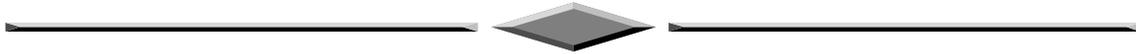


**HUNTINGTON BEACH  
OFFICE OF THE ZONING ADMINISTRATOR  
EXECUTIVE SUMMARY**

**TO:** Zoning Administrator  
**FROM:** Lindsay Ortega, Project Planner  
**DATE:** September 5, 2018

**SUBJECT:** **CONDITIONAL USE PERMIT NO. 18-008/COASTAL DEVELOPMENT PERMIT NO. 18-032 (PETER'S LANDING PARKING PROGRAM - CONTINUED FROM THE AUGUST 15, 2018 MEETING)**

**LOCATION:** 16330-16470 Pacific Coast Highway, 92648 (Properties northeast and southeast of Anderson St. and Pacific Coast Highway)



**Applicant/  
Property**

**Owner:** Kevin Hayes, Pendulum Properties Partners, 5 Park Plaza, Suite 370, Irvine, CA 92614

**Request:** To establish a shared parking program for an existing 98,823 sq. ft. shopping center (Peter's Landing), which includes a reduction in the number of parking spaces required for the existing and future commercial uses at the commercial shopping center (retail, office, restaurant, marina, and religious assembly)

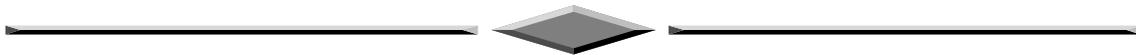
**Environmental**

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

**General Plan:** CV (Visitor Serving Commercial)

**Zone:** CV – CZ (Commercial Visitor – Coastal Zone 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 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. 18-008:**

1. Conditional Use Permit No. 18-008 for the establishment of a shared parking program for an existing 98,823 sq. ft. shopping center (Peter's Landing), which includes a reduction in the number of code required parking spaces for the mixed-use project (retail, office, restaurant, marina, and religious assembly) for existing and future commercial uses 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 parking demand of the existing and proposed uses was analyzed by Linscott, Law & Greenspan through a Parking Demand Analysis, dated July 19, 2018 and determined that due in part to divergent hours of operation, as well as peak demand time, the future and existing uses would require a maximum of 651 parking spaces and 693 spaces exist on site. Additionally, based on the parking demand analysis the anticipated mix of visitor serving commercial uses of retail, restaurant, outdoor dining, religious assembly, marina, beach parking, and complementary second floor office uses, has a peak weekday demand of 635 parking spaces at 1:00 p.m. The anticipated mix of uses has a weekend demand of 651 parking spaces at 1:00 p.m.

These conclusions were based on a shared parking calculation methodology that utilizes peak parking ratios developed by the Urban Land Institute (ULI), and accounts for a combination of retail, office, restaurant, outdoor dining, marina, and religious assembly uses on-site. Based upon the conditions imposed, the shared parking program will be evaluated with each tenancy to ensure the continued sufficient availability of parking to accommodate all uses on site.

2. Conditional Use Permit No. 18-008 for the establishment of a shared parking program for an existing 98,823 sq. ft. shopping center (Peter's Landing), which includes a reduction in the number of code required parking spaces for the mixed-use project (retail, office, restaurant, marina, and religious assembly) for existing and future commercial uses will be compatible with the surrounding uses because the property is adjacent to visitor serving commercial and residential uses and will continue to provide the necessary parking to meet demand for all the uses on-site. The parking demand analysis analyzed the existing and proposed uses, as well as the anticipated parking demand for each use in order to determine the number of parking spaces needed to meet demand. Based on the study's conclusions, it is determined that the parking required for the mix of proposed and existing uses can be accommodated on-site will minimal impact to the surrounding uses.
3. The proposed conditional use permit for the establishment of a shared parking program for an existing 98,823 sq. ft. shopping center (Peter's Landing), which includes a reduction in the number of parking spaces required for the mixed-use project (retail, office, restaurant, marina, and religious assembly) for existing and future commercial uses will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision with the exception of the request for reduced parking. As a result, a parking demand analysis was conducted by Linscott, Law & Greenspan, dated July 19, 2018, which determined that the peak shared parking demand for the existing and futures uses will require 651 parking spaces and 693 spaces are provided on-site, a surplus of 42 parking spaces. The project is located in the CV zone

(Commercial Visitor District) and requests for reduced parking via a shared parking program are subject to approval of a conditional use permit.

