

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

TO: Zoning Administrator
FROM: Christopher Wong, Associate Planner
DATE: March 7, 2018

SUBJECT: **TENTATIVE PARCEL MAP NO. 18042 / CONDITIONAL USE PERMIT NO. 15-038 (SUNSET BEACH HOTEL)**

LOCATION: 17145 Pacific Coast Highway, Huntington Beach, CA 90742 (on the south side of Pacific Coast Highway, approximately 195 feet southeast from the intersection of Pacific Coast Highway and 4th Street)

Applicant: Leonard Julian Sunset Beach, LLC, c/o Lawrence Lazar, 9021 Melrose Avenue, Suite 301, West Hollywood, CA 90069

Property Owner: Leonard Julian Sunset Beach, LLC, c/o Lawrence Lazar, 9021 Melrose Avenue, Suite 301, West Hollywood, CA 90069

Request: **TPM:** To consolidate seven parcels into one parcel. **CUP:** To develop a three-story, 12-unit hotel with a 1,800 sq. ft. commercial tenant space on the ground floor. The project is located in the non-certified Sunset Beach Specific Plan area and the demolition of an existing car wash, development of a hotel/commercial building with 12 compact parking spaces (minimum dimensions of 8 ft. 6 in. by 15 ft. 6 in.), and consolidation of seven parcels will require coastal development review by the California Coastal Commission.

Environmental Status: This request is covered by Categorical Exemption, Section 15332, Class 32, California Environmental Quality Act.

Coastal Status: Not certified by the Coastal Commission

General Plan: CV-mu-sp (Commercial Visitor – Mixed Use Overlay – Specific Plan Overlay)

Zone: SP17-CZ (Sunset Beach Specific Plan – Coastal Zone Overlay District)

Existing Use: Commercial

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 CEQA Section 15332 because the project is characterized as in-fill development that meets the following criteria:

- a. The project is consistent with the applicable General Plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c. The project site has no value as habitat for endangered, rare or threatened species.
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e. The site can be adequately served by all required utilities and public services.

SUGGESTED FINDINGS FOR APPROVAL - TENTATIVE PARCEL MAP NO. 18042:

1. Tentative Parcel Map No. 18042 for the consolidation of seven parcels into one parcel is consistent with the General Plan, and all applicable code provisions of the Subdivision Map Act and City Council adopted Sunset Beach Specific Plan (not certified by the Coastal Commission). General Plan Land Use Element Goal LU-1, Policy C encourages support of infill development and consolidation of parcels. Therefore, granting approval of the proposed Tentative Map is consistent with this General Plan goal and policy. In addition, the proposed map and development are consistent with applicable standards in the adopted Sunset Beach Specific Plan and the Coastal Zone (CZ) Overlay District. The proposed map also conforms to the public access and public recreation policies of Chapter 3 of the California Coastal Act because the resulting lot will not impede public access, recreation, or views to coastal resources.
2. The site is physically suitable for the type and density of development. The site topography is flat and unvaried. The site is also located in an urbanized area, with public services and utilities readily available to service the existing and new hotel/commercial building. Furthermore, the size and dimensions of the proposed parcel is large enough to accommodate the development of a new hotel/commercial building in compliance with the adopted Sunset Beach Specific Plan standards.
3. The design of the proposed lot consolidation and the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The site is located in an urban setting that is currently developed with commercial buildings and, therefore, does not contain fish or wildlife or their habitat.
4. The design of the proposed lot consolidation 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. Easements for building maintenance along the side lot lines will be provided as a condition of the project approval. Therefore, the design of the subdivision and the proposed improvements will not conflict with easements of record.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 15-038:

