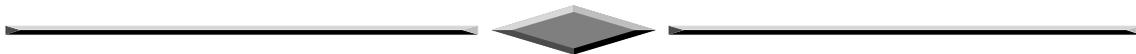


**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Hayden Beckman, Senior Planner  
**DATE:** August 1, 2018  
**SUBJECT: CONDITIONAL USE PERMIT NO. 18-020 (FOX IN A BOX ESCAPE ROOM):**  
**LOCATION:** 7700 Edinger Ave., 92647 (south side of Edinger Ave., west of Sher Ln.)



**Applicant:** Myrriah Sijabat, Dave Madden Architect, 3563 Linnet Dr., Lake Elsinore, CA 92530

**Property Owner:** David Beckerman, Sher Lane LLC, 10500 NE 8<sup>th</sup> St., Suite 1930, Bellevue, WA 90084

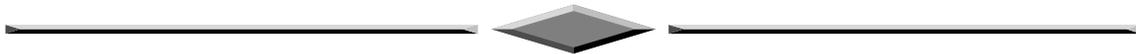
**Request:** To establish a commercial recreation and entertainment use (Fox in a Box Escape Room) in an existing 3,851 sq. ft. vacant commercial space.

**Environmental Status:** This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

**General Plan:** M-sp (Mixed Use – Specific Plan Overlay)

**Zone:** SP14 – FP2 (Beach Edinger Corridor Specific Plan Town Center Boulevard Segment – Flood Zone A)

**Existing Use:** Commercial (vacant)



**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 the project consists of negligible or no expansion of an existing structure.

## **SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 18-020:**

1. Conditional Use Permit No. 18-020 for the establishment of a commercial recreation and entertainment use (Fox in a Box Escape Room) within an existing 3,851 sq. ft. tenant suite 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 because the proposed use will be within an existing multi-tenant commercial center with complementary commercial uses. The nearest residential use is approximately 55 feet to the south of the subject site and is buffered by a parking lot. Therefore, there are no anticipated impacts to the residential uses. Based upon the conditions imposed, exterior doors shall remain closed during business hours and all activities must occur within the interior of the building to ensure the proposed use will not be detrimental to the surrounding uses.
2. Conditional Use Permit No. 18-020 for the establishment of a commercial recreation and entertainment use (Fox in a Box Escape Room) within an existing approximately 3,851 sq. ft. tenant suite will be compatible with surrounding uses because the proposed use will be within an existing multi-tenant commercial center with complementary commercial uses. The proposed use is conditioned to limit the hours of operation from 10:00 AM to 11:30 PM daily, which is similar to existing retail uses on-site. Lastly, as conditioned, the use will be conducted entirely within the interior of the building to ensure the use will be compatible with the commercial uses on-site by minimizing any potential noise impacts.
3. Conditional Use Permit No. 18-020 for the establishment of a commercial recreation and entertainment use (Fox in a Box Escape Room) within an existing approximately 3,851 sq. ft. tenant suite will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance in that the Beach and Edinger Corridors Specific Plan allows for commercial recreation and entertainment uses such as the use proposed with the approval of a conditional use permit. The use will be conditioned to be conducted entirely within the interior of the building to ensure the use will be compatible with the other commercial uses on-site. The proposed use will not result in additional building floor area and therefore complies with the applicable development standards such as parking and landscaping.
4. The granting of Conditional Use Permit No. 18-020 for the establishment of a commercial recreation and entertainment use (Fox in a Box Escape Room) within an existing approximately 3,851 sq. ft. tenant suite will not adversely affect the General Plan because it is consistent with the Land Use Element designation of M-sp (Mixed Use – Specific Plan Overlay) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

### Land Use Element

Goal LU 11: Commercial land uses provide goods and services to meet regional and local needs.

Policy LU-11 (A): Encourage a variety of commercial uses that cater to local and regional demand to create an environment that meets resident needs and increases the capture of sales tax revenues.

Goal LU 13: The City provides opportunities for new businesses and employees to ensure a high quality of life and thriving industry.

The proposed commercial recreation and entertainment use will promote the variety of commercial land uses that cater to the needs of local residents and serve visitors from the surrounding region. The proposed use, as conditioned, will increase the capture of sales tax revenues, and is not anticipated to result in negative impacts on surrounding businesses and adjacent properties.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 18-020:**

1. The site plan, floor plans, and elevations received and dated May 25, 2018 shall be the conceptually approved layout.
2. The use shall comply with the following:
  - a. The hours of operation shall be limited to 10:00 AM to 11:30 PM, daily.
  - b. All exterior doors shall remain closed during business hours.
  - c. All activities shall be conducted entirely within the interior of the building. Outdoor activities shall be prohibited unless otherwise permitted by the Community Development Department.
3. CUP No. 18-020 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.
4. 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.
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.