

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission
FROM: Jennifer Villaseñor, Community Development Director
BY: Hayden Beckman, Senior Planner

SUBJECT:

REVISED ENVIRONMENTAL IMPACT REPORT NO. 21-004, GENERAL PLAN AMENDMENT NO. 21-004, ZONING MAP AMENDMENT NO. 21-003, ZONING TEXT AMENDMENT NO. 22-005, CONDITIONAL USE PERMIT NO. 21-024 (BOLSA CHICA SENIOR CARE COMMUNITY)

REQUEST:

REVISED EIR: To analyze the potential environmental impacts associated with the revised project; **GPA:** Revise the General Plan Land Use Map designation from Commercial General (CG) to Mixed Use (MU) with a Specific Plan Overlay; **ZMA:** To amend the zoning designation from Commercial General (CG) to Specific Plan 19 (SP-19); **ZTA:** To establish the Bolsa Chica Senior Care Community Specific Plan including development standards for height, open space, and convalescent uses on the subject site; **CUP:** To demolish 50,000 sq. ft. of existing commercial space and construct a new four-story 215,000 sq. ft. convalescent facility with on-site alcohol sales and consumption at a maximum overall height of 49.5 ft., consisting of 159 total units, a subterranean parking garage, and associated hardscape and landscape improvements on a property with a grade differential above three feet.

LOCATION:

4952 & 4972 Warner Avenue, 92649 (Southwest corner of Bolsa Chica Street and Warner Avenue)

APPLICANT:

Tom Lawless, Hines, 444 S. Flower Street, Suite 2100, Los Angeles CA 90071

PROPERTY OWNER:

Manny Khoshbin, 18071 Fitch, Suite 100, Irvine CA 92614

PROJECT PROPOSAL:

The applicant is requesting consideration of a revised project proposal following a vote to continue the original project to a date uncertain by the City Council on December 21, 2023. The revised project request (revised project) is to allow the redevelopment of an

approximately 3.10-acre project site consisting of two parcels into the Bolsa Chica Senior Living Community, a project that includes 159 total living units in a four-story building at a maximum overall height of 49.5 feet, 104 on-site parking spaces, and associated hardscape and landscape improvements. The previously proposed project (original project) was a request to construct a five-story, 298,000 convalescent facility at an overall height of 65 ft. and included a total of 202 units, including independent senior living units. A more detailed comparison is provided in the Project Characteristics section below.

In order to undertake the project proposal, the applicant requests the following entitlements:

- Revised Environmental Impact Report to analyze the potential environmental impacts associated with the revised project;
- General Plan Amendment to amend the land use designation of the project site from Commercial General (CG) to Mixed Use (M) with a Specific Plan Overlay;
- Zoning Map Amendment to amend the zoning designation of the project site from Commercial General (CG) to Specific Plan (SP-19);
- Zoning Text Amendment to establish the Bolsa Chica Senior Care Community Specific Plan (BCSCC) for the subject site;
- Conditional Use Permit to demolish 50,000 sq. ft. of existing commercial space and construct a new four-story 215,000 sq. ft. convalescent facility with on-site alcohol sales and consumption at a maximum overall height of 49.5 ft., consisting of 159 total units, a subterranean parking garage, and associated hardscape and landscape improvements on a property with a grade differential above three feet.

ACTION:

The Planning Commission has discretionary purview only over the Conditional Use Permit portion of the project request. The City Council has discretionary purview over the revised EIR, General Plan Amendment, Zoning Map Amendment, and Zoning Text Amendment. Therefore, the Planning Commission may take the following actions:

- A) Recommend certification of Environmental Impact Report No. 21-004 as adequate and complete in accordance with CEQA requirements by approving draft City Council Resolution No. 24-XX and forward to the City Council for adoption (Attachment No. 2); and

Recommend approval of General Plan Amendment No. 21-004 by approving draft City Council Resolution No. 24-XX (Attachment No. 3), Zoning Map Amendment No. 21-003 with findings (Attachment No. 1) by approving draft City Council Ordinance No. XXXX (Attachment No. 4), and Zoning Text Amendment No. 22-005 with findings (Attachment No. 1) by approving draft City Council Resolution No. 24-XX (Attachment No. 5); and

Approve Conditional Use Permit No. 21-024 with findings and conditions of approval (Attachment No. 1).

