

CALIFORNIA COASTAL COMMISSION  
South Coast Area Office  
200 Oceangate, Suite 1000  
Hunting Beach, CA 90802-4302  
(714) 590-5071

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Commission Action:



## RECORD PACKET COPY

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### STAFF REPORT: APPEAL SUBSTANTIAL ISSUE

**LOCAL GOVERNMENT:** City of Huntington Beach

**LOCAL DECISION:** Approval with Conditions

**APPEAL NUMBER:** A-5-HNB-02-384

**APPLICANT:** CIM/Huntington, Inc., John Given, Vice President

**PROJECT LOCATION:** Bounded by Pacific Coast Highway, Sixth Street, Walnut Avenue and the alley between Fifth Street and Main Street  
Huntington Beach, Orange County

**PROJECT DESCRIPTION:** Appeal of City of Huntington Beach approval of coastal development permit for the subdivision and development of a mixed-use project consisting of approximately 226,500 square feet of retail, restaurant, office, a 152-room hotel, and a two-level 405 space subterranean public parking structure on an approximately 2.97 acre site.

**APPELLANT:** Huntington Beach Citizens Against Redevelopment Excess (HB CARE); and Abdelmuti Development Agency

### SUMMARY OF STAFF RECOMMENDATION

The staff recommends that the Commission, after public hearing, determine that **NO SUBSTANTIAL ISSUE** exists with respect to the grounds on which the appeal has been filed. The appellants contend that the project approved by the City is inconsistent with the LCP requirements regarding floor area ratio, height limit, setbacks, public views, parking, historic structures, public open space, and protection of coastal resources, promotion of public access and minimization of adverse impacts. As described in the findings of the report, the project approved by the City is consistent with those provisions of the City's certified LCP. Therefore, staff is recommending that no substantial issue exists with respect to the grounds upon which the appeal was filed. The locally approved development does conform to the City of Huntington Beach certified Local Coastal Program (LCP) including the Downtown Specific Plan (DSP) and the Land Use Plan. Consequently the City's decision on local coastal development permit 99-16 stands.

The motion to carry out the staff recommendation is on page 5.

**SUBSTANTIVE FILE DOCUMENTS:**

1. Local Coastal Development Permit No. 99-16
2. The Strand at Downtown Huntington Beach (Blocks 104 and 105)  
Final Subsequent Environmental Impact Report, Volumes I and II
3. City of Huntington Beach Certified Local Coastal Program.

**I. APPELLANTS' CONTENTIONS**

Local Coastal Development Permit No. 99-16 approved by the Huntington Beach City Council on October 21, 2002, has been appealed by Citizens Against Redevelopment Excess (CARE) and by the Abdelmuti Development Agency on the grounds that the approved project does not conform to the requirements of the certified Local Coastal Program (see exhibit C). The appellants contend that the proposed development does not conform to the requirements of the certified LCP with regard to the following issues:

1. The project exceeds the maximum Floor Area Ratio (FAR) allowed in the Downtown Specific Plan (DSP). The project does not qualify for the increased FAR allowed for full block or half block projects in the DSP because the project is not bounded on all sides by public streets (full block) or on all sides by public streets and/or alleys (half block).
2. The project exceeds the maximum three stories/35 foot building height limit applicable to development less than a full block.
3. The project violates numerous setback requirements of the DSP.
4. The Fifth Street public view corridor is severely constrained by reducing the 80 foot Right of Way to a 65 foot wide building separation. The public terrace on the second floor of the hotel will not replace the view lost from reducing the Fifth Street right of way. Further, the public terrace will not truly function as a public area.
5. The project is inconsistent with the DSP parking requirements.
6. The project is inconsistent with the certified Land Use Plan (LUP) policy C5.1.6 which requires preservation of the City's historic structures.
7. The project is inconsistent with the DSP requirements for the provision of public open space.
8. The project is inconsistent with LUP Goal C1 and Objective C1.1 which require that land planning protect and enhance coastal resources, promote public access and assure that adverse impacts associated with coastal zone development are mitigated or minimized to the greatest extent feasible.

## **II. LOCAL GOVERNMENT ACTION**

On October 21, 2002, the Huntington Beach City Council held a public hearing for the proposed project. At the conclusion of the public hearing, the City Council found that the proposed project is consistent with the goals and policies of the City of Huntington Beach certified LCP and approved Local Coastal Development Permit No. 99-16.

On October 31, 2002 the Commission's South Coast District Office received the Notice of Final Action from the City on the project. The ten working day appeal period was established and ran through November 15, 2002. On November 15, 2002 the subject appeal was filed in the Commission's South Coast District Office.

## **III. APPEAL PROCEDURES**

After certification of Local Coastal Programs, the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits. Developments approved by cities or counties may be appealed if they are located within the mapped appealable areas, such as those located between the sea and the first public road paralleling the sea or within 300 feet of the top of the seaward face of a coastal bluff. Furthermore, developments approved by counties may be appealed if they are not designated "principal permitted use" under the certified LCP. Finally, any local government action on a proposed development that would constitute a major public work or a major energy facility may be appealed, whether approved or denied by the city or county. [Coastal Act Section 30603(a)].

Section 30603(a)(2) of the Coastal Act establishes the project site as being in an appealable area because it is located within 300 feet of the top of the seaward face of a coastal bluff.

Section 30603 of the Coastal Act states, in part:

- (a) After certification of its Local Coastal Program, an action taken by a local government on a Coastal Development Permit application may be appealed to the Commission for only the following types of developments:
  - (1) Developments approved by the local government between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.
  - (2) Developments approved by the local government not included within paragraph (1) that are located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.

The grounds for appeal of a local government action approving a Coastal Development Permit for development in the appealable area are stated in Section 30603(b)(1), which states:

(b)(1) The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in this division.

The action currently before the Commission is to find whether there is a "substantial issue" or "no substantial issue" raised by the appeal of the local approval of the proposed project. Section 30625(b)(2) of the Coastal Act requires the Commission to hold a de novo hearing on the appealed project unless the Commission determines that no substantial issue exists with respect to the grounds for appeal.

If Commission staff recommends a finding of substantial issue, and there is no motion from the Commission to find no substantial issue, the substantial issue question will be considered moot, and the Commission will proceed to the de novo public hearing on the merits of the project. The de novo hearing may be scheduled at the same hearing or a subsequent Commission hearing. A de novo public hearing on the merits of the project uses the certified LCP as the standard of review. In addition, for projects located between the first public road and the sea, findings must be made that any approved project is consistent with the public access and recreation policies of the Coastal Act. Sections 13110-13120 of the California Code of Regulations further explain the appeal hearing process.

If the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have an opportunity to address whether the appeal raises a substantial issue. The Chair will set the time limit for public testimony at the time of the hearing. As noted in Section 13117 of the California Code of Regulations, the only persons qualified to testify before the Commission at the substantial issue portion of the appeal process are the applicants, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing.

Upon the close of the public hearing, the Commission will vote on the substantial issue matter. It takes a majority of Commissioners present to find that no substantial issue is raised by the local approval of the subject project.

If the appeal is found to raise a substantial issue, at the de novo hearing, the Commission will hear the proposed project de novo and all interested persons may speak. The de novo hearing will occur at a subsequent meeting date. All that is before the Commission at this time is the question of substantial issue.

#### **IV. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE**

The staff recommends that the Commission make the following motion and adopt the following resolution:

**Motion:** *I move that the Commission determine that Appeal No. **A-5-HNB-02-384** raises **NO Substantial Issue** with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act.*

#### **Staff Recommendation:**

Staff recommends a **YES** vote. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. Failure of this motion will result in a de novo hearing on the application. The motion passes only by an affirmative vote of the majority of the Commissioners present.

#### **Resolution to Find No Substantial Issue:**

The Commission hereby finds that Appeal No. **A-5-HNB-02-384** presents **NO SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act regarding consistency with the certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.

#### **V. FINDINGS AND DECLARATIONS**

The Commission hereby finds and declares:

##### **A. Project Description**

The project approved by the City allows the subdivision and development of a mixed-use project consisting of approximately 226,500 square feet of retail, restaurant, office, a 149 to 152-room hotel, and a two-level, 405 space subterranean public parking structure on an approximately 2.97 acre site.

The subject site is located in District 3 of the Downtown Specific Plan (DSP), on the inland side of Pacific Coast Highway, just upcoast of the City's municipal pier. Pacific Coast Highway is the first public road paralleling the sea in the project vicinity. District 3 is a Visitor-Serving Commercial District. The DSP is incorporated into the City's certified Implementation Plan (IP) portion of the certified Local Coastal Program (LCP).

## **B. Substantial Issue Analysis**

As stated in Section III of this report, the grounds for appeal of a coastal development permit issued by the local government after certification of its Local Coastal Program are specific. In this case, the local coastal development permit may be appealed to the Commission on the grounds that it does not conform to the certified Local Coastal Program. The Commission must then decide whether a substantial issue exists with respect to the grounds on which an appeal has been filed in order to decide whether to hear the appeal de novo.

In making the substantial issue assessment, the Commission typically considers whether the appellants' contentions regarding the inconsistency of the local government action with the certified LCP or the Coastal Act raise significant issues in terms of the extent and scope of the approved development, the support for the local action, the precedential nature of the project, whether a significant coastal resource would be affected, and whether the appeal has statewide significance (A-5-LGB-98-141 (Trudeau)).

In this case, the appellants contend that the City's approval of the proposed project does not conform to the requirements of the certified LCP (See Section I and exhibit C).

### **1. Floor Area Ratio**

The appellants contend that the project exceeds the maximum Floor Area Ratio (FAR) allowed in the Downtown Specific Plan (DSP). The appellants contend that the project does not qualify for the increased FAR allowed for full block or half block projects in the DSP because the project is not bounded on all sides by public streets (full block) or on all sides by public streets and/or alleys (half block).

The DSP includes the following definitions:

*Floor Area Ratio (FAR) as: "A number which indicates how many square feet of structure can be built on a site, expressed as a multiple of the net site area; for example, if a site is 5,000 square feet in net site area and the FAR is 2.0, the square footage of a building cannot exceed 10,000 square feet of net site area (2 X 5,000)."*

*Full block: "A parcel of property bounded on all sides by public streets."*

*Half block as: "A parcel of property bounded on all sides by public streets and/or alleys containing at least one-half (1/2) the net area of the full block."*

The City considers the project area to be a continuation of the Main Pier Phase II development concept and has always considered the two-block area as a single planning site. The City considers that the project site is bounded on all sides by public streets. Block 105 is bounded by Pacific Coast Highway, Sixth Street, Walnut Avenue, and Fifth Street (see exhibit G). Although the northeast corner of Block 105 is not a part of the subject project, it is excluded in order to preserve the historic structure that exists on that site, as required by LUP policy C5.1.6.1. In addition to Block 105, the project also includes half of Block 104. Block 104 is bounded on all sides by public streets and an alley: Pacific Coast Highway, Fifth Street, Walnut Avenue, and the alley between Fifth Street and Main

(see exhibit G). The Block 104 buildings that front on Main Street and the building that houses the El Don liquor store are not part of the current proposal. However, if/when the remaining properties on Block 104 redevelop, they will be held to the same DSP standards as the current project. In addition, Block 104 also includes the Oceanview Promenade building at the corner of Pacific Coast Highway and Main Street, which the City considers to be a completed portion of the overall development plan for Blocks 104 and 105. In addition, the net site area totals more than a single full block. For these reasons the project does qualify as a full block development.

