CALIFORNIA COASTAL COMMISSION

South Coast Area Office 301 East Ocean Blvd., Suite 300 Long Beach, CA 90802 (562) 590-5071



W11a

A-5-HNB-21-0020 (Haanh Holdings, LLC) May 12, 2021

EXHIBITS

Exhibit 1 - Appeal of Isam Hanna

Exhibit 2 - Notice of Final Action

Exhibit 3 - Project Plans

Exhibit 4 - Views of Project Area

Exhibit 5 – Vicinity Map

Exhibit 6 - Project Rendition

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE 301 E. OCEAN BLVD., SUITE 300 LONG BEACH. CALIFORNIA 90802-4830 (562) 590-5071 FAX (562) 590-5084

WWW COASTAL CA GOV



COMMISSION NOTIFICATION OF APPEAL

March 11, 2021

To: Hayden Beckman

City of Huntington Beach

2000 Main Street

Huntington beach, CA 92648

From: Zach Rehm, District Supervisor

Re: Commission Appeal No. A-5-HNB-21-0022

Please be advised that the coastal development permit decision described below has been appealed to the California Coastal Commission pursuant to Public Resources Code Sections 30603 and 30625. Therefore, the decision has been stayed pending Commission action on the appeal pursuant to the Public Resources Code Section 30623.

LOCAL PERMIT #: 20-013

APPLICANT(S): Haanh Holdings, LLC, Attn: Thanh Dong

DESCRIPTION: Construction of a new three-story 12,713 sq. ft. mixed use building at an

overall height of 35 feet, which includes a 766 sq. ft. ground floor retail coffee shop; three two bedroom residential units on the second and third floor; a 300 sq.ft. rooftop deck; an enclosed parking garage for seven parking spaces (four grade level, three subterranean); and two open commercial parking spaces for a total of nine on-site parking spaces.

LOCATION: 714 Pacific Coast Hwy, Huntington Beach, Ca 92648

LOCAL DECISION: Approval with Special Conditions

APPELLANT(S): Isam Hanna

DATE APPEAL FILED: 03/11/2021

The Commission appeal number assigned to this appeal is A-5-HNB-21-0022. The Commission hearing date has not been scheduled at this time. Within 5 working days of receipt of this Commission Notification of Appeal, copies of all relevant documents and materials used in the City of Huntington Beach's

Exhibit 1a

COMMISSION NOTIFICATION OF APPEAL

consideration of this coastal development permit must be delivered to the South Coast District Office of the Coastal Commission (California Administrative Code Section 13112). Please include copies of plans, relevant photographs, staff reports and related documents, findings (if not already forwarded), all correspondence, and a list, with addresses, of all who provided verbal testimony.

A Commission staff report and notice of the hearing will be forwarded to you prior to the hearing. If you have any questions, please contact Zach Rehm at the South Coast District Office.

cc: Isam Hanna

Haanh Holdings, LLC, Attn: Thanh Dong

RECEIVED GAVIN NEWSOM, GOVERNOR South Coast Region

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE 301 E. OCEAN BLVD., SUITE 300 LONG BEACH, CA 90802 (562) 590-5071 SOUTHCOAST@COASTAL,CA.GOV

MAR 1 1 2021

CALIFORNIA COASTAL COMMISSION



APPEAL FORM

Appeal of Local Government Coastal Development Permit

Filing Information (STAFF ONLY)

District Office: South Coast

Appeal Number: <u>A-5-HNB-21-0022</u>

Date Filed: 3/11/2021

Appellant Name(s): Sam Hanna

APPELLANTS

IMPORTANT. Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's contact page at https://coastal.ca.gov/contact/#/).

Note regarding emailed appeals. Please note that emailed appeals are accepted ONLY at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the South Coast district office, the email address is SouthCoast@coastal.ca.gov. An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's contact page at https://coastal.ca.gov/contact/#/).

Appeal of local CDP decision Page 2

1. Appella	nt information		
Name:	Isam Hanna		
Mailing add	g address: 1412 Stanford Court, Santa Ana, CA 92705		
Phone num	ber: (714) 309-8010		
Email address: isamhanna@yahoo.com			
How did you Did not pa Describe:	participate in the local CDP application and decision-making process? articipate Submitted comment Testified at hearing Other Requested meeting with applicant, City did not schedule		
	prema and		
please iden	ot participate in the local CDP application and decision-making process, tify why you should be allowed to appeal anyway (e.g., if you did not because you were not properly noticed).		
why you sh	atify how you exhausted all LCP CDP appeal processes or otherwise identify bould be allowed to appeal (e.g., if the local government did not follow proper and hearing procedures, or it charges a fee for local appellate CDP		
Describe:	Submitted a plan critique to City staff and followed up with City staff. Testified at the Zoning Adminsitrator		
	hearing, filled an Appeal on the approval at a cost of \$4,281.00. I testified at the Planning Commission hearing.		
The Planning Commission agreed with me and denied the project. The denial was appealed by a			
	City Council member and the project was uiltimatly approved by City Council. I testified at City Council hearing.		

¹ If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

Appeal of local CDP decision Page 3

2. Local C	DP decision being appealed	2	
Local government name:		City of Huntington Beach	
Local government approval body:		City Council	
Local government CDP application number:		No. 20-013	
Local gover	nment CDP decision:	CDP approval CDP denials	
Date of local government CDP decision:		February 16, 2021	
	ntify the location and description on the local government.	of the development that was approved or	
Describe:	The project is located at 714 Pacific Coast Highway, Huntington Beach, CA		
	The request is for a new three story 12,713 sq. ft. mixed-use building at a hight of 35 ft.		
	The project includes a 766 sq. ft. ground floor retail coffee shop and		
	three two bedroom units on the 2nd and 3rd level, with a roof top deck and		
	enclosed subterrranean parking for individual tandum parking lifts (three		
	lifts two cars each), one handicap parking space and two open		
	commercial parking spaces off the rear alley. Nine total parking spaces.		
	The request is for a zero front and side yard setback, and a special permit		
	for a reduction in drive aisle width from a commercial standard width.		

² Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

³ Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the appeal information sheet for more information.

Appeal of local CDP decision Page 4

3. Identification of interested persons

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., the applicant, other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

Interested persons identified and provided on a separate attached sheet

4. Grounds for this appeal4

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe:	See attached	
	-	4000
	> HORODATAMALAM	
	* HARAKHANNA	ON 15 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1

⁴ Attach additional sheets as necessary to fully describe the grounds for appeal.

#3 Interested Persons Huntington Beach CDP No. 20-013

Dr Hoan Vu Trong 112 8th Street Huntington Beach, CA 92648 Email <u>vucla888@yahoo.com</u>

Dr. Felizardo S Camilon Jr. 111 7th Street Huntington Beach, CA 92648 Email <u>abmolarte@yahoo.com</u>

Dave MacLeod 19440 Goldenwest Street Huntington Beach, CA 92648 Email davidmacleod@aol.com

Mike Adams
P.O. Box 382
Huntington Beach, CA 92648
Email adamsassoc@gmail.com

Applicant: Thanh Dong, Phat Huong Haanh Holdings 18961 Flagstaff Lane Huntington Beach, CA 92646

#4 Grounds for Appeal Huntington Beach CDP No. 20-013

The proposed project is not consistent with the Local Coastal Element with respect to the following goals, objective and policies:

- (C1) Land Use
- Goal "Develop a land use plan for the Coastal Zone that protects and enhances coastal resources, promoted public access and balances development with facility needs"
- (C1.1) Objective "Ensure that adverse impacts are mitigated or minimized"
- (C1.1.5) Policy "New development should be sited and designed that maintains and enhances public access to the coast"
- Issue The proposed development is requesting zero front and side setbacks consistent with the downtown core and not consistent with existing developments along Pacific Coast Highway. A larger side yard setback would allow for an open air walkway from the public parking in the rear to the retail use in the front. The proposal provides access through an enclosed corridor limiting public access through the project. A larger front yard setback will provide a small landscape buffer to Pacific Coast Highway. I only request that the project comply with the front yard and side yard setbacks the way I did (5 feet front and 3 foot side), to maintain compatibility with the neighborhood.
- (C1.1.9) Policy New development shall be designed to assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area.
- Issue The proposed development is requesting a zero side yard setback adjacent to my home. The proposed project will excavate a minimum of fifteen feet below existing grade. I am very concerned with the major excavation, undermining my improvements and causing damage to my home. In addition the distance between my home and the proposed development is only three feet at the roof level on the side creating a security concern. The front zero setback will include private balconies directly over a public sidewalk along Pacific Coast Highway.
- (C1.2) Objective "Provide a land use plan that balances location, type and amount of land use with infrastructure needs.
- Issue The proposed project does not adequately address the following policies:
- (C1.2.1) Policy Accommodate existing uses and new development
- (C1.2.2) Policy Design to account for the unique characterizations of the project site and objectives of the Coastal Zone.
- (C1.2.3) Policy That adequate services can be provided with respect to the existing size and activities in rear alley way.
- (C2.1) Objective Balance the circulation system with the demands generated by the development.

- Issue The proposed development does not adequately address the following:
- (C2.2.2) Policy Require new developments to provide pedestrian walkways between developments.
- (C2.2.6) Policy Provide adequate bike racks at appropriate locations.
- (C2.4) Objective Balance the supply of parking with the demand for parking.
- (C2.4.2) Policy Ensure that adequate parking is provided in all new development

Issue - The proposed project does not provide sufficient or convenient parking for the retail suite and residential guest parking; and does not provide for commercial delivery vehicles and commercial trash collection.

- (C4) Visual Resources
- Goal Preserve and enhance aesthetic resources:
- (C4.2) Objective Promote visual and aesthetic resources with design review and development standards
- (C4.2.2) Policy Require that massing, height and orientation of new development be designed to protect public coastal views.

Issue - The visibility concern is with a solid building side wall proposed from the front property line to within 10 feet of the rear property line. The elevation for this side of the building does not show any exterior finishes to match the other building elevations. If built as designed the lateral view from my home toward the ocean will be lost and the narrow view corridor severely impacted.

A modified redesign of the northern side of the proposed development consistent with the interior side setbacks required for my home would address most of my concerns. My development [provided a side yard setback of 4 feet on the first level to allow handicap access to the front commercial suite from the rear parking area. The reduced side yard setback to 3 feet for the second, third and rooftop levels. It was anticipated that any future development on the adjacent lot would match the side yard setback pattern and preserve at least a narrow view corridor to the ocean.

- (C4.3) Objective Promote designated coastal roadways as scenic corridors
- (C4.6) Objective Enhance the visual appearance of the Coastal Zone through the development and implementation of landscape standards.

Issue - The proposed development, with zero front setback and no landscaping, does not adequately address the intent of the Downtown Specific Plan, Scenic Highway Plan and Streetscape Improvement Plan, to become a landscape boulevard through the City. The Downtown Specific Plan (Sec. 3.2.14 Mixed-Use Projects) states that all commercial portions shall adhere to the commercial standards, and all residential portions should adhere to residential standards. These lots along Pacific Coast Highway were intended to be developed as a transition from the primarily commercial area of the Downtown core to the residential developments along Pacific Coast Highway.