- B) Deny General Plan Amendment No. 21-004/Zoning Map Amendment No. 21-003/Zoning Text Amendment No. 22-005/Conditional Use Permit No. 21-024/Environmental Impact Report No. 21-004.
- C) Continue Environmental Impact Report No. 21-004, General Plan Amendment No. 21-004, Zoning Map Amendment No. 21-003, Zoning Text Amendment No. 22-005, and Conditional Use Permit No. 21-024 and direct staff accordingly.

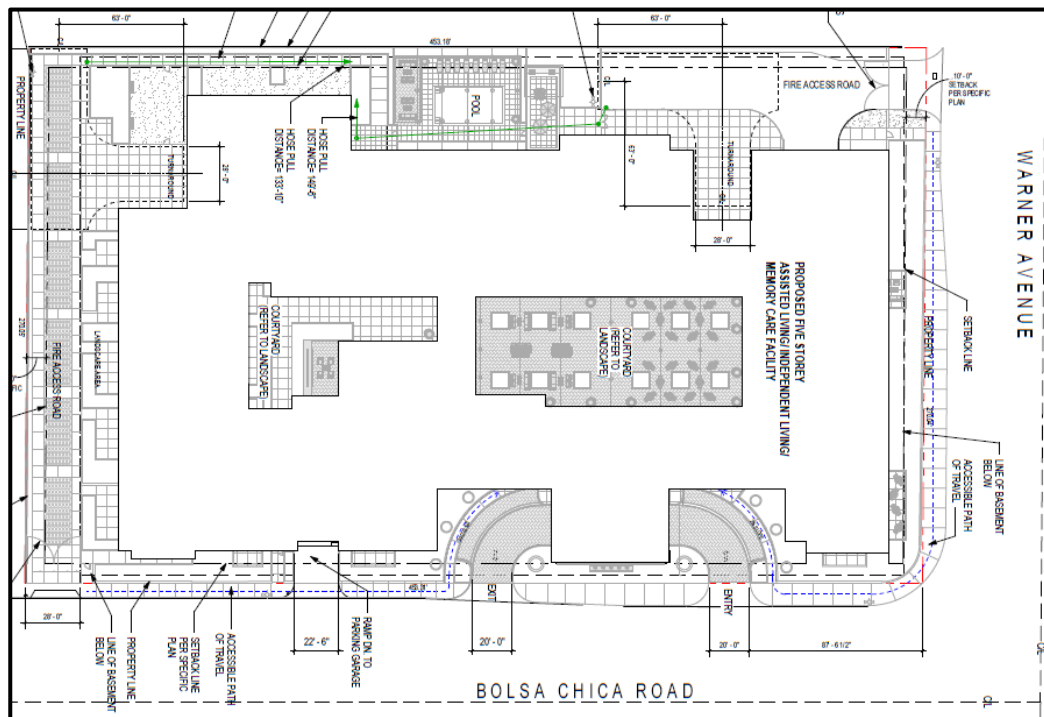
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Project Characteristics

Original Project

The originally proposed project facility (original project) was a 298,000 sq. ft. five-story convalescent facility that included 202 total senior living units, 189 on-site parking spaces, interior and exterior resident amenities, and associated hardscape and landscape improvements. The total 202 senior units were comprised of 28 Memory Care units, 72 Assisted Living units, and 102 Independent Living units within a five-story 65 ft. high (maximum overall height) building on the project site. Below are the site plan, elevation, and perspective drawing of the original project:

Original Project Site Plan



Original Project Elevation



Original Project Perspective

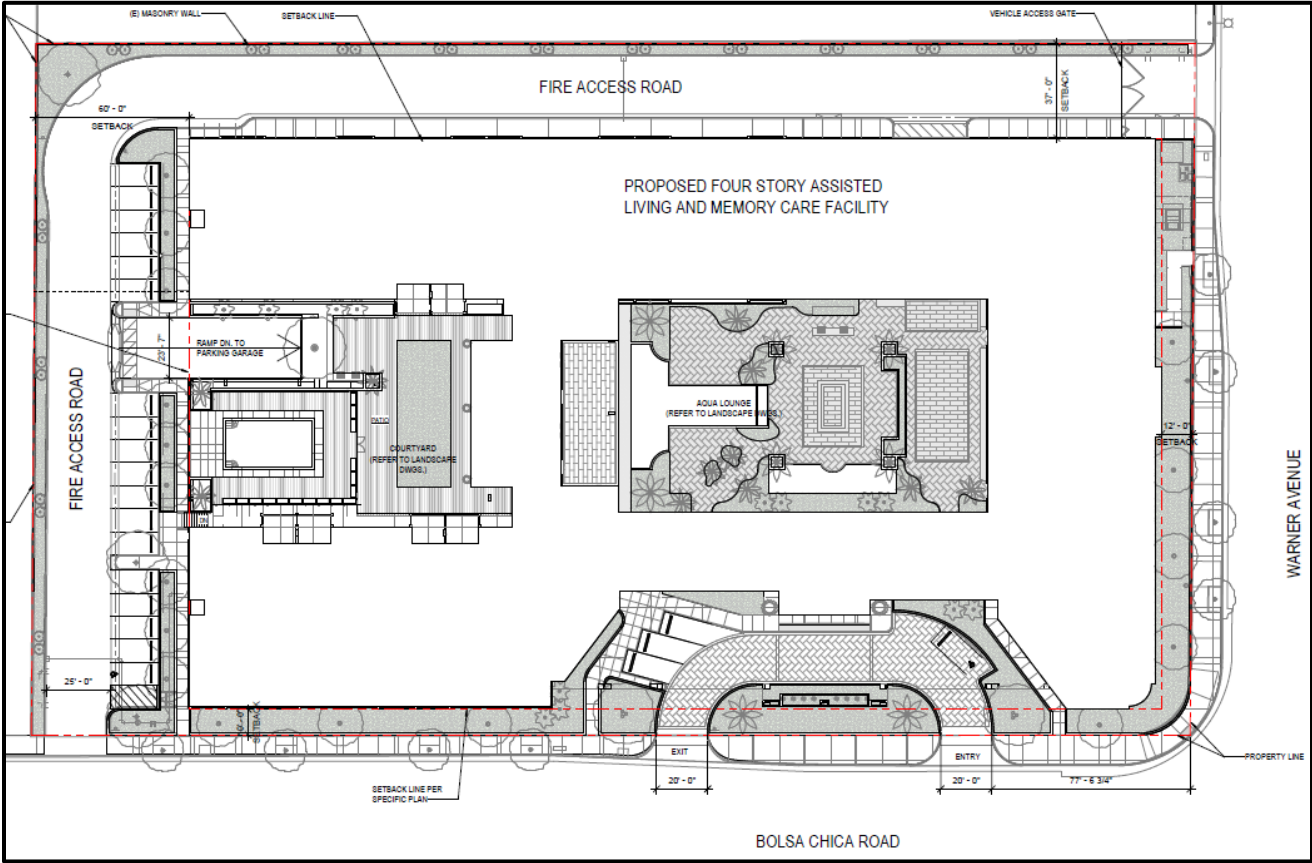


The original project was analyzed by Draft EIR No. 21-004 and the entitlement requests were presented to the Planning Commission and City Council in 2023 for consideration. The Planning Commission recommended approval of the legislative amendments and approved the Conditional Use Permit, which was subsequently appealed to the City Council. Following two community meetings and two agendaized public hearings before the City Council, the original project was continued to a date uncertain by the City Council at the applicant's request on December 21, 2023.