Based on the aforementioned factors, the City reviewed the project under the DSP requirements for a full block development. For full block developments, the DSP requires an FAR of 2.5. The net site area of the subject site is 103,395 square feet (excluding Fifth Street and all street dedications). Thus the floor area ratio allowed at the subject site is 258,487 square feet ( $103,395 \times 2.5 = 258,487$ ). The square footage of development approved by the City is 226,536 square feet. Thus the project as approved by the City is consistent with the DSP FAR requirement. Therefore the appellant's contention regarding floor area ratio does not raise a substantial issue with regard to consistency with certified LCP.

## 2. Building Height

The appellants contend that the project exceeds the DSP maximum three stories/35 foot building height limit applicable to development of less than a full block. The appellants further contend that the deviations approved do not meet the criteria necessary for special permits.

As described previously, the subject project meets the requirements of a full block development. The height limit allowed in District 3 of the DSP for full block developments is 4 stories/45 feet. As approved the maximum building height to the proposed flat roof of the hotel is 49.5 feet with a 70 foot high tower element.

Section 4.1.02 of the DSP allows for approval of Special Permits to allow for deviations from DSP standards if greater benefits are provided than would occur if all the minimum requirements were met. Among the options cited as providing greater benefits that would merit approval of a special permit is the use of unique or innovative designs.

In order to approve the increased height, the City approved Special Permits 02-06. In approving the height deviation, the City found that the project will provide a variety of roofline treatments. The rooflines approved will provide an interesting combination of styles and treatments as recommended by the City's Design Guidelines. In addition, the building heights complement and provide a compatible design transition to the existing building in the immediate vicinity. In considering the height of the tower element, the City considered that there are four existing tower elements within the DSP area ranging in height from 64 feet (Plaza Almeria) to 85 feet (Oceanview Promenade).

The height deviation allows the project to provide unique and innovative designs. The provision of unique and innovative design is a valid basis to grant a special permit. In addition the City found that the project is consistent with other development in the DSP area. Therefore, the building and tower heights approved by the City, with Special Permits,

are consistent with the DSP requirements. Therefore the appellant's contention regarding height limits does not raise a substantial issue with regard to consistency with certified LCP.

3. Setback

The appellants contend that the project violates numerous setback requirements of the DSP. In approving the project the City approved Special Permits 02-06, which includes six special permits. Four of those special permits allow reduced setbacks.

Special Permit No. 1 allows a zero ground level building setback along Pacific Coast Highway, where 15 feet would normally be required. The City approved this setback reduction for a number of reasons, including the following:

- a) it is consistent with the existing Pacific Coast Highway setback of the Oceanview Promenade Building (located at the corner of Pacific Coast Highway and Main Street);
- b) due to the traffic, noise, noise and wind along Pacific Coast Highway, the area does not lend itself to typical setback purposes such as seating and viewing areas;
- c) the sidewalk along Pacific Coast Highway will be 15 feet 8 inches, which is adequate to accommodate the anticipated level of pedestrian usage;
- d) the reduced building setback will promote pedestrian-retail interaction.

The City found that the reduced setback is consistent with continued pedestrian use as well as with existing setbacks along Pacific Coast Highway in the project area.

Special Permit No. 2 allows the reduced ground level building setback along Sixth Street from 15 feet to 2 feet 6 inches. The City approved the reduced setback in this area because:

- a) the sidewalk width along this frontage will be 21 feet 6 inches, which is adequate to accommodate expected pedestrian activity (it should be noted that the opposite side of Sixth Street in this area is residential, which would generate minimal pedestrian demand);
- b) the reduced setback will increase pedestrian interaction with the retail buildings.

Special Permit No. 3 allows a reduced ground level building setback along Walnut Avenue of 5 feet when 15 feet would normally be required. The City approved the reduced setback in this area because the sidewalk width will be 15 feet 2 inches, which is considered adequate to accommodate the expected pedestrian activity and will encourage pedestrian interaction with the retail buildings.

Special Permit No. 4 allows a minimum upper story setback along Pacific Coast Highway of a minimum of 9 feet with an average of 11 feet 4 inches where a minimum 15 feet with an average of 25 feet is normally required. The City approved the reduced upper story setback requirement because the project will provide a distinctive break between the lower floors and the upper floors by the use of setbacks, a variety of roofline treatments and quality colors and materials thus providing an interesting and articulating façade.



It should also be noted that, in 1995 the maximum allowable building heights of the DSP were reduced from maximums up to 8 stories in District 3, to maximums of 4 stories. Some of the required setbacks are remnants of the previous development standards that included increased heights.

As discussed earlier, Section 4.1.02 of the DSP allows special permits if the project provides unique or innovative designs. The City found that the reduced setbacks will promote pedestrian-retail interaction, a desirable design feature. Thus the subject project's reduced setbacks contribute to the unique and innovative design of the project, which constitutes a valid basis for approval of a special permit. Thus the approval of special permits for reduced setbacks is appropriate and consistent with the DSP. In addition the setback reductions allowed by the City with the special permits are consistent with existing development the DSP area. Therefore, the appellant's contention regarding reduced setbacks does not raise a substantial issue with regard to consistency with certified LCP.

#### 4. Public Views

The appellants contend that the Fifth Street public view corridor is severely constrained by reducing the 80 foot right of way to a 65 foot wide building separation. The appellants further contend that the public terrace on the second floor of the hotel will not replace the view lost from reducing the Fifth Street right of way. The appellants also contend that the public terrace will not truly function as a public area because it is located on the second floor, and there would be no reason the public would go there.

The City will vacate the Fifth Street right of way, but will retain a 65 foot wide easement for pedestrian and vehicular right of way purposes along Fifth Street. So the function of Fifth Street will remain essentially the same and views from inland will still be available. The sixty five foot wide street right of way will include 24 feet of two way roadway, with the remainder of the right of way for sidewalk. The City also required an additional 2 ½ foot building setback for buildings A, D, and E along Fifth Street. Building B, which also fronts on Fifth Street, will be set back an additional 5 feet from the right of way. Thus the building separation along Fifth Street will be 70 feet (with the exception of building C, which is constrained by the existing, adjacent structure). The sidewalk/building setback area will include a 5 feet landscape/street furniture zone, and a minimum 10 foot wide pedestrian path, and will be wide enough to accommodate 10 foot wide outdoor dining.

In addition, to off set any loss of public views due to the narrowing of the ultimate right of way, the project includes a 3,183 square foot, second story, public terrace overlooking Fifth Street and the ocean and pier. The City's approval includes a special condition requiring that signage be placed at street level and at the second story terrace area, indicating the nature and location of the public terrace.

In allowing the vacation of Fifth Street, the City found that the function of Fifth Street would remain essentially the same and that with the addition of public views from the second level public terrace, public views are not adversely impacted. In addition, the City considered whether the project would be consistent with previous actions in the downtown area, and found that the project would be consistent with the existing, surrounding

development. Therefore, the appellant's contention regarding adverse public view impacts does not raise a substantial issue with regard to consistency with certified LCP.

5. Parking

The appellants contend that the project is inconsistent with the DSP Downtown Parking Master Plan (DPMP) parking requirements. Specifically, the appellants contend that the project is inconsistent with Section 4.2.14 of the DSP which is the section that incorporates the DPMP. The section cited by the appellants states: "parking shall be provided for each area" and "if a project is built in Area One that requires more shared parking than is available in Area One, credit from Area Two shall not be used." The project is located in Area One. The project does not identify parking spaces in Area Two to meet its parking requirement.

The project is not proposing to use parking spaces in Area Two to meet its parking needs. The DPMP identifies anticipated future development within the DPMP boundaries and identifies existing and future parking demand and location. The DPMP as approved by the Coastal Commission anticipates the projected development in this area and identifies the amount of parking necessary to meet the associated parking demand. The DPMP specifically identifies the uses allowed in Block A of Area One, the subject site (see exhibit D). The uses, as conditioned by the City to reduce the hotel square footage to reflect 149 rooms rather than 152 or to increase the number of parking spaces to accommodate the 3 additional rooms, are consistent with the approved DPMP. The DPMP also specifically identifies the number of parking spaces to be provided with development of Block A, 417 spaces. The project approved by the City will provide 411 on site spaces. The DPMP Block A land use analysis requires a total of 417 parking spaces for the Block A area. In addition to the subject project's 411 parking spaces, an additional 24 on-street parking spaces will remain within Block A, bringing Block A's total parking spaces provided to 435 spaces. This number exceeds the number required by the DPMP by 18 parking spaces.

It should also be noted that the overall building size was reduced in comparison to that anticipated in the DPMP Block A analysis. However, the mix of uses has also been altered. The DPMP permits the shift in square footage between one or more individual land use categories as long as the total square footage does not exceed the 715,000 square foot development cap identified in the DPMP. In this case office space was increased and retail and restaurant space was decreased. The ratio of uses, however, is consistent with the DSP land use requirement that a minimum of one third of the total floor area and the entire ground floor or street level be used entirely for visitor serving commercial uses. The shift in uses would actually reduce the parking demand generated by the project. Even so, no parking reduction has been allowed. Thus the parking provided is consistent with the DSP and certified LCP requirement. Therefore, the appellant's contention regarding insufficient parking does not raise a substantial issue with regard to consistency with certified LCP.

6. Historic Structures

The appellants contend that the project adversely impacts the historic Worthy building, inconsistent with the certified Land Use Plan (LUP) policy C5.1.6 which requires that older and historic structures be preserved. The appellants contend that the four story hotel

structure's 20 foot setback will dwarf the historic structure which has been listed on the National Register of Historic places. The appellant contends that the four story Mediterranean-style hotel does not reflect the Downtown's historical structures and therefore is inconsistent with LUP policy C5.1.6.

The project does not include the adjacent historic Helme Worthy site, and so the historic structure will be preserved, consistent with LUP policy C5.1.6. The City conditioned the project to include a twenty foot setback at the first and second stories of the hotel and an additional ten foot minimum and 15 foot average setback at the third and fourth stories. The City found that these setbacks were adequate to "provide the necessary separation, transition, and a compatible design from the historical site."

In addition, LUP policy C5.1.6 requires that "new development be designed to reflect the Downtown's historical structures and adopted Mediterranean theme." The project as approved by the City is proposed to incorporate contemporary Mediterranean architecture. The City staff report for the project includes a detailed discussion as to how the project meets the requirement to incorporate the Mediterranean theme required by the LUP.

Thus, in approving the project the City did consider and incorporate the requirements of LUP policy C5.1.6. Therefore, the appellant's contentions regarding the historical structure do not raise a substantial issue with regard to consistency with certified LCP.

#### 7. Public Open Space

The appellants contend that the project is inconsistent with Section 4.5.10 of the DSP requirements for the provision of public open space. The appellants contend that the public open space provided by the project is actually "a few snippets of site area that are not covered by buildings." The appellants further contend that it "is inappropriate to count as a 'public' amenity a second-floor terrace that is a part of the hotel structure. Even if the public cannot be removed from the terrace, the inconvenience of its location and the intimidation factor that faces anyone attempting to actually utilize it will prevent it from being a legitimate 'public' space."