Appeal of local CDP decision Page 5

5. Appellant certifications

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name_Isam Hanna
Jun Jen
Signature
Date of Signature 3/10/21
5. Representative authorization ₆
While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this boat to acknowledge that you have done so.
I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

 $_{5}$ If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

 $_{6}$ If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.



NOTICE OF FINAL CITY ACTION COASTAL DEVELOPMENT PERMIT NO. 20-013 APPEALABLE DEVELOPMENT

February 16, 2021

TO:

South Coast Area Office

California Coastal Commission

Attn: Amber Dobson

301 E. Ocean Blvd, Suite 300

Long Beach, CA 90802

APPLICANT/

PROPERTY OWNER:

Thanh Dong, Phat Huong Haanh Holdings, LLC, 18961 Flagstaff

Lane, Huntington Beach, CA 92646; Tdongg888@gmail.com;

CERTIFIED MAIL

florahoang88@gmail.com

REQUEST:

CUP/CDP: To permit the construction of a new three-story 12,713 sq. ft. mixed use building at an overall height of 35 feet, which includes a 766 sq. ft. ground floor retail coffee shop; three two-bedroom residential units on the second and third floor; a 300 sq. ft. rooftop deck; an enclosed parking garage for seven parking spaces (four grade level, three subterranean); and two open commercial parking spaces for a total of nine on-site parking spaces. SP: To permit an 18 ft. wide garage access driveway in lieu of a minimum required 20 ft. wide driveway. The Planning Commission held a public hearing of CUP 20-013, CDP 20-014, and SP 20-001 on January 12, 2021, and denied the request.

LOCATION:

714 Pacific Coast Highway, 92648 (North side of PCH, between

7th and 8th Street)

PROJECT PLANNER:

Havden Beckman

COASTAL STATUS:

APPEALABLE

The above application was acted upon by the City Council of the City of Huntington Beach on February 16, 2021, and the request was **approved with findings and conditions of approval**.

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the City Council is the City's final action.

The action by the City is final and all rights of appeal as defined in the California Code of Regulations 13573 and Subsection D of Section 245.24 of the Huntington Beach Zoning and Subdivision Ordinance have been exhausted.

This project is in the Appealable portion of the coastal zone. Only projects in accordance with Section 30603 of the California Coastal Act may be appealed to the Coastal Commission.

Phone 714-536-5271

Fax 714-374-1540

www.surfcity-hb.org

Action taken by the City Council may be appealed directly to the Coastal Commission pursuant to Title 14, Section 13573 of the California Code of Regulations and Section 245.24D of the Huntington Beach Zoning and Subdivision Ordinance. If the above condition exists, an aggrieved person may file an appeal within ten (10) working days, pursuant to Section 30603 of the Public Resources Code, in writing to:

South Coast Area Office California Coastal Commission 301 E. Ocean Blvd, Suite 300 Long Beach, CA 90802 Attn: Amber Dobson (562) 590-5071

The Coastal Commission review period will commence after the City appeal period has ended and no appeals have been filed. Applicants will be notified by the Coastal Commission as to the date of the conclusion of the Coastal Commission review. Applicants are advised not to begin construction prior to that date.

If there are any questions, please contact Hayden Beckman at (714) 536-5561 or hayden.beckman@surfcity-hb.org.

Kimberly De Coite, Administrative Secretary Huntington Beach Planning Commission

Attachment: Notice of Local Action for Coastal Development Permit No. 20-013

C: Applicant
Property Owner
Project Planner



NOTICE OF CITY COUNCIL ACTION

February 17, 2021

Thanh Dong, Phat Huong Haanh Holdings, LLC 18961 Flagstaff Lane Huntington Beach CA 92646

SUBJECT:

APPEAL OF THE PLANNING COMMISSION'S DENIAL OF CONDITIONAL USE PERMIT NO. 20-012/COASTAL DEVELOPMENT PERMIT NO. 20-013 /SPECIAL PERMIT NO. 20-001 (714 PACIFIC COAST HIGHWAY MIXED USE)

APPLICANT/ PROPERTY OWNER:

Thanh Dong, Phat Huong Haanh Holdings, LLC, 18961 Flagstaff Lane,

Huntington Beach, CA 92646

APPELLANT:

Councilmember Dan Kalmick

REQUEST:

<u>CUP/CDP</u>: To permit the construction of a new three-story 12,713 sq. ft. mixed use building at an overall height of 35 feet, which includes a 766 sq. ft. ground floor retail coffee shop; three two-bedroom residential units on the second and third floor; a 300 sq. ft. rooftop deck; an enclosed parking garage for seven parking spaces (four grade level, three subterranean); and two open commercial parking spaces for a total of nine on-site parking spaces. <u>SP</u>: To permit an 18 ft. wide garage access driveway in lieu of a minimum required 20 ft. wide driveway. The Planning Commission held a public hearing of CUP 20-013, CDP 20-014, and SP 20-001 on January 12, 2021, and denied the request.

LOCATION:

714 Pacific Coast Highway, 92648 (North side of PCH, between 7th and 8th

Street)

DATE OF

ACTION:

February 16, 2021

On Monday, February 16, 2021, Huntington Beach City Council took action on your application, and your application was **conditionally approved**. Attached to this letter are the findings and conditions of approval. Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the City Council is final.

Exhibit 2c

Notice of Action: CUP 20-012/CDP 20-013/SP 20-001 February 17, 2021 Page 2

This project is in the Appealable portion of the coastal zone. Only projects in accordance with Section 30603 of the California Coastal Act may be appealed to the Coastal Commission. Action taken by the Zoning Administrator may be appealed directly to the Coastal Commission pursuant to Title 14, Section 13573 of the California Code of Regulations and Section 245.24D of the Huntington Beach Zoning and Subdivision Ordinance. If the above condition exists, an aggrieved person may file an appeal within ten (10) working days, pursuant to Section 30603 of the Public Resources Code, in writing to:

South Coast Area Office California Coastal Commission 301 E. Ocean Blvd, Suite 300 Long Beach, CA 90802 Attn: Amber Dobson (562) 590-5071

The Coastal Commission review period will commence after the City appeal period has ended and no appeals have been filed. Applicants will be notified by the Coastal Commission as to the date of the conclusion of the Coastal Commission review. Applicants are advised not to begin construction prior to that date.

Please be advised that the City Council reviews the conceptual plan as a basic request for entitlement of the use applied for and there may be additional requirements prior to commencement of the project. It is recommended that you immediately pursue completion of the conditions of approval and address all requirements of the Huntington Beach Zoning and Subdivision Ordinance in order to expedite the processing/completion of your total application. The conceptual plan should not be construed as a precise plan, reflecting conformance to all Zoning and Subdivision Ordinance requirements.

Provisions of the Huntington Beach Zoning and Subdivision Ordinance are such that any application becomes null and void two (2) years after final approval, as specified as a condition of approval, unless actual construction has started.

Excepting those actions commenced pursuant the California Environmental Quality Act, you are hereby notified that you have 90 days to protest the imposition of the fees described in this Notice of Action. If you fail to file a written protest regarding any of the fees contained in this Notice, you will be legally barred from later challenging such action pursuant to Government Code §66020.

If you have any questions, please contact Hayden Beckman, the project planner, at <u>Hayden.Beckman@surfcity-hb.org</u> or (714) 536-5561 or Community Development Department at (714) 536-5271.

Sincerely,

Ursula Luna-Reynosa

Director of Community Development

Notice of Action: CUP 20-012/CDP 20-013/SP 20-001

February 17, 2021

Page 3

ULR:JJ:HB:kdc

Attachment: Findings and Conditions of Approval - CUP 20-012/CDP 20-013/SP 20-001

c: Ursula Luna-Reynosa, Director of Community Development Robin Estanislau, City Clerk Hayden Beckman, Senior Planner Property Owner Project File

ATTACHMENT NO. 1

FINDINGS AND CONDITIONS FOR APPROVAL

CONDITIONAL USE PERMIT NO. 20-012 COASTAL DEVELOPMENT PERMIT NO. 20-013 SPECIAL PERMIT NO. 20-001

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The City Council 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 15332 of the CEQA Guidelines, because the project is characterized as in-fill development that meets the following criteria:

- a. The project is consistent with the applicable General Plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c. The project site has no value as habitat for endangered, rare or threatened species.
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e. The site can be adequately served by all required utilities and public services.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 20-012:

1. Conditional Use Permit No. 20-012 to permit the construction of a new 12,713 sq. ft. mixed use building at an overall height of 35 feet, including a 766 sq. ft. ground floor retail coffee shop; three two-bedroom residential units on the second and third floor; a 300 sq. ft. rooftop deck; an enclosed parking garage for seven parking spaces (four grade level, three subterranean); and two open commercial parking spaces for a total of nine on-site parking spaces 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, as conditioned, the project is proposed to meet all required development standards, including code required on-site parking and maximum height. The mixed-use building will be compatible with surrounding uses because the project is adjacent to other mixed-use and visitor-serving commercial uses along Pacific Coast Highway, and the proposed building's scale and layout meets all applicable development standards and is compatible with the adjacent buildings by providing a new commercial use oriented towards Pacific Coast Highway that would not impact sensitive residential uses nearby. Approval of the project would not result in any significant effects relation to traffic, air quality, or water quality. All project related parking and circulation will occur onsite and function similarly to comparable mixed uses. Sufficient parking is provided to accommodate both uses on site, and does not impact coastal access in the vicinity. Parking for commercial uses is provided by two alley loaded spaces and one interior ADA accessible space within the enclosed

garage on the first floor. The residential spaces are also provided in the enclosed garage via a vertical tandem configuration, with access from the shared driveway off the existing alley. Therefore, impacts are not anticipated to the surrounding uses.

2. The granting of Conditional Use Permit No. 20-012 will not adversely affect the General Plan because the General Plan Land Use Map designation on the subject property is currently M-sp (Mixed Use – Specific Plan Overlay) and mixed use projects are allowed within the property's zoning and land use designation. The project, as designed, is consistent the General Plan goals and policies identified below:

<u>Goal LU 1:</u> New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

<u>Policy LU 1 (A):</u> Ensure that development is consistent with the land use designations presented in the Land Use Map, including density, intensity, and use standards applicable to each land use designation.

<u>Policy LU 1 (C):</u> Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.

<u>Goal LU 4:</u> A range of housing types is available to meet the diverse economic, physical, and social needs of future and existing residents, while neighborhood character and residences are well maintained and protected.

<u>Policy LU 4 (C):</u> Encourage a mix of residential types to accommodate people with diverse housing needs.

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

<u>Goal LU 1 (B)</u>: Encourage new businesses to locate on existing vacant or underutilized commercial properties where these properties have good locations and accessibility.

Goal LU 14: Huntington Beach continues to attract visitors and provides a variety of attractions and accommodations during their stay.

<u>Policy LU 14 (B):</u> Encourage both coastal and inland visitor-serving uses to offer a wide spectrum of opportunities for residents and visitors

<u>Goal C 3:</u> Provide a variety of recreational and visitor commercial serving uses for a range of cost and market preferences.