4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of CV (Commercial Visitor) on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. 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.

Policy LU-11 B: Encourage new businesses to locate on existing vacant or underutilized commercial properties where these properties have good locations and accessibility.

Goal LU-12: Commercial and industrial corridors throughout the planning area are renovated and revitalized.

Policy LU-12 A: Encourage renovation and revitalization of deteriorating and struggling nonresidential areas and corridors, particularly commercial locations.

The granting of Conditional Use Permit No. 18-008 for the establishment of a shared parking program for an existing 98,823 sq. ft. shopping center (Peter's Landing), which includes a reduction in the number of parking spaces required for the mixed-use project (retail, office, restaurant, marina, and religious assembly) for existing and future commercial uses will enable the property owner to revitalize a deteriorating commercial center and attract new visitor-serving commercial tenants. The shared parking program will allow for a greater variation of tenants to meet the needs of both local and regional visitor-serving demand.

**SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-032:**

1. Coastal Development Permit No. 18-032 to establish a shared parking program for an existing 98,823 sq. ft. shopping center (Peter's Landing), which includes a reduction in the number of parking spaces required for the existing and future commercial uses at the commercial shopping center (retail, office, restaurant, marina, and religious assembly), as proposed, conforms with the General Plan, including the Local Coastal Program. The project site is designated Commercial Visitor by the General Plan Land Use Element, which permits and encourages restaurants and other visitor-oriented uses. The proposed use is consistent with the following goals, policies and objectives of the General Plan Coastal Element:

C 1.1.4: Where feasible, locate visitor-serving commercial uses in existing developed areas or at selected points of attraction for visitors.

C 2.4: Balance the supply of parking with the demand for parking.

C 2.4.1: Maintain an adequate supply of parking that supports the present level of demand allows for the expected increase in private transportation use.

C 3: Provide a variety of recreational and visitor serving commercial uses for a range of cost and market preferences.

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 granting of Coastal Development Permit No. 18-032 for the establishment of a shared parking program for an existing 98,823 sq. ft. shopping center (Peter's Landing), which includes a reduction in the number of code required parking spaces for the mixed-use project (retail, office, restaurant, marina, and religious assembly) for existing and future commercial uses will enable the property owner to revitalize a deteriorating commercial center and attract new visitor-serving commercial tenants. The shared parking program allows the existing shopping center to maximize the use of the existing parking spaces and increase the variety of visitor serving commercial establishments, while preserving the original 72 coastal access parking spaces and 225 required marina access spaces, which will result in an overall enhancement to the area and access to the coastal zone.

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 with the exception of the request for reduced code required parking. Based on a parking demand analysis conducted by Linscott, Law & Greenspan, dated July 19, 2018, which determined that the peak shared parking demand for the existing and future mixed uses will require 651 parking spaces and 693 spaces are provided on-site, a surplus of 42 parking spaces exists on-site. The project is located in the CV zone (Commercial Visitor District) and requests for reduced code required parking are subject to approval of a conditional use permit. There is no physical expansion proposed as part of the request and the use will continue to comply with all conditions of approval of the original Coastal Development Permit approved by the Coastal Commission. The project preserves the original 72 coastal access spaces, as well as the 225 marina access spaces, while also enhancing the variety of visitor serving commercial establishments at the shopping center.
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 because the project is an existing shopping center in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roads.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act because the development is existing and no additional development will occur as a result of this application. Additionally, public access to coastal resources and recreational opportunities will be preserved in that coastal access around the perimeter of the site along the waters edge will be maintained and the parking program takes into account the original 72 non-exclusive coastal access parking spaces for day-time use, as well as 225 marina access parking spaces. A peak parking demand of 651 parking

spaces has been established and 693 parking spaces are provided on-site so no impacts to parking at adjacent properties will occur.

**SUGGESTED CONDITIONS OF APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 18-032 /CONDITIONAL USE PERMIT NO. 18-008:**

1. The site plan and parking demand analysis by LLG, received and dated July 19, 2018 shall be the conceptually approved shared parking program and shall replace all previously approved shared parking documents and/or parking credits at the subject site.
2. Prior to submittal of any new certificate of occupancy applications, an updated parking matrix identifying existing tenants, suite square footage, type of use, and parking demand (based on demand identified in the parking study) shall be submitted to the Planning Division. In the event that the use mix differs from what was analyzed through the approved parking study dated July 19, 2018, a supplement or addendum shall be submitted for review through an administrative permit process.
3. CUP No. 18-008 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 Division a minimum of 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.

**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, Zoning Administrator 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.