Section 4.5.10 states: "*All development projects within this District shall provide public open space. A minimum of ten (10) percent of the net site area must be public open space.*"

Public open space is defined in the DSP as: "*Outdoor or unenclosed area on the ground floor or above floor levels designed and accessible for use by the general public. Public open space may include one of the following: patios, plazas, balconies, gardens or view areas accessible to the general public, and open air commercial space, open to the street on the first floor, or on at least one side, above the first floor, or open to the sky. The open space requirement can be met anywhere in the development; however, open space provided above the second floor will receive only fifty (50) percent credit toward this requirement. This requirement cannot be met by open areas which are inaccessible to the general public or are contrary to specific requirements of a district.*"

Net site area is defined in the DSP as: "*The total horizontal area within the property lines of a parcel of land. All rights-of-way or easements which physically prohibit the surface*

*use of that portion of the property for other than vehicular ingress and egress are excluded."*

The net site area of the subject site is 103,395 square feet (excluding Fifth Street and all street dedications). The minimum public open space required is 10,394 square feet. The total amount of public open space provided by the project is 10,552 square feet. The break down of public open space provided by the project is provided in exhibit E.

Some of the public open space is provided as strips adjacent to the sidewalk, which are also the ground floor building setback areas. However, nothing in the DSP prohibits building setback areas from being used as public open space. Regarding the provision of public open space on the second story, the DSP allows for the provision of public open space above the ground floor level. With regard to the second floor public terrace, the City has conditioned the project to provide conspicuous signage indicating the location and nature of the terrace. The City staff report for the project indicates that the second floor location for the public terrace will provide enhanced public views. All of the public open space provided by the project meets the DSP definition of public open space. The amount of public open space provided meets the minimum 10% of the net site area.

Thus, the proposed project is consistent with the DSP public open space requirement. Therefore, the appellant's contentions regarding the provision of public open space do not raise a substantial issue with regard to consistency with certified LCP.

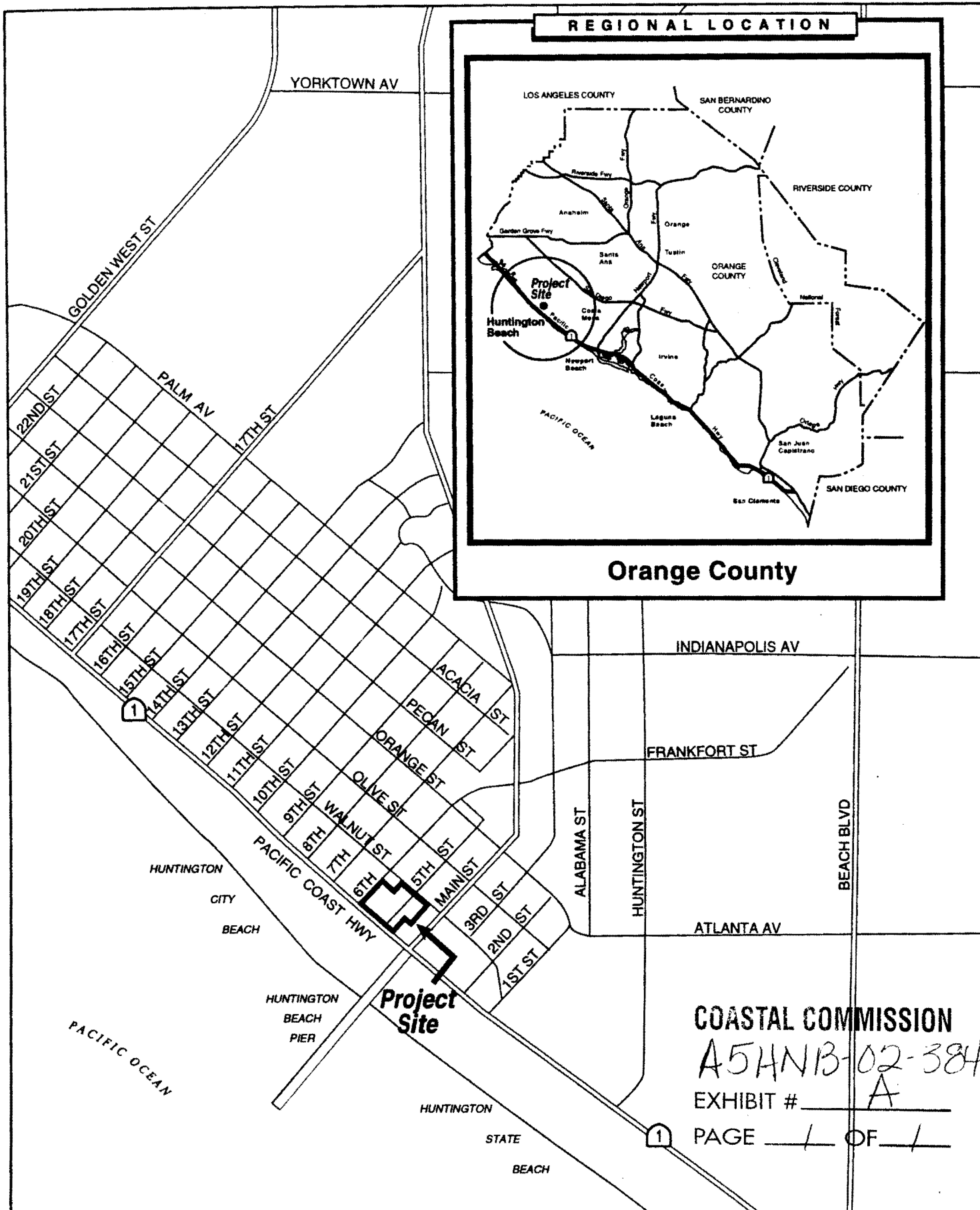
#### 8. Land Use

The appellants contend that the project is inconsistent with LUP Goal C1 and Objective C1.1 which requires that land planning protect and enhance coastal resources, promote public access and assure that adverse impacts associated with coastal zone development are mitigated or minimized to the greatest extent feasible.

The project approved by the City is consistent with the certified land use designation of Visitor Serving Commercial and with the development standards of the certified LCP. As described above, the City reviewed the project for consistency with the certified LCP, and subject to special conditions which were imposed by the City, the project as approved by the City is consistent with LCP including LUP Goal C1 and Objective C1.1. Therefore, the appellant's contentions regarding land planning do not raise a substantial issue with regard to consistency with certified LCP.

#### 9. Conclusion

In conclusion, the Commission finds that the proposed project is consistent with the City's certified LCP. In addition, the project approved by the City does not raise significant issues in terms of: 1) the extent and scope of the approved development, 2) the supporting documentation for the local action, and 3) the precedential nature of the project. Further, the project will not adversely affect a significant coastal resource, and does not rise to a level of statewide significance. Therefore, the Commission finds that no substantial issue exists with the approval Local Coastal Permit 99-16 on the grounds that it does conform to the City of Huntington Beach certified Local Coastal Program.



Not to Scale

SOURCE: EIP Associates



10363-00

**EIP**  
ASSOCIATES

## Project Vicinity & Regional Location Map

City of Huntington Beach • Block 104/105 EIR

FIGURE 2-1

COASTAL COMMISSION

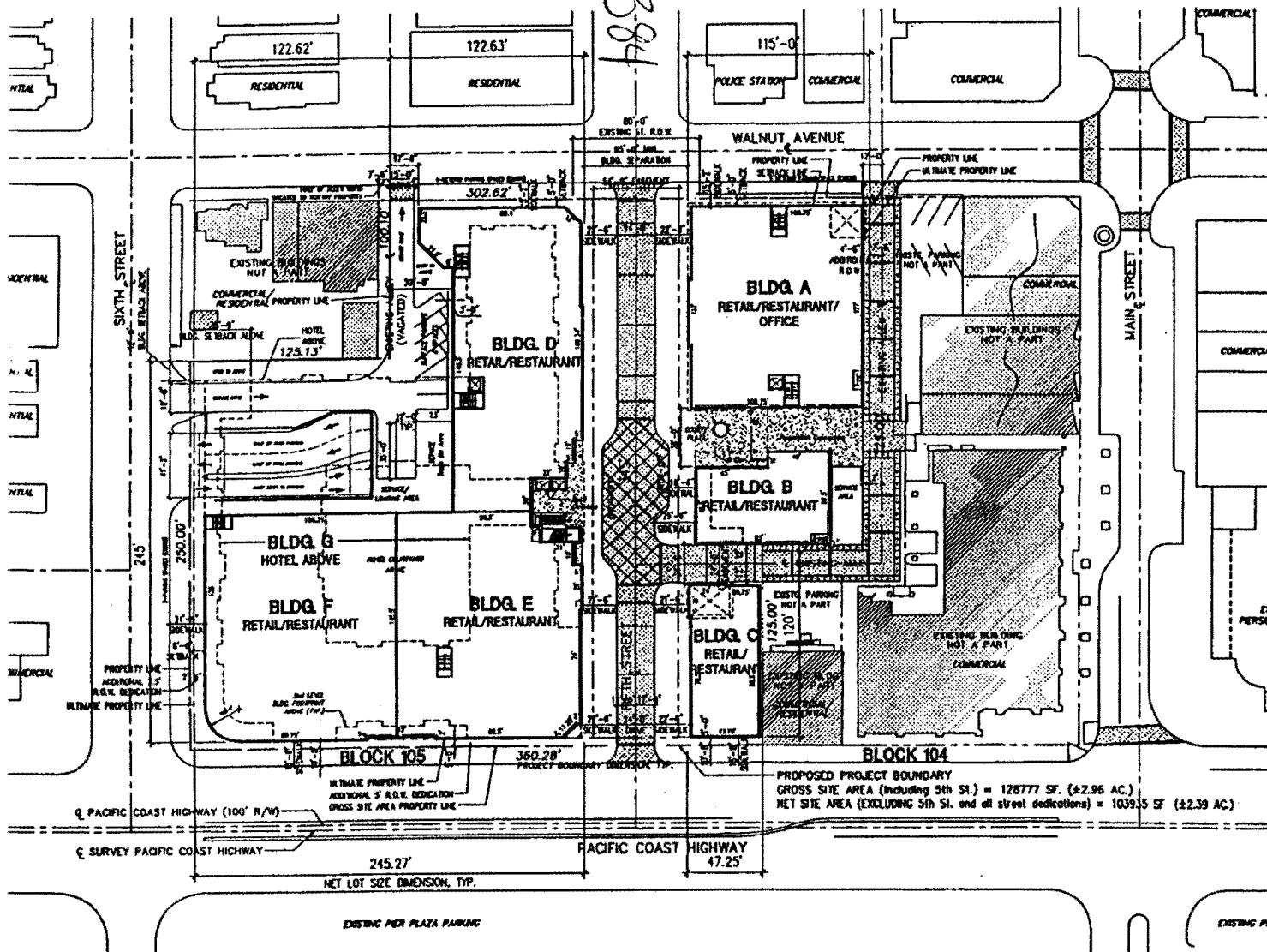
A54NB-02-384

EXHIBIT # A

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Project Plans  
Exhibit B  
1 of 9  
ASHNB-02-384



