

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

TO: Zoning Administrator
FROM: Tess Nguyen, Associate Planner
DATE: January 15, 2014
SUBJECT: **SITE PLAN REVIEW NO. 13-004/ VARIANCE NO. 13-011 (CHASE BANK)**
LOCATION: 18501 Main Street, 92648 (southwest corner of Main Street and Ellis Avenue)

Applicant: Dawn Dimond, Nadel Studio One, Inc., 3050 Pullman Street, Costa Mesa, CA 92626

Property

Owner: Chris Cole, 10500 NE 8th Street, Suite 850, Bellevue, WA 98004

Request: **SPR:** To demolish an existing 8,284 sq. ft. retail building (Pier One Imports) and construct a new 4,460 sq. ft. bank (Chase). **VAR:** To allow additional parking along Ellis Avenue in lieu of no side surface parking lots allowed.

Environmental Status: This request is covered by Beach and Edinger Corridors Specific Plan Environmental Impact Report (EIR No. 08-008), subject to the adopted mitigation measures contained in the Final EIR No. 08-008.

Zone: SP 14 (Beach and Edinger Corridors Specific Plan) – Town Center Core Segment

General Plan: M – sp - d (Mixed Use – Specific Plan Overlay – Design 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 proposed project consists of demolition of an existing 8,284 sq. ft. retail building and construction of a 4,460 sq. ft. bank within the Town Center Core Segment of the Beach and Edinger Corridors Specific Plan (BECSP) area. The proposed project is covered by Final Environmental Impact Report (EIR No. 08-008), which was certified by the City of Huntington Beach on December 8, 2009. The proposed project is subject to compliance with the adopted mitigation measures contained in Final EIR No. 08-008. Staff has reviewed the proposed project and environmental assessment for compliance and has determined the project is consistent with the adopted mitigation measures contained in the Final EIR. Compliance with all applicable mitigation measures adopted with the Specific Plan will be required as a condition of approval of the project.

SUGGESTED FINDINGS FOR APPROVAL – SITE PLAN REVIEW NO. 13-004:

1. Site Plan Review No. 13-004 for the demolition of an existing 8,284 sq. ft. retail building and construction of a new 4,460 sq. ft. bank and associated improvements 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 bank development, with the recommended conditions of approval, incorporates architectural and design elements that provide maximum compatibility of design with the existing and anticipated development in the vicinity of the project site, supports the existing commercial development surrounding the site, and promotes the image of the Huntington Beach envisioned within the Beach and Edinger Corridors Specific Plan (BECSP). The proposed structure features enhanced building materials and colors, building recesses and façade offsets, and variation in massing composition. The project's conformance to the Beach and Edinger Corridors Specific Plan further ensures that the form, height, and architectural design convey an overall high level of quality.
2. The proposed project will not adversely affect the Circulation Plan of the BECSP. The project will maintain vehicular access to the site along Ellis Avenue. To improve pedestrian access and create an entry statement to the shopping center, new landscaping and pedestrian amenities (bench, trash can, enhanced landscaping, map and directory) will be provided at the corner of Main Street and Ellis Avenue. No additional street improvements are required to improve capacity/efficiency on intersection operations; however, the project will pay fees commensurate with the project's contribution of traffic on the area-wide roadway system.
3. The proposed bank development will comply with the applicable provisions of the Beach and Edinger Corridors Specific Plan development code as specified in the Town Center Core segment. In addition, the project meets all applicable provisions of Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The proposed project complies with the development standards in terms of building length and orientation, minimum onsite parking, street façade height articulation and façade composition. The project also ensures that the form and architectural design convey an overall high level of quality materials consistent with the vision of the Specific Plan. A Variance is being processed concurrently to allow deviations in parking type.
4. The granting of the site plan review will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Mixed Use–Specific Plan Overlay–Design Overlay on the subject property. In addition, it is consistent with the following goals, policies, and objectives of the General Plan:
 - A. *Air Quality Element*
 - Goal AQ 1:* Improve regional air quality by a) decreasing reliance on single occupancy vehicular trips, b) increasing efficiency of transit, c) shortening vehicle trips through a more efficient jobs-housing balance and a more efficient land use pattern, and d) increasing energy efficiency.
 - Policy AQ 1.10.1:* Continue to require the utilization and installation of energy conservation features in all new construction.