<u>Policy C 3.2.4</u>: 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 proposed project consists of the construction of a new 12,713 sq. ft. mixed use building at an overall height of 35 feet, including a 766 sq. ft. ground floor retail coffee shop; three two-bedroom residential units on the second and third floor; a 300 sq. ft. rooftop deck; an

enclosed parking garage for seven parking spaces (four grade level, three subterranean); and two open commercial parking spaces for a total of nine on-site parking spaces. The new mixed-use building is located in an area designated commercial uses that will serve tourists and visitors. The proposed project will provide a visitor-serving eating and drinking retail use that meets the regional needs. The project provides both a visitor serving commercial use and residential uses that will meet the need of future and existing residents on an underutilized parcel consistent with the General Plan. Further, the project will add new housing opportunities and will provide the City with housing in-lieu fees to fund affordable housing within the City.

3. The proposed conditional use permit for the construction of a new 12,713 sq. ft. mixed use building at an overall height of 35 feet, including a 766 sq. ft. ground floor retail coffee shop; three two-bedroom residential units on the second and third floor; a 300 sq. ft. rooftop deck; an enclosed parking garage for seven parking spaces (four grade level, three subterranean); and two open commercial parking spaces for a total of nine on-site parking spaces will, as conditioned, comply with the development standards and land use provisions in the Downtown Specific Plan, including maximum height, setback requirements and parking because suitable vehicular circulation and access is provided for the project. The project is located within the Downtown Core Mixed Use District of the Downtown Specific Plan, which requires approval of a conditional use permit for development on properties with less than 100 feet of frontage. Additionally, the project is consistent with the Downtown Specific Plan Design Guidelines for Mixed Use development.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 20-013:

- 1. Coastal Development Permit No. 20-013 to construct a new 12,713 sq. ft. mixed use building at an overall height of 35 feet, including a 766 sq. ft. ground floor retail coffee shop; three two-bedroom residential units on the second and third floor; a 300 sq. ft. rooftop deck; an enclosed parking garage for seven parking spaces (four grade level, three subterranean); and two open commercial parking spaces for a total of nine on-site parking spaces conforms with the General Plan, including the Local Coastal Program because the project is consistent with the Coastal Element Land use Policy C 1.1.1 to encourage new development to locate within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed addition will occur entirely on a vacant site, contiguous to existing mixed use, commercial, and residential development.
- 2. The request to permit to a new 12,713 sq. ft. mixed use building at an overall height of 35 feet, including a 766 sq. ft. ground floor retail coffee shop; three two-bedroom residential units on the second and third floor; a 300 sq. ft. rooftop deck; an enclosed parking garage for seven parking spaces (four grade level, three subterranean); and two open commercial parking spaces for a total of nine on-site parking spaces is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code because the project, as conditioned, will comply with all applicable development regulations, including setbacks, parking, and height.

- 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 Coastal Development Permit No. 20-013 to construct a new 12,713 sq. ft. mixed use building at an overall height of 35 feet, including a 766 sq. ft. ground floor retail coffee shop; three two-bedroom residential units on the second and third floor; a 300 sq. ft. rooftop deck; an enclosed parking garage for seven parking spaces (four grade level, three subterranean); and two open commercial parking spaces for a total of nine on-site parking spaces is located in an urbanized area with all necessary services and infrastructure available, including water, sewer, and roadways.
- 4. Coastal Development Permit No. 20-013 to construct a new 12,713 sq. ft. mixed use building at an overall height of 35 feet, including a 766 sq. ft. ground floor retail coffee shop; three two-bedroom residential units on the second and third floor; a 300 sq. ft. rooftop deck; an enclosed parking garage for seven parking spaces (four grade level, three subterranean); and two open commercial parking spaces for a total of nine on-site parking spaces conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act in that the project will not impede public access, recreation, or views to coastal resources.

FINDINGS FOR APPROVAL - SPECIAL PERMIT NO. 20-001:

- 1. The granting of a Special Permit (pursuant to Section 2.5.6 of the DTSP) in conjunction with Conditional Use Permit No. 20-012 and Coastal Development Permit No. 20-013 is to permit an 18 ft. wide garage access driveway in lieu of a minimum required 20 ft. wide driveway. The Special Permit results in a greater benefit from the project and will promote a better living environment because the 18 ft. wide drive aisle improves the project architecture by providing sufficient access to enclosed residential and commercial parking spaces with the appearance of a residential garage along the alley façade, consistent with surrounding residential and live-work uses. The proposed 18 ft. driveway width is consistent with residential requirements for two-car garages citywide and can accommodate ingress and egress of two vehicles.
- 2. The granting of Special Permit No. 20-001 to permit an 18 ft. wide garage access driveway in lieu of a minimum required 20 ft. wide driveway will provide better land planning techniques with maximum use of aesthetically pleasing site layout and design due to the use of appropriately arranged garage entryway that enables the full enclosure residential parking spaces and adequate ingress and egress for vehicles, residents, guests, and commercial visitors. The proposed project provides the required number of parking spaces for both the residential units and commercial space within the Coastal Zone and provides sufficient interior circulation within the parking garage. Further, the garage door is designed to be compatible with the architectural character of the surrounding neighborhood. An 18 ft. wide garage access driveway enables two cars to safely wait and pass for each other in a manner that occurs in the adjacent public alleyway throughout the City.
- 3. The granting of Special Permit No. 20-001 to permit an 18 ft. wide garage access driveway in lieu of a minimum required 20 ft. wide driveway will not be detrimental to the general health, welfare, safety, and convenience of the neighborhood or City in general, nor detrimental or injurious to the value of property or improvements of the neighborhood or City, in general as the proposed mixed-use project is compatible with the surrounding

neighborhood in that the structure complies with applicable development standards with the exception of the subject Special Permit request. The architectural design, colors, and materials of the proposed project are consistent with the City's Urban Design Guidelines. The Public Works Traffic Engineering Division has reviewed the Special Permit request and supports the request finding that the proposed driveway at 18 ft. wide will function properly for the project.

- 4. The granting of Special Permit No. 20-001 to permit an 18 ft. wide garage access driveway in lieu of a minimum required 20 ft. wide driveway will be consistent with objectives of the Downtown Specific Plan in achieving a development adapted to the terrain and compatible with the surrounding environment. By providing adequate on-site circulation and vehicular access, the Special Permit increases compatibility of the mixed-use project adjacent to a residential neighborhood and fosters safe and secure access for residents and retail customers within a District of the Specific Plan that encourages mixed-use developments.
- 5. The granting of a Special Permit is consistent with the policies of the Coastal Element of the City's General Plan and the California Coastal Act. The project is consistent with applicable Coastal Element policies as noted under the Conditional Use Permit findings. Public services are currently available to the project site, as well as the surrounding areas. The proposed Special Permit in conjunction with Conditional Use Permit No. 19-012 and Coastal Development Permit No. 19-013 will comply with State and Federal Law.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 20-012/COASTAL DEVELOPMENT PERMIT NO. 20-013/SPECIAL PERMIT NO. 20-001:

- 1. The site plan, floor plans, and elevations received and dated February 15, 2021 shall be the conceptually approved design with the following modifications:
 - a. The second floor balcony shall not include brick pilasters. (DRB)
 - b. The maximum number of customer seats permitted for an eating and drinking establishment within the ground floor retail space shall be 12 at all times. (HBZSO 231.04)
 - c. The third floor residential unit shall be designed and constructed to contain no more than two bedrooms.
 - d. The rooftop deck shall be located at the southern corner of the structure.
- 2. Prior to the issuance of a building permit, a covenant regarding maintenance of the mechanical parking system to ensure the vehicle lifts are maintained in operable condition at all times shall be submitted to the Community Development Department and the City Attorney's Office for review and approval with the following items included:
 - a. The covenant shall reference a parking management plan as an addendum to the covenant that includes the following information:
 - i. Describe the manner in which the mechanical lifts will operate.
 - ii. Provide information describing how each individual lift will be maintained to be permanently in working order.

- iii. Maintenance of an on-site backup electrical supply for each of the mechanical parking lifts to ensure operation of said lifts in the event of a power outage.
- iv. The plan shall address the location (e.g., partial onsite, offsite, shared parking agreement, etc.) of where vehicles can park in the event the parking system is inoperable for more than three days. The plan shall be reviewed and approved by the Community Development Director prior to recordation of the covenant. If the parking system cannot be operable within five days, the operator shall submit evidence that the parking issues are actively being resolved on a more permanent basis and the operator shall continue to work with the Community Development Department until the parking system is operable.
- b. In the event the parking system is inoperable, the operator shall notify the Community Development Department within 24-hours and identify implementation of alternative parking strategies.
- c. If the building is sold, transferred, or leased, prior to issuance of a new certificate of occupancy, the new occupant or property owner shall submit an updated parking management plan for review and approval by the Community Development Director.
- d. The covenant shall be recorded with the Orange County Recorder's Office prior to the issuance of the first Certificate of Occupancy.
- 3. Zoning entitlement conditions of approval and code requirements shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
- 4. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
- 5. 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 City Council'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.

- 6. At least 14 days prior to any grading activity, the applicant shall provide notice in writing to property owners of record and tenants of properties within a 500-foot radius of the project site as noticed for the public hearing. The notice shall include a general description of planned grading activities and an estimated timeline for commencement and completion of work and a contact person name with phone number. Prior to issuance of the grading permit, a copy of the notice and list of recipients shall be submitted to the Community Development Department.
- 7. During demolition, grading, site development, and/or construction, the following shall be adhered to:
 - Construction equipment shall be maintained in peak operating condition to reduce emissions.
 - b. Use low sulfur (0.5%) fuel by weight for construction equipment.
 - c. Truck idling shall be prohibited for periods longer than 5 minutes.
 - d. Attempt to phase and schedule activities to avoid high ozone days first stage smog alerts.
 - e. Discontinue operation during second stage smog alerts.
 - f. Ensure clearly visible signs are posted on the perimeter of the site identifying the name and phone number of a field supervisor to contact for information regarding the development and any construction/grading activity.
- 8. The final building permit(s) cannot be approved until the following have been completed:
 - a. All improvements must be completed in accordance with approved plans.
 - b. Compliance with all conditions of approval specified herein shall be verified by the Community Development Department.
 - c. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
- 9. Conditional Use Permit No. 20-012, Coastal Development Permit No. 2020-013, and Special Permit No. 20-001 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.
- 10. 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