**PROJECT SUMMARY - (LEASEABLE AREA)**

RETAIL/RESTAURANTS/OFFICE	102270 SF <sup>1</sup>
Level 1	1,162.28 SF
Level 2	1,572.27 SF
Level 3	1,890.25 SF
TOTAL GLA =	102270 SF

<sup>1</sup> Total RESTAURANT area not to exceed a maximum of 40,000 SF  
Total OFFICE area not to exceed a maximum of 30,000 SF

HOTEL	120347 SF
Level 1	0 SF
Level 2 (42 Rooms)	41660 SF
Level 3 (50 Rooms)	38339 SF
Level 4 (50 Rooms)	38339 SF

HOTEL TOTAL (152 Rooms) = 120347 SF

TOTAL PROJECT AREA = 222617 SF<sup>2</sup>

<sup>2</sup> Does NOT include Vertical Circulation Corrs & Corridors EXCEPT in HOTEL

**PARKING SUMMARY**

SURFACE PARKING	6 SPACES
PARKING STRUCTURE (2-Levels below grade)	405 SPACES
EXISTING STREET PARKING REMAINING	7 SPACES
TOTAL PARKING PROVIDED =	418 SPACES

**PROJECT SUMMARY - (GROSS BUILDING AREA)**

<b>BUILDING A</b>		49148 SF
Level 1 (Retail)	13086 SF	
Level 2 (Office)	13086 SF	
Level 3 (Office)	12977 SF	
<b>BUILDING B</b>		8520 SF
Level 1 (Restaurant/Retail)	4607 SF	
Level 2 (Office)	3913 SF	
<b>BUILDING C</b>		7796 SF
Level 1 (Restaurant/Retail)	4333 SF	
Level 2 (Office)	3463 SF	
<b>BUILDINGS D, E, F &amp; G</b>		170068 SF
Level 1 (Restaurant/Retail)	49722 SF	
Level 2 (Hotel)	41669 SF	
Level 3 (Hotel)	38339 SF	
Level 4 (Hotel)	38339 SF	
TOTAL PROJECT AREA =		226536 SF <sup>3</sup>

<sup>3</sup> Includes All Vertical Circulation Corrs & Corridors

RECEIVED FROM:  
CITY OF HUNTINGTON BEACH  
PLANNING DEPARTMENT  
2000 MAIN STREET  
HUNTINGTON BEACH, CA 92648  
(714) 336-3042

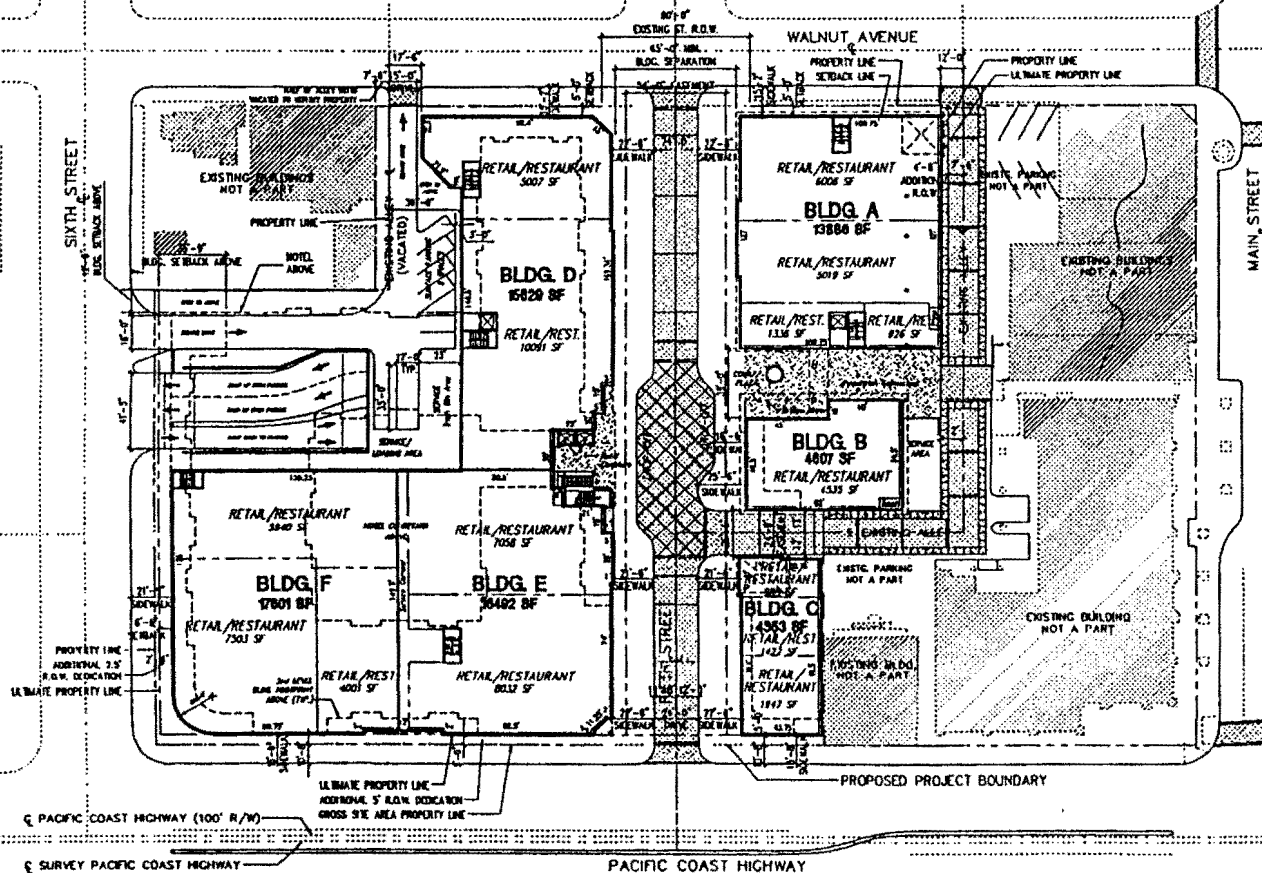
APPLICANT:  
CH/ARCHITECTURE, INC.  
6022 HOLLYWOOD BOULEVARD, SUITE 900  
HOLLYWOOD, CALIFORNIA 90228  
(323) 880-0800

**MAP DESCRIPTION OF THE SITE**

- SHEET 1**  
24-152-01  
24-152-02  
24-152-03  
24-152-04  
24-152-05  
24-152-06  
24-152-07  
24-152-08  
24-152-09  
24-152-10  
24-152-11  
24-152-12  
24-152-13  
24-152-14  
24-152-15  
24-152-16

As per Preliminary Title Report issued by First American Title on July 24, 1998 through July 25, 1998

