



City of Huntington Beach Planning and Building Department
STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Rosemary Medel, Associate Planner *RM*
DATE: March 26, 2013

SUBJECT: **SITE PLAN REVIEW NO. 11-004 AND VARIANCE NO. 12-004 (Continued from February 26, 2013 Meeting with the Public Hearing to be Opened) (CASA RINCON) - APPEAL**

APPLICANT: Sean Pate, CEO of The Pate Foundation, 3070 Bristol Street, Suite 400, Costa Mesa, CA 92626

PROPERTY

OWNER: Morrie Golcheh, 10537 Santa Monica Blvd., Los Angeles, CA 90025

LOCATION: 18431 Beach Blvd, Huntington Beach, CA 92646 (northwest corner of Beach and Main Street adjacent to Allen Tire and Denny's Restaurant)

STATEMENT OF ISSUE:

The Planning Commission continued this item on February 26, 2013, at the applicant's request. Since that date, the applicant has not submitted any new information and no further communications have been received. Therefore, the project remains as previously submitted and staff continues to recommend denial of the project as detailed in the February 26, 2013 staff report (Attachment No. 2). The previous staff report, including the recommended motion and suggested findings for denial, is attached to this staff report for your consideration.

RECOMMENDATION:

Motion to:

“Deny Site Plan Review No.11-004 and Variance No. 12-004 with suggested findings of denial (Attachment No. 1.”

ATTACHMENTS:

1. Suggested Findings for Denial of Site Plan Review No. 11-004/Variance No. 12-004
2. Staff Report dated February 26, 2013

SH:JJ:rm

ATTACHMENT NO. 1

FINDINGS FOR DENIAL

SITE PLAN REVIEW NO. 11-004

VARIANCE NO. 12-004

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

Staff has reviewed the proposed project and determined that it is within the scope of development analyzed in Certified Program EIR No. 08-008 for the BECSP. The EIR was certified by the Planning Commission on December 8, 2009. The project is exempt under the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15182 of the CEQA Guidelines, which states that when an Environmental Impact Report (EIR) has been prepared for a specific plan, there is no need to prepare an EIR or Mitigated Negative Declaration (MND) for residential projects within the parameters of that specific plan. Furthermore, implementation of the project would not result in any new or more severe potentially adverse environmental impacts that were not considered in the previously certified Program EIR for the Beach and Edinger Corridors Specific Plan project. Therefore, based on the analysis for the project no additional environmental review is required.

FINDINGS FOR DENIAL – SITE PLAN REVIEW NO. 11-004:

1. The project is not consistent with the City's General Plan and all applicable requirements of the Municipal Code because the proposed development does not enhance the vacant land as part of an integrated development within Town Center Neighborhood District, which is the most urbanized segment of the Beach and Edinger Corridors Specific Plan.
2. The project will be detrimental to the general welfare of persons working or residing in the vicinity because the project has not accounted for the impacts of the adjacent multiple family developments as evidenced by designing the emergency vehicle access only from the overcrowded alley. The location of the balconies and windows on the west side of the project are oriented towards the second story windows of the adjacent development creating potential privacy issues. The proximity of these balconies has the potential to generate excessive noise to the adjacent residential developments as they are not sufficiently recessed in the structure to reduce or mitigate sound. Lack of a master planned development creates further issues of circulation and shared parking. Additionally, the quality of architectural design is not in keeping with the quality of design required by the Beach and Edinger Corridors Specific Plan and the area. Rooflines and use of materials do not complement surrounding or recently approved projects in the vicinity. Therefore, because of these design issues the project has the potential to be detrimental to the value of the property and improvements in the neighborhood.
3. The project will adversely affect the Circulation Plan of this Specific Plan and Five Points area because access to the site from the public alley does not provide efficient circulation in order to address the parking conflicts of the adjacent multiple family developments gaining access to their garages, utilizing the alley for additional parking, which may result in inadequate emergency vehicle access from the alley to the subject site. Integrated mixed use projects account for shared parking opportunities. Because this development would be a stand-alone project, the opportunity for shared

parking is not available and therefore will burden the already under-parked surrounding residential developments.

4. The project does not comply with the applicable provisions of the Beach and Edinger Corridors Specific Plan and other applicable regulations because the project does not provide the required public open space in an area that is accessible to the public on a 24 hour basis. The required common lobby entrance design type is not incorporated into the architecture of the building. The proposed perimeter privacy wall height exceeds the height permitted within the Specific Plan by over two feet without proposing solutions to reduce the visual impact of the walls with better design or grading solutions.

FINDINGS FOR DENIAL - VARIANCE NO. 12-004:

1. The granting of Variance No. 12-004 to permit perimeter privacy walls at eight feet high in lieu of the maximum height of six feet as required by the Specific Plan, 925 square feet of public open space in lieu of the required 1,200 square feet, and eliminate the private entry type design requirement from the residential building design will constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. The Specific Plan requires residential developments of twenty units or more to provide public open space. Eliminating the requirement of public open space, while maintaining the proposed number of units does not constitute an undue hardship. Consequently, the requested variance would be the first request within the recently adopted BECSP. Similar variances have not been granted to other Specific Plan properties within the same district that contain similar development constraints.
2. There are no special circumstances applicable to the subject property, the strict application of the Specific Plan is not found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. While the project site has a grade difference from Beach Blvd to the rear of the site, the Specific Plan encourages the consolidation of parcels in order to create more integrated projects meeting the goals of the Specific Plan. Therefore, if the adjacent parcels were consolidated into a master development there would be sufficient onsite circulation to accommodate emergency vehicles, address onsite traffic and pedestrian circulation and there would be the opportunity for shared parking to accommodate the residential development.
3. The granting of a variance is not necessary to preserve the enjoyment of one or more substantial property rights. The requested variance is not necessary in order to allow for the construction of a residential project on this site. The Beach and Edinger Corridors Specific Plan requires that a property meet certain minimum development requirements such as those imposed for open space types, open space location, maximum fence height and private entry types of buildings. In this case, the project does not comply with the applicable public open space types for design or location. The design does not incorporate a common entry type design into the building and exceeds the allowable fence height along the north, south and east property lines.



City of Huntington Beach Planning and Building Department

STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Rosemary Medel, Associate Planner *RM*
DATE: February 26, 2013

SUBJECT: **SITE PLAN REVIEW NO. 11-004 AND VARIANCE NO. 12-004 (CASA RINCON) - APPEAL**

APPLICANT: Sean Pate, CEO of The Pate Foundation, 575 Anton Blvd., Ste 1100, Costa Mesa, CA 92626

PROPERTY

OWNER: Morrie Golcheh, 10537 Santa Monica Blvd., Los Angeles, CA 90025

LOCATION: 18431 Beach Blvd, Huntington Beach, CA 92646 (northwest corner of Beach and Main Street adjacent to Allen Tire and Denny's Restaurant)

STATEMENT OF ISSUE:

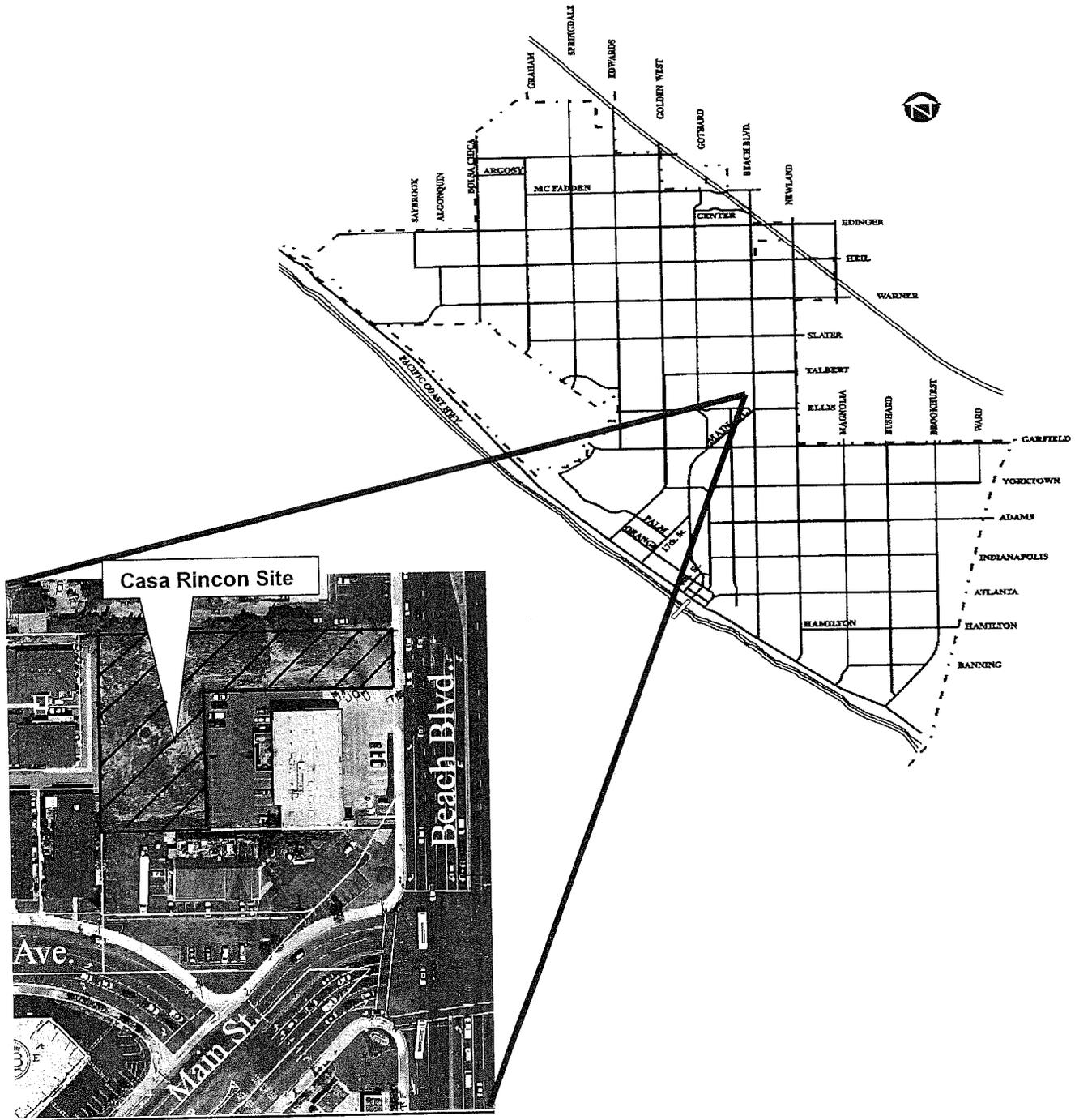
- ◆ Site Plan Review No. 11-004 represents a request for the following:
 - Develop an approximately 10,900 square foot, four-story 24 unit affordable housing apartment project within the Town Center Neighborhood Segment of Beach and Edinger Corridors Specific Plan (BECSP).

- ◆ Variance No. 12-004 represents a request for the following:
 - Permit 8 foot high perimeter privacy walls in lieu of a maximum height of 6 feet permitted
 - Permit a reduction in required public open space from a minimum 1,200 sq. ft. to 925 square feet.
 - Permit eliminating the "Private Entry Type" requirement from the project design.

- ◆ Staff's Recommendation: Deny Site Plan Review No. 11-004 based upon the following:
 - Inconsistent with the General Plan as the project does not enhance the vacant land as part of the most urbanized district within the BECSP – Town Center Neighborhood District.
 - Design of structures and proposed retaining walls do not enhance or complement adjacent properties or those projects recently approved in the Beach Blvd segment of the BECSP.
 - The stand-alone project does not provide the opportunity for shared parking, which is an integral component of mixed use development for this district.
 - Project site layout and architecture is not consistent with good zoning practice and implementation of the goals of the BECSP and conformance to the standards and regulations set forth in the development code.
 - The project does not comply with critical design components of the BECSP and the Urban Design Guidelines regarding public open space and structural articulation.

- ◆ Staff's Recommendation: Deny Variance No. 12-004 based upon the following:

ATTACHMENT NO. 2.1



VICINITY MAP
SITE PLAN REVIEW NO. 11-004/VARIANCE NO. 12-004
(CASA RINCON PROJECT -18431 BEACH BLVD)

- There are no special circumstances applicable to the property and the strict application of the Specific Plan does not deprive the subject property privileges enjoyed by other properties in this district.
- The granting of a variance is not necessary to preserve the enjoyment of one or more substantial property rights.

RECOMMENDATION:

Motion to:

“Deny Site Plan Review No. 11-004 and Variance No. 12-004 with suggested findings of denial (Attachment No. 1).”

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. “Continue Site Plan Review No. 11-004 and Variance No. 12-004 and direct staff accordingly.”
- B. “Approve Site Plan Review No. 11-004 and Variance No. 12-004 with findings for approval.”

PROJECT PROPOSAL:

Site Plan Review No. 11-004 represents a request to permit the construction of 24 affordable apartment housing units in a four-story structure with an overall height of 50 feet, and an at-grade garage parking within the Town Center Neighborhood Segment of Beach and Edinger Corridors Specific Plan (BECSP). The project also includes a 693 square foot, two-story community recreation building with an overall height of 33 feet.

Variance No. 12-004 represents a request to permit the following:

- a) 8 feet of block/wrought iron on top of 5 ft high retaining walls on the north, east and south property lines in lieu of a maximum height of 6 feet permitted;
- b) a reduction in required public open space from a minimum 1,200 sq. ft. required to 925 square feet proposed; and
- c) eliminate the residential building private entry type requirement from the project design.

The project site is a .78 acre (approximately 34,284 sq. ft.) vacant mixed use property, located adjacent to the northwest corner of the Ellis Avenue, Main Street and Beach Boulevard intersection. The surrounding properties are a mix of multi-family residential and commercial properties (Attachment No. 2).

The composition of proposed residential units is summarized below:

Residential Unit Type	Number of Units	Size
One-Bedroom	4	615 sq. ft.
Two-Bedroom	5	823 sq. ft.
Three-Bedroom	6	1,028 sq. ft.
Four-Bedroom	9	1,224 sq. ft.
Total	24	10,900 sq. ft.

The proposed project will provide a 100 percent affordable housing project. The affordability component of the project is in compliance with the Beach and Edinger Corridors Specific Plan.

Access to the project will be from one driveway from Beach Boulevard and the existing public alley at the rear of the property. The property currently slopes approximately five feet from the highest point along Beach Boulevard to an existing retaining wall at the rear/west property line. The applicant proposes to further excavate the site to level the gradient consistent with the alley at the rear in order to provide emergency access to the alley. New five foot high retaining walls with eight foot high walls above (total 13 foot wall height) are proposed on the north, south and east property lines. With the proposed excavation and new retaining walls, the project results in a 13 foot grade differential from Beach Boulevard to the rear alley.

Zoning Administrator Actions:

On September 5, 2012, a public hearing was held before the Zoning Administrator (ZA). The ZA reviewed the applicant's request for the development of 24 affordable housing units and a two-story community building. Staff described the proposal and identified that the project does not conform to the issues related to design, open space, fence heights and overall vision of the Beach and Edinger Corridors Specific Plan. Staff stated that the BECSP was adopted in March 2010 to enhance the overall economic performance, physical beauty and functionality of the Beach Boulevard and Edinger Avenue Corridors. The BECSP is intended to guide future development and initiate the transformation of the corridors from commercial strip centers, in many cases underutilized and underperforming, to a pattern of centers and segments with development standards and regulations that reflect the vision of a particular area. Because the project lacked compliance with development standards, did not comply with the vision of the BECSP, and the applicant did not submit variance request for deviations from the code, staff did not recommend approval of the site plan review application. During the public hearing, the general manager for Allen Tire spoke in opposition of the project stating that the community building would obstruct visibility of the Allen Tire building.

The ZA offered to continue the application to a date uncertain in order to resolve the issues or consider applying for a variance. The applicant asked that the application be continued. On October 15, 2012, staff received a letter from Wayne Deitz of Global Premier Development (applicant) informing us that they will be applying for a Variance with no changes from what was presented at the September 5, 2012 ZA meeting (Attachment No. 3).