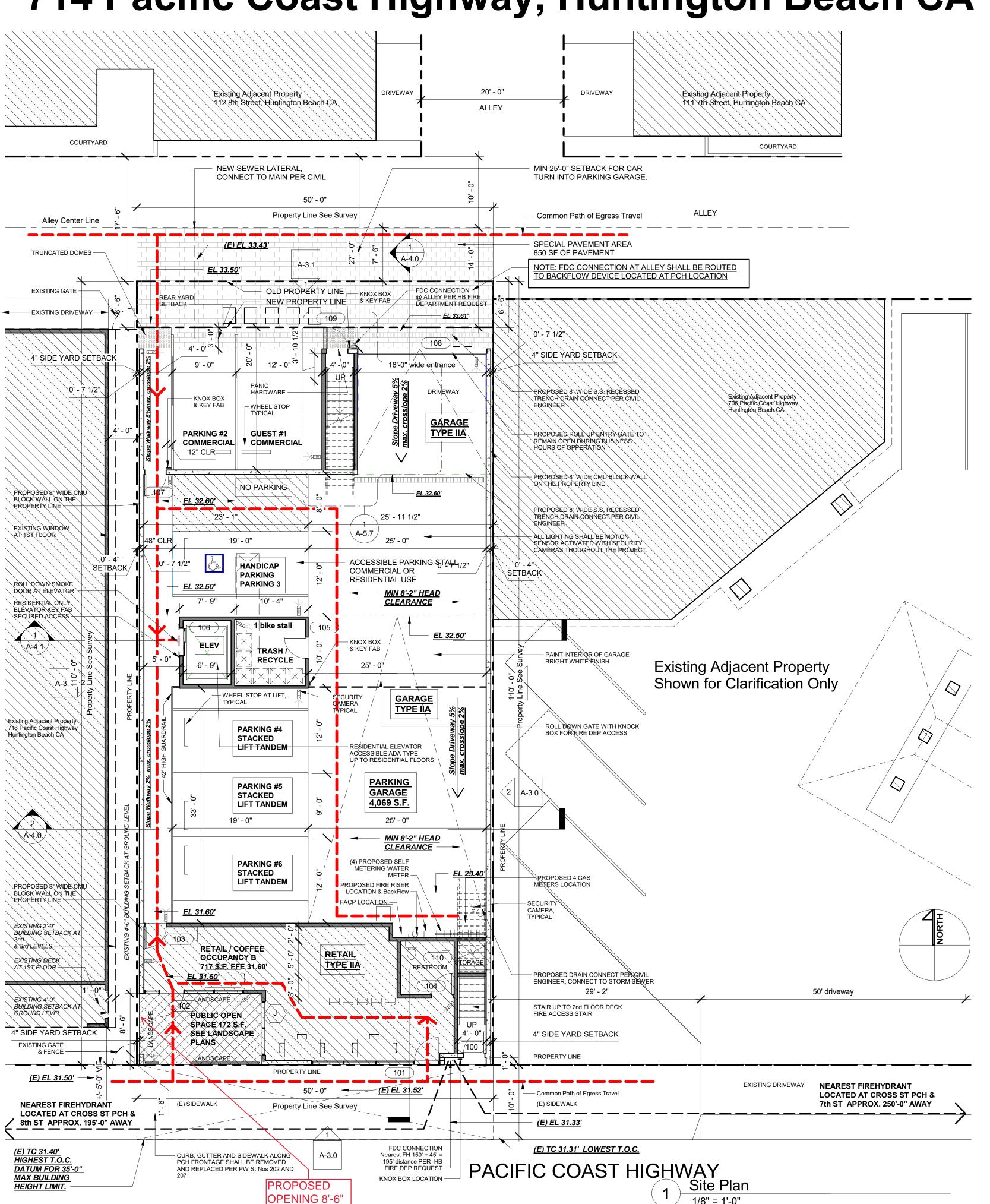
approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the City Council'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, 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.

HB-Mixed Use

714 Pacific Coast Highway, Huntington Beach CA



IN WALL



714 Pacific Coast Highway

Huntington Beach, CA
OWNER: Thanh C. Dong

LOTS 6 & 7 OF BLOCK 107, HUNTINGTON BEACH TRACT MAP MB 3/36

CITY OF HUNTINGTON BEACH, ORANGE COUNTY, CALIFORNIA

ASSESSOR PARCEL NUMBER: 024-124-18

LEGAL DESCRIPTION:



ARCHITECTU

116 S. CATALINA AVE #122
REDONDO BEACH, CA 90277

TEL: 310-709-4476 WWW.NOVUMARCHITECTURE.COM

HUNTINGTON BEACH
MIXED USE

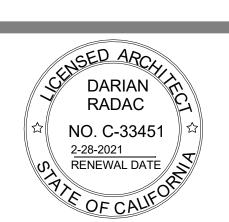
THE PACIFIC COAST HIGHWAY, HUNTINGTON BEACH CA 92648

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No.	Description	Date

Cover Sheet & Site Plan



Project Number H Beach

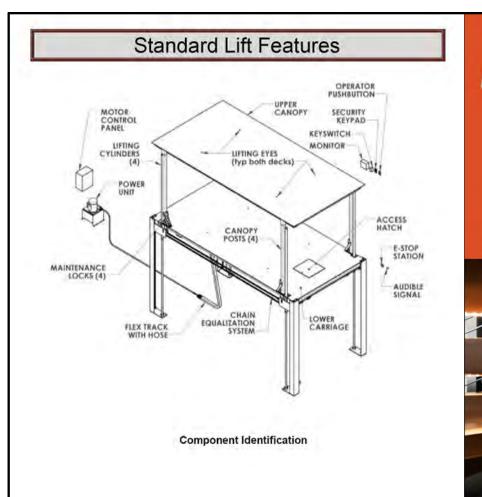
Date 2-15-2021

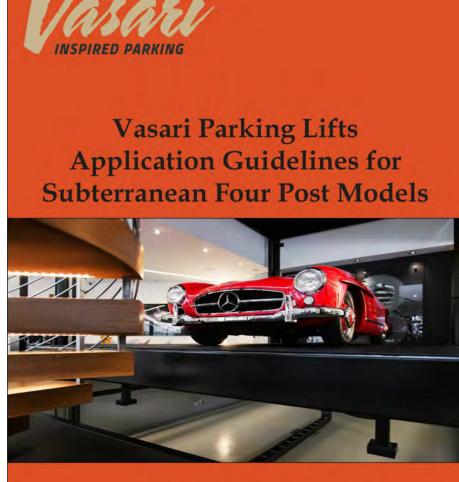
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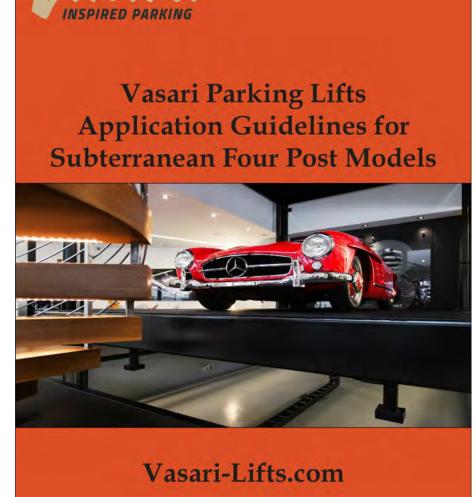
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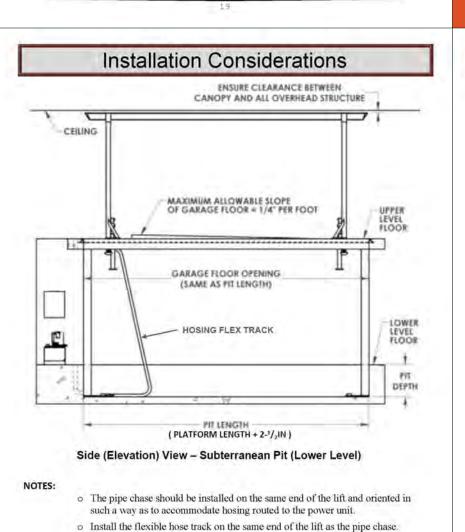
e 1/8" = 1'-0"

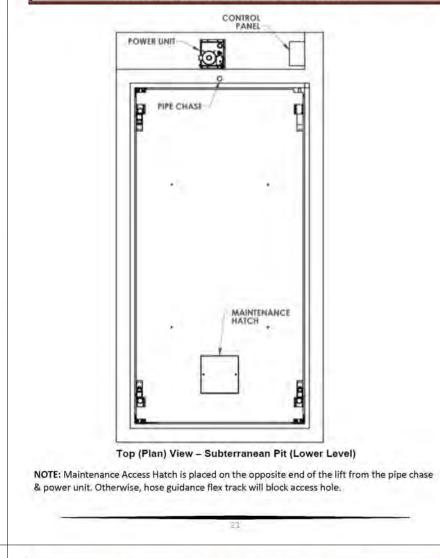


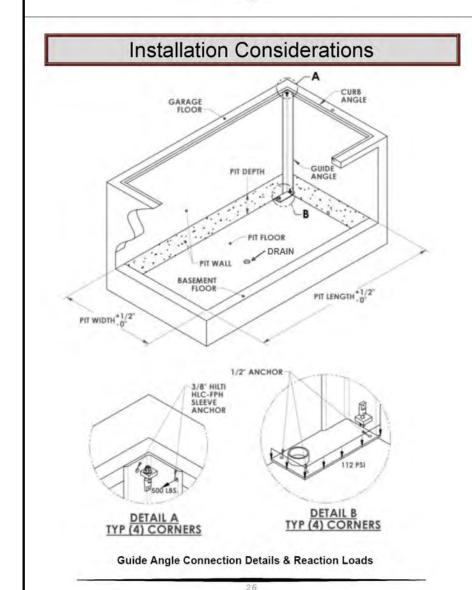


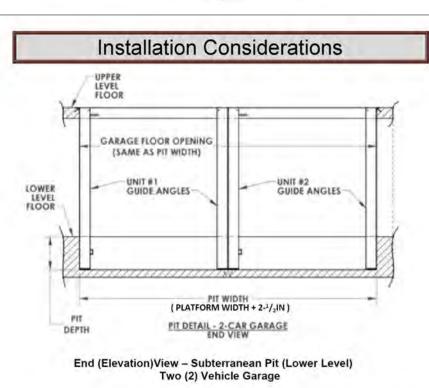


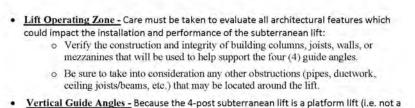
Installation Considerations



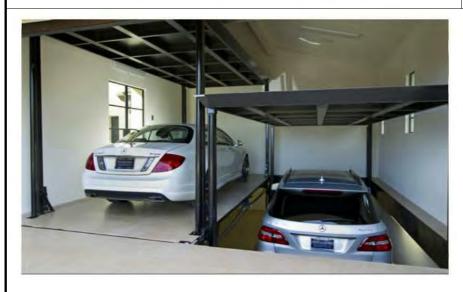








Vertical Guide Angles - Because the 4-post subterranean lift is a platform lift (i.e. not a scissors lift), it achieves its lateral stability from the vertical guide angles that are attached to the building structure at each of the four corners of the lift. In order for the lift to perform as designed, it is critical that these guide angles be installed exactly to manufacturer's specifications, and adhere to the following basic requirements:

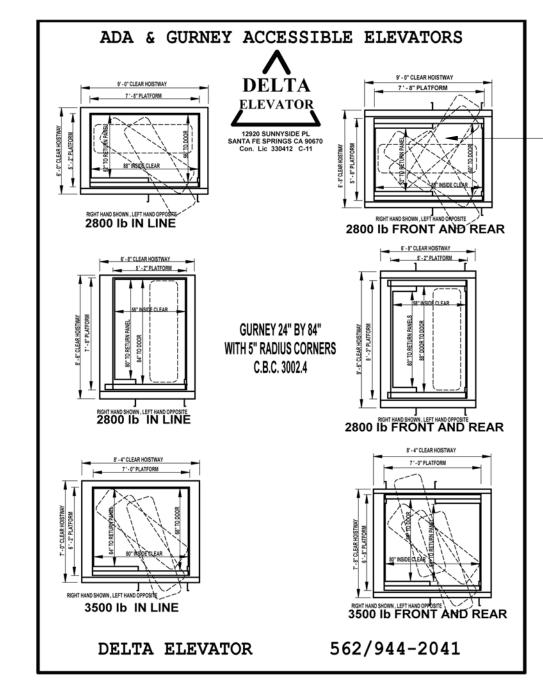


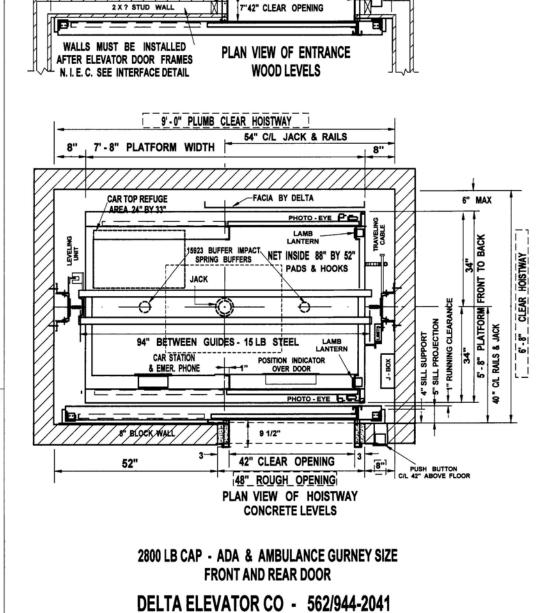
McKinley ELEVATOR **Parking Lifts by Vasari**

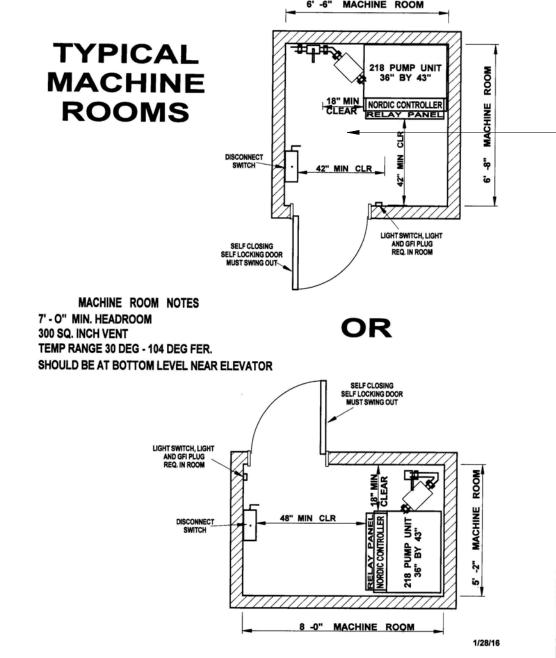
VASARI subterranean parking lifts are designed to provide parking and/or storage for two full sized vehicles/SUVs by vertically stacking them within the same footprint. Add a car elevator to your garage or home with an underground parking system which lowers one vehicle to a lower elevation (basement, pit, etc.) for storage and security. Once lowered, a second vehicle can be driven onto a second, upper canopy platform, which has occupied the floor opening at street or grade level. Vasari car elevators feature a patent-pending four post hydro-mechanical design that is unique in the industry, and provides smooth, level, and trouble-free operation by eliminating the high-stress pinned connections associated with conventional scissors lift designs.

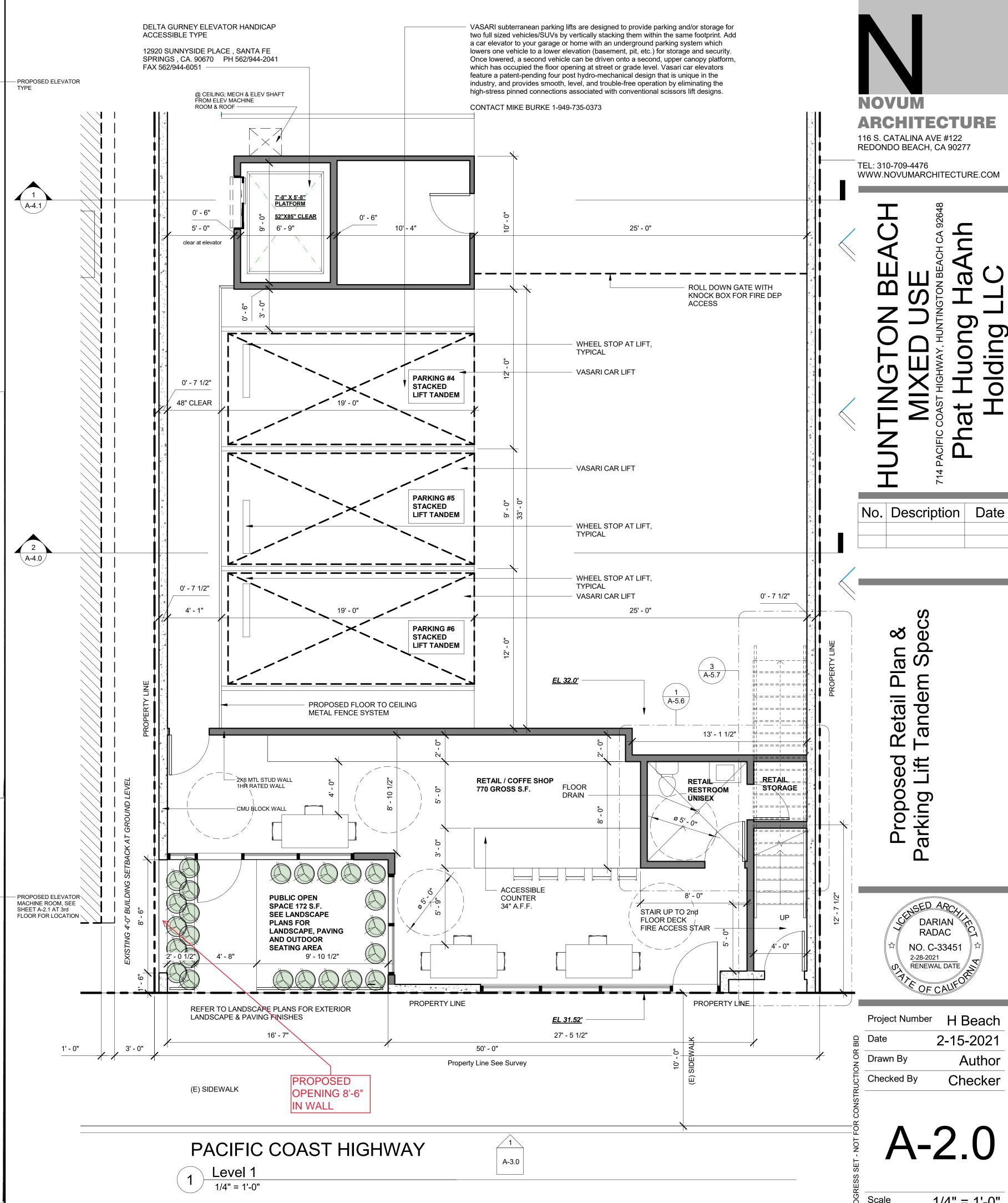
McKinley Elevator Corporation Headquarters 17611 Armstrong Avenue Irvine, CA 92614 PHONE:

949-261-9244 (California) 888-257-5576 (California) 702-989-7557 (Nevada) 480-685-4545 (Arizona)









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RENEWAL DATE

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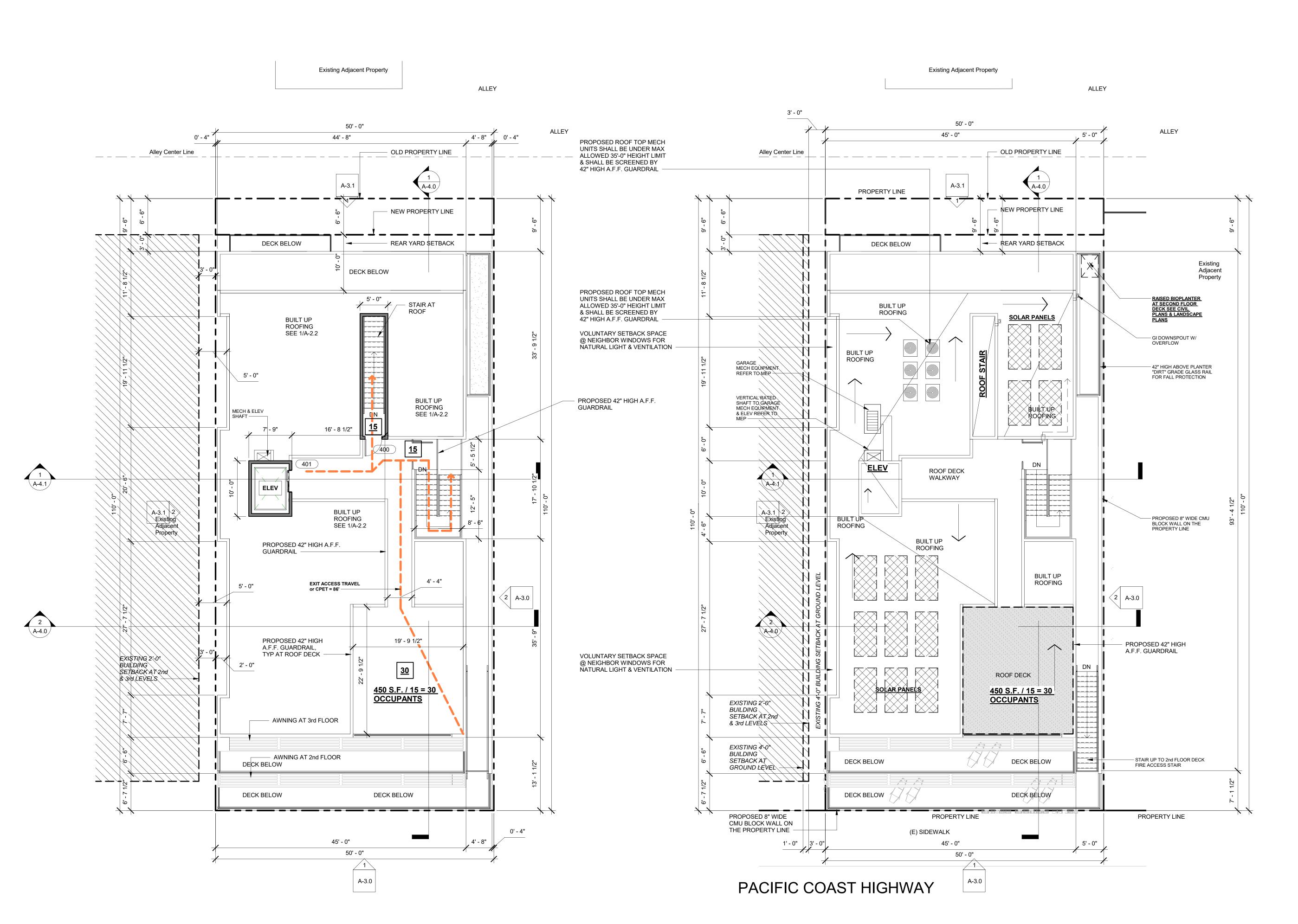
2-15-2021

Author

Checker

1/4" = 1'-0"