204



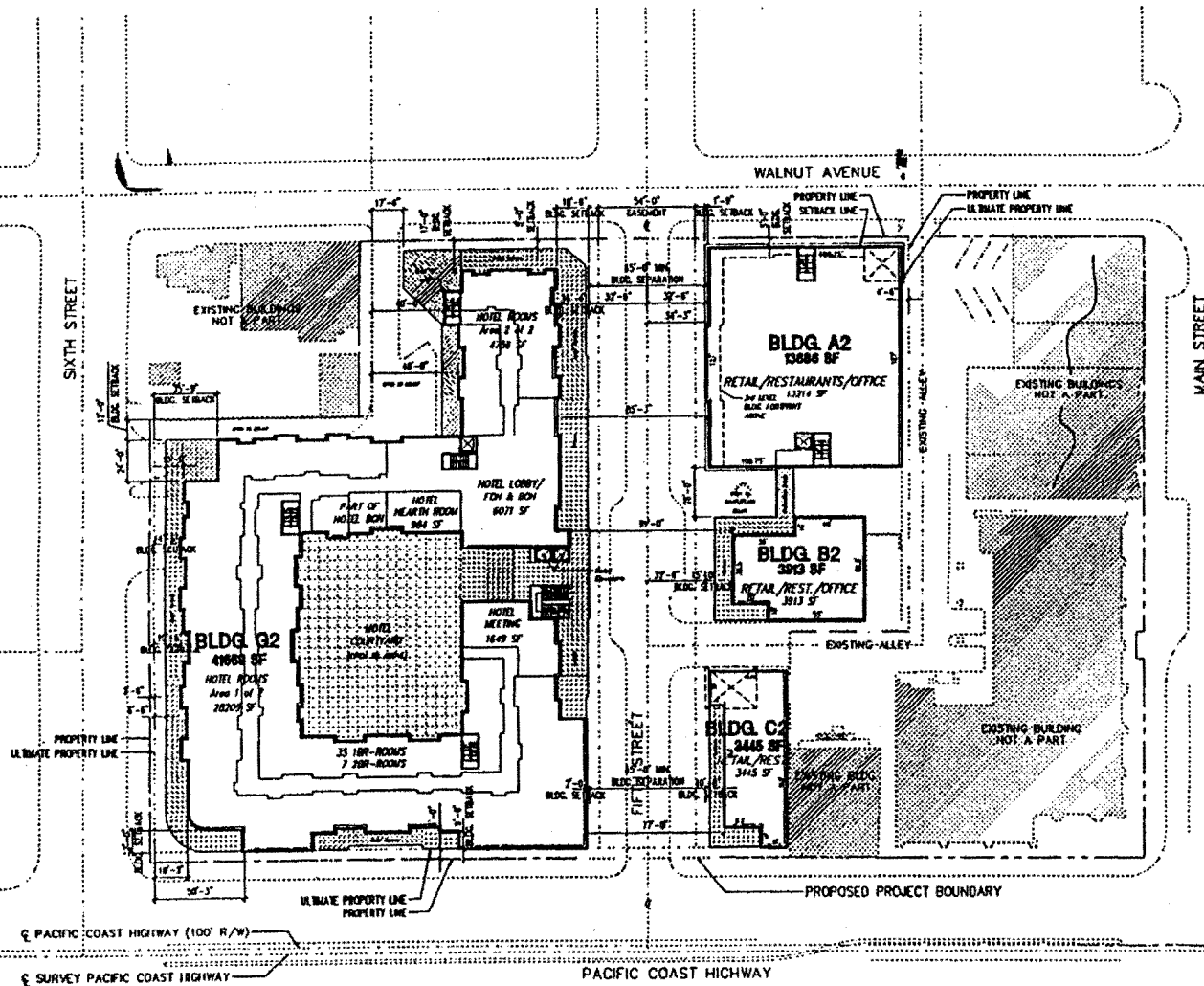
#### LEVEL 1 SUMMARY

RETAIL/RESTAURANTS	69808 SF
SUBTOTAL GLA =	69808 SF
LEVEL 1 TOTAL AREA =	69808 SF*

\* Does NOT include Vertical Circulation Cores  
Corridors

D-2b. 205

P33



#### LEVEL 2 SUMMARY

RETAIL/RESTAURANTS/OFFICE	20572 SF
SUBTOTAL GLA =	20572 SF

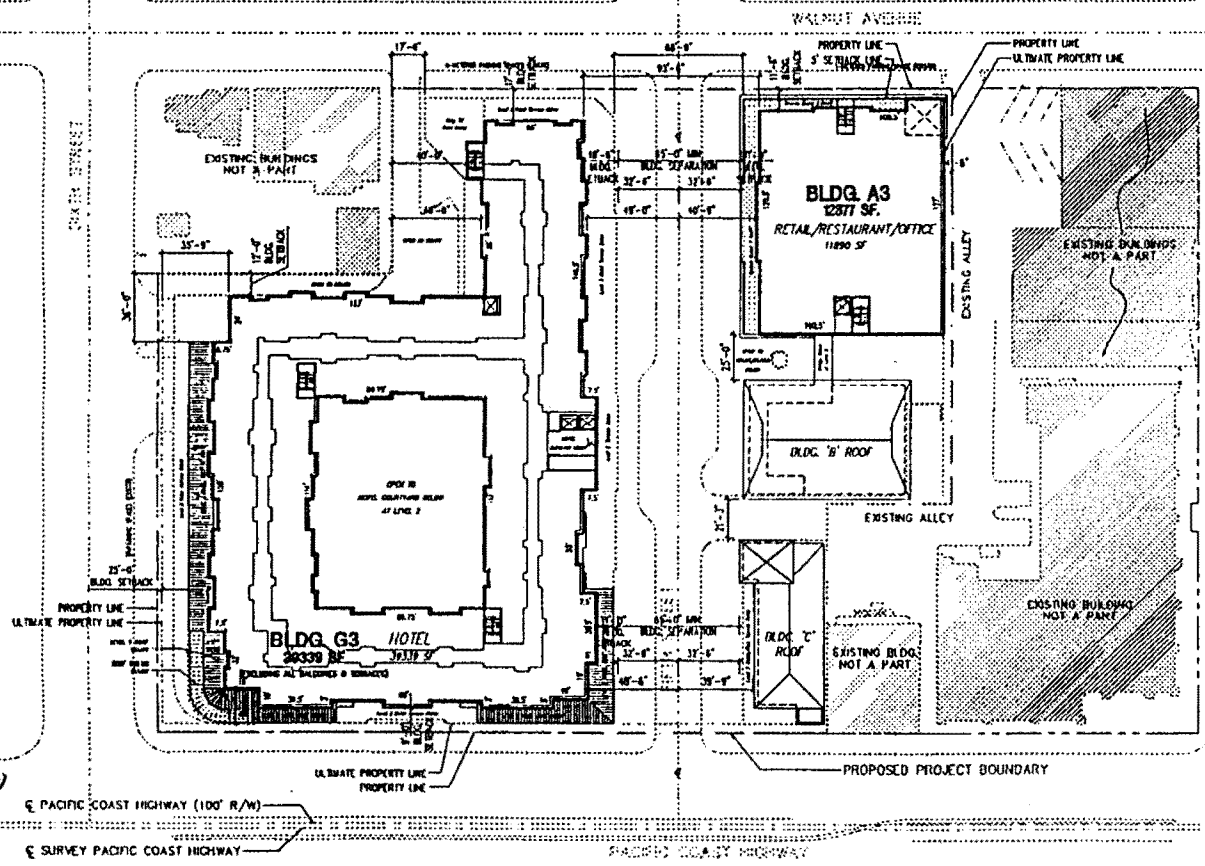
HOTEL (42 Rooms)	32965 SF
HOTEL (Lobby/F.O.H./B.O.H.)	6071 SF
HOTEL (Hearth & Meeting Rooms)	2633 SF
SUBTOTAL HOTEL =	41669 SF

LEVEL 2 TOTAL AREA = 62241 SF \*\*

\*Does NOT include HOTEL Balconies & Terraces  
 \*\*Does NOT include Vertical Circulation Cores & Corridors EXCEPT in HOTEL



B4



**LEVEL 3 SUMMARY**

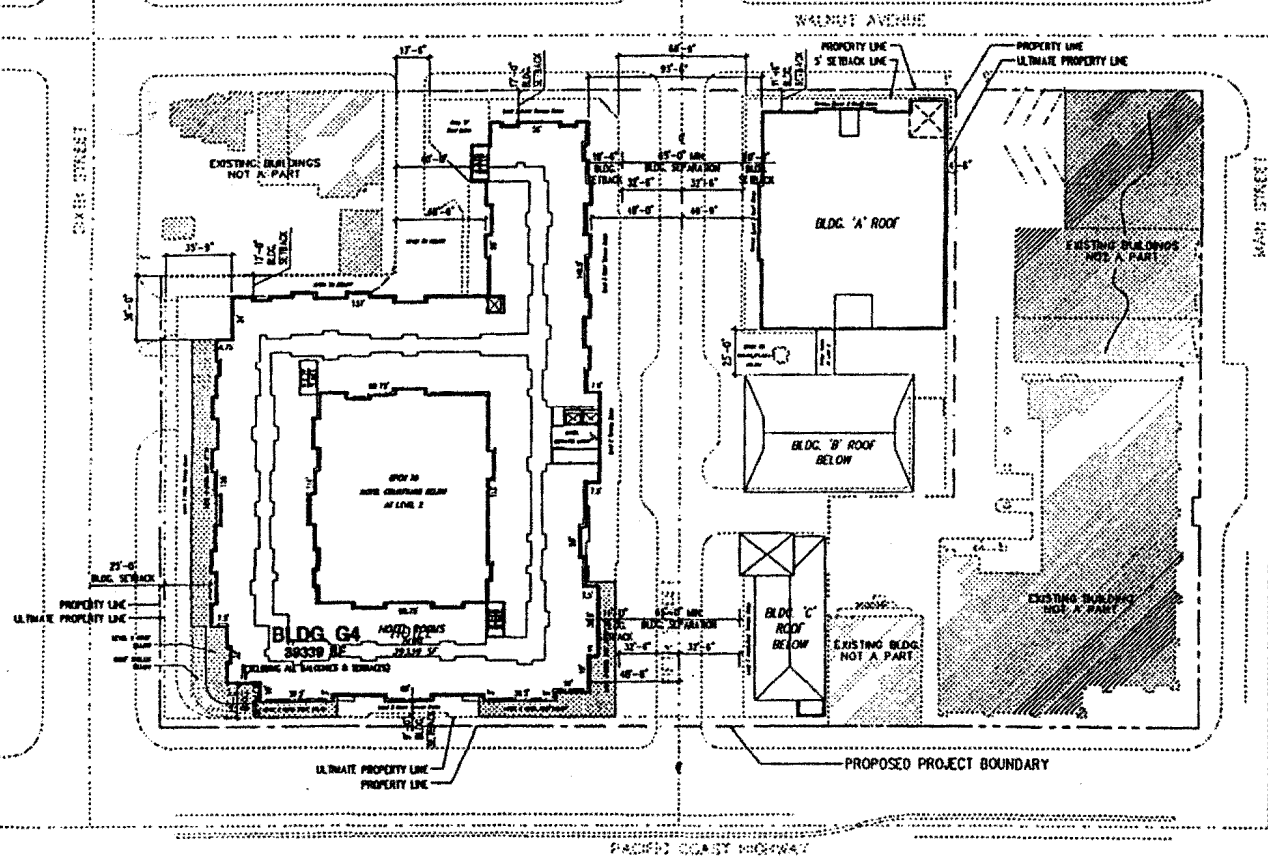
RETAIL/RESTAURANTS/OFFICE	11890 SF
SUBTOTAL GLA =	11890 SF
HOTEL (55 Rooms)	39339 SF
SUBTOTAL HOTEL =	39339 SF*
<b>LEVEL 3 TOTAL AREA =</b>	<b>51229 SF**</b>

\*Does NOT include HOTEL Balconies & Terraces

\*\*Does NOT include Vertical Circulation Cores & Corridors EXCEPT in HOTEL

D-26. 206

59

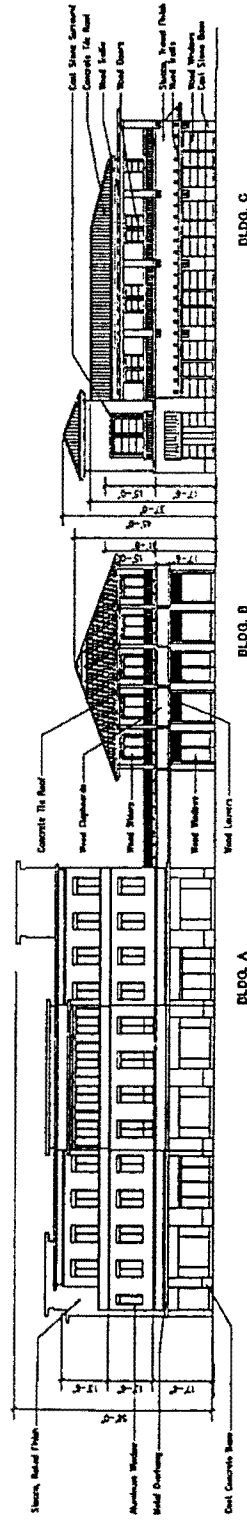


LEVEL 4 SUMMARY

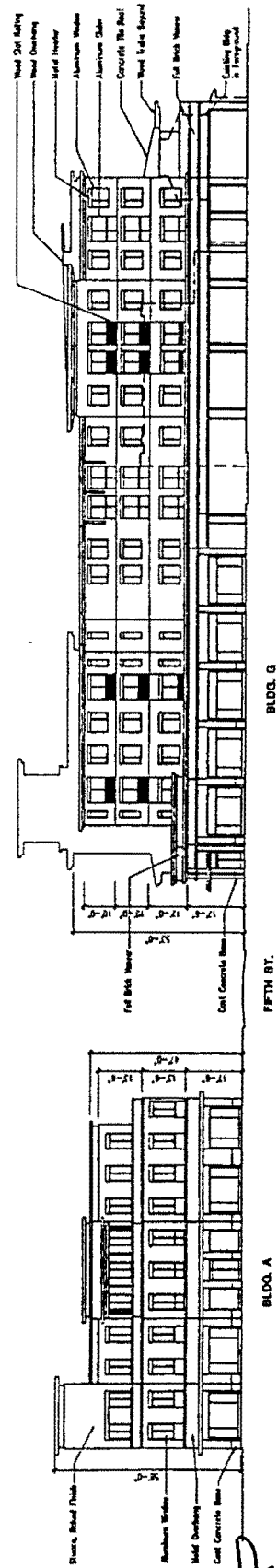
HOTEL (55 Rooms)	39339 SF
SUBTOTAL HOTEL =	39339 SF
<hr/>	
LEVEL 4 TOTAL AREA =	39339 SF