On November 21, 2012, a public hearing was held before the ZA for consideration of Site Plan Review No. 11-004 and Variance No. 12-004. The variance included a deviation request from height of perimeter privacy walls, open space reduction and elimination of building entry type requirement. Staff received an email in support of the project from the adjacent property owner of Allen Tires, Ron Beard but Mr. Beard later stated he does not support any building at the front along Beach Blvd. (Attachment No. 4). After discussion, the ZA denied Site Plan Review No. 11-004 and Variance No. 12-004 with findings for denial (Attachment No. 7).

Appeal:

On December 3, 2012, an appeal of the ZA's decision was filed by Mr. Sean Pate, CEO of The Pate Foundation (applicant/Global Premier Development) (Attachment No. 5). The reasons for the appeal

include objections to the findings for denial of both Site Plan Review No. 11-004 and Variance No. 12-004. The applicant believes the project has been designed to comply with the development standards of the BECSP through building articulation, use of materials and the color palette. The appellant states that because of the uniqueness of the parcel shape it is virtually impossible to design a project that meets all of the Specific Plan requirements that is at the same time economically feasible.

ISSUES:

Subject Property Land Use, Zoning, and General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	M-sp-d (Mixed Use – Specific Plan Overlay – Design Overlay)	SP-14 (Beach and Edinger Corridors Specific Plan)	Vacant Land
North of Subject Property	M-sp-d	SP-14 (Beach and Edinger Corridors Specific Plan)	General Commercial and Residential
East (across Beach Blvd.) and south of Subject Property (across Beach Blvd.)	M-sp-d	SP 14 (Beach and Edinger Corridors Specific Plan)	General Commercial
West of Subject Property:	RM-15 (Residential Medium Density)	RM (Residential Medium Density)	Multi-Family Residential

General Plan Conformance:

The General Plan land use designation is Mixed Use - Specific Plan Overlay - Design Overlay (M-sp-d). The project is not consistent with the following General Plan goals, policies and objectives:

A. Land Use Element

Goal LU 4: Achieve and maintain high quality architecture, landscape, and public open spaces in the City.

Goal LU 4.2.4: Require that all development be designed to provide adequate space for access, parking, supporting functions, open space, and other pertinent elements.

Policy LU 11.1.4: Require the incorporation of adequate onsite open space and recreational facilities to serve the needs of the residents in mixed use development projects.

Policy LU 11.1.5: Require that mixed use developments be designed to mitigate potential conflicts between the commercial and residential uses, considering such issues as noise, lighting, security, and truck and automobile access.

B. Circulation Element

ATTACHMENT NO. 25
(13sr06SPR 11-004/VAR 12-004)

Goal CE 2: Provide a circulation system which supports existing, approved and planned land uses throughout the City while maintaining a desired level of service on all streets and at all intersections.

C. Growth Management Element

Policy GM 1.1.7: Ensure that new development site design incorporates measures to maximize policing safety and security.

D. Urban Design Element

Goal UD 1: Enhance the visual image of the City of Huntington Beach.

Objective UD 1.3: Strengthen the visual character of the City's street hierarchy in order to clarify the City's structure and improve Citywide identity.

Policy UD 1.1.3: Require a consistent design theme and/or landscape design character along the community's corridors that reflects the unique qualities of each district. Ensure that streetscape standards for the major commercial corridors, the residential corridors, and primary and secondary image corridors provide each corridor with its own identity while promoting visual continuity throughout the City.

The Town Center Neighborhood District features the City's widest range of contemporary housing types and a broad range of uses. The proposed architecture is not in keeping with the quality of architecture envisioned in the Specific Plan because there is minimal structural articulation. The visual image of the City is not enhanced with the proposed project as lack of varying roof lines and limited exterior materials do not complement surrounding properties or the recently approved projects in the vicinity. Although future vehicular access to the south has been designed at the rear area of the project, the proposed transition is awkward as vehicles would need to maneuver around on-site landscaping and parallel parking spaces. Reciprocal access across the north property line would be precluded due to the significant grade difference. Pedestrian access is limited to the alley and Beach Boulevard. The variance request for reduced open space area minimizes the recreational area for residents and the public to enjoy. The orientation of the balconies and the lack of a master planned development create further issues of privacy, circulation and lack of shared parking. Potential circulation conflicts remain because the adjacent multiple family development gains access to their garages from the alley and as such could potentially result in inadequate emergency vehicle access to the subject site.

Zoning Compliance:

A zoning conformance matrix provides an overview of the project's conformance to the significant development standards of the BECSP (Attachment No. 8).

Urban Design Guidelines Conformance:

The project is required to comply with the architectural regulations and guidelines of the BECSP. A detailed discussion of the project's design is provided in the Analysis section of this staff report.

Environmental Status:

Staff has reviewed the proposed project and determined that it is within the scope of development analyzed in Certified Program EIR No. 08-008 for the BECSP. The EIR was certified by the Planning Commission on December 8, 2009. The project is exempt under the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15182 of the CEQA Guidelines, which states that when an Environmental Impact Report (EIR) has been prepared for a specific plan, there is no need to prepare an EIR or Mitigated Negative Declaration (MND) for residential projects within the parameters of that specific plan. Furthermore, implementation of the project would not result in any new or more severe potentially adverse environmental impacts that were not considered in the previously certified Program EIR for the Beach and Edinger Corridors Specific Plan project. Therefore, based on the analysis for the project no additional environmental review is required.

Environmental Board: Not applicable

Coastal Status: Not applicable

Redevelopment Status: Not applicable

Design Review Board: Not applicable

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The Departments of Public Works, Fire, Community Services, Economic Development, Police and Planning and Building have reviewed the proposed project and provided comments and recommendations. City Code Requirements of the applicable provisions of the BECSP and the Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and Municipal Code were provided to the applicant in the early stages of review and are attached to this report for informational purposes only (Attachment No. 6).

Public Notification:

Legal notice was published in the Huntington Beach Independent on February 14, 2013, and notices were sent to property owners of record and occupants within a 500 ft. radius of the project site as well as interested parties. Communications received during the Zoning Administrator public hearing process are described herein and attached to this report. As of February 20, 2013, no further communications regarding Site Plan Review No. 11-004/Variance No. 12-004 have been received.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:
Appeal Filed December 3, 2012

MANDATORY PROCESSING DATE(S):
N/A

MENT NO. 2.7

ANALYSIS:

Compatibility

The project has not been designed for integration and connectivity to future adjacent development because of the substantial grade differences proposed along the north, south and east property lines. The high walls that will surround the project create physical barriers in contrast with the primary goal of the BECSP to integrate projects for pedestrian and vehicular connectivity. Balconies designed along the west elevation have the potential to create privacy issues as they are not sufficiently recessed or designed in a manner to maximize privacy and reduce potential noise, which creates less compatibility with the adjacent residential developments to the west. The applicant's proposed site excavation to accommodate emergency vehicles from the alley to Beach Boulevard is proposed because there is not sufficient room to provide a complete looped emergency accessway on-site along with the proposed structures. Additionally, potential conflicts with emergency vehicle access exist because the adjacent residential development utilizes the alley for additional parking. The proposed excavation results in incompatible design issues, such as greater retaining walls on the perimeter of the site and increased traffic to the alley. Because the project completely isolates adjacent BECSP parcels, it is evident that the lack of a master planned development creates further adverse issues related to circulation and shared parking opportunities. Staff finds that the project is not compatible with adjacent uses.

Architecture

The proposed architecture is institutional in nature as it lacks articulation, variation of materials, recesses and projections, varying roof lines, and overall architectural character. The primary entrance to the lobby does not incorporate design elements required by the BECSP such as columns, lighting, and varying materials, which all help to identify the entrance for residents and visitors alike by creating a clearly defined formal entrance.

The BECSP Form Based Code implements a process that deliberately results in structural placement, setbacks, structural articulation, public and private open space that creates a more pedestrian friendly walkable environment in an urban setting. The proposed housing project fails to meet the design standards of both the BECSP and the Urban Design Guidelines as follows:

BECSP - The Five Points District Segment states the following:

- Infill development on underutilized properties would be composed of the types of coherent arrangements of building and streets, and blocks that are presently lacking in this centrally located district.
- New apartments, condominiums, and professional and medical office buildings would face public sidewalks with lobby entrances, shop fronts, and attractively detailed facades.

Urban Design Guidelines Excerpt - Design Objectives from Chapter 3 Multi-Family Residential:

- Create visual interest and individual unit identity, while maintaining a sense of harmony and human scale building proportions along street frontages and other portions of the project exposed to public view
- Provide adequate open space, parking and privacy

ATTACHMENT NO. 2.8

- The arrangement of structures, circulation and open spaces should recognize the particular characteristics of the site and should relate to the surrounding built environment in pattern, function scale, character and materials. In developed areas, new projects should meet or exceed the standards of quality which have been set by surrounding development.

When compared to the quality of developments recently approved for the BECSP such as the 274 unit Beach and Ellis Mixed Use project (Elan Apartments), the 173 unit Beach Walk residential project, and more recently, the Oceana 100 affordable housing unit project, all have met and have excelled in the quality of the project design, use of materials, structural articulation and provision of open space. Due to the basic building materials proposed, lack of structural articulation, and physical appearance of retaining walls topped with additional walls, staff finds that the project does not meet the goals and objective of the BECSP and Urban Design Guidelines.

Variances

The project does not meet the minimum development standards regulating public open space, provision of a common building entry for the 24 proposed units, and maximum wall height. There are no special circumstances applicable to this property that the strict application of the Specific Plan would deprive this property of privileges enjoyed by other properties in this district. While the project site has a grade difference, the BECSP encourages the consolidation of parcels in order to create more integrated projects meeting the goals of the Specific Plan. As mentioned, various parcels in different districts with the BECSP have been approved for development and none have requested variances. Therefore, the granting of a variance is not necessary to preserve the enjoyment of one or more substantial property rights. There is no evidence of an undue hardship preventing the applicant from redesigning the proposed project, meeting minimum open space requirements, providing a common entry, and reducing the proposed wall heights to meet minimum code requirements. Therefore, staff does not support the proposed variance request.

SUMMARY:

Many of these compatibility, design, and variance issues could be resolved if the scope and intensity of the proposed project was reduced or if the site was developed concurrently with adjacent parcels as a master planned area. Either of these solutions would allow the applicant to address these issues and provide a project in compliance with the General Plan, the BECSP, and the Urban Design Guidelines. Therefore, staff recommends denial of Site Plan Review No. 11-004 and Variance No. 12-004 because the project:

- Inconsistent with the General Plan as the project does not enhance the vacant land as part of the most urbanized district within the BECSP – Town Center Neighborhood District.
- Design of structures and proposed retaining walls do not enhance or complement adjacent properties or those projects recently approved in the Beach Blvd segment of the BECSP.
- The stand-alone project does not provide the opportunity for shared parking, which is an integral component of mixed use development for this district.
- Project site layout and architecture is not consistent with good zoning practice and implementation of the goals of the BECSP and conformance to the standards and regulations set forth in the development code.

- The project does not comply with critical design components of the BECSP and the Urban Design Guideline regarding public open space and structural articulation.
- The aforementioned Variances constitute the granting of a special privilege and there is no evidence of an undue hardship.
- There are no special circumstances applicable to the property and the strict application of the Specific Plan does not deprive the subject property privileges enjoyed by other properties in this district.
- The granting of a variance is not necessary to preserve the enjoyment of one or more substantial property rights.

ATTACHMENTS:

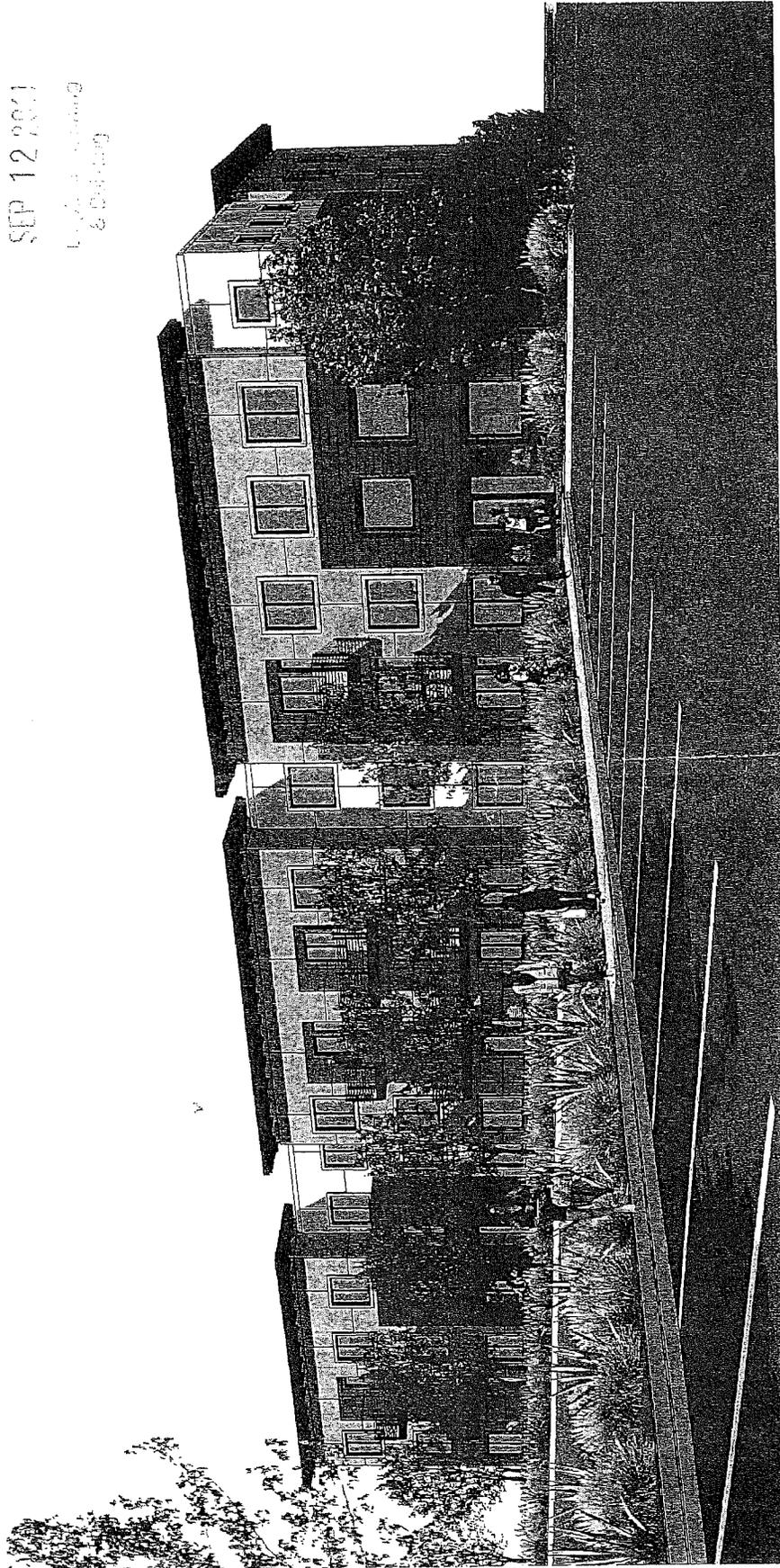
- ~~1. Suggested Findings for Denial of Site Plan Review No. 11-004/Variance No. 12-004~~
2. Site Plan, Floor Plans, Elevations dated September 12, 2011
3. Global Premier Development, Inc. letter dated October 15, 2012
4. Email in opposition from Ron Beard, Property Owner 18455 Beach Blvd. (Allen Tire Site)
5. Appeal Letter received December 3, 2012
6. Code Requirements Letter dated December 6, 2011 (for information purposes only)
7. Zoning Administrator Notice of Action - SPR No. 11-004 and Variance No. 12-004 dated November 21, 2012
8. Project Conformance Matrix

SH:JJ:rm

RECEIVED

SEP 12 2007

City of Huntington Beach
& Planning



A0.0

Architecture+Planning
17922 Fitch
Irvine, CA 92614
949.851.2133
kggy.com

HUNTINGTON BEACH, CA
SEPTEMBER 16, 2011
1.5.1 # 1011-2533

CASA RINCÓN

GLOBAL PREMIER DEVELOPMENT
2010 Main Street, Suite 1250
Irvine, CA 92614
(949) 222-9119
www.globalpremierdevelopment.com

