

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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September 7, 2021

OBJECTION TO EXECUTIVE DIRECTOR'S DETERMINATION

To: Commissioners and Interested Parties

From: Karl Schwing, Deputy Director South Coast District – Orange County
Amber Dobson, District Manager, South Coast District
Zach Rehm, Supervisor, Regulation & Planning, South Coast District
Meg Vaughn, Coastal Program Analyst, South Coast District

**Re: Extension of Coastal Development Permit 5-18-0642-E1
(Leonard Julian Sunset Beach, LLC)
17145 Pacific Coast Highway, Sunset Beach,
City of Huntington Beach, Orange County
(APN: 178-551-31)**

On August 3, 2021, a request to extend Coastal Development Permit 5-18-0642 for a one-year period was received in the Coastal Commission's South Coast District office. This extension request is the proposed project's first extension request. Coastal Development Permit 5-18-0642 was approved on August 8, 2019. CDP 5-18-0642 authorized:

Demolition of a commercial car wash and construction of a three story, 35-foot-high mixed-use structure consisting of a moderately priced 12-unit hotel with eight 3-bedroom units and four 4-bedroom units, and 1,800 square feet of retail space located on the ground floor level. The entire structure will be 25,950 square feet including a 6,117 square foot garage with 32 parking spaces. The project also includes a tentative parcel map to consolidate seven parcels into a single parcel (more specifically described in the application filed in the Commission offices).

On August 26, 2021, the South Coast District Office in Long Beach issued notices of the Executive Director's determination that there are no changed circumstances that may affect the development's consistency with the Chapter 3 policies of the Coastal Act. As required by Section 13169 of Title 14 of the California Code of Regulations, the Executive Director is reporting this determination to the Commission at its September 10, 2021 meeting, along with a response to an objection that was received within the ten working-day objection period.

Within the ten working-day objection period (August 27 through September 10, 2021), during which time any person may object to the Executive Director's determination, the South Coast District Office received one letter of objection (attached). The letter, from Cheryl De Rego dated August 30, 2021, and received in the Commission's South Coast District office September 2, 2021, objects, stating that new developments along the Warner Avenue corridor will add to traffic in the area, and that, as a result, the development approved under CDP 5-18-0642 will create a traffic hazard. The letter also asserts the development will be too dense.

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Section 13169(c) of Title 14 of the California Code of Regulations states, in part, that in order to deny an extension request, objections must identify changed circumstances that may affect the consistency of the development with the Coastal Act. In the case of Coastal Development Permit Amendment 5-18-0642, the standard of review is consistency with the Coastal Act.

Staff Response to the Objection:

The objector does not identify any specific developments along Warner Avenue that would result in traffic impacts, and staff is not aware of any. Two projects inland of the site, near Warner Avenue, known as Brightwater (CDP 5-05-020) and Parkside Estates (CDP 5-11-068), approved a number of new residential units in the area. However, both of these were approved prior to the subject development (in 2005 and 2012, respectively). Because these were approved well prior to Coastal Commission action on 5-18-0642, these cannot be considered new or changed circumstances. Therefore, this objection does not identify any new or changed circumstance that would affect the development's consistency with the Coastal Act.

The objector also states that the project is too dense. However, the moderately priced 12-unit hotel and retail project is not a residential project. Density is a measure relating to residential development. In any case, the 12-unit hotel and retail space on the 18,032 square foot parcel is generally consistent with surrounding development. Across Pacific Coast Highway from the site are two, extensive multi-family residential developments. Although located within an uncertified area of the City of Huntington Beach, these multi-family residential developments occur on area zoned medium density residential, which allows up to 15 units per net acre. More importantly, the subject site was proposed to be zoned Commercial Visitor – Mixed Use overlay in the City's most recent (though ultimately withdrawn) LCPA to certify the Sunset Beach area of the City. The proposed development would provide a visitor serving use along Pacific Coast Highway, a priority use under the Coastal Act. The subject site, which is within walking distance to Sunset Beach beach, Bolsa Chica State Beach, the small harbor-fronting beach in Huntington Harbour, and to the Bolsa Chica Ecological Reserve, is a suitable area for the approved moderately priced 12-unit hotel and retail use.

Conclusion:

Based on the above, the Executive Director has concluded that the objection letter does not identify any changed circumstances that may affect the development's consistency with the Chapter 3 policies of the Coastal Act. As required by Section 13169(c) of Title 14 of the California Code of Regulations, the Executive Director is reporting this conclusion to the Commission along with a copy of the objection letter. If three Commissioners object to the extension on the grounds that there may be circumstances that affect the development's consistency with the Coastal Act, the Executive Director shall schedule the extension for a public hearing in accordance with Section 13169(d) of Title 14 of the California Code of Regulations. If three Commissioners do not object to the extension, the time for commencement of development shall be extended for one year from the expiration date of the permit. In this case, approval of the extension request would extend the expiration date of

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Coastal Development Permit 5-18-0642 until August 8, 2022, one year from the previous date of expiration.