

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

TO: Zoning Administrator
FROM: Rosemary Medel, Associate Planner
DATE: November 21, 2012

SUBJECT: **SITE PLAN REVIEW NO. 11-04/ VARIANCE NO. 12-04/ ENVIRONMENTAL ASSESSMENT NO. 11-06 (CASA RINCON)**

LOCATION: 18431 Beach Boulevard, 92648 (Northwest corner of Main Street and Beach Boulevard)

Applicant: Wayne Dietz, Global Premier Development, 2100 Main Street, Suite 1250, Irvine, CA 92614

Property Owner: Moore Golcheh, Progressive Real Estate, 10537 Santa Monica Blvd., Suite No. 350, Los Angeles, CA 90025

Request: **EA:** To analyze the potential environmental impacts associated with the proposed project and identified within the certified Beach and Edinger Program EIR No. 08-008. **SPR:** To permit the construction of an approximately 10,900 square foot, four-story affordable housing apartment project with an overall height of 50 feet within the Town Center Neighborhood Segment of Beach & Edinger Corridors Specific Plan (SP 14). The project will consist of 24 affordable housing units containing 3 one-bedroom units (615 sq. ft./unit), 5 two-bedroom units (843 sq. ft./unit), 6 three-bedroom units (1,028 sq. ft./unit) and 9 four-bedroom units (1,224 sq. ft./unit) including a 693 square foot, two-story community recreation building with an overall height of 33 feet. **VAR:** To permit (a) 8 feet high perimeter privacy walls in lieu of a maximum height of 6 feet permitted; (b) a reduction in required public open space requirement from a minimum 1,200 sq. ft. permitted to 925 square feet; and (c) eliminating the private entry type requirement from the project design. **Environmental Status:** This request is covered by Final Environmental Impact Report 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)

General Plan: M – sp – d (Mixed use – Specific Plan Overlay – Design Overlay)

Existing Use: Vacant

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

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The proposed project is covered by Final Environmental Impact Report No. 08-08, which was certified by the City of Huntington Beach on December 9, 2009. The proposed project is subject to compliance with the adopted mitigation measures contained in the Final Environmental Impact Report No. 08-08. Staff has reviewed the proposed project and Environmental Assessment No. 11-06 for compliance and has determined the project is consistent with the adopted mitigation measures contained within the Final EIR.

SUGGESTED FINDINGS FOR DENIAL – SITE PLAN REVIEW NO. 11-04:

1. The project is not consistent with the City's General Plan and all applicable requirements of the Municipal Code because the proposed development does not enhance the vacant land as part of an integrated development within Town Center Neighborhood District, which is the most urbanized segment of the Beach and Edinger Corridors Specific Plan.
2. The project will be detrimental to the general welfare of persons working or residing in the vicinity because the project has not accounted for the impacts of the adjacent multiple family developments as evidenced by designing the emergency vehicle access only from the overcrowded alley. The location of the balconies and windows on the west side of the project are oriented towards the second story windows of the adjacent development creating potential privacy issues. The proximity of these balconies has the potential to generate excessive noise to the adjacent residential developments as they are not sufficiently recessed in the structure to reduce or mitigate sound. Lack of a master planned development creates further issues of circulation and shared parking. Additionally, the quality of architectural design is not in keeping with the quality of design required by the Beach and Edinger Corridors Specific Plan and the area. Rooflines and use of materials do not complement surrounding or recently approved projects in the vicinity. Therefore, because of these design issues the project has the potential to be detrimental to the value of the property and improvements in the neighborhood.
3. The project will adversely affect the Circulation Plan of this Specific Plan and Five Points area because access to the site from the public alley does not provide efficient circulation in order to address the parking conflicts of the adjacent multiple family developments gaining access to their garages, utilizing the alley for additional parking, which may result in inadequate emergency vehicle access from the alley to the subject site. Integrated mixed use projects account for shared parking opportunities. Because this development would be a stand-alone project, the opportunity for shared parking is not available and therefore will burden the already under-parked surrounding residential developments.
4. The project does not comply with the applicable provisions of the Beach and Edinger Corridors Specific Plan and other applicable regulations because the project does not provide the required public open space in an area that is accessible to the public on a 24 hour basis. The required common lobby entrance design type is not incorporated into the architecture of the building. The proposed perimeter privacy wall height exceeds the height permitted within the Specific Plan by over two feet without proposing solutions to reduce the visual impact of the walls with better design or grading solutions.

SUGGESTED FINDINGS FOR DENIAL - VARIANCE NO. 12-04:

1. The granting of Variance No. 12-04 to permit perimeter privacy-walls at eight feet high in lieu of the maximum height of six feet as required by the Specific Plan, 925 square feet of public open space in lieu of the required 1,200 square feet, and eliminate the private entry type design requirement from the residential building design will constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. The Specific Plan requires residential developments of twenty units or more to provide public open space. Eliminating the requirement of public open space, while maintaining the proposed number of units does not constitute an undue hardship. Consequently, the requested variance would be the first request within the recently adopted BECSP. Similar variances have not been granted to other Specific Plan properties within the same district that contain similar development constraints.
2. There are no special circumstances applicable to the subject property, the strict application of the Specific Plan is not found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. While the project site has a grade difference from Beach Blvd to the rear of the site, the Specific Plan encourages the consolidation of parcels in order to create more integrated projects meeting the goals of the Specific Plan. Therefore, if the adjacent parcels were consolidated into a master development there would be sufficient onsite circulation to accommodate emergency vehicles, address onsite traffic and pedestrian circulation and there would be the opportunity for shared parking to accommodate the residential development.
3. The granting of a variance is not necessary to preserve the enjoyment of one or more substantial property rights. The requested variance is not necessary in order to allow for the construction of a residential project on this site. The Beach and Edinger Corridors Specific Plan requires that a property meet certain minimum development requirements such as those imposed for open space types, open space location, maximum fence height and private entry types of buildings. In this case, the project does not comply with the applicable public open space types for design or location. The design does not incorporate a common entry type design into the building and exceeds the allowable fence height along the north, south and east property lines.