ATTACHMENT NO. 2.11

PROJECT NO. 2011-0837

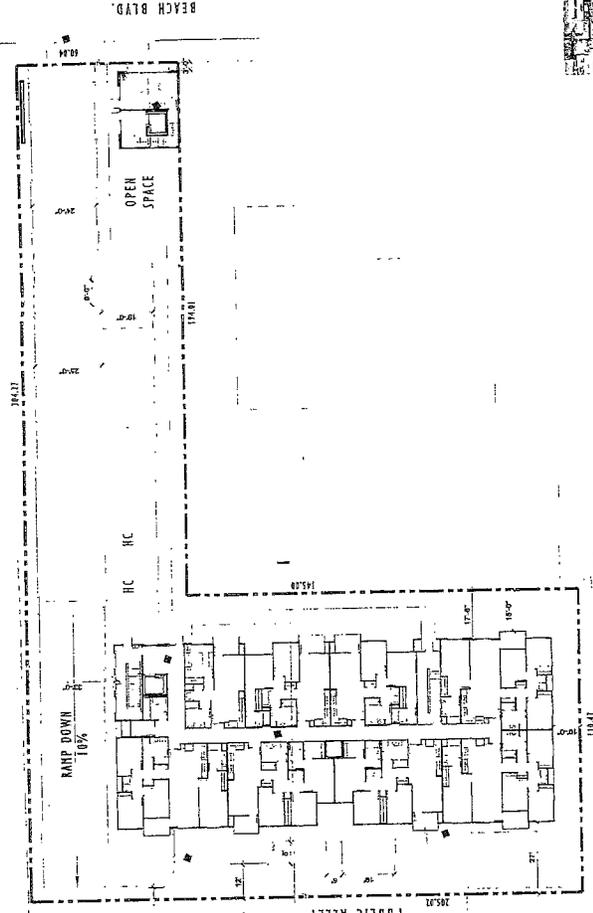
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Irvine, CA 92614
949.851.2133
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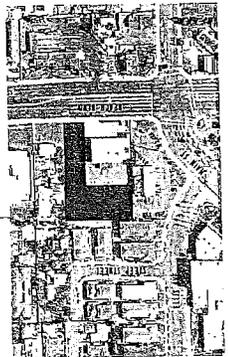
STRUCTURED PARKING AT GRADE
WITH 3 FLOORS OF UNITS ABOVE

LOBBY

PROJECT ENTRY



2-STORY COMMUNITY/
LEASING BUILDING



VICINITY MAP

SITE SUMMARY
 SITE AREA 234,666 SF (46.73 AC)
 DENSITY 831 DU/AC

UNIT SUMMARY
 1 BD 4
 2 BD 5
 3 BD 6
 4 BD 7
 TOTAL 24

PARKING SUMMARY
 1 BD- 4 X 1.0 = 4
 2 BD- 5 X 1.5 = 7.5
 3 BD- 6 X 1.5 = 9
 4 BD- 9 X 1.5 = 13.5
 GUEST- 24 X .2 = 4.8
 TOTAL 38.8
 PROVIDED 39

SETBACKS REQUIRED
 FRONT 0'-10"
 SIDE 0' (10' @ WINDOWS)
 ALLEY 5'
 PROVIDED
 FRONT 3'
 SIDE 10'
 ALLEY 2.8'

BUILDING HEIGHT
 ALLOWED 6 STORIES
 PROPOSED 4 STORIES
 *SEE SECTIONS ON SHEET A-11 FOR BUILDING HEIGHT ADJACENT TO RESIDENTIAL

OPEN SPACE
 REQUIRED
 COMMON 50 SF/UNIT (1,200 SF)
 PRIVATE 60 SF/UNIT
 PROVIDED
 COMMON 50 SF/UNIT (1,200 SF)
 PRIVATE 60 SF/UNIT

Scale: 0 10 20 40

AI.0



SITE PLAN

HUNTINGTON BEACH, CA
 SEPTEMBER 16, 2011
 P L G E # 2011-0837

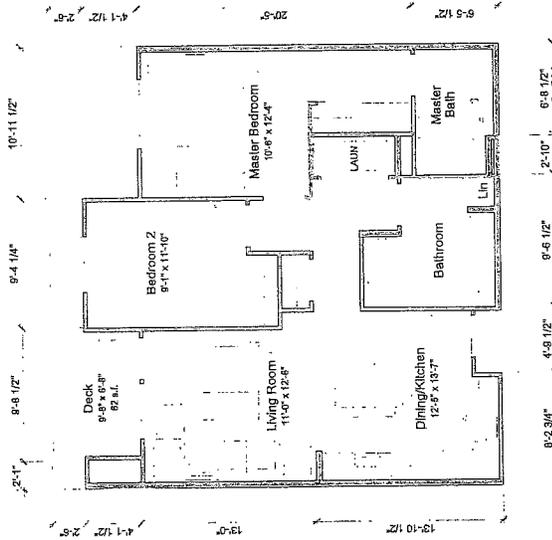
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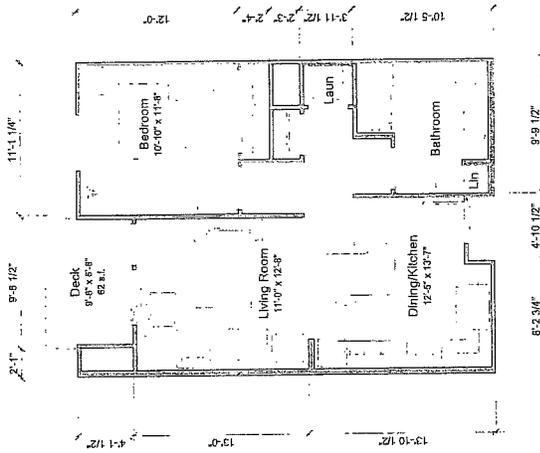
REVISED

SEP 12, 2011

17522 E. IRLAN
IRVINE, CA 92614



PLAN 2
843 SF (Net Rentable)



PLAN 1
615 SF (Net Rentable)

Scale 0 1 2 3 4 5

A3.0



Architecture+Planning
17522 E. Irlan
Irvine, CA 92614
949.851.2133
ktpg.com

UNIT PLANS I & 2

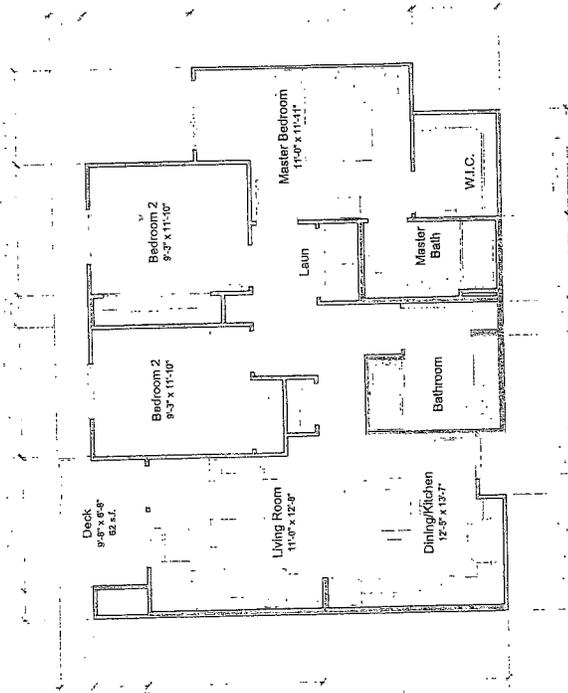
HUNTINGTON BEACH, CA
SEPTEMBER 16, 2011

CASA RINCÓN

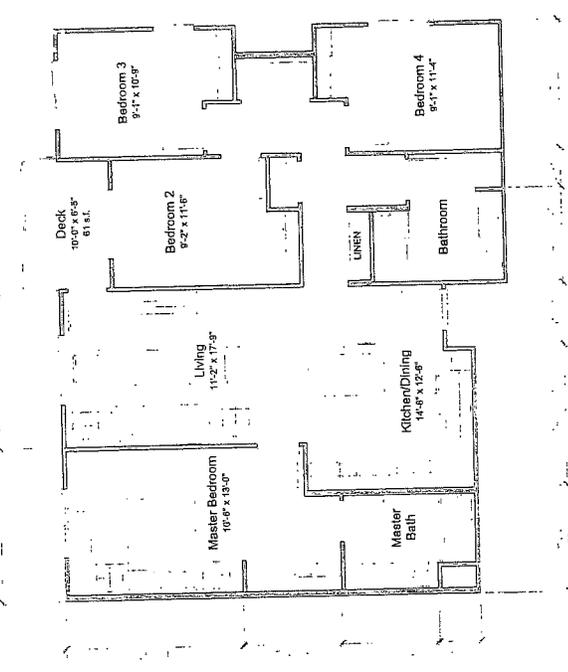
GLOBAL PREMIER DEVELOPMENT
2010 Main Street, Suite 1250
Irvine, CA 92614
(949) 222-9119
www.globalpremierdevelopment.com

SEP 12 2009

SEP 12 2009



PLAN 3
1028 SF (Net Rentable)



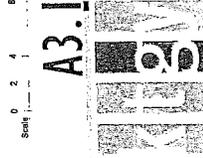
PLAN 4
1224 SF (Net Rentable)

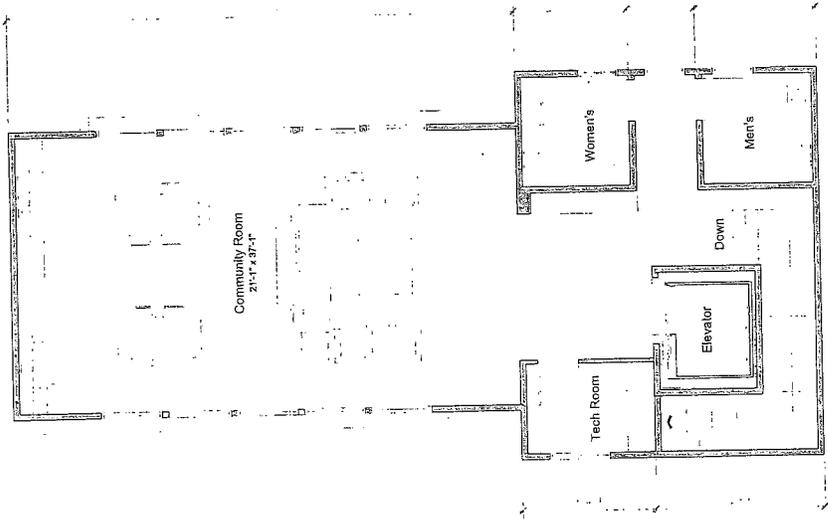
CASA RINCÓN

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Irvine, CA 92614
(949) 222-9119
www.globalpremierdevelopment.com

UNIT PLANS 3 & 4
HUNTINGTON BEACH, CA
SEPTEMBER 16, 2011
P.L.S. # 1111-0312

Architecture+Planning
17922 Fitch
Irvine, CA 92614
949.861.2133
kigjy.com





SECOND FLOOR
1189 SF

COMMUNITY BUILDING PLANS

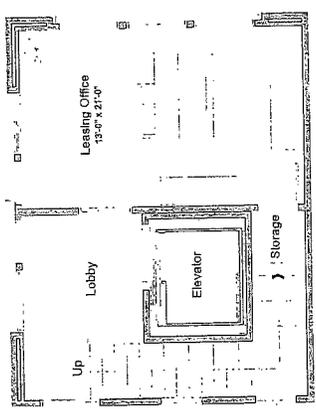
HUNTINGTON BEACH, CA
SEPTEMBER 14, 2011

Architecture+Planning
17922 Fitch
Irvine, CA 92614
949.851.2133
kgp.com

A3.2



SEP 12 2011



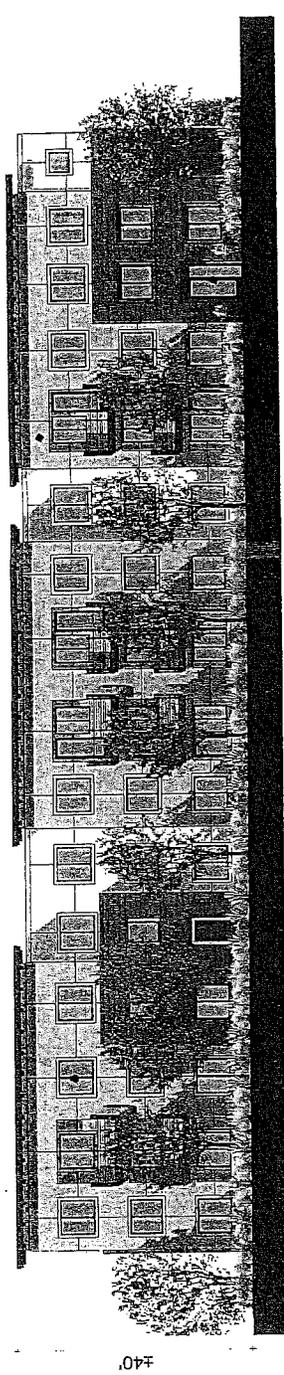
FIRST FLOOR
566 SF

CASA RINCÓN

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www.globalpremierdevelopment.com

SEP 12 2014

5 4 3 2 1 6 2

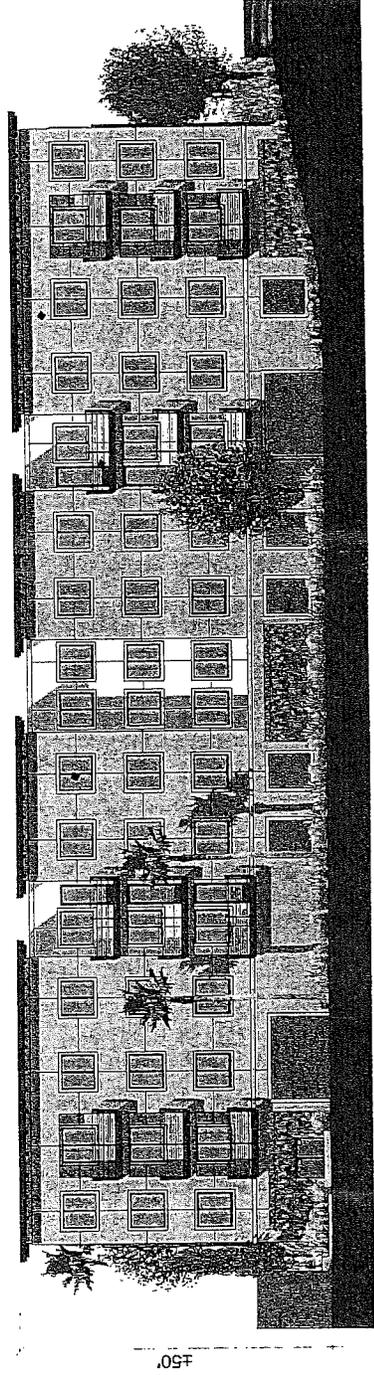


Front (Beach Blvd)

Materials

1. Stucco
2. Siding
3. Horizontal Metal Railing
4. Decorative Light Fixture
5. Dark Window Frames
6. Storefront

5 3 1



Back (Alley)

CASA RINCÓN

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ELEVATIONS

HUNTINGTON BEACH, CA
 SEPTEMBER 10, 2011

Architecture+Planning
 17922 Fitch
 Irvine, CA 92614
 949.861.2133
 ktagy.com

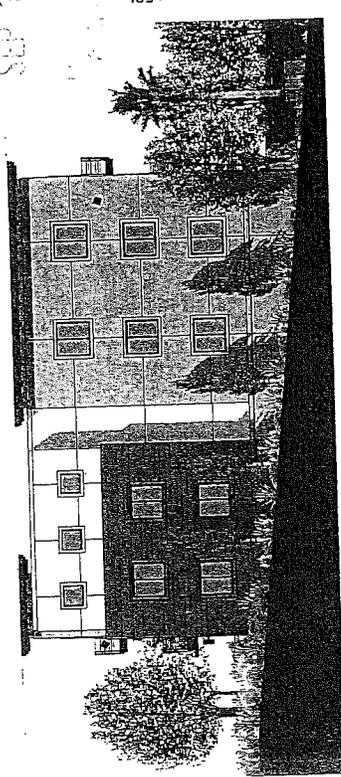
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A4.0