B. Circulation Element

Objective CE 2.3: Ensure that the location, intensity and timing of new development is consistent with the provision of adequate transportation infrastructure and standards as defined in the Land Use Element.

Goal CE 2.3.4: Require new development mitigate its impact on City streets, including but not limited to, pedestrian, bicycle, and vehicular conflicts, to maintain adequate levels of service.

C. Economic Development Element

Goal ED 1: Provide economic opportunities for present and future Huntington Beach residents and businesses through employment and local fiscal stability.

Policy 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.

D. Land Use Element

Goal LU 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

Goal LU 4: Achieve and maintain high quality architecture, landscape, and public open spaces in the City.

Policy LU 4.2.4: Require that all development be designed to provide adequate space for access, parking, supporting functions, open space, and other pertinent elements.

Goal LU 7: Achieve a diversity of land uses that sustain the City's economic viability, while maintaining the City's environmental resources and scale and character.

Objective LU 7.1: Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, educational, cultural, entertainment, and recreation needs of existing and future residents, (b) provides employment opportunities for residents of the City and surrounding subregion, (c) captures visitor and tourist activity, and (d) provides open space and aesthetic "relief" form urban development.

Goal LU 10: Achieve the development of a range of commercial uses.

Objective 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 residents, serve the surrounding region, serve visitors to the City, and capitalize on Huntington Beach's recreational resources.

E. Urban Design Element

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

Objective UD 1.3: Strengthen the visual character of the City's street hierarchy in order to clarify the City's structure and improve Citywide identity.

F. Utilities Element

Objective U 1.2: Ensure that existing development, redevelopment, and new development does not degrade the City's surface waters and groundwater basins.

Objective U 1.3: Minimize water consumption rates through site design, use of efficient systems, proper maintenance, and other techniques.

Policy U. 1.3.2: Continue to require the incorporation of water conservation features in the design of all new and existing uses, such as use of native plants, low flow toilets, and water efficient appliances.

The project would provide an urban infill bank development that enhances economic development and allows for more efficient use of land resources. The area has a variety of complementary uses that are critical to any vibrant community such as regional commercial uses, employment centers, and senior housing projects. Because of its location, the site would be appropriate in accommodating an infill development that supports the mix of uses surrounding the project site. The project would provide additional opportunities for residents seeking to be within walking distance of banking services, thus reducing dependency on their automobiles. The proposed project would serve the needs of local residents, surrounding region, and visitors to the City.

The proposed project incorporates architectural and design principles to provide a pedestrian-oriented scale and ensure maximum design compatibility with existing and proposed developments within the surrounding area. The structure on the project site utilizes high quality exterior materials, articulated building volumes, and a variety of building composition through the use of enhanced building colors and materials, building recesses and projections. The project complies with the development standards and design guidelines of the BECSP, which ensure that form, height, and treatment convey an overall high level of quality.

The project is designed to minimize consumption of natural resources through implementation of sustainability features such as “green” building methods and materials available for construction, windows, light fixtures, HVAC systems, and water efficient irrigation system. The project would comply with the BECSP and other City codes to reduce water consumption and stormwater runoff. A preliminary Water Quality Management Plan (WQMP) has been reviewed by Public Works staff. A final WQMP is required to be submitted for review and approval prior to grading permit issuance. Finally, the project will incorporate sustainable site development strategies, utilize water savings features, and emphasize recycling of resources and materials through design features and community policies.

SUGGESTED FINDINGS FOR APPROVAL – VARIANCE NO. 13-011:

1. The granting of Variance No. 13-011 to allow additional parking along Ellis Avenue will not constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. The project involves the demolition of an existing 8,284 sq. ft. retail building and construction of a new 4,460 sq. ft. bank at an existing approximately 161,000 sq. ft. shopping center. The proposed construction of the bank represents a minor size reduction to the existing shopping center. As a result, the proposed construction does not have to conform to the various development standards of the BECSP as long as nonconformities are not increased. There are currently three parking spaces at the corner of Main Street and Ellis Avenue serving the previous retail use. The proposed bank use is proposing eight additional parking spaces along Ellis Avenue. The smaller building footprint of the bank allows additional parking to be provided and the existing parking to be reconfigured along Ellis Avenue. The new parking layout facilitates the design of the enhanced corner entry to the shopping center. Approval of the requested

deviation will not constitute a grant of special privilege as the variance will allow the development of a bank to provide a functional use of the property that complements other uses in the vicinity.

2. Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. The proposed construction represents a minor reduction in the size of the existing shopping center. Therefore, it does not have to conform to the various development standards of the BECSP as long as nonconformities are not increased. There are currently parking spaces along Ellis Avenue and the reconfiguration of existing parking and provision of additional parking in this area will not have any visual impacts to the shopping center. The new parking layout allows for the enhanced corner entry design to the shopping center, achieving the goal of encouraging pedestrian activities and connections between different uses in the surrounding area. Granting the deviation in parking lot type allows the subject property to enjoy the same privileges as the other properties in the vicinity and under identical zone classification.
3. The granting of a variance is necessary to preserve the enjoyment of one or more substantial property rights. The requested variance is necessary to allow the proposed project to be developed with a bank, a service use to support the mix of uses surrounding the project site. Granting the requested variance will not affect the overall visual character and scale of the proposed development onsite in the context of the surrounding area. The subject site is able to enjoy the right to develop the site in accordance with the Town Center Core Segment of the Beach and Edinger Corridors Specific Plan.
4. The granting of the variance will not be materially detrimental to the public welfare or injurious to property in the same zone classification and is consistent with the General Plan. The development of a bank will not be materially detrimental to the public welfare because the proposed buildings are designed to be consistent with the scale and character of the surrounding area. The proposed one-story structure would be consistent with the established development pattern in the vicinity. The granting of the variance will not adversely affect the General Plan. It is consistent with the Land Use Element designation of M-sp-d (Mixed Use-Specific Plan Overlay-Design Overlay) on the subject property.

SUGGESTED CONDITIONS OF APPROVAL – SITE PLAN REVIEW NO. 13-004/ VARIANCE NO. 13-011:

1. The site plan, floor plans and elevations received and dated October 30, 2013 shall be the conceptually approved design with the following modifications:
 - a. Parking lot design (parking space dimensions, parking lot striping, etc.) shall comply with Chapter 231 of the Zoning and Subdivision Ordinance and Title 24, California Administrative Code. **(HBZSO Chapter 231)**
 - b. Two potted plants (one adjacent to the conference room and one adjacent to room PB3) shall be provided along the building facing Main Street.
2. The project shall comply with all mitigation measures adopted for the project in conjunction with Environmental Impact Report No. 08-008.
3. At least 14 days prior to any grading activity, the property owner/developer shall provide notice in writing to property owners of record and tenants of properties 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 and Building Department.

4. Prior to issuance of a precise grading permit, an interim parking and building materials storage plan shall be submitted to the Planning Division to assure adequate parking and restroom facilities are available for employees, customers and contractors during the project's construction phase and that adjacent properties will not be impacted by their location. The plan shall also be reviewed and approved by the Fire Department and Public Works Department. The property owner/developer shall obtain any necessary encroachment permits from the Department of Public Works.
5. Prior to submittal for building permits, the following shall be completed:
 - a. One set of project plans, revised pursuant to Condition of Approvals and Code Requirements, shall be submitted for review, approval, and inclusion in the entitlement file, to the Planning Division.
 - b. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
6. Prior to issuance of building permits, an "Acceptance of Conditions" form shall be properly executed by the developer and an authorized representative of the owner of the property, recorded with the County Recorder's Office, and returned to the Planning Division for inclusion in the entitlement file. Conditions of approval shall remain in effect in the recorded form in perpetuity, except as modified or rescinded pursuant to the expressed written approval of the City of Huntington Beach.
7. The structure(s) cannot be occupied, the final building permit(s) cannot be approved, and utilities cannot be released, and issuance of a Certificate of Occupancy until the following has been completed:
 - a. Compliance with all conditions of approval specified herein are accomplished and verified by the Planning and Building Department.
 - b. All improvements must be completed in accordance with approved plans, except as provided for by conditions of approval.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
 - d. A Certificate of Occupancy must be approved by the Planning Division and issued by the Building and Safety Division.
8. Signage shall be reviewed under separate permits and applicable processing.
9. 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.

10. The developer or developer's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
11. Site Plan Review No. 13-004 and Variance No. 13-011 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.
12. 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 property owner/developer 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 property owner/developer of any claim, action or proceeding and should cooperate fully in the defense thereof.