Revised Project

The currently proposed project facility (revised project) is a four-story 215,000 sq. ft. convalescent facility with on-site alcohol sales and consumption at a maximum overall height of 49.5 ft., consisting of 159 total units, a subterranean parking garage, and associated hardscape and landscape improvements. The total 159 senior care units are comprised of 25 Memory Care units and 134 Assisted Living units. There are no independent living units proposed with the revised project. Further, the revised project facility will operate within a four-story 49.5 ft. high building on the project site. Below are the site plan, elevation, and perspective drawing of the revised project:

Revised Project Site Plan



Revised Project Elevation



Revised Project Perspective



The new community would be licensed by the California Department of Social Services, Community Care Licensing Division (CCLD) per California Code of Regulations (CCR) Title 22, Division 6, Chapter 8 as a Residential Care Facility for the Elderly (RCFE). The State would enforce laws and regulations governing resident rooms, including building inspection prior to opening and thorough periodic inspections during operations. The RCFE designation would allow residents at the community to age in place and receive assistance with the activities of daily living. Care for assisted living and memory impaired residents would be provided 24 hours per day, seven days per week. Once the community reaches full residential occupancy, it is anticipated that there would be a total of 60 full-time employees, spread out over multiple shifts. Vans would be provided to transport residents to off-site activities.

PROJECT ANALYSIS:

Subject Property And Surrounding General Plan Designations, Zoning And Land Uses:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	CG (Commercial General)	CG	Retail and Office
North of Subject Property:	CG	CG	Retail Pharmacy
East of Subject Property:	CG and RM (Residential Medium Density)	CG and RM	Commercial and single family residential
South of Subject Property:	PS(CG) (Public Semi-public, CG underlying)	CG	Commercial Office
West of Subject Property:	RMH (Residential Medium High Density)	RMH	Residential Apartments

General Plan Conformance:

The General Plan Land Use Map and zoning designation on the subject property is CG (Commercial General). The Commercial General designation provides for retail commercial, professional offices, restaurants, drugstores, personal services, as well as institutional and health care related uses. Through a General Plan Amendment request, the applicant is proposing to amend the current General Plan designation on the project site from CG to a M-sp (Mixed Use) designation with a Specific Plan Overlay, which provides for residential or commercial uses on the site. Both CG and M designations are compatible with the existing surrounding area.

In addition to the proposed amendment to the General Plan Land Use Map, the request will also update Land Use Element Figure LU-3 to reflect the proposed specific plan, if approved.

The proposed project is consistent with the intent of the proposed Mixed Use (M) designation and the goals and policies of the City's General Plan as follows:

Land Use Element

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

Policy LU-1C: Support infill development, consolidation of parcels, and adaptive reuse of existing buildings.

Policy LU-1D: Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

Policy LU-2E: Intensify the use and strengthen the role of public art, architecture, landscaping, site design, and development patterns to enhance the visual image of Huntington Beach.

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

Goal LU-4A: Encourage a mix of residential types to accommodate people with diverse housing needs.

Goal LU-11B: Encourage new businesses to locate on existing vacant or underutilized commercial properties where these properties have good locations and accessibility.

Goal LU-12B: Encourage renovation and revitalization of deteriorating and struggling nonresidential areas and corridors, particularly commercial locations.

The new four-story senior care community project is an infill development on two underutilized commercial properties that would assist in meeting the overall housing needs of the community. In addition, the proposed convalescent facility is compatible in proportion, scale, and character with surrounding land uses. The proposed building is similar in height and massing to other multi-story senior living facilities in the City that are adjacent to residential uses. The project design is a traditional style of architecture that is reflective of the City's beach lifestyle that complements and enhances the architectural style of the larger surrounding area. A variety of building materials, multilevel rooflines, and varying building setbacks along the Warner and Bolsa Chica frontages are incorporated into the proposed design and are intended to break up the scale and massing of the building. Landscaping includes a variety of tree and plant species and is designed to complement the architecture, frame the building elements, and be consistent with the overall character of the surrounding area. Lastly, the proposed convalescent facility supports the provision of a mix of housing types that meet the diverse economic, social, and housing needs of the community.

Noise Element

Goal N-1: Noise-sensitive land uses are protected in areas with acceptable noise levels.

Policy N-1B: Incorporate design and construction features into residential, mixed-use, commercial, and industrial projects that shield noise-sensitive land uses from excessive noise.

Goal N-2: Land use patterns are compatible with current and future noise levels.

Goal N-3B: Prioritize use of site planning and project design techniques to mitigate excessive noise. The use of noise barriers shall be considered a means of achieving the noise standards only after all other practical design-related noise mitigation measures have been integrated into the project.