SEP 12 2011

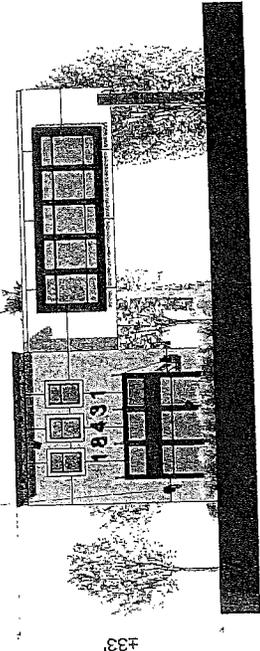
1 2 3



Right (Drive Aisle)

- Materials**
1. Stucco
 2. Siding
 3. Horizontal Metal Railing
 4. Decorative Light Fixture
 5. Dark Window Frames
 6. Storefront

Community Building Front

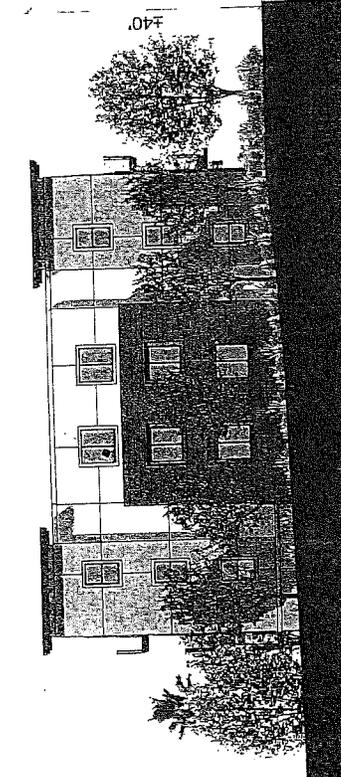


ELEVATIONS
 HUNTINGTON BEACH, CA
 SEPTEMBER 14, 2011

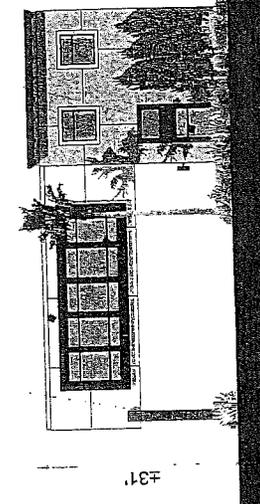
Architecture+Planning
 17522 Fitch
 Irvine, CA 92614
 949.851.2133
 klggy.com

A4.1

1 2 3



Left (Denny's)



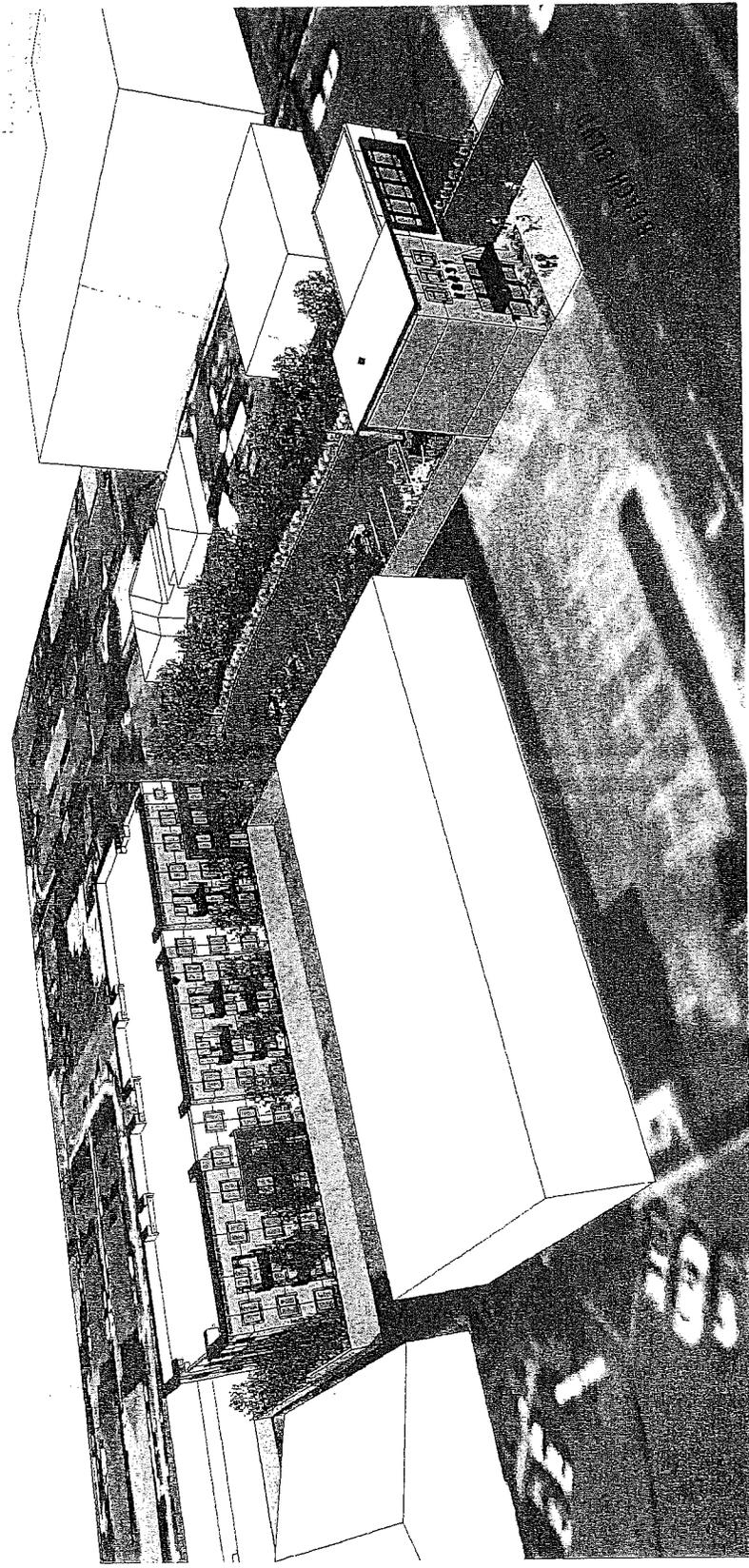
Community Building Back

CASA RINCÓN
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 Irvine, CA 92614
 (949) 222-9119
 www.globalpremierdevelopment.com

Community Building (CBP)

SEP 12 2001

Residential Building



Bird's Eye Looking Northwest



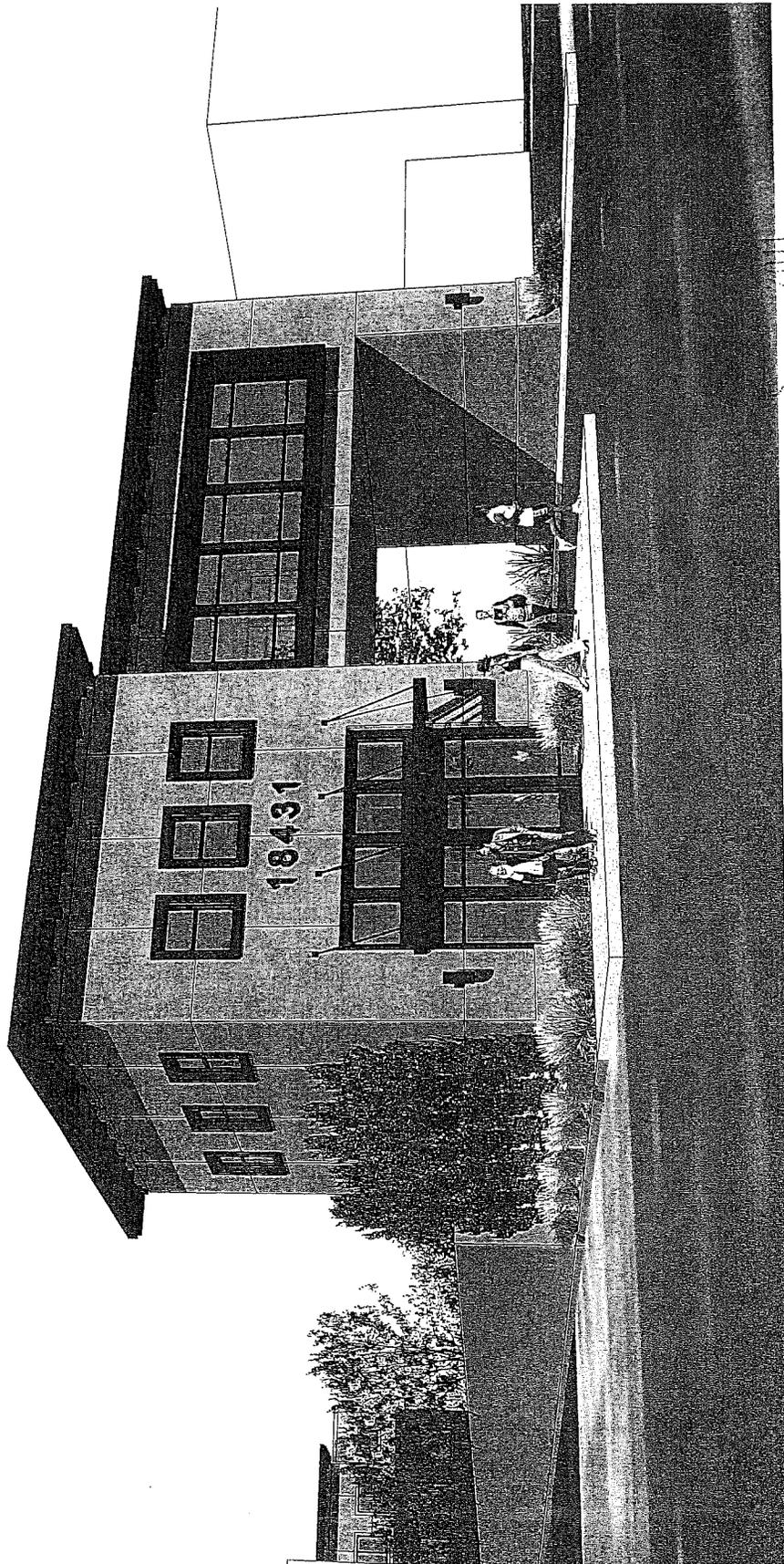
Architecture+Planning
 17922 Filch
 Irvine, CA 92614
 949.851.2133
 ktgy.com

RENDERINGS

HUNTINGTON BEACH, CA
 1.1.6.1 P. 101-102

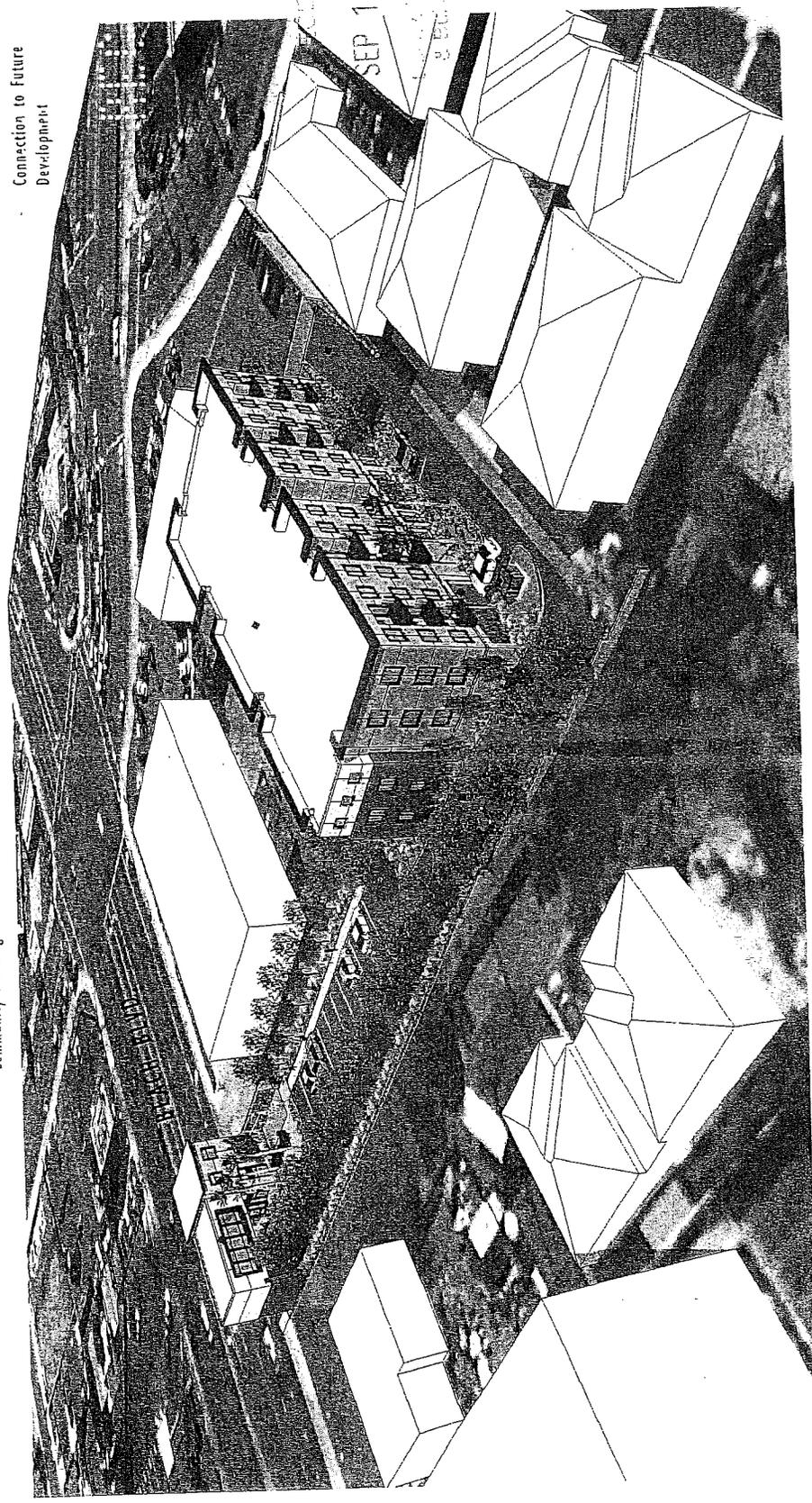
CASA RINCÓN

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 www.globalpremierdevelopment.com



1107
Bureau
Copper

Community Building
Ramp Down to Alley
Residential Building
Parking Entry/Exit
Connection to Future
Development



SEP 12 2011
3:50 PM

Bird's Eye Looking Southeast



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Irvine, CA 92614
949.851.2133
kggy.com