2-28-2021

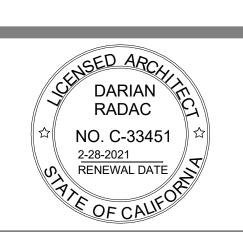


116 S. CATALINA AVE #122 REDONDO BEACH, CA 90277 TEL: 310-709-4476

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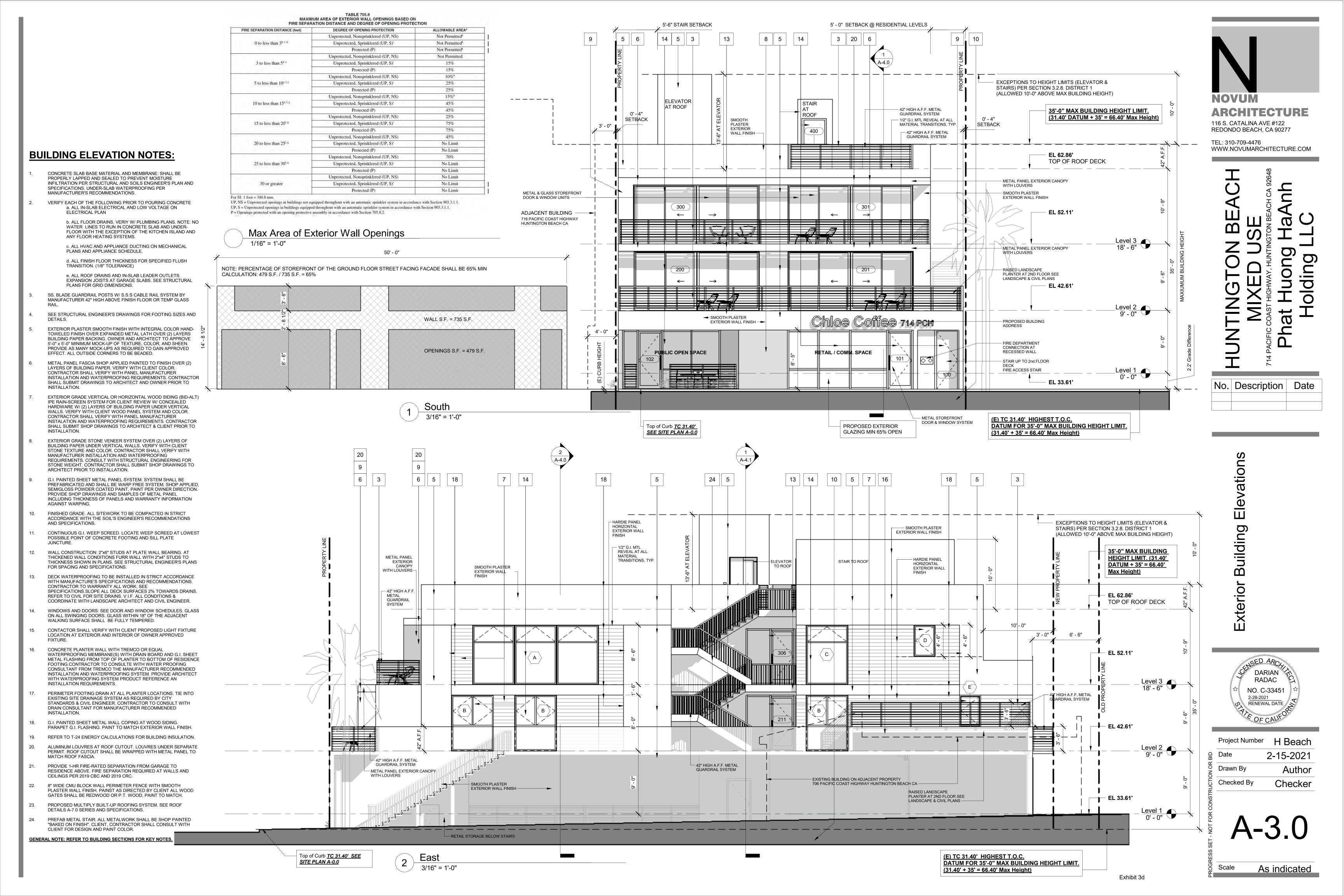
Sta Plan 6 Deck Proposed Roof I Elev at I

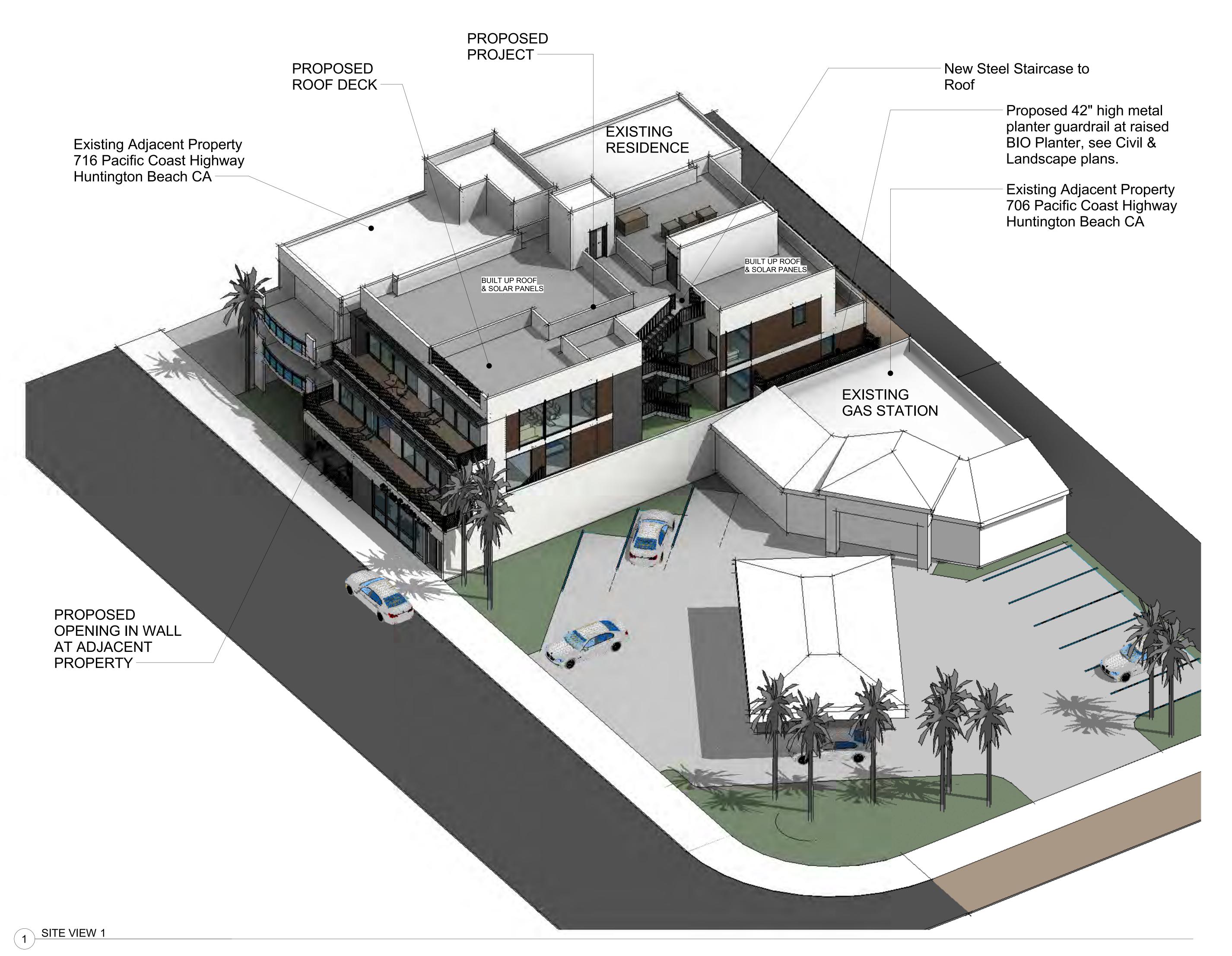


H Beach 2-15-2021 Drawn By **Author** Checker Checked By

1/8" = 1'-0"

Exhibit 3c





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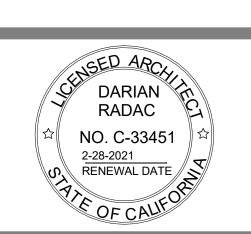
HUNTINGTON BEACH
MIXED USE

THE PACIFIC COAST HIGHWAY, HUNTINGTON BEACH CA 9264

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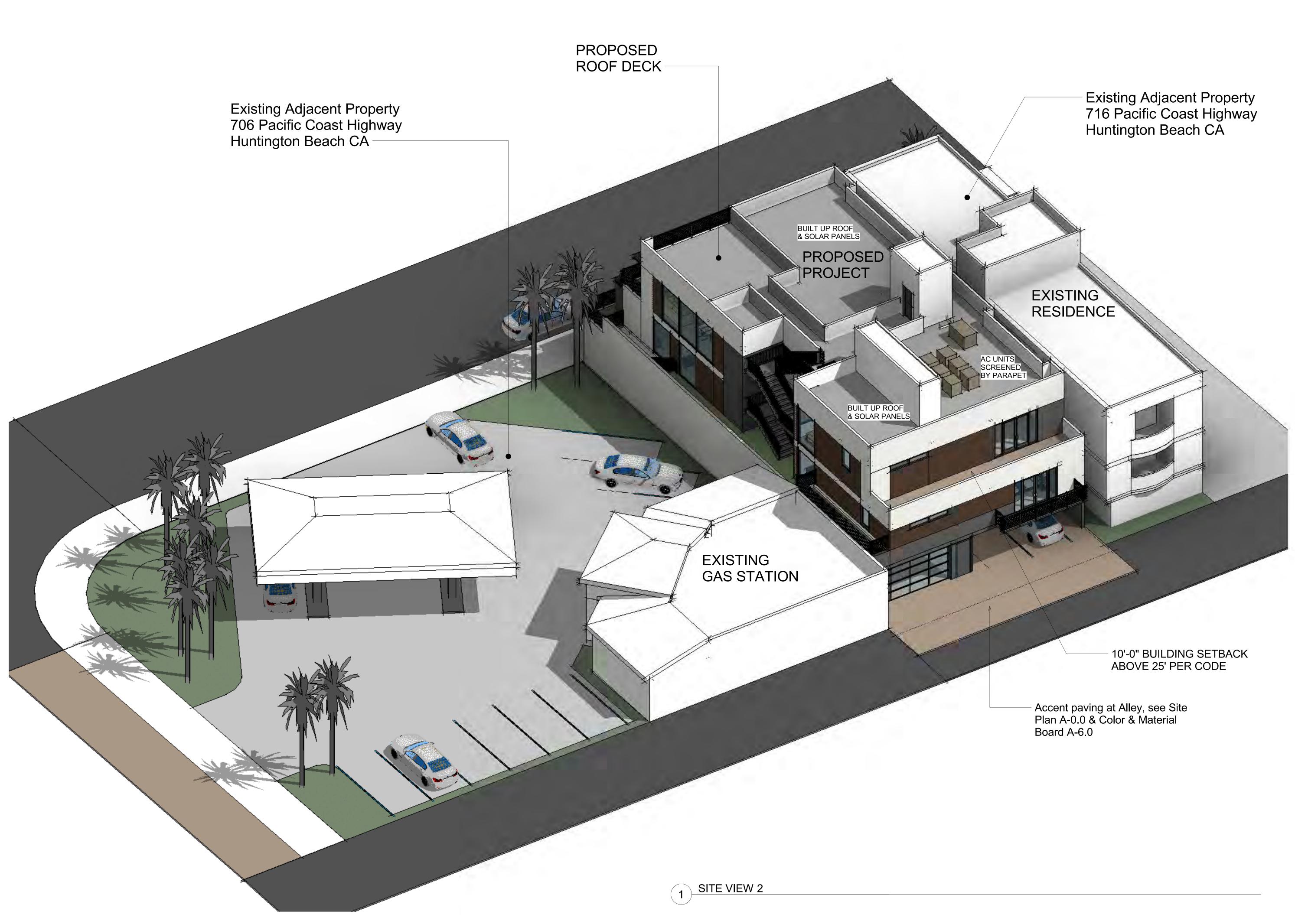
3D Massing & Site Diagrammatic View