1. Conditional Use Permit No. 15-038 for the development of a three-story, 12-unit hotel with a 1,800 sq. ft. commercial tenant space on the ground floor 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 hotel will be monitored and patrolled by security services. Security services will regularly visit the premises day and night, and will be available 24-hours per day to address any nuisances or disturbances on the premises. Conditions, such as requirements to inform police about disturbances at the site and meet with City staff regarding any verified noise or nuisance complaints, are included to further ensure the proposed use is not a nuisance to the surrounding community. Furthermore, the building will be designed to maintain privacy on adjoining parcels, as conditioned. Landscape planters along the boundaries of exterior corridors will provide a visual buffer between these corridors and adjacent properties. To further maintain privacy, the second floor balcony along the north building elevation is conditioned to be removed. In addition, the layout of the site will also provide safe conditions for pedestrian and vehicular circulation. Vehicular ingress and egress will have unobstructed views for safe maneuvering. A parking demand analysis prepared by KOA Corporation, dated June 29, 2016, demonstrates that off-street parking will be sufficient based upon the proposed mix of land uses, which have divergent parking needs on different days and at different times of the day. Finally, a traffic impact study also prepared by KOA Corporation, dated January 4, 2018, demonstrates there will not be any significant traffic impacts. Therefore, granting a conditional use permit will not be detrimental to persons or property as conditioned.
2. Conditional Use Permit No. 15-038 for the development of a three-story, 12-unit hotel with a 1,800 sq. ft. commercial tenant space on the ground floor will be compatible with surrounding uses. The proposed hotel and commercial uses will be compatible with the existing residential and commercial land uses in the vicinity, including another hotel use approximately 200 feet from the project site as well as other visitor-serving commercial uses along Pacific Coast Highway. In addition, the site layout and building scale are designed in a manner that is compatible with this nearby hotel building while remaining consistent with adopted Sunset Beach Specific Plan standards. The project, as proposed, also conforms to City of Huntington Beach Urban Design Guidelines for hotels and motels because the building establishes the image and character for development along the street frontage while minimizing the visibility of parked vehicles through sufficient screening. Therefore, granting a conditional use permit will be compatible with surrounding land uses.
3. The proposed conditional use permit will comply with the development standards and land use provisions in the Sunset Beach Specific Plan, and requirements of the Coastal Zone (CZ) Overlay District. The project is located within the Sunset Beach Tourist (SBT) District of Sunset Beach, which requires approval of a conditional use permit from the Zoning Administrator for hotels and commercial land uses. To ensure the proposed use remains in conformance with the Sunset Beach Specific Plan, the proposed hotel will be precluded from converting into a multiple-family residential development where occupants reside on the premises for longer than 30 consecutive days as a condition of the project's approval. The proposed development also complies with minimum building setbacks, maximum building height, and mechanical equipment screening. Further, the proposed development complies with requirements for off-street parking. A total of 32 parking spaces are proposed for the hotel and general retail land uses, and 32 spaces are required in

accordance with Draft Sunset Beach Specific Plan Section 3.3.4. Twelve of these spaces are proposed to compact in size (minimum dimensions of 8 ft. 6 in. by 15 ft. 6 in.). Compact parking spaces are permitted with the approval of a Coastal Development Permit from the California Coastal Commission.

4. The granting of the requested conditional use permit for the development of a three-story, 12-unit hotel with a 1,800 sq. ft. commercial tenant space on the ground floor will not adversely affect the General Plan because it is consistent with the Land Use Element designation CV-mu (Commercial Visitor – Mixed Use Overlay) on the subject property. In addition, it is consistent with the following goals, objective, and policies of the General Plan:
 - A. Goal LU-11: Commercial land uses provide goods and services to meet regional and local needs.
 - B. Goal LU-11, Policy B: Encourage new businesses to locate on existing vacant or underutilized commercial properties where these properties have good locations and accessibility.
 - C. Goal LU-14: Huntington Beach continues to attract visitors and provides a variety of attractions and accommodations during their stay.
 - D. Goal LU-14, Policy A: Encourage expansion of the range and location of available lodging for both tourist and business visitors.
 - E. Policy C 2.4.1: Maintain an adequate supply of parking that supports the present level of demand and allows for the expected increase in private transportation use.
 - F. Policy C 3.2.4: Encourage the provision of a variety of visitor-serving commercial establishments within the Coastal Zone, including, but not limited to, shops, restaurants, hotels and motels, and day spas.

The proposed project consists of the development of a three-story, 12-unit hotel with a 1,800 sq. ft. commercial tenant space on the ground floor. The new hotel/commercial building is located in an area designated for commercial uses that will serve tourists and visitors. The building complies with the City of Huntington Beach Urban Design Guidelines for hotel buildings, featuring quality architecture and exterior finish materials, a variety of roof lines and façade treatments, and a functional site layout. As demonstrated through a parking demand analysis, the proposed number of parking spaces for the hotel/commercial building will be adequate to serve the proposed intensity of uses. Therefore, the proposed project will provide a visitor-serving commercial use with an adequate supply of parking that meets regional needs and provides variety in visitor accommodations on an underutilized parcel consistent with the General Plan.