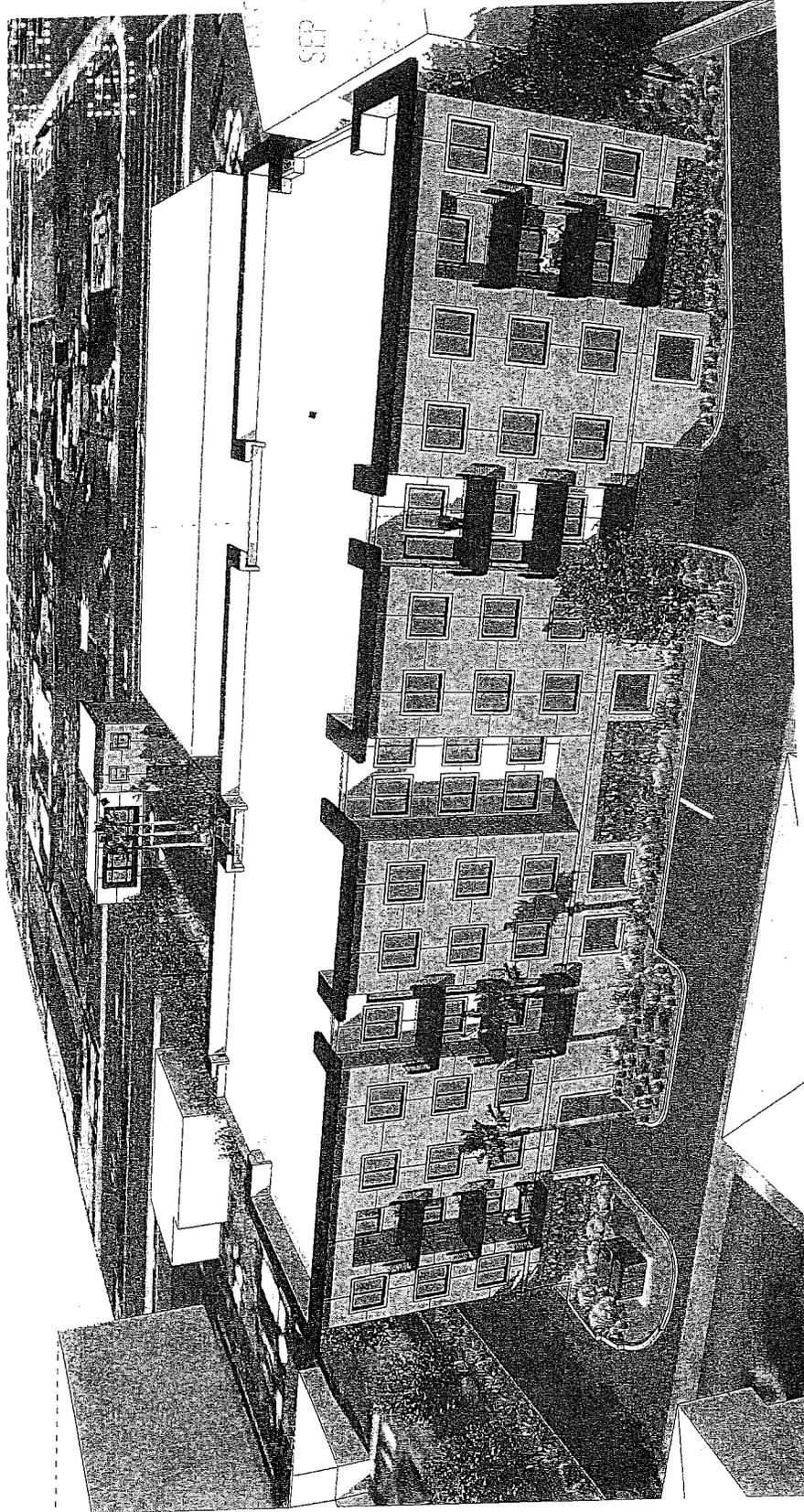
RENDERINGS
HUNTINGTON BEACH, CA
SEPTEMBER 19, 2011
TEL # 301-453

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Irvine, CA 92614
(949) 222-9119
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Residential Building

Parking Entry/Exit

Community Building



SEP 12 2011

Bird's Eye From Alley

A4.4



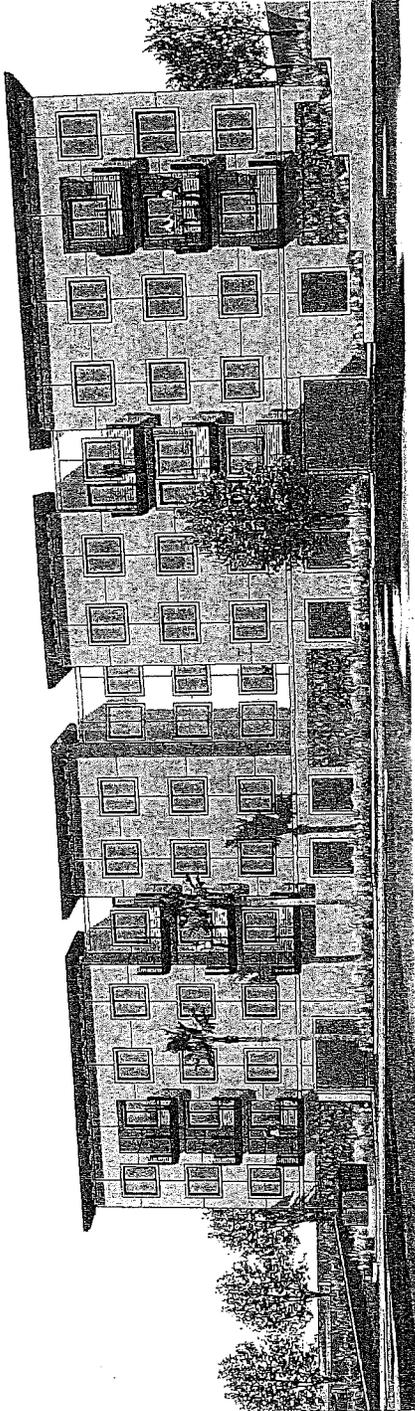
Architecture+Planning
 17922 Fitch
 Irvine, CA 92614
 949.861.2133
 kgty.com

RENDERINGS

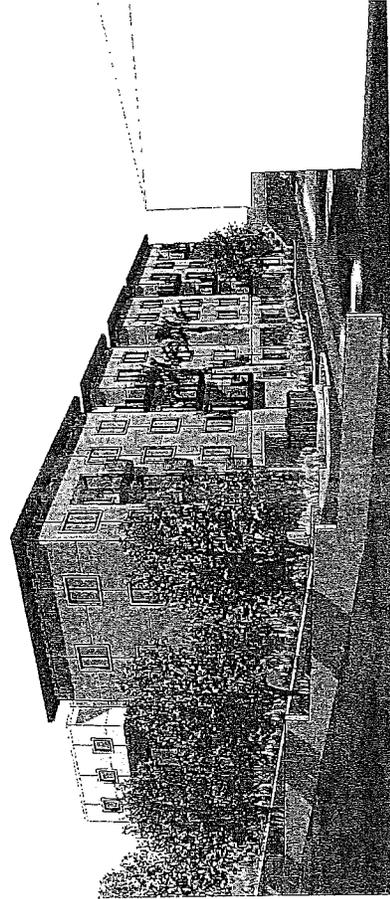
HUNTINGTON BEACH, CA
 SEPTEMBER 15, 2011
 1151# 3011-0452

CASA RINCÓN

GLOBAL PREMIER DEVELOPMENT
 2010 Main Street, Suite 1250
 Irvine, CA 92614
 (949) 222-9119
 www.globalpremierdevelopment.com



View From Alley



View from Northwest

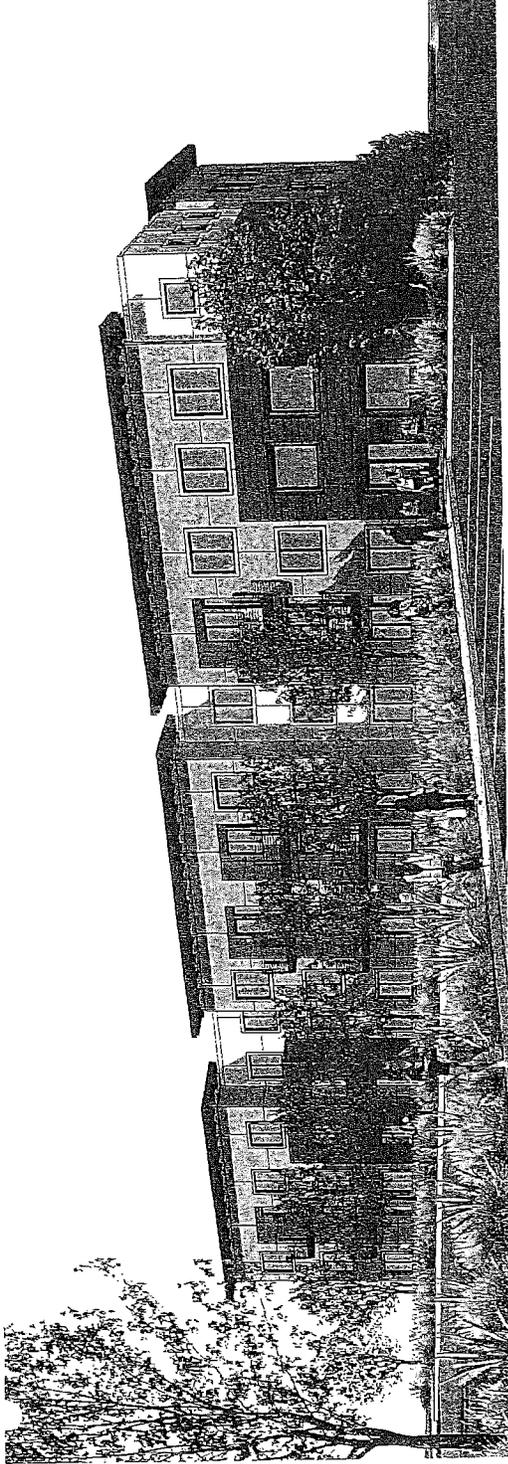
RECEIVED
 SEP 12 2014
 Planning

A4.5

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 Irvine, CA 92614
 949.851.2133
 kigj.com

RENDERINGS
 HUNTINGTON BEACH, CA
 SEPTEMBER 18, 2011
 K I G J # 3111-0032

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 GLOBAL PREMIER DEVELOPMENT
 2010 Main Street, Suite 1250
 Irvine, CA 92614
 (949) 222-0119
 www.globalpremierdevelopment.com

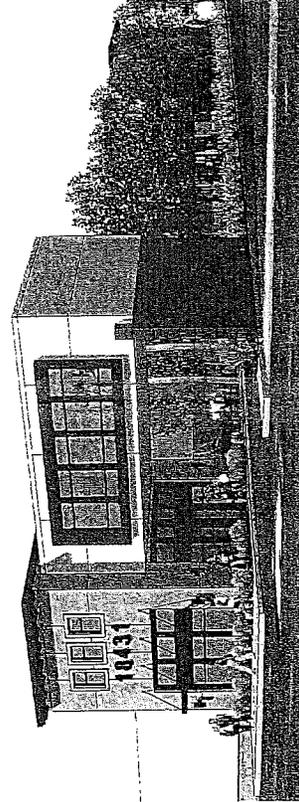


Front of Residential Building from Drive Aisle

REVISION

SEP 12 2011

16431 Main Street
Irvine, CA



Community Building from Beach Blvd.

A4.6



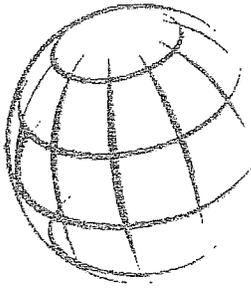
Architecture+Planning
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Irvine, CA 92614
949.851.2133
kigy.com

RENDERINGS

HUNTINGTON BEACH, CA
1.1.6.1 # 2011-002
SEPTEMBER 13, 2011

CASA RINCÓN

GLOBAL PREMIER DEVELOPMENT
2010 Main Street, Suite 1250
Irvine, CA 92614
(949) 222-9119
www.globalpremierdevelopment.com



Global Premier

Development, Inc.

October 15, 2012

Rosemary Medel – Associate Planner
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

RE: Site Plan Review No. 11-004 and Variance No. 12-004

Dear Mrs. Medel,

Please accept this letter as Casa Rincon respectfully request to return to the Zoning Administrator for consideration of Site Plan Review No. 11-004 and Variance No. 12-004 with no changes from what was presented at the Wednesday, September 5, 2012, Zoning Administrator meeting.

If you have any questions feel free to contact me at 949-222-9119.

Sincerely,

Wayne Deitz

Medel, Rosemary

From: Ron Beard [RonBeard@seproperties.com]
Sent: Tuesday, December 11, 2012 4:38 PM
To: Ron Beard; Slifman, Simone; Fritzal, Kellee; Medel, Rosemary
Subject: reversal of support

To: City of Huntington Beach
Rosemary Medel
RE: Site Plan Review no 11-04/ Variance No. 12-04

Dear Rosemary,

With respect to the proposal, please be advised that as the adjacent property owner, I **DO NOT** support and endorse the plan. I did not realize that there would be buildings on the front of the property, and given that the two driveways are immediately adjacent, it would be a huge safety hazard for the customers driving in and out of the Allen Tire building. The sight line needs to be completely unobstructed; plus, it would make no sense to block the visibility of a sales tax generator with housing. **I am only supportive if the buildings are in the REAR of the property.**

Realistically, the site has been vacant for years, and it's not a good commercial site. I do realize that the City envisioned a "bigger plan" for the corner, but as discussed so many times with so many developers as well as the City, the plan is not economically feasible or viable for me. I have a very good 9,000 sq. ft. building on my corner, and it's never going to make sense to raze it and contribute the land to some joint venture. The residual value to the land is well over \$200/ sq. ft. when you consider the capitalized value of an income stream from the building. Then, I would have down time for 1.5-2 years, brokers fees, leasing fees, and risk. Ultimately, it puts the land residual value at over \$250/ foot that I'd have to achieve to justify a project like the one on the SE corner of Beach/ Main. That is just not going to happen. Hence, I've recently extended the Allen Tire lease for a long term.

Kindly share this opinion and support **if the buildings are in the rear, and not in front** with whomever needs it for the hearing.

Respectfully,

Ronald P. Beard
Southland Equities
15 Corporate Plaza Dr., #240
Newport Beach, CA 92660-1300
949-706-0500
ronbeard@seproperties.com

Ronald P. Beard
Southland Equities
15 Corporate Plaza Dr., #240
Newport Beach, CA 92660-1300
949-706-0500
ronbeard@seproperties.com

From: Ron Beard
Sent: Friday, November 16, 2012 9:04 AM

To: 'Simone Slifman (simone.slifman@surfcity-hb.org)'; 'kfritzal@surfcity-hb.org'
Subject: FW: Variance No 12-04

Kellee and Simone,

I wanted you to understand this, and to know that I appreciate our frank conversations. Rosemary is out of the office, so will you kindly forward this to whomever else who needs to see it.

Respectfully,

Ronald P. Beard
Southland Equities
15 Corporate Plaza Dr., #240
Newport Beach, CA 92660-1300
949-706-0500
ronbeard@seproperties.com

From: Ron Beard
Sent: Friday, November 16, 2012 8:55 AM
To: 'Rosemary Medel (medelr@surfcity-hb.org)'
Subject: Variance No 12-04

To: City of Huntington Beach
Rosemary Medel
RE: Site Plan Review no 11-04/ Variance No. 12-04

Dear Rosemary,

With respect to the proposal, please be advised that as the adjacent property owner, I support and endorse the plan. Realistically, the site has been vacant for years, and it's not a good commercial site. I do realize that the City envisioned a "bigger plan" for the corner, but as discussed so many times with so many developers as well as the City, the plan is not economically feasible or viable for me. I have a very good 9,000 sq. ft. building on my corner, and it's never going to make sense to raze it and contribute the land to some joint venture. The residual value to the land is well over \$200/ sq. ft. when you consider the capitalized value of an income stream from the building. Then, I would have down time for 1.5-2 years, brokers fees, leasing fees, and risk. Ultimately, it puts the land residual value at over \$250/ foot that I'd have to achieve to justify a project like the one on the SE corner of Beach/ Main. That is just not going to happen. Hence, I've recently extended the Allen Tire lease for a long term.

Kindly share this opinion and support with whomever needs it for the hearing.

Respectfully,

Ronald P. Beard
Southland Equities
15 Corporate Plaza Dr., #240
Newport Beach, CA 92660-1300
949-706-0500
ronbeard@seproperties.com

Casa Rincon Associates, L.P.

December 3, 2012

City of Huntington Beach
Secretary of the Planning Commission
PO Box 190
Huntington Beach, CA 92647

RECEIVED

DEC 03 2012

Dept. of Planning
& Building

**RE: Site Plan Review No. 11-04/ Variance No. 12-04 (Casa Rincon)
Findings for Denial**

Dear Secretary of the Planning Commission,

This letter is written in response to the letter dated November 21, 2012 in regards to the above referenced matter attached hereto as **Exhibit 1**. Please accept this letter and payment as our appeal to the findings listed as Attachment No. 1 Findings for Denial Site Plan Review No. 11-04 Variance No. 12-04.