Project Number	H Beach
Date	2-15-2021
Drawn By	Author
Checked By	Checker

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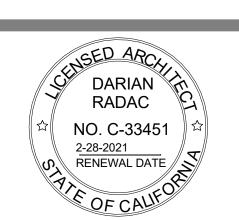
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PACIFIC COAST HIGHWAY, HUNTINGTON BEACH CA 92648

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3D Massing & Site Diagrammatic Views



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2 3D View @ Alley



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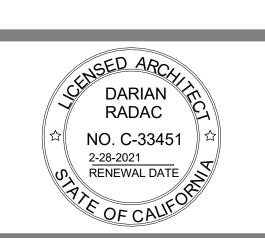
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3D Massing View Diagrammatic Sketches



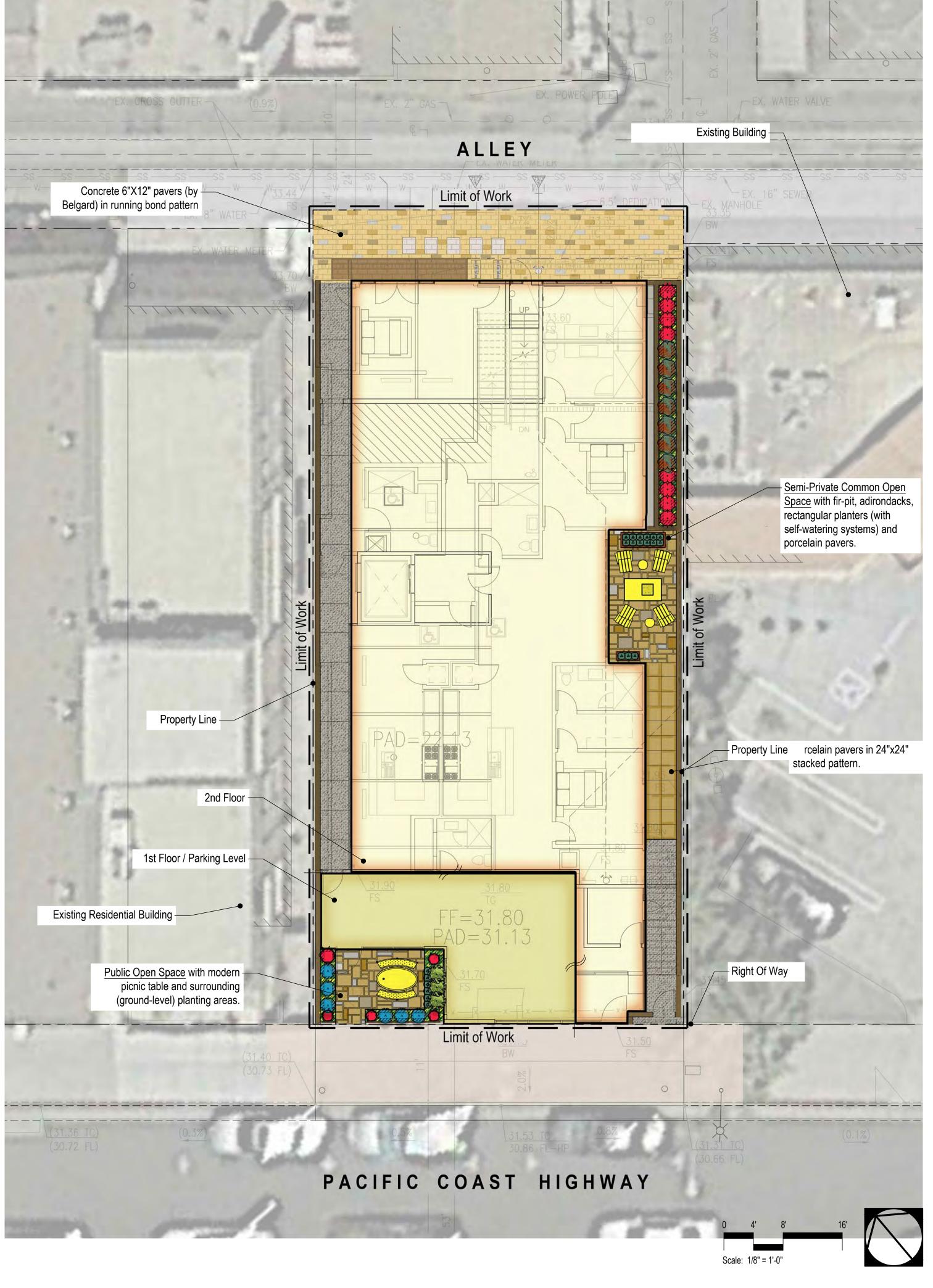
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- Refer to Sheet L-2 for open space enlargements.
 Refer to Sheet L-3 for full planting legend and additional planting notes.
 Refer to Irrigation Sheets for landscape irrigation methods, plans and details.



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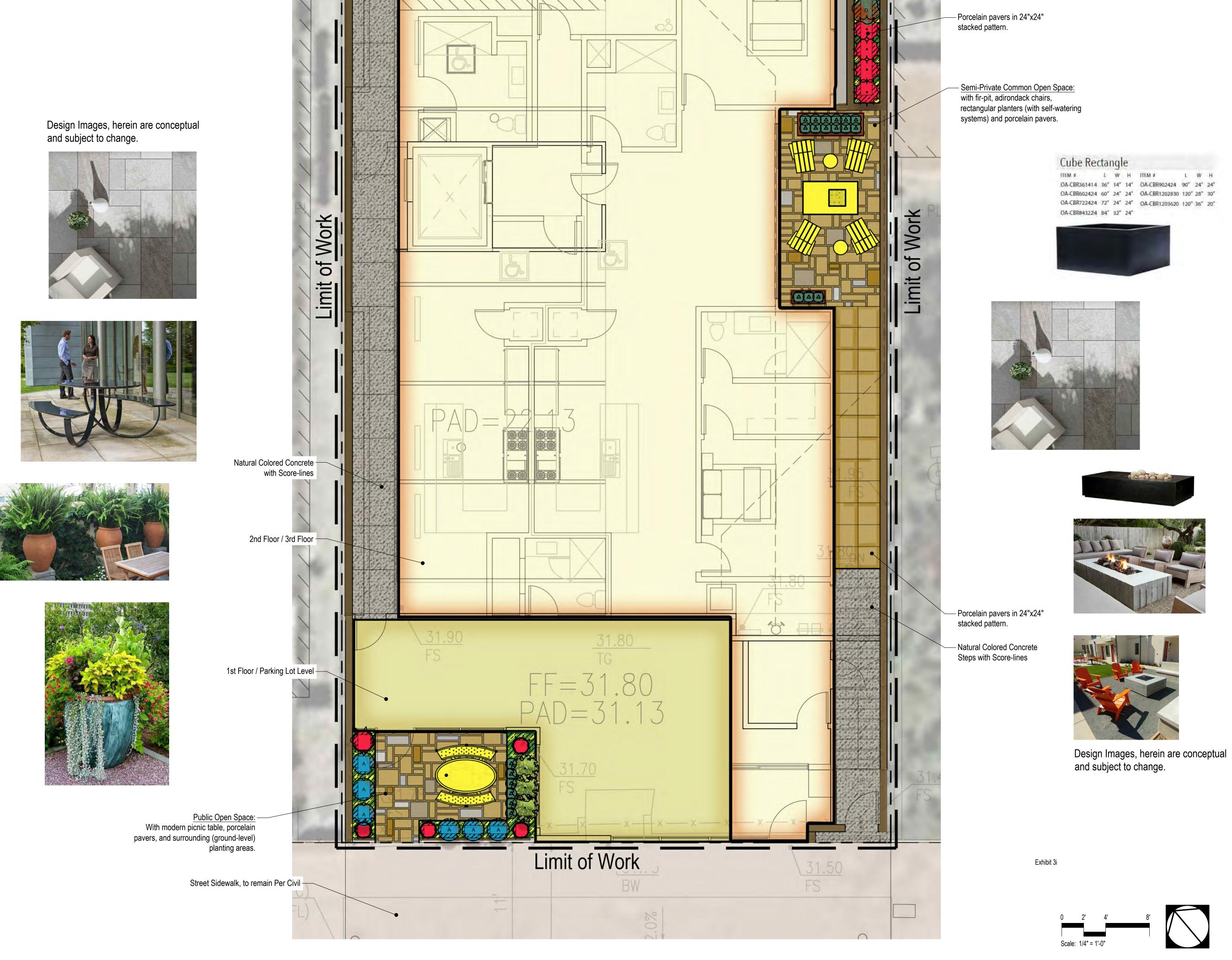
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PROPOSED SCHEMATICANDSCAPE PLAN & IMAGERY



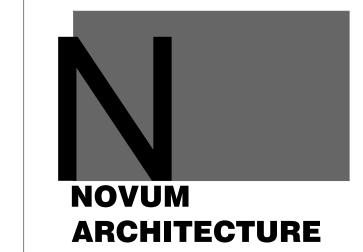
Project Number H Beach 5-06-2020 Ö Drawn By PAD Checked By Checker 1st City Submittal

As indicated



NOTES:

- Refer to Architectural Plans & Civil Engineer's Plans for additional information.
- Refer to Irrigation Sheets for landscape irrigation methods, plans and details.