SUGGESTED CONDITIONS OF APPROVAL – TENTATIVE PARCEL MAP NO. 18042/CONDITIONAL USE PERMIT NO. 15-038:

1. The tentative parcel map, site plan, floor plans, and elevations received and dated September 11, 2017, parking demand analysis prepared by KOA Corporation, dated June 29, 2016, and traffic impact study prepared by KOA Corporation, dated January 4, 2018 shall be the conceptually approved design with the following modifications:

- a. Parking lot striping shall comply with Chapter 231 of the Zoning and Subdivision Ordinance and Title 24, California Administrative Code. **(HBZSO Chapter 231)**
 - b. The site plan shall include all utility apparatus, such as but not limited to, backflow devices and Edison transformers. Utility meters shall be screened from view from public right-of-ways. Electric transformers in a required front or street side yard shall be enclosed in subsurface vaults. Backflow prevention devices shall be not be located in the front yard setback and shall be screened from view. **(HBZSO Section 230.76)**
 - c. The site plan and elevations shall include the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items. If located on a building, they shall be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas and comply with required setbacks. **(HBZSO Section 230.76)**
 - d. The separation between the building wall and (north/south/east/west) property line shall not exceed two (2) inches. Buildings located adjacent to property line(s) shall be designed for 2 inch maximum out of plane displacement resulting from prescribed lateral forces specified by the California Building Code. (A maintenance easement agreement shall be submitted by the applicant for review and approval by the Community Development Department. The approved agreement shall be recorded with the County Recorder.) **(HBZSO Section 210.06.J)**
 - e. The second floor balcony along the north building elevation shall be removed.
2. The use shall comply with the following:
- a. The operation of the hotel shall remain as described in the project narrative received and dated February 22, 2018.
 - b. Hotel units shall be rented to the general public for transient lodging (less than 30 days only) and shall not be converted into multifamily residential units.
 - c. The business operator shall at all times maintain current, accurate, and readily accessible records which identify all hotel occupants and the duration of stay. Said records shall be kept current on no less than a quarterly basis (every three months) and shall be made available within 24 hours upon demand by the City.
 - d. The owner or manager of the business is responsible for immediately notifying the Police Department of disturbances or crimes occurring at the business. This includes the hotel interior and parking lot areas associated with the hotel.
 - e. Any noise resulting from the operation of the hotel or the conduct of occupants shall be kept at a level so as not to cause any disturbances or nuisances which would be detrimental to other property in the area. In the event that any verified complaints of noise or disturbances at the hotel are made to the Planning Manager, Building Official, Code Enforcement Manager or to any City department, the applicant shall immediately meet with City staff to discuss mitigation measures. Should such measures fail to alleviate the problem, then the matter may be treated as a nuisance warranting the initiation of revocation proceedings.

3. Prior to submittal for building permits, the following shall be completed:
 - a. Evidence of Coastal Development Permit approval by the California Coastal Commission shall be submitted to the Planning and Building Department.
 - b. Zoning entitlement conditions of approval, California Coastal Commission conditions of approval, and code requirements 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.
4. Prior to issuance of grading permits, the following shall be completed:
 - a. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Community Development Department for review and approval. **(HBZSO Section 232.04)**
 - b. At least 14 days prior to any grading activity, the applicant 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 Community Development Department.
5. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - a. Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - c. Truck idling shall be prohibited for periods longer than 5 minutes.
 - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - e. Discontinue operation during second stage smog alerts.
 - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/grading activity.
6. Any conditions of approval, imposed by the California Coastal Commission that are more restrictive than those set forth in this approval shall be adhered to.
7. The final building permit(s) cannot be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans.

- b. Compliance with all conditions of approval specified herein shall be verified by the Planning & Building Department.
 - 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. The property owner shall sign, notarize, and record with the County Recorder a covenant assuring the primary use remain hotel, and shall not be converted to multiple-family residential.
8. The applicant and/or applicant's representative shall be responsible for ensuring that accuracy of all plans and information submitted to the City for review and approval.
 9. The (development/subdivision) shall comply with all applicable requirements of the Municipal Code, Planning and Building Department, and Fire Department, as well as all applicable local, State and Federal Codes, Ordinances and standards, except as noted herein. **(City Charter, Article V)**
 10. Tentative Parcel Map No. 18042 and Conditional Use Permit No. 15-038 shall become null and void unless exercised within two years of the date of final Coastal Commission approval, or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning and Building Department a minimum 30 days prior to the expiration date.
 11. The final map for Tentative Parcel Map No. 18042 shall not be approved by the City Engineer until the California Coastal Commission has approved the Coastal Development Permit for the development.
 12. 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 Community Development 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.
 13. Incorporation of 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 (<https://www.builditgreen.org/greenpoint-rated>).

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.