Findings for Denial - Site Plan Review No. 11-04:

1. Please see **Exhibit 1** incorporated herein by reference. We object to this finding as we have made every effort to incorporate the proposed project as is consistent with the Beach and Edinger Corridors Specific Plan (BECSP). This includes but is not limited to development of the current site with future development of the Denny's and Allen Tire Shop in mind once able to acquire. All future development and proposed overlays comport with the BECSP in mind. We have made every attempt to acquire and combine these parcels as presented to staff and as discussed in the February 13, 2012 Economic Development Committee EDC meeting but it is economically impossible at such time. Please reference said discussion in the minutes from this EDC meeting.
2. Please see **Exhibit 1** incorporated herein by reference. We object to this finding on the grounds we have made every attempt to accommodate these desires from the city but the city does not offer any suggestions to solve these issues. We have spent over \$100,000 redesigning this project multiple times every time staff came back with a new concern. We are happy to work with the city and have shown every good effort to meet this requirement, we are happy to comport with the city requirements as this finding but the city simply won't tell us what specifically they want and it is not financially feasible for us to keep guessing. It is clear that the city has certain desires and an open line of communication would solve this issue. It is simply not there.
3. Please see **Exhibit 1** incorporated herein by reference. We object to this finding. Please see our answer to finding 1 also incorporated herein by reference.
4. Please see **Exhibit 1** incorporated herein by reference. We object to this finding. Please see our answer to Finding 1 and Finding 2 also incorporated herein by reference.

Findings for Denial - Variance No. 12-04:

1. Please see **Exhibit 1** incorporated herein by reference. We object to this finding. Please see our answer to Finding 1 incorporated herein by reference. Further, this parcel is unique in shape and

2010 Main Street, Suite 1250, Irvine, CA 92614
Phone: 949-222-9119 Fax: 949-271-4565

ATTACHMENT NO. 2.28

Casa Rincon Associates, L.P.

virtually impossible to design anything that meets all of the specific plan requirements and is still at the same time economically feasible for any project. This parcel will either be expanded back by Allen Tire which they have expressed an interest in acquiring and does not comport with the BECSP or can be expanded forward after acquiring Allen Tire which is incorporated into the present design. A variance of such request is reasonable and consistent with the BECSP as we have proposed.

2. Please see Exhibit 1 incorporated herein by reference. We object to this finding. Please see our answer to finding 1 also incorporated herein by reference.

3. Please see Exhibit 1 incorporated herein by reference. We object to this finding. Please see our answer to finding 1 also incorporated herein by reference.

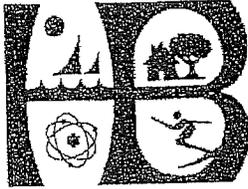
If you have any questions or need any additional information, please do not hesitate to contact me at 949-777-6938.

Sincerely,



Sean Pate
CEO of The Pate Foundation
Managing General Partner

EXHIBIT 1



OFFICE of the ZONING ADMINISTRATOR
CITY OF HUNTINGTON BEACH • CALIFORNIA

P.O. BOX 190

CALIFORNIA 92648

(714) 536-5271

NOTICE OF ACTION

November 21, 2012

Sean T. Pate, CEO, The Pate Foundation,
575 Anton Blvd., Ste 1100,
Costa Mesa, CA 92626

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

APPLICANT: Wayne Dietz, Global Premier Development, 2100 Main Street, Ste 1250, Irvine, CA 92614

REQUEST: **EA:** To analyze the potential environmental impacts associated with the proposed project and identified within the certified Beach and Edinger Program EIR No. 08-008. **SPR:** To permit the construction of an approximately 10,900 square foot, four-story affordable housing apartment project with an overall height of 50 feet within the Town Center Neighborhood Segment of Beach & Edinger Corridors Specific Plan (SP 14). The project will consist of 24 affordable housing units containing 4 one-bedroom units (615 sq. ft./unit), 5 two-bedroom units (843 sq. ft./unit), 6 three-bedroom units (1,028 sq. ft./unit) and 9 four-bedroom units (1,224 sq. ft./unit) including a 693 square foot, two-story community recreation building with an overall height of 33 feet. **VAR:** To permit (a) 8 feet high perimeter privacy walls in lieu of a maximum height of 6 feet permitted; (b) a reduction in required public open space from a minimum 1,200 sq. ft. to 925 square feet; and (c) eliminating the private entry type requirement from the project design.

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

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

PROJECT PLANNER: Rosemary Medel

DATE OF ACTION: November 21, 2012

On Wednesday, November 21, 2012, the Huntington Beach Zoning Administrator took action on your application, and your application was Denied. Attached to this letter are the findings for denial.

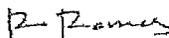
ATTACHMENT NO. 2.30

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Zoning Administrator becomes final at the expiration of the appeal period. A person desiring to appeal the decision shall file a written notice of appeal to the Secretary of the Planning Commission within ten (10) calendar days of the date of the Zoning Administrator's action. The notice of appeal shall include the name and address of the appellant, the decision being appealed, and the grounds for the appeal. Said appeal must be accompanied by a filing fee of One Thousand Nine Hundred Seventeen Dollars (\$1,917.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and Two Thousand Five Hundred One Dollars (\$2,501.00) if the appeal is filed by any other party. In your case, the last day for filing an appeal and paying the filing fee is December 3, 2012.

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 regarding this Notice of Action letter or the processing of your application, please contact Rosemary Medel, the project planner at (714) 374-1684 or via email at rmedel@surfcity-hb.org or the Department of Planning and Building Zoning Counter at (714) 536-5271.

Sincerely,


Ricky Ramos
Zoning Administrator

RR:RM:jd

Attachment

c: Honorable Mayor and City Council
Chair and Planning Commission
Fred A. Wilson, City Manager
Scott Hess, Director of Planning and Building
Herb Fauland, Planning Manager
William H. Reardon, Division Chief/Fire Marshal
Debbie DeBow, Principal Engineer
Mark Camahan, Inspection Manager
Jim Brown, Fire Protection Analyst
Joe Morelli, Fire Protection Analyst
Moore Golcheh
Project File

ATTACHMENT NO. 1

FINDINGS FOR DENIAL

SITE PLAN REVIEW NO. 11-04

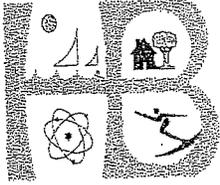
VARIANCE NO. 12-04

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

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

FINDINGS FOR DENIAL - VARIANCE NO. 12-04:

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



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING AND BUILDING

www.huntingtonbeachca.gov

Planning Division

714.536.5271

December 6, 2011

Ryan Mordohl, Global Premier Development
2010 Main Street, Ste 1250
Irvine, CA 92614

Building Division

714.536.5241

**SUBJECT: PROJECT IMPLEMENTATION CODE REQUIREMENTS
(SITE PLAN REVIEW NO. 11-004 ENVIRONMENTAL ASSESSMENT NO. 11-006 – 18431 BEACH BOULEVARD)**

Dear Mr. Mordohl,

Attached please find applicable code requirements for the subject project. The Planning Division has completed its list of code requirements based on your September 12, 2011 submittal. The applicable city policies, standard plans, and the BECSP development and use requirements are incorporated, excerpted from the Beach and Edinger Corridors Specific Plan and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Director of Planning and Building. Please note that if the design of your project or site conditions change, the list may also change.

If you would like a clarification of any of these requirements, an explanation of the BECSP and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at rmedel@surfcity-hb.org or 714-374-1684 and/or the respective source department (contact person below).

Sincerely,

Rosemary Medel,
Associate Planner

Enclosure(s)

Planning Division Requirements 714 374-1684
Building Division Requirements 714 374-1792
Fire Department 714 536-5564
Steve Bogart – Public Works Dept 714 374-1692

Herb Fauland, Planning Manager
Jason Kelley, Planning Division
Mark Carnahan, Building Division

ATTACHMENT NO. 2.34



HUNTINGTON BEACH PLANNING AND BUILDING DEPARTMENT PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: November 10, 2011
PROJECT NAME: Casa Rincon Apartments
PLANNING APPLICATION NO. PLANNING APPLICATION NO. 11-0130
ENTITLEMENTS: SITE PLAN REVIEW 11-004
ENVIRONMENTAL ASSESSMENT 11-006

DATE OF PLANS: September 12, 2011
PROJECT LOCATION: 18431 BEACH BLVD
PLAN REVIEWER: ROSEMARY MEDEL, ASSOCIATE PLANNER
TELEPHONE/E-MAIL: (714) 374-1684

PROJECT DESCRIPTION: TO PERMIT THE CONSTRUCTION OF A 24 UNIT APARTMENT COMPLEX WITHIN THE TOWN CENTER NEIGHBORHOOD DISTRICT OF SP 14. PROPOSED ARE 1 TO 4 BEDROOM UNITS, FOUR STORIES IN HEIGHT PROVING AT GRADE 39 PARKING STALLS, RECREATIONAL CENTER AND OUTDOOR COMMON AREA. INGRESS TO THE SITE WILL BE FROM BEACH BLVD. FIRE ACCESS WILL BE FROM BOTH BEACH BLVD AND THE PUBLIC ALLEY TO THE REAR OF THE PROPERTY. VEHICULAR CONNECTIVITY WILL BE LOCATED ALONG THE REAR PROPERTY LINE CONNECTING TO THE EXISTING DENNY'S SITE. PLEASE NOTE THERE IS A SUBSTANTIAL GRADE DIFFERENCE AT THE WEST (REAR) PROPERTY LINE, NORTH AND SOUTH PROPERTY LINES.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

The Planning and Building Department has reviewed the proposed project submittal.

The following are comments or concerns that need to be discussed or corrected prior to Site Plan Review approval:

1. A color board shall be provided depicting exact color palette and materials.
2. Provide exact dimensions of balconies on plans including total square footage per Plan Type. See 2.8 Architecture Regulations of SP 14, Section 4) Façade Guidelines- b) Façade

- Composition. A balcony must be a minimum of four (4) feet in any direction and pursuant to Section 2.8-4 Façade Guideline, shall not project further than two feet from face of building.
3. Open Space behind Community Building does not meet the intent of Public Open Space, which requires that public open space be accessible from Public Sidewalk. Consider transferring a portion of the public open space square footage to the front of the building pursuant to Section 2.4.2 Private Frontage Types.
 4. Top and Base elements shall be pursuant to Book II, Chapter 2.8 Architectural Regulations page 70-84. Also see BECSP Reference Volume-March 2010, http://www.huntingtonbeachca.gov/files/users/planning/SP14_Reference_Vol.pdf
 5. The south and north side of Community Building shall be enhanced with windows and façade treatment as they are both visible to Beach Blvd.
 6. Architectural design of the Community Building and Lobby Building do not depict a complementary design.
 7. Support wall of the Community Building is not designed as a substantial breezeway design pursuant to Section 2.4.7 b.
 8. The plans do not depict potential for signage. How will signage be used?
 9. Plans do not depict the location of backflow devices or transformers.
 10. Section drawing shall illustrate grade along east & west of both primary driveway and the most western section of the site adjacent to public alley including a north and south section drawing between building and public alley.
 11. Block wall height as viewed from Beach Blvd is of concern.

The following are standard Code Requirements that shall be implemented:

1. During demolition, grading, site development, and/or construction, applicant shall be adhered to all Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**
2. The development shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as all applicable local, State and Federal Codes, Ordinances and standards, except as noted herein. **(City Charter, Article V)**
3. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**
4. The applicant shall submit a check in the amount of \$50 for the posting of a Notice of Exemption/Determination at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Planning Commission's /Zoning Administrator's action. **(California Code Section 15094)**
5. All landscaping shall be maintained in a neat and clean manner, and in conformance with the HBZSO and SP 14. Prior to removing or replacing any landscaped areas, check with the Departments of Planning and Public Works for Code requirements. Substantial changes may require approval by the Planning Commission/Zoning Administrator. **(HBZSO Section 232.04)**
6. Parking lot striping shall comply with Chapter 231 of the Zoning and Subdivision Ordinance and Title 24, California Administrative Code. **(HBZSO Chapter 231)**

7. The site plan shall include all utility apparatus, such as but not limited to, backflow devices and Edison transformers. Utility meters shall be screened from view from public right-of-ways. Electric transformers in a required front or street side yard shall be enclosed in subsurface vaults. Backflow prevention devices shall not be located in the front yard setback and shall be screened from view. **(HBZSO Section 230.76 and Section 2.4.2, x – SP 14)**
8. All exterior mechanical equipment shall be screened from view on all sides. Rooftop mechanical equipment shall be setback a minimum of 15 feet from the exterior edges of the building. Equipment to be screened includes, but is not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, ductwork and transformers. Said screening shall be architecturally compatible with the building in terms of materials and colors. If screening is not designed specifically into the building, a rooftop mechanical equipment plan showing proposed screening must be submitted for review and approval with the application for building permit(s). **(SP 14, Sec. 2.6.8 Open Space Landscaping, 7, iv).**
9. The site plan and elevations shall include the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items. If located on a building, they shall be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas and comply with required setbacks. **(SP 14, Sec. 2.8 Architecture Regulations)**
10. All parking area lighting shall be energy efficient and designed so as not to produce glare on adjacent residential properties. Security lighting shall be provided in areas accessible to the public during nighttime hours, and such lighting shall be on a time-clock or photo-sensor system. **(HBZSO 231.18.C)**
11. Project data information shall include the flood zone, base flood elevation and lowest building floor elevation(s) per NAVD88 datum. **(HBZSO Section 222.10.F)**
12. Bicycle parking facilities shall be provided in accordance with the provisions of HBZSO Section 231.20 – *Bicycle Parking*. **(HBZSO Section 231.20)**. Requirements (b): Multiple-Family Residential Uses: One bicycle space for every four units. Facility Design Standards: Bicycle parking facilities shall include provision for locking of bicycles, either in lockers or in secure racks in which the bicycle frame and wheels may be locked by the user. Bicycle spaces shall be conveniently located and protected from damage by automobiles. Based on the size of the building a minimum of 6 bicycle stalls are required.
13. Prior to issuance of grading permits, the following shall be completed:
 - a. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Planning and Building Department for review and approval. **(HBZSO Section 232.04)**
 - b. Existing mature trees that are to be removed must be replaced at a 2 for 1 ratio with a 36" box tree or palm equivalent (13'-14' of trunk height for Queen Palms and 8'-9' of brown trunk). **(CEQA Categorical Exemption Section 15304)**. Trees are located along the northern property line, however the exact number is difficult to determine based on the density of the vegetation. Applicant shall provide exact replacement count.
 - c. "Smart irrigation controllers" and/or other innovative means to reduce the quantity of runoff shall be installed. **(HBZSO Section 232.04.D)**
 - d. Standard landscape code requirements apply. **(SP 14)**

- e. Landscaping plans should utilize native, drought-tolerant landscape materials where appropriate and feasible. **(HBZSO Section 232.06.A)**
- f. The Consulting Arborist (approved by the City Landscape Architect) shall review the final landscape tree planting plan and approve in writing the selection and locations proposed for new trees and the protection measures and locations of existing trees to remain. Said Arborist report shall be incorporated onto the Landscape Architect's plans as construction notes and/or construction requirements. The report shall include the Arborist's name, certificate number and the Arborist's wet signature on the final plan. **(Resolution-4545)**
OR A Consulting Arborist (approved by the City Landscape Architect) shall review the final landscape tree-planting plan and approve in writing the selection and locations proposed for new trees. Said Arborist signature shall be incorporated onto the Landscape Architect's plans and shall include the Arborist's name, certificate number and the Arborist's wet signature on the final plan. **(Resolution No. 4545)**

14. Prior to submittal for building permits for residential type structures on the subject property, whether attached or detached, shall be constructed in compliance with the State acoustical standards set forth for units that lie within the 60 CNEL contours of the property. Evidence of compliance shall consist of submittal of an acoustical analysis report and plans, prepared under the supervision of a person experienced in the field of acoustical engineering, with the application for building permit(s). **(General Plan Policy N 1.2.1)**