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No. Description Date

PROPOSED SCHEMATIC OPEN SPACE ENLARGEMENT PLANS



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Scale As indicated

PLANT SCHEDULE SHRUBS BOTANICAL NAME COMMON NAME SIZE WUCOLS SPACING QTY ♠ Agave x `Blue Glow` Blue Glow Agave 15 g Low 24" o.c. 6 ♠ Aloe striata Coral Aloe 5 g Low 30" o.c. 8 ♠ Dianella revoluta `Little Rev` Little Rev Flax Lily 1 g Low 12" o.c. 21 ♠ Dodonaea viscosa `Purpurea` Purple Leafed Hopseed Bush 15 g Low 30" o.c. 7 GROUND COVERS BOTANICAL NAME COMMON NAME SIZE WUCOLS SPACING QTY

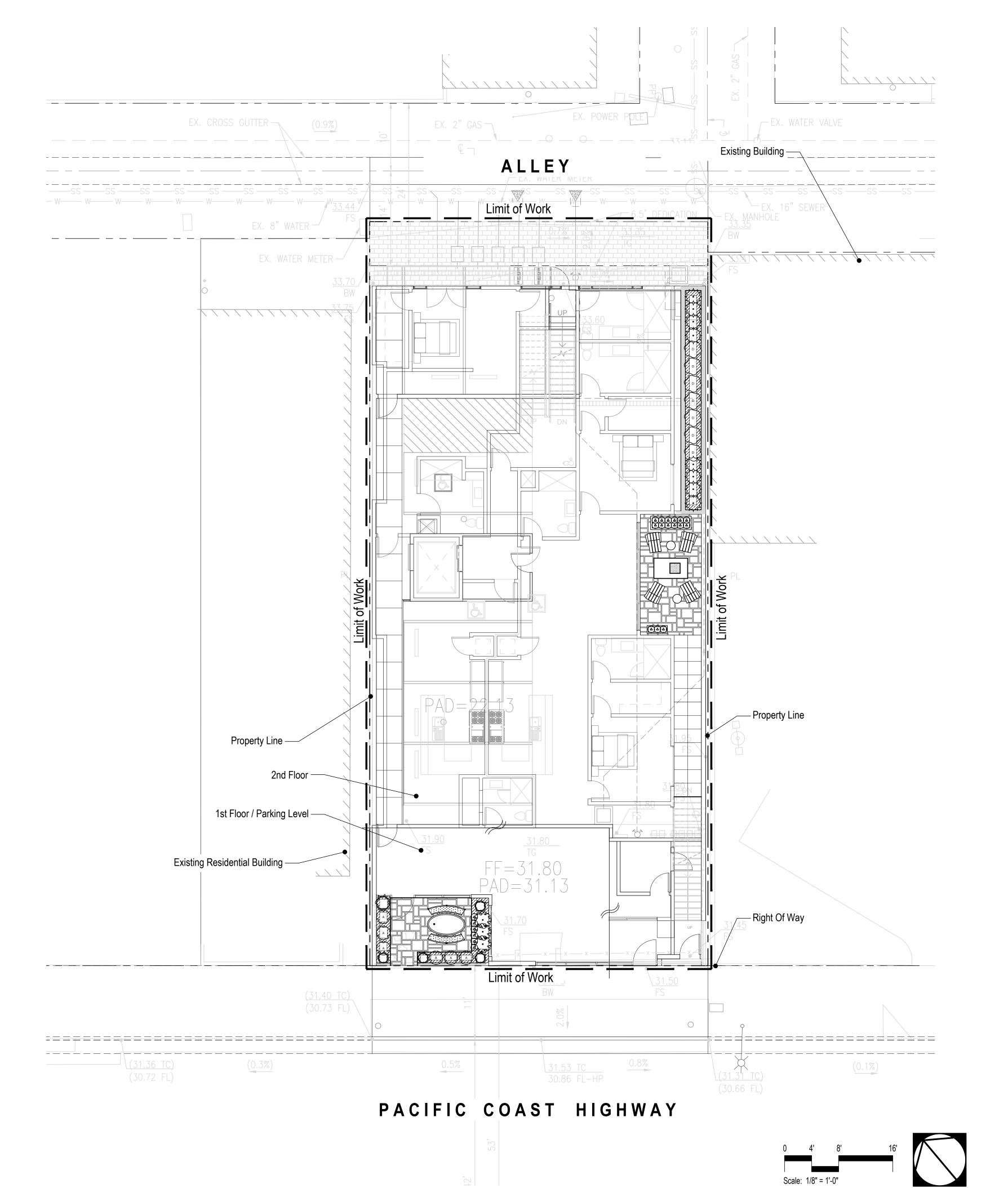
Berkeley Sedge

NOTES:

1. Refer to Irrigation Sheets for landscape irrigation methods, plans and details.

Carex tumulicola

- 2. Irrigation and planting to be installed per local California water regulations (AB1881) and per local City of Huntington Beach Public Works' "Landscape Standard Plans & Specifications (dated 2013).
- 3. Transformers, back-flow preventers & other above-ground utilities to be screened with landscape as permitted per local codes & regulations.
- 4. The plant palette listed provides a list of plant material to select from when preparing final landscape construction documents for this project. However, substitutions may be required due to availability, soils tests, or other conditions.
- 5. All trees within 5' of hardscape to be installed with deep root barriers.





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MIXED USE

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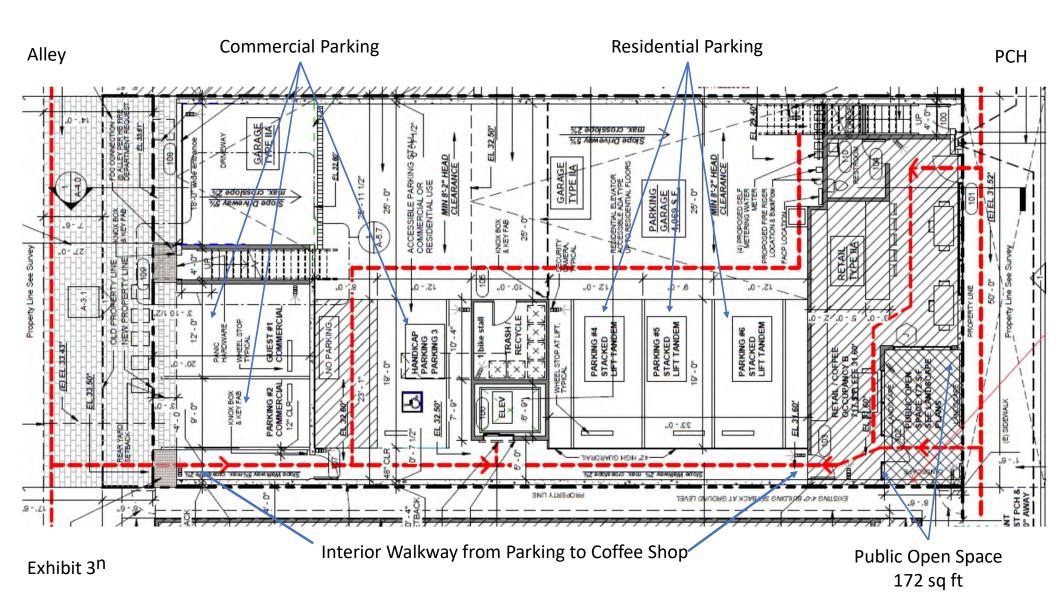
No. Description Date

PROPOSED SCHEMATIC



	Laguna Hills CA 926	s (Ste 200) 53 (www.studio-PAD.com)
NOT FOR CONSTRUCTION OR BID	Project Number	H Beach
	Date	5-06-2020
	Drawn By	PAD
	Checked By	Checker
		1st City Submittal
	L.	-3

As indicated







Landscaping on PCH near subject site

A-5-HNB-19-0022 Vicinity Map Exhibit 4a

706 Pacific Coast Highway Neighboring Downcoast Property



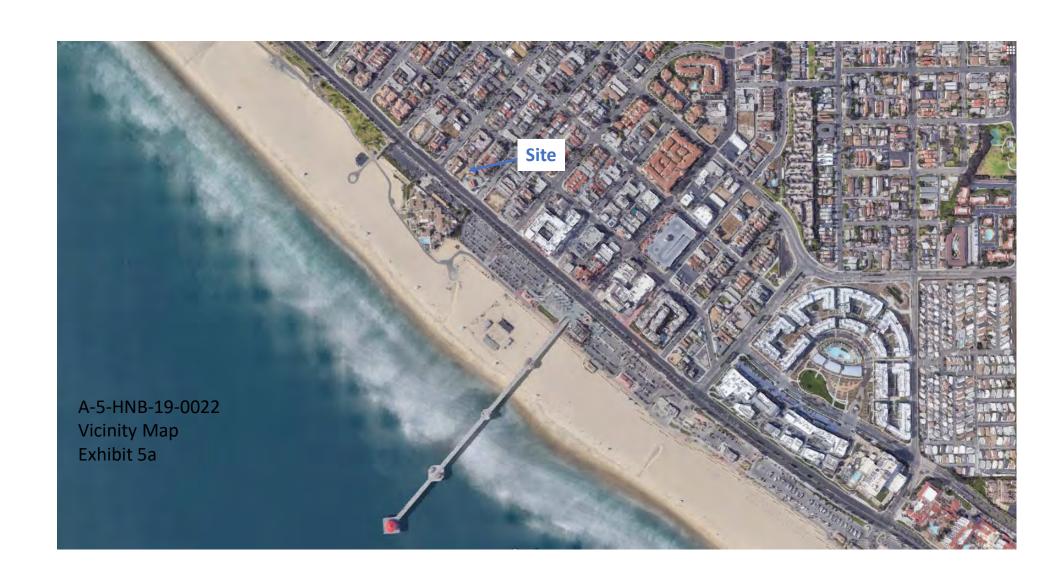
No Public Views from Site due to existing condo development on beach

A-5-HNB-19-0022 Vicinity Map Exhibit 4b



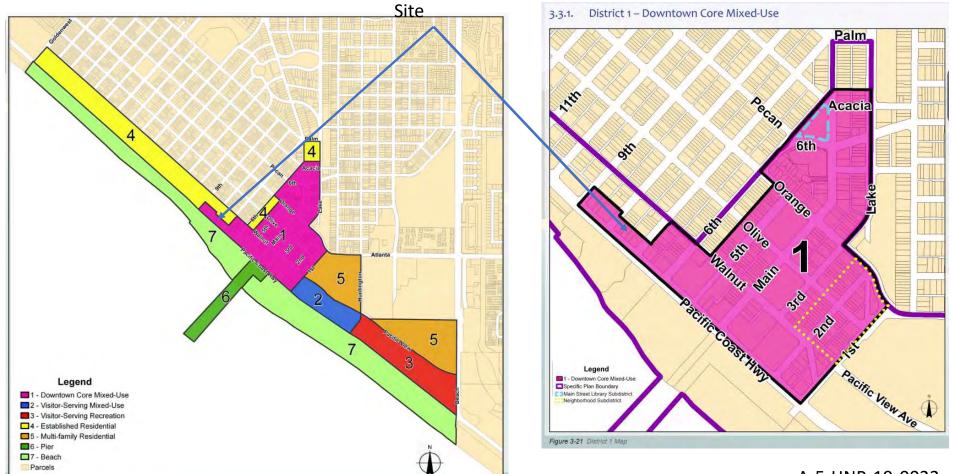
View at street level across PCH from subject site

A-5-HNB-19-0022 Vicinity Map Exhibit 4c





A-5-HNB-19-0022 Vicinity Map Exhibit 5b



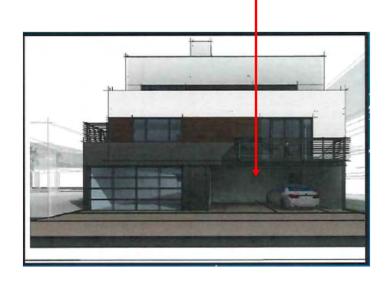
Downtown Specific Plan Districts

A-5-HNB-19-0022 Vicinity Map Exhibit 5c 172 sq ft of public open space (3% of net site area req'd)



View from PCH

2 commercial parking spaces (plus one ADA space inside garage)



View from alley

A-5-HNB-21-0022 Project Rendition Exhibit 6