\*Does NOT include Hotel Balconies & Terraces

Bu



5th STREET - NORTH ELEVATION

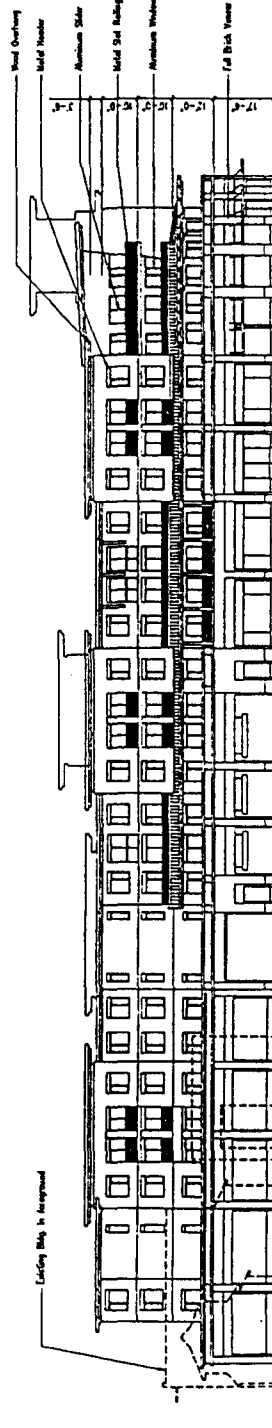


WALNUT AVENUE ELEVATION

D-26. 208

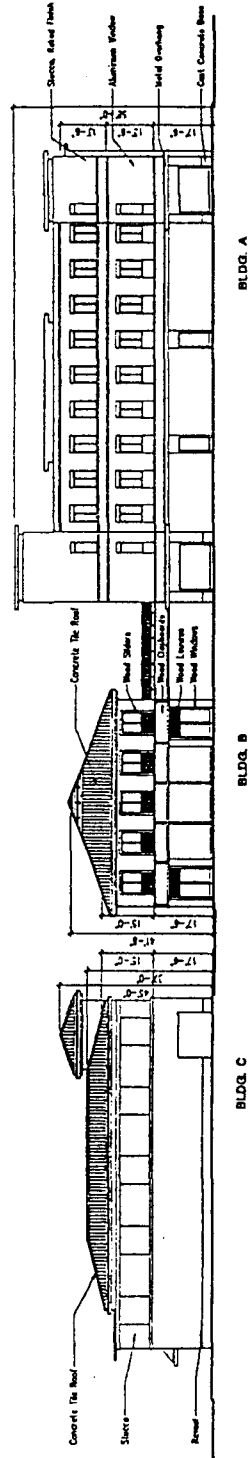
27





**BLOG. 3**

6th STREET - NORTH ELEVATION



**BLDG. A**

**BLDG. 8**

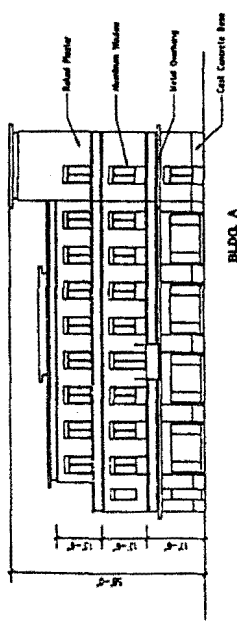
**BLDG C**

SOUTH ELEVATION

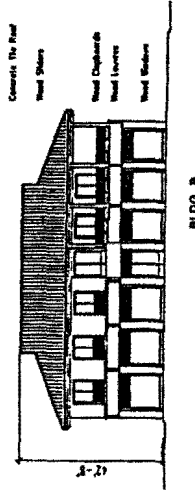
D-2b. 210

B9

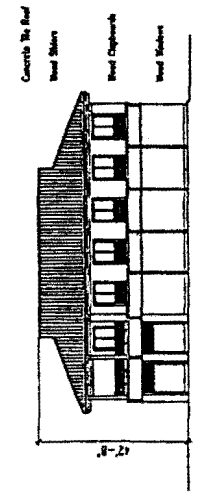
D-2b. 211



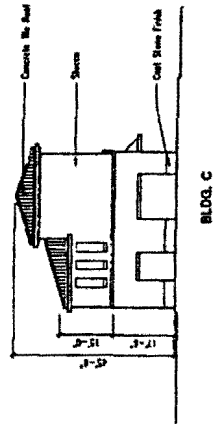
(A) WEST ELEVATION - BUILDING 'A'



(B) EAST ELEVATION - BUILDING 'B'



(C) WEST ELEVATION - BUILDING 'B'



(D) EAST ELEVATION - BUILDING 'C'

## CALIFORNIA COASTAL COMMISSION

South Coast Area Office  
200 Oceangate, 10th Floor  
Long Beach, CA 90802-4302  
(562) 590-5071

APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENT  
(Commission Form D)

RECEIVED  
South Coast

NOV 15 2002

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

CALIFORNIA  
COASTAL COMMISSIONSECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

Huntington Beach Citizens Against Redevelopment Excess ("CARE") and Abdelmuti  
Development Agency, c/o Rutan & Tucker, LLP, 611 Anton Blvd., 14th Floor,  
Costa Mesa, CA 92626 Attn: Jeffrey M. Oderman, Esq.  
(714 ) 641-3441

Zip Area Code Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port  
government: City of Huntington Beach

2. Brief description of development being  
appealed: Coastal Development Permit No. 99-16 (The Strand at Downtown  
Huntington Beach Blocks 104/105)

3. Development's location (street address, assessor's parcel  
no., cross street, etc.): Property bounded by PCH, Sixth St., Walnut Ave., and the alley  
between Fifth St. and Main St., excluding Oceanview Promenade, retail buildings fronting  
on Main St., El Don Liquor building, and Worthy property at corner of Sixth & Walnut Sts.

4. Description of decision being appealed: (Blocks 104/105)

- a. Approval; no special conditions: N/A
- b. Approval with special conditions: TTM 16406/CUP No. 99-45 with Special  
Permit No. 02-06 and CDP No. 99-16
- c. Denial: N/A

Note: For jurisdictions with a total LCP, denial  
decisions by a local government cannot be appealed unless  
the development is a major energy or public works project.  
Denial decisions by port governments are not appealable.

## TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-5-HNB-02-384DATE FILED: 11/15/02DISTRICT: South Coast / Long Beach

H5: 4/88

COASTAL COMMISSION

A-5-HNB-02-384EXHIBIT # CPAGE 1 OF 6

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

See attached.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

RUTAN & TUCKER, LLP

By: Jeffrey M. Oderman

Signature of Appellant(s) or

Authorized Agent Jeffrey M. Oderman

Date November 15, 2002

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

Rutan & Tucker, LLP, and

I/We hereby authorize Jeffrey M. Oderman, Esq. to act as my/our representative and to bind me/us in all matters concerning this appeal.

Huntington Beach Citizens Against Redevelopment  
Excess and Abdelmuti Development Company

By: Jamal Abdelmuti

Signature of Appellant(s) Jamal Abdelmuti

Date 11/15/2002

C2



## REASONS FOR APPEAL

1. The Strand project violates the maximum 2.0 floor area ratio ("FAR") limitation for new development in Section 4.5.03(a) of the City's Downtown Specific Plan ("DSP") incorporated into its certified Local Coastal Program ("LCP"). Under that section, FARs must be calculated based on "net acreage." According to the information set forth in the Final EIR for the Strand project at pp. 3-18, the net site area for the Strand project is 103,935 square feet. Accordingly, with the 226,500 square feet of gross building area proposed, the FAR for the project is 2.18. The City claims that the Strand project qualifies for the 3.0 maximum FAR applicable to "full block" developments. This is demonstrably false. Under Section 4.0.04 of the DSP, a "full block" development is "[a] parcel of property bounded on all sides by public streets." (Emphasis added.) The Strand project is not bounded by public streets in either Block 104 (from the easterly side of the project site at Walnut Avenue south parallel to Main Street and then west to the westerly edge of the El Don Liquor property) or in Block 105 (in the areas adjacent to the Worthy building in the northwest corner of the project site).

Nor does the Strand project qualify as a "half block" development (for which the maximum permitted FAR in the DSP is 2.5). Section 4.0.04 of the DSP defines a half block development as "[a] parcel of property bounded on all sides by public streets and/or alleys containing at least one-half ( $\frac{1}{2}$ ) the net area of the full block." (Emphasis added.) The Strand project is not bounded on all sides by public streets and/or alleys in either Block 104 and 105. In addition, the Strand project site does not encompass at least  $\frac{1}{2}$  the net area of Block 104.

Section 4.1.02 of the DSP does not permit special permits to deviate from FAR requirements and no special permit has been sought or approved for violation of the FAR limitation.

There is a sound rationale for requiring a lower FAR for projects such as the Strand project that are not completely surrounded by public streets ("full block" developments) or public streets and alleys ("half block" developments). Lower FAR requirements for projects that do not satisfy these standards are necessary to ensure appropriate massing and scale in relationship to adjacent buildings and properties. The Strand project bulges into virtually every setback and towers four stories tall immediately adjacent to much smaller structures, including a historic landmark (the Worthy building) located a mere 20 feet away adjacent to the hotel in the northwest corner of the project site.

2. The Strand project violates the maximum three stories/35 feet building height limit applicable to less than full-block developments as set forth in Section 4.5.04 of the DSP. (See ¶ 1 above re definition of this project as less than a "full block" development.) According to the EIR for the Strand project, "[t]he maximum roof height of these structures is 50 feet, with parapets and other treatments reaching 53 feet in height. Additionally, the project includes a 70-foot tower at the corner of Fifth Street and Pacific Coast Highway." (Strand project EIR, pp. 3.5-18 to 3.5-19.) Even based upon its false determination that the Strand is entitled to be treated as a "full block" development under the DSP and that the maximum permitted building height is 4 stories/45 feet (instead of the correct 3 stories/35 feet standard), the EIR

acknowledges that "the proposed project would not be consistent with the height requirements of the [DSP]." (*Id.*)

The massive violations of the DSP building height restrictions are clearly not "minor deviations," which is all that the special permit procedure set forth in 4.1.02 of the DSP allows. Moreover, in order to grant a special permit, findings must be made that "significantly greater benefits from the project can be provided that would occur if all the minimum requirements were met," including "greater open space [the project provides none], greater setbacks [the project violates all of the setback requirements], unique or innovative designs [none are proposed], public parking [itself far less than adequate to satisfy even the parking needs of the Strand project itself – see ¶ 5 below and the information contained in the attachments to this appeal], public open space [again, virtually none – see ¶ 7 below], and the use of energy conservation or solar technology [none]." In short, there is no adequate justification for the major deviations to the maximum building height provisions of the DSP.

3. The Strand project violates numerous setback requirements set forth in the DSP.

DSP Section 4.5.06 requires a minimum 15-foot minimum setback for Pacific Coast Highway and Walnut Avenue. Buildings C, E, and F/G of the Strand project are proposed to front on PCH, but no setbacks are provided. Buildings A and D are proposed to front on Walnut Avenue and provide only 5-foot setbacks instead of the minimum 15-foot setback required. As noted in the Strand project EIR (at p. 3.5-19), "[t]he proposed project would not, therefore, comply with the front-yard setback provisions of the Plan."

Section 4.5.07 of the DSP requires a minimum 15-foot building setback along Sixth Street. As noted in the Strand project EIR (at p. 3.5-20), however, "the proposed project provides only six feet, six inches" and "would not, therefore, comply with side yard setback requirements of the [DSP]."

Section 4.5.09 of the DSP requires that all buildings fronting PCH and Sixth Street have all stories above the second set back an average of 25 feet from the ultimate street right-of-way; up to 50% of the building frontage may be set back 15 feet from the right-of-way but the average setback on upper stories must be not less than 25 feet. As the Strand project EIR notes, however, proposed Buildings E and F fronting PCH have four stories, but the upper story setbacks for the entire PCH frontages are only 15 feet from the right-of-way and "would not, therefore, comply with upper-story setback requirements of the [DSP]."