15. Prior to issuance of building permits, the following shall be completed:

- a. The subject property shall enter into irrevocable offer for reciprocal access along the southerly and northerly properties). The location and width of the accessway shall be reviewed and approved by the Planning Department and Public Works Department. The subject property owner shall be responsible for making necessary improvements to implement the reciprocal driveway. The legal instrument shall be submitted to the Planning Department a minimum of 30 days prior to building permit issuance. The document shall be approved by the Planning Department and the City Attorney as to form and content and, when approved, shall be recorded in the Office of the County Recorder prior to final building permit approval. A copy of the recorded document shall be filed with the Planning Department for inclusion in the entitlement file prior to final building permit approval. The recorded agreement shall remain in effect in perpetuity, except as modified or rescinded pursuant to the expressed written approval of the City of Huntington Beach. **(HBZSO Section 231.181.E.4)**
- b. An Affordable Housing Agreement in accord with Section 230.26 of the ZSO. **(SP 14, Sec. 2.2.3)**
- c. A gated entryway (access control devices) plan shall be submitted to the Planning Department. The gated entryway shall comply with Fire Department Standard No. 403. In addition, the gated entryway plan shall be reviewed by the United States Postal Service. Prior to the installation of any gates, such plan shall be reviewed and approved by the Planning, Fire and Public Works Departments. **(HBZSO Section 231.18.D.8)**

16. During demolition, grading, site development, and/or construction, all Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance shall be adhered to. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**

- a. The structure(s) cannot be occupied, the final building permit(s) cannot be approved, and utilities cannot be released until a Certificate of Occupancy has been approved by the Planning

Department and issued by the Building and Safety Department for occupancy of residential units and detached community building. (HBMC 17.04.036)

17. The Development Services Departments (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 Planning 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 Planning Commission's /Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission /Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18. (HBZSO Section 241.18)

18. SPR 11-004 shall not become effective until the appeal period following the approval of the entitlement has elapsed. (HBZSO Section 241.14)
19. All permanent, temporary, or promotional signs shall conform to Chapter 233 of the HBZSO and SP 14. Prior to installing any new signs, changing sign faces, or installing promotional signs, applicable permit(s) shall be obtained from the Planning Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs. (HBZSO Chapter 233)



HUNTINGTON BEACH FIRE DEPARTMENT PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: OCTOBER 10, 2011
PROJECT NAME: CASA RINCON APARTMENTS
ENTITLEMENTS: PLANNING APPLICATION NO. 11-130
PROJECT LOCATION: 18431 BEACH BLVD, HUNTINGTON BEACH, CA
PLANNER: ROSEMARY MEDEL, ASSOCIATE PLANNER
TELEPHONE/E-MAIL: (714) 374-1684/ rmedel@surfcity-hb.org

PLAN REVIEWER-FIRE: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST
TELEPHONE/E-MAIL: (714) 536-5531/ dmaresh@surfcity-hb.org
PROJECT DESCRIPTION: TO PERMIT THE CONSTRUCTION OF A 24 UNIT APARTMENT COMPLEX WITHIN THE TOWN CENTER NEIGHBORHOOD DISTRICT OF SP 14. PROPOSED ARE 1 TO 4 BEDROOM UNITS, FOUR STORIES IN HEIGHT PROVIDING AT GRADE 39 PARKING STALLS, RECREATIONAL CENTER AND OUTDOOR COMMON AREA. INGRESS TO THE SITE WILL BE FROM BEACH BLVD. FIRE ACCESS WILL BE FROM BOTH BEACH BLVD AND THE PUBLIC ALLEY TO THE REAR OF THE PROPERTY. VEHICULAR CONNECTIVITY WILL BE LOCATED ALONG THE REAR PROPERTY LINE CONNECTING TO THE EXISTING DENNY'S SITE. PLEASE NOTE THERE IS A SUBSTANTIAL GRADE DIFFERENCE AT THE WEST (REAR) PROPERTY LINE, NORTH AND SOUTH PROPERTY LINES.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated September 16, 2011. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer- Fire: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST.

PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, ISSUANCE OF GRADING PERMITS, BUILDING PERMITS, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:

Fire Hydrants are required. Hydrants must be portrayed on the site plan. Hydrants shall be installed and in service **before** combustible construction begins. Installation of hydrants and service mains shall meet NFPA 13 and 24, 2002 Edition, Huntington Beach Fire Code Appendix B and C, and City Specification # 407 Fire Hydrant Installation Standards requirements. Maximum allowed velocity of fire flow in supply piping is 12 fps. Plans shall be submitted to

extinguisher size is 2A 10BC and shall be installed within 75 feet travel distance to all portions of the building. Extinguishers are required to be serviced or replaced annually. (FD)

Fire Personnel Access

Main Secured Building Entries shall utilize a KNOX® Fire Department Access Key Box, installed and in compliance with City Specification #403, Fire Access for Pedestrian or Vehicular Security Gates & Buildings. Please contact the Huntington Beach Fire Department Administrative Office at (714) 536-5411 for information. Reference compliance with City Specification #403 - KNOX® Fire Department Access in the building plan notes. (FD)

Building Construction

~~Exit Signs And Exit Path Markings~~ will be provided in compliance with the Huntington Beach Fire Code and Title 24 of the California Administrative Code. Reference compliance in the plan notes. (FD)

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:

- a. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with HBFC Chapter 14, Fire Safety During Construction And Demolition. (FD)
- b. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with City Specification #426, Fire Safety Requirements for Construction Sites. (FD)

OTHER:

- a. Discovery of additional soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92 Soil Clean-Up Standards. (FD)
- b. Outside City Consultants The Fire Department review of this project and subsequent plans may require the use of City consultants. The Huntington Beach City Council approved fee schedule allows the Fire Department to recover consultant fees from the applicant, developer or other responsible party. (FD)

Fire Department City Specifications may be obtained at:
Huntington Beach Fire Department Administrative Office
City Hall 2000 Main Street, 5th floor
Huntington Beach, CA 92648
or through the City's website at www.surfcity-hb.org

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.



CITY OF HUNTINGTON BEACH

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: September 22, 2011
PROJECT NAME: Casa Rincon Apartments
PLANNING APPLICATION NO. PLANNING APPLICATION NO. 11-0130
ENTITLEMENTS: SITE PLAN REVIEW NO. 11-004
ENVIRONMENTAL ASSESSMENT NO. 11-006

DATE OF PLANS: September 12, 2011
PROJECT LOCATION: 18431 BEACH BLVD, HUNTINGTON BEACH
PROJECT PLANNER: ROSEMARY MEDEL, ASSOCIATE PLANNER
PLAN REVIEWER: KHOA DUONG, P.E
TELEPHONE/E-MAIL: (714) 872-6123/khoa@csgengr.com

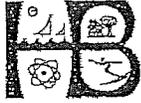
PROJECT DESCRIPTION: TO PERMIT THE CONSTRUCTION OF A 24 UNIT APARTMENT COMPLEX WITHIN THE TOWN CENTER NEIGHBORHOOD DISTRICT OF SP 14. PROPOSED ARE 1 TO 4 BEDROOM UNITS, FOUR STORIES IN HEIGHT PROVIDING AT GRADE 39 PARKING STALLS, RECREATIONAL CENTER AND OUTDOOR COMMON AREA. INGRESS TO THE SITE WILL BE FROM BEACH BLVD. FIRE ACCESS WILL BE FROM BOTH BEACH BLVD AND THE PUBLIC ALLEY TO THE REAR OF THE PROPERTY. VEHICULAR CONNECTIVITY WILL BE LOCATED ALONG THE REAR PROPERTY LINE CONNECTING TO THE EXISTING DENNY'S SITE. PLEASE NOTE THERE IS A SUBSTANTIAL GRADE DIFFERENCE AT THE WEST (REAR) PROPERTY LINE, NORTH AND SOUTH PROPERTY LINES.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

- I. SPECIAL CONDITIONS:
1. None

II. **CODE ISSUES BASED ON PLANS & DRAWINGS SUBMITTED:**

1. Project shall comply with the current state building codes adopted by the City at the time of permit application submittal. Currently they are 2010 California Building Code (CBC), 2010 California Mechanical Code (CMC), 2010 California Plumbing Code (CPC), 2010 California Electrical Code (CEC), 2010 California Energy Code, 2010 California Green Building Standards and The Huntington Beach Municipal Code (HBMC). Compliance to all applicable state and local codes is required prior to issuance of building permit.
2. Provide building code analysis including type of construction, allowable area and height, occupancy group requirements and means of egress per the CBC.
 - a. Submit building analyses to ascertain building sizes, construction types, set back, and frontage issues to be used in justifying building areas. All submittals to date do not have this information which is critical for project of this magnitude.
 - b. For mixed use and occupancy, please see Section 508 for specific code parameters in addition to those applicable sections found elsewhere in the code.
 - c. The frontage for both proposed development becomes critical in assessing allowable area.
 - d. For parking garages please see section 406 for specific code parameters in addition to those applicable sections found elsewhere in the code.
 - e. For openings in exterior walls, please comply with Table 705.8.
 - f. Submit exit analysis.
 - g. For elevators please see section 708.14 and chapter 30.
 - h. The exit enclosure shall comply with Section 1022.
3. Provide compliance to disabled accessibility requirements of Chapter 11A and 11B of CBC.
4. Recommendation: Please contact me or our office to review preliminary code analyses to examine any possible building code issue that may arise.



CITY OF HUNTINGTON BEACH

PUBLIC WORKS INTERDEPARTMENTAL COMMUNICATION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: OCTOBER 5, 2011
PROJECT NAME: CASA RINCON APARTMENTS
ENTITLEMENTS: SPR 11-04, EA 11-06
PLNG APPLICATION NO: 2011-0130

DATE OF PLANS: SEPTEMBER 12, 2011
PROJECT LOCATION: 18431 BEACH BLVD.
PROJECT PLANNER: ROSEMARY MEDEL, ASSOCIATE PLANNER
TELEPHONE/E-MAIL: 714-374-1684 / RMEDEL@SURFCITY-HB.ORG
PLAN REVIEWER: STEVE BOGART, SENIOR CIVIL ENGINEER *SB*
TELEPHONE/E-MAIL: 714-374-1692 / SBOGART@SURFCITY-HB.ORG
PROJECT DESCRIPTION: TO ANALYZE THE ENVIRONMENTAL IMPACTS ASSOCIATED WITH A
REQUEST TO PERMIT A 24-UNIT MULTI-FAMILY RESIDENTIAL
DEVELOPMENT

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer or Project Planner.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A GRADING PERMIT:

1. A Legal Description and Plot Plan of the required dedications shall be prepared by a licensed surveyor or engineer and submitted to Public Works for review and approval.
2. The following dedications to the State of California shall be shown on the Precise Grading Plan. (BECSP)
 - a. A 2-foot right-of-way dedication for pedestrian access and public utilities along the Beach Boulevard frontage is required for a 10-foot curb to property line width per the Beach/Edinger Specific Plan street development standards.

3. The following dedications to the City of Huntington Beach shall be shown on the Precise Grading Plan. (ZSO 230.084A)
 - a. A 24-foot public storm drain easement along the entire length of the new onsite public storm drain pipeline, per Public Works Standard Plan No. 300.
4. A Precise Grading Plan, prepared by a Licensed Civil Engineer, shall be submitted to the Public Works Department for review and approval. (MC 17.05/ZSO 230.84) The plans shall comply with Public Works plan preparation guidelines and include the following improvements on the plan:
 - a. A new sewer lateral shall be installed connecting to the main in the public alley westerly of the subject site. (ZSO 230.84)
 - b. A new domestic water service and meter shall be installed per Water Division Standards, and sized to meet the minimum requirements set by the California Plumbing Code (CPC) and Uniform Fire Code (UFC). (MC 14.08.020)
 - c. A separate irrigation water service and meter shall be installed per Water Division Standards. (ZSO 232)
 - d. Separate backflow protection devices shall be installed per Water Division Standards for domestic, irrigation, and fire water services. (Resolution 5921 and Title 17)
 - e. If fire sprinklers are required by the Fire Department for the proposed development, a separate dedicated fire service line shall be installed. (ZSO 230.84)
 - f. An onsite storm drain shall be constructed per the subject project's final approved hydrology and hydraulics study, City Standards and per the City adopted 2005 Master Plan of Drainage. (ZSO 255.04A)
5. A Street Improvement Plan, prepared by a Licensed Civil Engineer, shall be submitted to the Public Works Department and Caltrans for review and approval. (MC 17.05/ZSO 230.84) The plans shall comply with Public Works plan preparation guidelines and include the following improvements on the plan:
 - a. The proposed driveway on Beach Boulevard shall be reviewed and approved by Caltrans. Proposed driveway approaches on Beach Boulevard shall be constructed per Caltrans Standards.
6. The developer shall submit for approval by the Fire Department and Water Division, a hydraulic water analyses to ensure that fire service connection from the point of connection to City water main to the backflow protection device satisfies Water Division standard requirements; and also to verify that on-site pipeline diameter is adequately sized to satisfy fire flow requirement.
7. The city has approved the Beach/Edinger Corridor Specific Plan, which will ultimately require the existing 8-inch waterline in Beach Boulevard to be upsized to a 12-inch waterline. While the existing 8-inch waterline may provide water service and fire flow to the property at this time, the ultimate upsizing of the public waterline will require some form of impact fees to be paid by the property for the proposed development at the time of issuance of the Grading Permit. The impact fees have yet to be determined at this time. (Beach/Edinger Corridor Specific Plan).
8. The Property Owner(s) shall enter into a Special Utility Easement Agreement with the City of Huntington Beach, for maintenance and control of the area within the public storm drain pipeline easement, which shall address repair to any enhanced pavement, hardscape improvements, structures, etc., if the public storm drain pipeline and/or appurtenances require repair or maintenance. The Property Owner(s) shall be responsible for repair and replacement of any enhanced paving, hardscape improvements, and/or structures due to work performed by the City in

the maintenance and repair of public storm drain pipeline. This agreement shall also absolve the City of any liability should the onsite public storm drain pipeline (along its entire length) should leak, break, fail, etc. and cause any damage to the subject property and/or private onsite structure.

9. Hydrology and hydraulic analysis shall be submitted for Public Works review and approval (10, 25, and 100-year storms and back to back storms shall be analyzed). In addition, this study shall include 24-hour peak back-to-back 100-year storms for onsite detention analysis. The drainage improvements shall be designed and constructed as required by the Department of Public Works to mitigate impact of increased runoff due to development, or deficient, downstream systems. Design of all necessary drainage improvements shall provide mitigation for all rainfall event frequencies up to a 100-year frequency. The hydrologic and hydraulic analysis shall include, but not be limited to facilities sizing, limits of attenuation, downstream impacts and other related design features. Runoff shall be limited to existing 25-year flows, which must be established in the hydrology study. If the analyses shows that the City's current drainage system cannot meet the volume needs of the project runoff, the developer shall be required to attenuate site runoff to an amount not to exceed the existing 25-year storm as determined by the hydrology study. As an option, the developer may choose to explore low-flow design alternatives, onsite attenuation or detention, or upgrade the City's storm water system to accommodate the impacts of the new development, at no cost to the City. (ZSO 230.84)
10. A sewer study shall be prepared and submitted to Public Works for review and approval. A fourteen (14)-day or longer flow test data shall be included in the study. The sanitary sewer system shall be designed and constructed to serve the development, including any offsite improvements necessary to accommodate any increased flow associated with the project. The location and number of monitoring test sites, not to exceed three, to be determined by the Public Works Department. (ZSO 230.84/MC 14.36.010)
11. Prior to the issuance of any grading or building permits for projects that will result in soil disturbance of one or more acres of land, the applicant shall demonstrate that coverage has been obtained under the Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ) [General Construction Permit] by providing a copy of the Notice of Intent (NOI) submitted to the State of California Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) conforming to the current National Pollution Discharge Elimination System (NPDES) requirements shall be submitted to the Department of Public Works for review and acceptance. A copy of the current SWPPP shall be kept at the project site and another copy to be submitted to the City. (DAMP)
12. A Project Water Quality Management Plan (WQMP) conforming to the current Waste Discharge Requirements Permit for the County of Orange (Order No. R8-2009-0030) [MS4 Permit] prepared by a Licensed Civil Engineer, shall be submitted to the Department of Public Works for review and acceptance. The WQMP shall address Section XII of the MS4 Permit and all current surface water quality issues.
13. The project WQMP shall include the following:
 - a. Low Impact Development.
 - b. Discusses regional or watershed programs (if applicable).
 - c. Addresses Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas.

