

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

**TO:** Zoning Administrator  
**FROM:** Jessica Bui, Assistant Planner  
**DATE:** July 20, 2016

**SUBJECT: CONDITIONAL USE PERMIT NO. 16-010 (MARINERS CHURCH)**

**LOCATION:** 7822 Warner Avenue, 92647 (southwest corner of Beach Blvd. and Warner Ave.)

---

**Applicant:** Rosemary Medel, 241 S. Figueroa Street Suite 370, Los Angeles, CA 90012

**Property**

**Owner:** David J. Nagel, Decron Properties Corporation, 6222 Wilshire Boulevard Suite 400, Los Angeles, CA 90048

**Request:** To establish a religious assembly use within a former movie theater along with an updated shared parking analysis. The proposed use includes an approximately 7,620 sq. ft. worship center, youth areas and classrooms, offices, and meeting areas.

**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 Segment)

**General Plan:** M-SP-D (Mixed use – Specific Plan – Design Overlay)

**Existing Use:** Commercial

---

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

**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 the project consists of a

minor alteration of an existing commercial building involving no expansion in the overall floor area of the structure.

**FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 16-010:**

1. Conditional Use Permit No. 16-010 for the establishment of a religious assembly use within a former movie theater which includes a 7,620 sq. ft. worship center, youth areas and classrooms, offices, and meeting areas 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 assembly use is not anticipated to generate any significant noise, traffic, parking or other impacts detrimental to surrounding properties and is consistent with the subject property's zoning. The main entrance of the use will face Warner Avenue and the nearest residential structure is located to the rear of the building, approximately 140 ft. southwest of the subject building. As conditioned, the use will be conducted within the interior of the building with a limitation on both the hours of operation and business activities to prevent the use from exceeding established noise thresholds as defined by the City Noise Ordinance (Chapter 8.40 Noise Control). Based on an updated shared parking analysis, the proposed use will provide adequate parking as the proposed use will operate with divergent hours of operation with the existing office building.
2. The conditional use permit for the establishment of a religious assembly use within a former movie theater which includes a 7,620 sq. ft. worship center, youth areas and classrooms, offices, and meeting areas will be compatible with surrounding uses because the civic and cultural assembly use will be conducted entirely within the interior of the building. The facility will operate daily with the highest demand for parking occurring on the weekends and at times when the adjacent professional office business is closed.
3. The conditional use permit for the establishment of a religious assembly use within a former movie theater which includes a 7,620 sq. ft. worship center, youth areas and classrooms, offices, and meeting areas will comply with the provisions of the Neighborhood Center segment and other applicable provisions of SP 14, Beach and Edinger Corridors Specific Plan (BECSP). The BECSP allows for civic and cultural assembly uses in the Neighborhood Center segment, subject to approval of a conditional use permit. In addition, the conditional use permit will comply with the applicable development standards in the district in which it will be located, including minimum onsite parking based on the updated shared parking analysis.
4. The granting of Conditional Use Permit No. 16-010 for the establishment of a religious assembly use within a former movie theater which includes a 7,620 sq. ft. worship center, youth areas and classrooms, offices, and meeting areas 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 objectives and policies of the General Plan:

Land Use Element

Objective LU 9.4: Provide for the inclusion of recreational, institutional, religious, educational and services uses that support resident needs within residential neighborhoods.

Objective LU 13.1: Provide for the continuation of existing and development of new uses, such as governmental administrative, public safety, human service, cultural, educational, infrastructure, religious, and other uses that support the needs of existing and future residents and businesses.

Policy LU 13.1.1: Allow for the continuation of existing public and private institutional, cultural, educational and health uses at their present locations and development of new uses in areas designated on the Land Use Plan Map in accordance with Policy LU 7.1.1.

Policy LU13.1.2: Allow for the continuation of existing and development of new religious facilities in any land use zone where they are compatible with adjacent uses and subject to City review and approval.

The proposed use provides for the establishment of a religious assembly which supports the needs of the surrounding community. The divergent hours from the professional office onsite will ensure that adequate parking is provided to serve the proposed use within the existing commercial center, and requiring all activities to remain indoors will ensure that the use is compatible with adjacent uses.

**CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 16-010:**

1. The site plan, floor plans, elevations, and the shared parking analysis received and dated February 24, 2016 shall be the approved parking required onsite and the conceptually approved design with the following modifications on the floor plan: accurately depict the total number of fixed seats of 750 in the worship center.
2. All activities shall be conducted entirely within the interior of the building. Outdoor activities shall be prohibited.
3. Hours of operation for assembly and group activities shall be consistent with the project narrative and shared parking analysis received and dated February 24, 2016.
4. Additional services that are not regularly scheduled, such as memorial services and weddings occurring during the weekdays, must be held after 3:00 PM and the church administration shall coordinate with the property owner prior to each additional service to ensure adequate parking spaces are available to accommodate the additional service.
5. Schedule 1 and Schedule II controlled substances as listed under US Drug Enforcement Administration shall not be kept, consumed, distributed, sold or otherwise used at this site or at this location, unless the site/location is a State Certified and State Regulated hospital with no fewer than 100 beds for patient care.
6. CUP No. 16-010 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 Community Development Department a minimum 30 days prior to the expiration date.
7. 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.

8. 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.