7.1.1: Require the roadways, as shown in Figure CE-12, to be improved and maintained as local scenic highways, major urban scenic highways, minor scenic highways, and landscape corridors with key entry points.

The street frontage and median improvement project includes installation of new landscaping along the east side of Beach Boulevard and replacement of landscaping in the median of Beach Boulevard as part of the expansion of the shopping center. The new landscaping will comply with the City Arboricultural and Landscape Standards and Specifications.

B. Coastal Element

Policy C 2.8.1: Promote safe pedestrian access to the beach from the inland side of Pacific Coast Highway.

The street frontage and median improvement project provides a new sidewalk and accessible curb ramp on the east side of Beach Boulevard where no sidewalk or accessible curb ramp exist today. The new sidewalk and accessible curb ramp improvements promote safe pedestrian access to the beach from the inland side of Pacific Coast Highway.

Policy C 4.2.1(b): Ensure that adequate landscaping and vegetation are met by new development in the Coastal Zone as feasible and appropriate.

The street frontage and median improvement project includes installation of new landscaping along the east side of Beach Boulevard and replacement of landscaping in the median of Beach Boulevard as part of the expansion of the shopping center. The new

landscaping will comply with the minimum landscaping requirements in the City Arboricultural and Landscape Standards and Specifications.

C. Urban Design Element

Policy UD 1.3.2(a): Provide for the implementation of streetscape and landscape improvements along the major commercial corridors, through public capital improvement programs, business district improvements, or other techniques as funding is available. Develop or enhance the pedestrian environment in those parts of the corridors where there is existing or the potential for pedestrian activity, including the use of special paving and pedestrian walkway linkages.

The street frontage and median improvement project provides a new meandering sidewalk on the east side of Beach Boulevard where no sidewalk exists today. The new sidewalk improvements enhance the pedestrian environment and provide a link to the pedestrian walkways to north and south of the project site.

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. The street frontage and median improvements are compatible with the zoning designation of a right-of-way. New driveway approaches, curb ramps, sidewalks, curb and gutter, catch basins, landscaping, and street lights area consistent with all City and Caltrans specifications and standards.
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 project includes infrastructure improvements to the street frontage and median along a portion of Beach Boulevard. No other infrastructure improvements, other than routine maintenance, are necessary for the long-term operation of the proposed street improvement project.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The proposed street improvement project will not have negative impacts to public access and recreation opportunities within the Coastal Zone. The project will result in improved access to coastal resources by improving the street frontage with new sidewalks, landscaping, and street lights.

SUGGESTED CONDITIONS OF APPROVAL – COASTAL DEVELOPMENT PERMIT NO. 10-015:

1. The site plan and elevations received and dated January 20, 2010 shall be the conceptually approved design.
2. Prior to issuance of an encroachment permit from the Department of Public Works, a Caltrans Encroachment permit for work within the Caltrans right-of-way (for construction of sidewalks, driveways, water connections, etc.) shall be obtained by the applicant or contractor from Caltrans prior to the start of work. A copy of each permit, traffic control plans and other permission granted by Caltrans shall be transmitted to Public Works. **(PW)**
3. All conditions of approval required under Conditional Use Permit No. 08-013, Variance No. 08-007, Entitlement Plan Amendment No. 09-009, Conditional Use Permit No. 10-005, and

Variance No. 10-001 shall remain valid and shall be completed at the appropriate stage of development.

4. Coastal Development Permit No. 10-015 shall become null and void unless exercised within two (2) years of the date of final approval by the Zoning Administrator, 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.
5. 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.