- d. Incorporates the applicable Routine Source Control BMPs as defined in the Drainage Area Management Plan. (DAMP)
 - e. Incorporates Treatment Control BMPs as defined in the DAMP.
 - f. Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
 - g. Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
 - h. Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.
 - i. Includes an Operations and Maintenance (O&M) Plan for all structural BMPs.
 - j. After incorporating plan check comments of Public Works, three final WQMPs (signed by the owner and the Registered Civil Engineer of record) shall be submitted to Public Works for acceptance. After acceptance, two copies of the final report shall be returned to applicant for the production of a single complete electronic copy of the accepted version of the WQMP on CD media that includes:
 - i. The 11" by 17" Site Plan in .TIFF format (400 by 400 dpi minimum).
 - ii. The remainder of the complete WQMP in .PDF format including the signed and stamped title sheet, owner's certification sheet, Inspection/Maintenance Responsibility sheet, appendices, attachments and all educational material.
 - k. The applicant shall return one CD media to Public Works for the project record file.
14. Indicate the type and location of Water Quality Treatment Control Best Management Practices (BMPs) on the Grading Plan consistent with the Project WQMP. The WQMP shall follow the City of Huntington Beach; Project Water Quality Management Plan Preparation Guidance Manual dated June 2006. The WQMP shall be submitted with the first submittal of the Grading Plan.
15. A suitable location, as approved by the City, shall be depicted on the grading plan for the necessary trash enclosure(s). The area shall be paved with an impervious surface, designed not to allow run-on from adjoining areas, designed to divert drainage from adjoining roofs and pavements diverted around the area, and screened or walled to prevent off-site transport of trash. The trash enclosure area shall be covered or roofed with a solid, impervious material. Connection of trash area drains into the storm drain system is prohibited. If feasible, the trash enclosure area shall be connected into the sanitary sewer. (DAMP)
16. A detailed soils and geological/seismic analysis shall be prepared by a registered engineer. This analysis shall include on-site soil sampling and laboratory testing of materials to provide detailed recommendations for grading, over excavation, engineered fill, dewatering, settlement, protection of adjacent structures, chemical and fill properties, liquefaction, retaining walls, streets, and utilities. (MC 17.05.150)
17. The applicant's grading/erosion control plan shall abide by the provisions of AQMD's Rule 403 as related to fugitive dust control. (AQMD Rule 403)
18. The name and phone number of an on-site field supervisor hired by the developer shall be submitted to the Planning and Public Works Departments. In addition, clearly visible signs shall be posted on the perimeter of the site every 250 feet indicating who shall be contacted for information regarding this development and any construction/grading-related concerns. This contact person shall be available immediately to address any concerns or issues raised by adjacent property owners during the construction activity. He/She will be responsible for ensuring compliance with the conditions

herein, specifically, grading activities, truck routes, construction hours, noise, etc. Signs shall include the applicant's contact number, regarding grading and construction activities, and "1-800-CUTSMOG" in the event there are concerns regarding fugitive dust and compliance with AQMD Rule No. 403.

19. The applicant shall notify all property owners and tenants within 300 feet of the perimeter of the property of a tentative grading schedule at least 30 days prior to such grading.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH DURING GRADING OPERATIONS:

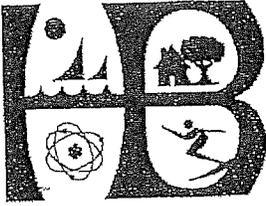
20. An Encroachment Permit is required for all work within the City's right-of-way. (MC 12.38.010/MC 14.36.030)
21. An Encroachment Permit is required for all work within Caltrans' right-of-way.
22. The developer shall coordinate the development of a truck haul route with the Department of Public Works if the import or export of material in excess of 5000 cubic yards is required. This plan shall include the approximate number of truck trips and the proposed truck haul routes. It shall specify the hours in which transport activities can occur and methods to mitigate construction-related impacts to adjacent residents. These plans must be submitted for approval to the Department of Public Works. (MC 17.05.210)
23. Water trucks will be utilized on the site and shall be available to be used throughout the day during site grading to keep the soil damp enough to prevent dust being raised by the operations. (California Stormwater BMP Handbook, Construction Wind Erosion WE-1)
24. All haul trucks shall arrive at the site no earlier than 8:00 a.m. or leave the site no later than 5:00 p.m., and shall be limited to Monday through Friday only. (MC 17.05)
25. Wet down the areas that are to be graded or that is being graded, in the late morning and after work is completed for the day. (WE-1/MC 17.05)
26. The construction disturbance area shall be kept as small as possible. (California Stormwater BMP Handbook, Construction Erosion Control EC-1) (DAMP)
27. All haul trucks shall be covered or have water applied to the exposed surface prior to leaving the site to prevent dust from impacting the surrounding areas. (DAMP)
28. Prior to leaving the site, all haul trucks shall be washed off on-site on a gravel surface to prevent dirt and dust from leaving the site and impacting public streets. (DAMP)
29. Comply with appropriate sections of AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas. (AQMD Rule 403)
30. Wind barriers shall be installed along the perimeter of the site. (DAMP)
31. All construction materials, wastes, grading or demolition debris and stockpiles of soils, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent transport into surface or ground waters by wind, rain, tracking, tidal erosion or dispersion. (DAMP)

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A BUILDING PERMIT:

32. A Precise Grading Permit shall be issued. (MC 17.05)

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO FINAL INSPECTION OR OCCUPANCY:

33. Complete all improvements as shown on the approved grading and improvement plans. (MC 17.05)
34. The required right-of-way and easement dedications shall be recorded with the County Recorder's office and copies provided to Public Works.
35. All new utilities shall be undergrounded. (MC 17.64)
36. All applicable Public Works fees shall be paid at the current rate unless otherwise stated, per the Public Works Fee Schedule adopted by the City Council and available on the city web site at http://www.surfcity-hb.org/files/users/public_works/fee_schedule.pdf. (ZSO 240.06/ZSO 250.16)
37. Traffic Impact Fees for this residential development shall be paid for each net new daily vehicle trip the project generates. The current Traffic Impact Fee Rate is \$168 per net new trip. This project is forecast to generate 144 net new trips for a Traffic Impact Fee of \$24,192.00. The Traffic Impact Fee rate is adjusted annually December 1st. Fees paid after December 1st will be based on the adjusted fee rate.
38. Prior to grading or building permit close-out and/or the issuance of a certificate of use or a certificate of occupancy, the applicant shall:
 - a. Demonstrate that all structural Best Management Practices (BMPs) described in the Project WQMP have been constructed and installed in conformance with approved plans and specifications.
 - b. Demonstrate all drainage courses, pipes, gutters, basins, etc. are clean and properly constructed.
 - c. Demonstrate that applicant is prepared to implement all non-structural BMPs described in the Project WQMP.
 - d. Demonstrate that an adequate number of copies of the approved Project WQMP are available for the future occupiers.



OFFICE of the ZONING ADMINISTRATOR
CITY OF HUNTINGTON BEACH • CALIFORNIA

P.O. BOX 190

CALIFORNIA 92648

(714) 536-5271

NOTICE OF ACTION

November 21, 2012

Sean T. Pate, CEO, The Pate Foundation,
575 Anton Blvd., Ste 1100,
Costa Mesa, CA 92626

SUBJECT: ~~SITE PLAN REVIEW NO. 11-04/ VARIANCE NO. 12-04 (CASA RINCON)~~

APPLICANT: Wayne Dietz, Global Premier Development, 2100 Main Street, Ste 1250, Irvine, CA 92614

REQUEST: EA: To analyze the potential environmental impacts associated with the proposed project and identified within the certified Beach and Edinger Program EIR No. 08-008. SPR: To permit the construction of an approximately 10,900 square foot, four-story affordable housing apartment project with an overall height of 50 feet within the Town Center Neighborhood Segment of Beach & Edinger Corridors Specific Plan (SP 14). The project will consist of 24 affordable housing units containing 4 one-bedroom units (615 sq. ft./unit), 5 two-bedroom units (843 sq. ft./unit), 6 three-bedroom units (1,028 sq. ft./unit) and 9 four-bedroom units (1,224 sq. ft./unit) including a 693 square foot, two-story community recreation building with an overall height of 33 feet. VAR: To permit (a) 8 feet high perimeter privacy walls in lieu of a maximum height of 6 feet permitted; (b) a reduction in required public open space from a minimum 1,200 sq. ft. to 925 square feet; and (c) eliminating the private entry type requirement from the project design.

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

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

PROJECT PLANNER: Rosemary Medel

DATE OF ACTION: November 21, 2012

On Wednesday, November 21, 2012, the Huntington Beach Zoning Administrator took action on your application, and your application was Denied. Attached to this letter are the findings for denial.

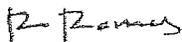
ATTACHMENT NO. 2.50

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Zoning Administrator becomes final at the expiration of the appeal period. A person desiring to appeal the decision shall file a written notice of appeal to the Secretary of the Planning Commission within ten (10) calendar days of the date of the Zoning Administrator's action. The notice of appeal shall include the name and address of the appellant, the decision being appealed, and the grounds for the appeal. Said appeal must be accompanied by a filing fee of One Thousand Nine Hundred Seventeen Dollars (\$1,917.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and Two Thousand Five Hundred One Dollars (\$2,501.00) if the appeal is filed by any other party. In your case, the last day for filing an appeal and paying the filing fee is December 3, 2012.

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 regarding this Notice of Action letter or the processing of your application, please contact Rosemary Medel, the project planner at (714) 374-1684 or via email at rmedel@surfcity-hb.org or the Department of Planning and Building Zoning Counter at (714) 536-5271.

Sincerely,


Ricky Ramos
Zoning Administrator

RR:RM:jd

Attachment

c: Honorable Mayor and City Council
Chair and Planning Commission
Fred A. Wilson, City Manager
Scott Hess, Director of Planning and Building
Herb Fauland, Planning Manager
William H. Reardon, Division Chief/Fire Marshal
Debbie DeBow, Principal Engineer
Mark Carnahan, Inspection Manager
Jim Brown, Fire Protection Analyst
Joe Morelli, Fire Protection Analyst
Moore Golcheh
Project File

ATTACHMENT NO. 1

FINDINGS FOR DENIAL

SITE PLAN REVIEW NO. 11-04

VARIANCE NO. 12-04

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

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

FINDINGS FOR DENIAL - VARIANCE NO. 12-04:

1. The granting of Variance No. 12-04 to permit perimeter privacy-walls at eight feet high in lieu of the maximum height of six feet as required by the Specific Plan, 925 square feet of public open space in lieu of the required 1,200 square feet, and eliminate the private entry type design requirement from the residential building design will constitute a grant of special privilege inconsistent with limitations upon other properties in the vicinity and under an identical zone classification. The Specific Plan requires residential developments of twenty units or more to provide public open space. Reducing the proposed number of units in order to meet the public open space requirement does not constitute an undue hardship. Consequently, the requested variance would be the first request of this type within the recently adopted BECSP. Similar variances have not been granted to other Specific Plan properties within the same district that contain similar development constraints.

2. There are no special circumstances applicable to the subject property. Therefore, the strict application of the Specific Plan is not found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification. While the project site has a grade difference from Beach Blvd to the rear of the site, the Specific Plan encourages the consolidation of parcels in order to create more integrated projects meeting the goals of the Specific Plan. Therefore, if the adjacent parcels were consolidated into a master development there would be sufficient onsite circulation to accommodate emergency vehicles, address onsite traffic and pedestrian circulation and there would be the opportunity for shared parking to accommodate the residential development.
3. The granting of a variance is not necessary to preserve the enjoyment of one or more substantial property rights. The requested variance is not necessary in order to allow for the construction of a residential project on this site. The Beach and Edinger Corridors Specific Plan requires that a property meet certain minimum development requirements such as those imposed for open space types, open space location, maximum fence height and private entry types of buildings. In this case, the project does not comply with the applicable public open space types for design or location. The design does not incorporate a common entry type design into the building and exceeds the allowable fence height along the north, south and east property lines.

ATTACHMENT NO. 8

ZONING MATRIX

CASA RINCON – 18431 BEACH BLVD.

Provision	Town Center - Neighborhood	Proposed Project
2.2 Use Regulations	Residential and various commercial permitted	24 Multi-family Residential Apartments
2.2.2 Special Retail Configuration	n/a	N/A
2.2.3 Affordable Housing	10% Required for 3 or more units	24 Affordable units (100 %)
2.3.1 & 2.3.2 Height & Special Bldg. Height	Min. 2 Stories; Max. 6 stories (4 stories 65 ft back from PL)	4 Stories
2.3.3 Length	Max. 300' along a street or open space	162 ft.
2.3.4 Special Building Length	Limited Corner Building 120 ft max length	N/A
2.3.5 Building massing (Volume Proportions)	Beach Blvd. 3L:2H to 5L:2H All other streets 1L:3H to 3L:1H (Ratio of Length to Height)	Beach Blvd. 3L:2H (Lacks Building Massing articulation)
2.4.1 Building Orientation to Streets	Orientation to street or open space required	Community Building oriented to Beach
2.4.2 a. Private Frontage	Shopfronts, arcade, forecourt, grand portico, common lobby, stoop, terraced flush permitted	No Private Frontage Type Proposed*
2.4.3 Front Setback (east along Beach Blvd.)	Beach Blvd. 0 ft. min/10 ft. max	3 ft.
2.4.4 Side Yard Setback (north and south property lines)	Min w/living space windows 10 ft. Min w/out living space windows – 0 ft.	10 ft. (Residential) 3 ft. (Community Bldg)
2.4.5 Rear Setback (west pl)	Min. 10 ft.	10 ft. on West (public alley)
2.4.6 Alley setback (west pl)	Min 5 ft.	10 ft. on West (public alley)
2.4.7 Frontage coverage	Beach Blvd. 90% Min. (54 ft)	93 % (57 ft)
2.4.8 Space btwn bldgs	Min. 20 ft.	180 ft.

Provision	Town Center - Neighborhood	Proposed Project
2.4.9 Build to corner	N/A	N/A
2.5.1 Improvements to existing streets	4) Beach Blvd. – Palm Tree Blvd. (typical configuration) 7) Ellis Ave.– Neighborhood Street	4 ft. parkway – 6 ft. sidewalk 6 ft. parkway – 6 ft. sidewalk
2.5.2 Proposed streets	N/A	N/A
2.5.3 Max. Block size	2,400 linear feet max	N/A (new street not created)
2.5.4 Street Connectivity	N/A	N/A
2.5.5 East-West Street Connection	N/A	N/A
2.5.6 Residential Transition Boundary	N/A	N/A
2.5.7 Street types – new street design	N/A	N/A
2.6.1 Provision of public open space	50 sf/1000 sf retail 100 sf/1000 sf office 50 sf/residential unit Total required: 1,200 sq. ft.	925 sq. ft. *
2.6.2 Special Public Open Space	N/A	N/A
2.6.3 Provision of Private Open Space	Equivalent of minimum of 60 sf per unit 1,440 sq. ft. required	1,536 sq. ft. provided
2.6.4 Public Open Space Types	Park, Linear Green, Square, Plaza, Courtyard, Passage, Paseo, Pocket Park/Playground Permitted	Play Ground Type (behind building)
2.6.5 Private Open Space Types	Private Yard	Balconies and Patios provided
2.6.6 Stormwater mgmt.	Source control and site design required	Provided – WQMP Required to ensure compliance
2.6.7 Stormwater BMP types	Required	Provided - WQMP

Provision	Town Center - Neighborhood	Proposed Project
2.6.8.4 b) Open Space Landscaping	Screening Wing Walls and Fences Max. 6 ft (including retaining walls)	8 ft.*(on top of 5 ft high retaining walls for a total height of 13 ft.)
2.6.9 Setback Area Landscape Types	Required	Complies with setback landscaping and perimeter landscaping
2.7.2 Parking Types	Surface lot rear, wrapped ground level, wrapped all levels, partially submerged/structure permitted; Residential = 34 Guest= 3 Total Required = 37	Surface Parking Rear Total Provided== 39 stalls
2.8.1 Façade Height	Top/Base required	Needs stronger defined elements
2.8.1 Arch. Elements Regulations	Required	Limited use of materials

**VARIANCES REQUESTED*