Once again, the proposed wholesale violations of the setback requirements in the DSP are massive and not mere "minor deviations," which is all that is allowed under a special permit procedure. It appears that the City and the project applicant simply have decided to ignore the DSP rather than comply with it. The Strand project site is large and undeveloped. The project applicant essentially is writing on a blank slate. There are no unique features of this site that warrant tossing the setback requirements in the dumper and no special hardships that would be suffered if the setback standards were enforced. There are no offsetting public benefits provided to justify the numerous departures from the development standards in the DSP.

C4

4. The Strand project severely constrains the public view corridor to the coast down Fifth Street, in violation of the LUP and DSP.

Not content to merely overbuild on the land available, the City proposes to let the Strand project applicant "encroach into the Fifth Street right-of-way, narrowing the current 80-foot right-of-way to a 65-foot-wide building-to-building separation, which would constrain an existing public view of the coast." (Strand project EIR, p. 3.1-7.) The EIR acknowledges that "the new structures would not provide the view corridor required in the Downtown Specific Plan for the purpose of preserving coastal views." (*Id.*; see, generally, the discussion at pp. 3.1-7 to 3.1-10 and 3.1-13.) As explained in more detail in Section 4.2.16(f) of the DSP, in the event of any narrowing of the north-south streets connecting Walnut Avenue and PCH, a view corridor must be maintained that is "not less than the width of the former street." The width of Fifth Street is 80 feet (see EIR discussion) and the proposal to allow the buildings in this location to be only 65 feet apart is completely unwarranted.

The special permit procedure authorized for certain "minor deviations" in Section 4.1.02 of the DSP relates only to site coverage, setbacks, open space, and landscaping, not to elimination of the view corridor. In addition, for the same reason that the variances for building heights and setbacks cannot be justified (see ¶s 2 and 3 above), no legitimate justification can be provided for the significant encroachment into the protected view corridor.

In addition to the provisions of the DSP cited above, the EIR notes numerous other goals, policies, and objectives set forth in the LUP and DSP that would be violated by the constriction of the Fifth Street view corridor. (See pp. 3.1-7 to 3.1-10.)

The City's assertion that a "public" terrace in the hotel (the EIR alternately states the terrace is on the first and fourth floors (see pp. 3.1-7 and 3.1-13) – it's actually on the second floor) sufficiently mitigates against loss of the Fifth Street view corridor is absurd. Persons traveling along and past Fifth Street cannot be expected to go into the hotel, go up an elevator, and find their way back to a so-called "public" terrace (which presumably will be filled with tables for paying customers) to replace the truly public view that has been lost along the public street.

5. The Strand project violates the provision in Section 4.2.14 of the DSP that "[p]arking shall be provided for each Area" [i.e., Areas One and Two] and that "[i]f a project is built in Area One that requires more shared parking than is available in Area One, credit from Area Two shall not be used." The City's own Downtown Parking Master Plan that was updated just last year acknowledges that with the proposed build-out in Area One (the three blocks closest to PCH within which the Strand project is situated), Area One would produce a 395-space parking deficit. (*Id.*, p. 73.) This simply is not allowed and no special permits are permitted to deviate from parking requirements. (DSP, Section 4.1.02.)

With due respect to the Commission, which approved the City's Downtown Parking Master Plan last year, the Strand project would create staggering adverse impacts on the already constrained parking situation in Downtown Huntington Beach. For the benefit of the Commission, the October 3, 2000, and October 16, 2000, letters submitted by Appellant CARE to the City regarding the Downtown Parking Master Plan are attached to this appeal to set forth

the basis for our concerns regarding the inadequacy of parking. It is respectfully submitted that the Coastal Commission should not allow the situation to get even worse by ignoring the DSP requirement that Area One be "self-parked."

6. The Strand project adversely impacts the historic Worthy building, in violation of LUP Policy C5.1.6. A mere 20-foot separation is provided between the 4-story hotel on the Strand project site and the much smaller Worthy building. The Worthy building has been listed on the National Register of Historic places (in 1988). (Strand project EIR, p. 3.3-7.) It is described as "[o]ne of the finest pre-incorporation houses in Huntington Beach" and it is also "significant for its association with persons prominent in the City's history, its place in the broad patterns of Huntington Beach history, and as the last remaining example of pre-1900 architecture in the City." (*Id.*)

It is wholly inappropriate to dwarf this historically significant structure with a 4-story modern Mediterranean-style hotel located a mere 20 feet away. We urge the Coastal Commission to find that the Strand project does not "reflect the Downtown's historical structures" and therefore violates LUP Policy C5.1.6.

7. The Strand project violates the requirements in Section 4.5.10 of the DSP requiring a public open space amenity and that a minimum of 10% of the net site area must be provided for this purpose. (See Strand project EIR, p. 3.5-21.) Instead of providing a true public open space amenity, the City and project applicant are trying to take credit for the few snippets of site area that are not covered by buildings, including what the EIR acknowledges are "strips along Walnut Avenue, at the corners of Pacific Coast Highway and Fifth Street, and at the ground floor entry to the hotel," in order to barely get over the 10% threshold. The only true open space amenity, a courtyard with a mere 3,000 square feet, is far less than the minimum size required. It is inappropriate to count as a "public" amenity a second-floor terrace that is a part of the hotel structure. Even if the public cannot be removed from the terrace, the inconvenience of its location and the intimidation factor that faces anyone attempting to actually utilize it will prevent it from being a legitimate "public" space.

8. The Strand project violates the basic provisions of LUP Goal C1 and Objective C1.1 that land planning along the Huntington Beach coast should "protect and enhance coastal resources, promote public access" and assure that "adverse impacts associated with coastal zone development are mitigated or minimized to the greatest extent feasible." (See Strand project EIR, p. 3.5-11.) Instead, the Strand project violates numerous provisions of the DSP, seeks multiple special permits that are not warranted, and maximizes private development at the expense of the policies underlying the California Coastal Act and the City's certified LCP.

Cc

# Existing and Proposed Development

## BLOCK A

PRE-DEVELOPMENT (1982)				EXISTING/APPROVED DEVELOPMENT (2000)				BUILDOUT (2005)						
ADDRESS	USE	SIZE	PARKING	NAME	USE	SIZE	PARKING	NAME	RETAIL	RESTAURANT	OFFICE	OTHER	PARKING	
101 Main	Retail	2,500	0	Oceanview Promenade (Abdelmuti)				Oceanview Promenade (Abdelmuti)						
	Residential (13 DU)				Retail	13,953			13,953	2,798	30,299		2	
109 Main	Retail	2,500	0		Restaurant	2,798								
111 Main	Retail	2,500	0		Office	30,299	2							
113 Main	Retail	2,500	0											
115 Main	Retail	2,500	0											
	Office	2,500												
406 PCH	Restaurant	2,200	0											
410 PCH	Retail	4,000	10											
117 Main	Restaurant	2,500	0	117-123 Main				Block 104/105						
	Office	2,500			Retail	9,525			89,860	44,210	6,430	103,110 Hotel	403	
119 Main	Retail	2,500	0		Restaurant	4,685								
121 Main	Retail	2,500	0		Office	4,050								
123 Main	Retail	1,500	2											
416 PCH	Retail	3,000	12	416 PCH	Retail	3,000	12							
	Residential (4 du)				Residential (4 du)									
122 5th	Auto Sales	12,000	12	122 5th	Auto Sales	12,000	12							
151 5th	Theatre	5,500	50	151 5th	Theatre	5,500	50							
501 Walnut	Office	1,500	0	501 Walnut	Office	1,500	0							
505 Walnut	Residential (1 du)	1,200	0	505 Walnut	Residential (1 du)	1,200	0							
504 PCH	Retail	1,250	0	504 PCH	Retail	1,250	0							
508 PCH	Restaurant	1,250	8	508 PCH	Restaurant	1,250	8							
	Residential (1 du)		2		Residential (1 du)		2							
520 PCH	Retail	1,500	16	520 PCH	Retail	1,500	16							
	Residential (1 du)				Residential (1 du)									
127 Main	Retail	3,500	6	127 Main	Retail	3,500	6	Lane/Terry	5,000				N/A	
513 Walnut	Retail	2,500	0	Worthy Project				Worthy Project						
	Residential (12 du)				B & B (12 du)		12					B & B (12 du)	12	
519 Walnut	Retail	800	0											
128 6th	Residential (1 du)													
TOTAL:		66,700	118	TOTAL:		96,010	120	TOTAL:		108,813	47,008	36,729	103,110	417

DPMP Update - Oct. 2000

Source: City of Huntington Beach

WORTHY

Exhibit D

A5 HNB-02-384  
DPMP Block A

## Open Space

The DTSP requires all projects in this district to provide a minimum of 10% of the net site area in public open space. The project proposes to meet the public open space requirement in the following manner:

### Open Space Summary

<u>Location</u>	<u>Area (s.f.)</u>
Corner of Sixth St. & PCH at Bldg. F	1,107
Walnut Avenue North	625
At elevators/stairs lobby	916
Walnut Avenue South	554
Plaza and passage	4,051
NE corner of Bldg. C	116
Subtotal: Ground level	7,369
Level 2 (terrace)	3,183
<b>Total Open Space</b>	<b>10,552</b>
Net site area	103,935
Required open space (10%)	10,394

Public Open Space  
Table

COASTAL COMMISSION  
A5HNB-02-384

EXHIBIT # E

PAGE 1 OF 1

COASTAL COMMISSION

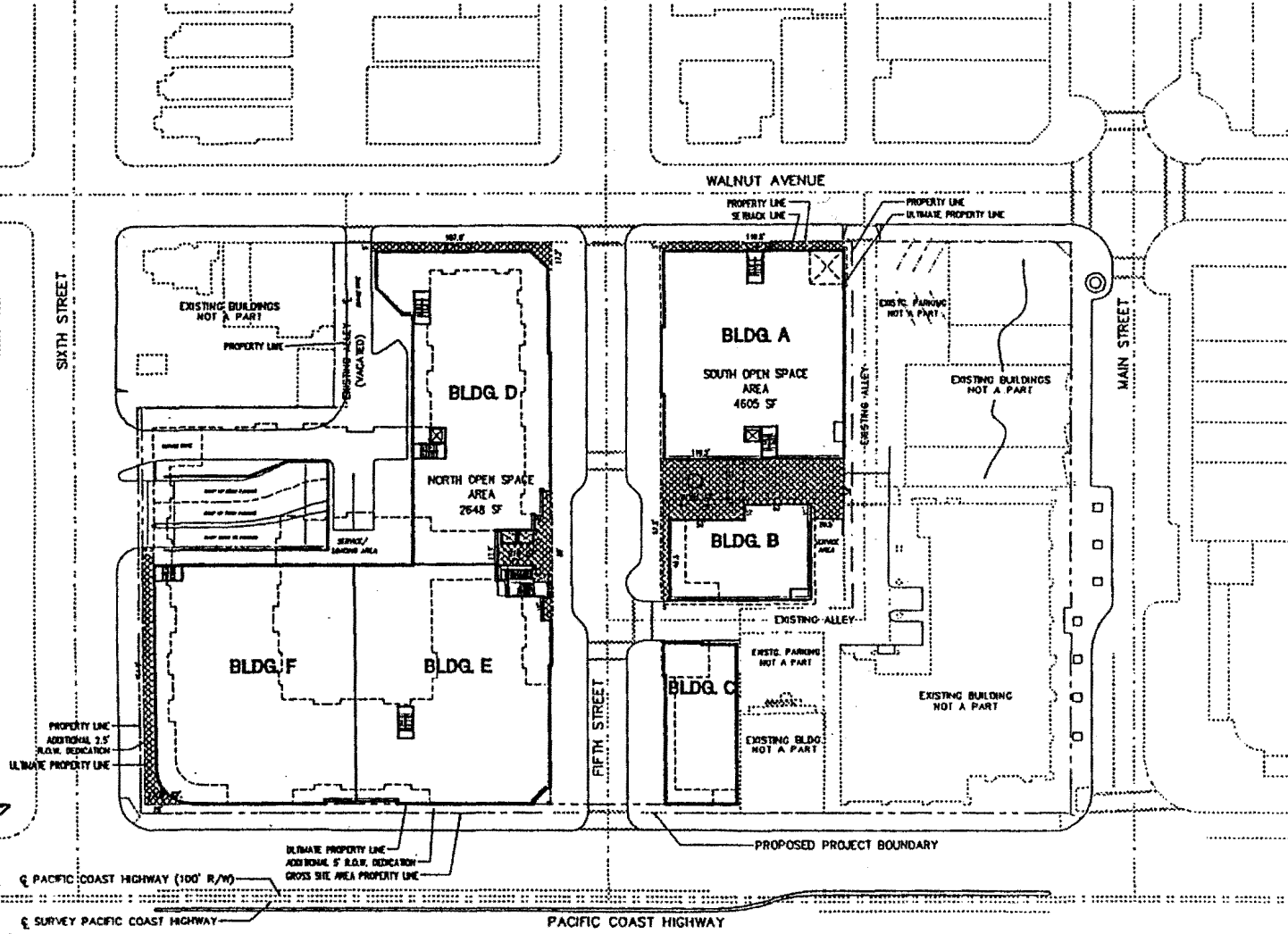
A-5-HNB-22-384

EXHIBIT # F

PAGE 1 OF 2

Public Open Space Plan

level 1

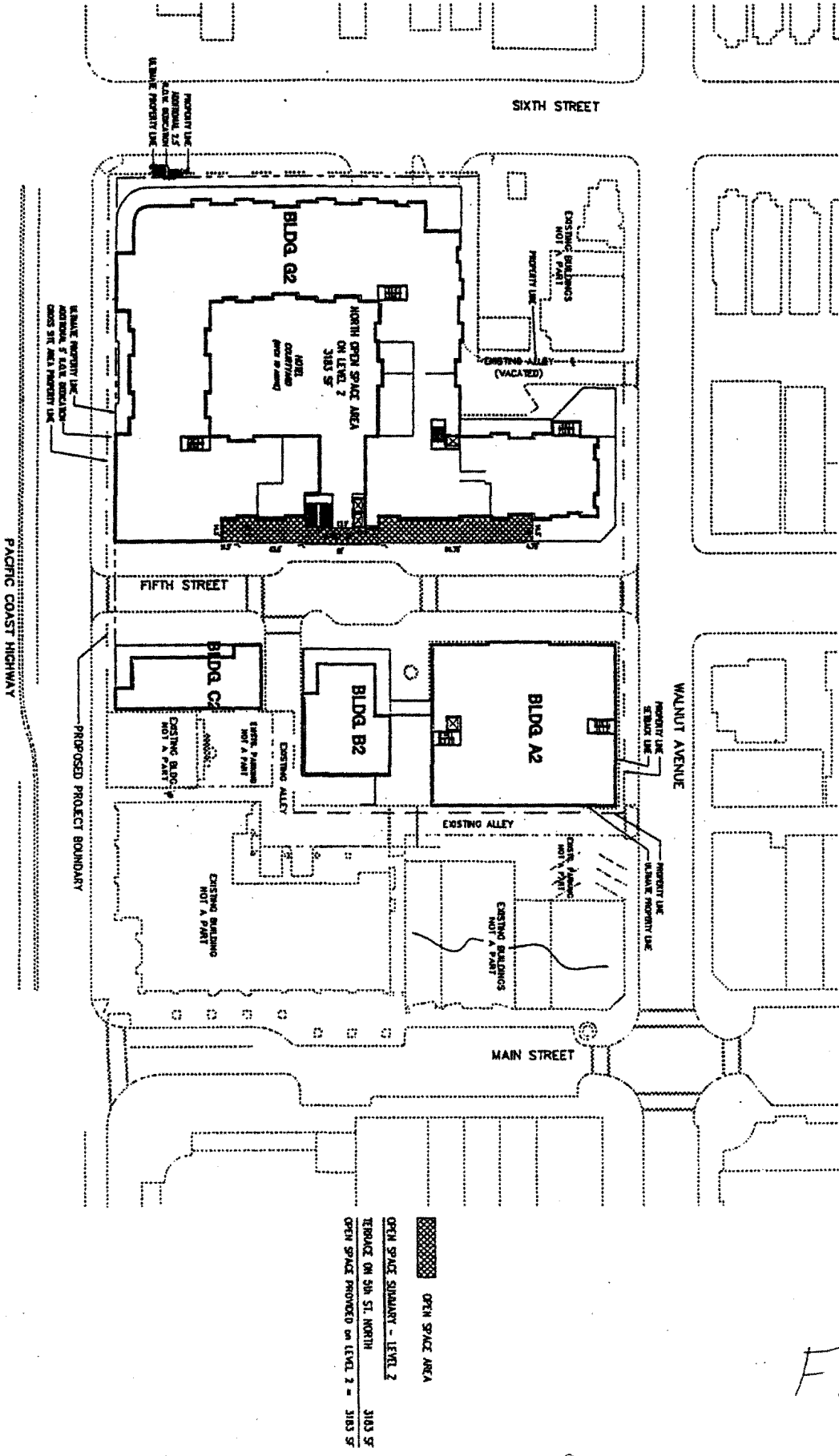


**OPEN SPACE SUMMARY**

CORNER OF 6th & POB of BLDG. F	1107 SF
WALNUT NORTH	625 SF
AT ELEVATORS/STAIRS LOBBY	916 SF
WALNUT SOUTH	554 SF
PLAZA & PASSAGE	4051 SF
OPEN SPACE PROVIDED on LEVEL 1 =	7253 SF
OPEN SPACE PROVIDED on LEVEL 2 =	3183 SF
TOTAL OPEN SPACE PROVIDED =	10436 SF
NET SITE AREA =	103935 SF*
REQUIRED OPEN SPACE at 10% OF NET SITE AREA	10394 SF

\* AREA EXCLUDES ALL R.O.W. DEDICATIONS

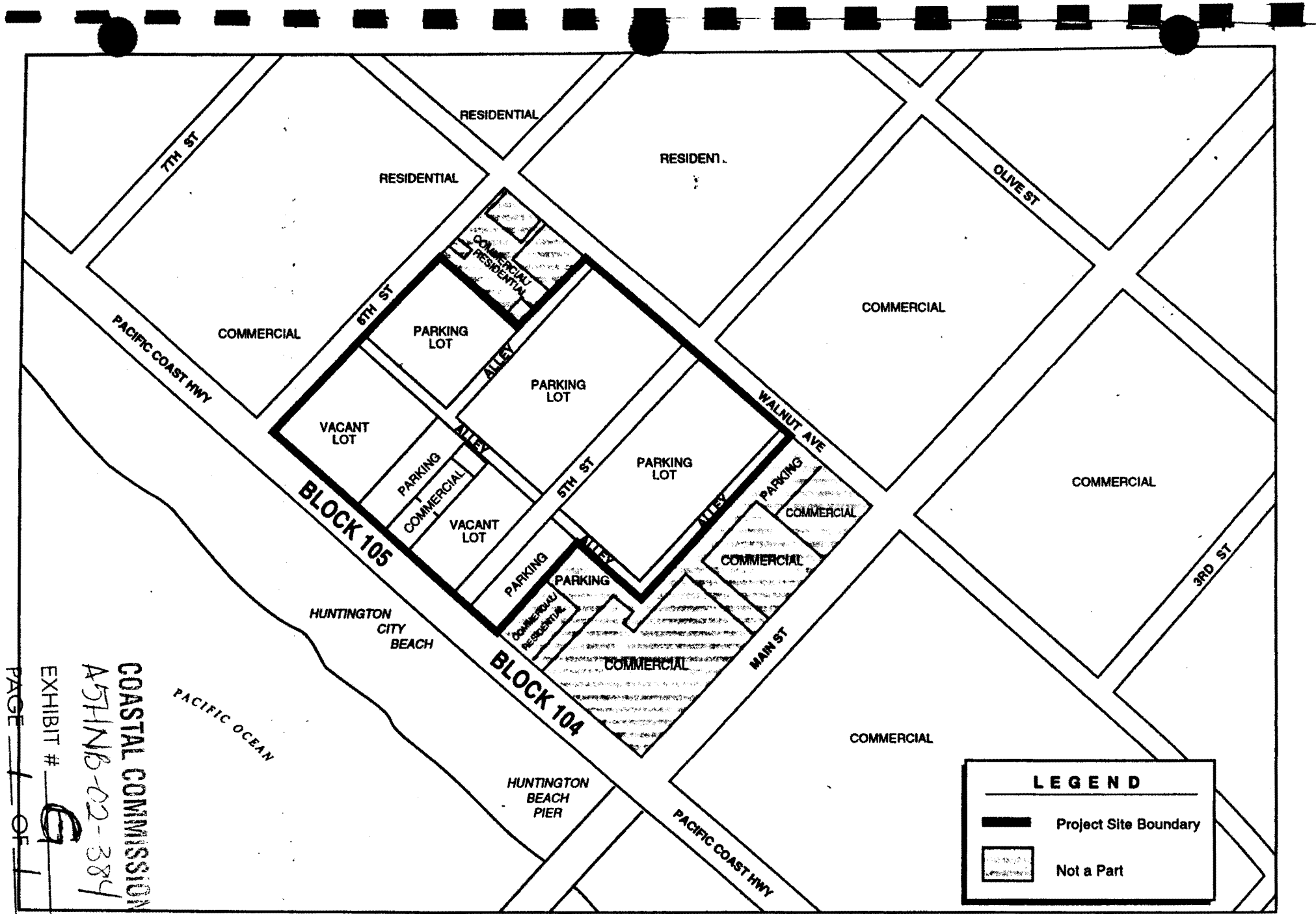
D-26.219



F2

Public Open Space Plan  
level 2





COASTAL COMMISSION  
 A57HNB-02-384  
 EXHIBIT # 6  
 PAGE 1 OF 1

Not to Scale

SOURCE: EIP Associates



EIP  
 ASSOCIATES

FIGURE 2-2  
**Existing Conditions**  
 City of Huntington Beach

1  
2  
3

4

5

6

7

8