The proposed project would introduce a quasi-residential land use on a property currently developed with commercial office and retail uses. The proposed project's design incorporates the existing configuration of the project site to maintain acceptable stationary noise levels at existing noise-sensitive land uses by placing outdoor amenities and vehicle parking associated with the use behind or beneath the primary structure so as to attenuate potential off-site noise impacts. Additionally, a new 8-foot high masonry wall would be installed along the project site's southern boundary and operational noise levels would not exceed the City's exterior daytime or nighttime noise standards as established in the Municipal Code. Further, the use of modern construction methods and materials will reduce vehicle noise from the adjacent roadways to the project, and the building design and siting is proposed to buffer any roadway noise from Warner Avenue and Bolsa Chica Street to the future residents' common open space courtyards.

Housing Element

Goal H2: Provide adequate housing sites through appropriate land use, zoning, and specific plan designations to accommodate Huntington Beach's share of regional housing needs.

Policy H2.1: Provide site opportunities for development of housing that responds to diverse community needs in terms of housing types, cost, and location emphasizing locations near services and transit that promote walkability.

The proposed community would provide 159 units for senior living only and include on-site amenities for senior residents to recreate, exercise, dine, and be entertained thus reducing the need for residents to travel off-site. Multiple commercial businesses are within walking distance of the project site. For services that are not available onsite, van transportation would be provided for senior residents to access offsite uses including restaurants, medical offices, and pharmacies.

Zoning Compliance:

Zoning Map Amendment

The applicant is proposing to amend the zoning designation from CG (Commercial General) to SP-19 (Specific Plan No. 19), referred to as the Bolsa Chica Senior Care Community Specific Plan (BCSCCSP) in conformance with the proposed General Plan designation of M-sp. The proposed SP-19 is analyzed in greater detail in the next section below and provides for the orderly development of the subject site to ultimately create a cohesive senior living community. A specific plan also allows the establishment of customized development standards to permit a unique development that the standard zoning code would not permit.

The subject site complies with the HBZSO required minimum net area of two acres for specific plans. The adoption of the ZMA will be in conformity with public convenience, general welfare and good zoning practice because the Specific Plan designation will implement the proposed General Plan land use designation which includes a Specific Plan Overlay, will be compatible with the surrounding area by providing senior housing in close proximity to residential and commercial uses, and consistent with General Plan goals and policies including:

- Infill development of underutilized commercial properties;
- New senior care units that respond to diverse community needs;
- Benefits to the local economy, additional revenue to the City, and job creation

A community need is demonstrated for the change proposed because the Specific Plan designation will allow the development of additional senior units in a modern facility with high quality design, architecture, and amenities for residents and their visitors. The

change will enhance the local economy, provide additional revenue to the City, create jobs, and provide additional attainable senior housing stock with an opportunity for senior residents to age-in-place and remain close to family and services.

Zoning Text Amendment

The proposed Specific Plan will serve as the zoning ordinance for the subject site (Attachment No. 6). It will be supplemented by the HBZSO for provisions that are not addressed or customized in the BCSCCSP. The proposed Specific Plan is divided into five sections:

1. Introduction – provides the purpose/intent of the BCSCCSP, site location, and project overview
2. Development Plan – describes the project vision and development plan
3. Development Standards & Guidelines – sets forth development standards and design guidelines applicable to the Specific Plan area and facilitate development of the proposed senior living community
4. Infrastructure – describes proposed infrastructure and services, including grading, hydrology, water quality, sewer, and dry utilities
5. Administration & Implementation – discusses the process for implementation, potential future amendments, and severability.

The BCSCCSP intends to implement a new senior community designed to provide residents with a unique, vibrant living experience that encourages socialization and provides continuing care and other services. A wide range of customizable care options and amenities enable residents to age in place and are integral to the successful operation of a senior living community and have been designed in a way that accommodates the necessary square footage intended for those amenities and services, as well as efficiently interconnecting these spaces to one another.

The BCSCCSP is consistent with and implements the proposed General Plan land use designation (Mixed Use) which includes a Specific Plan Overlay for the subject site. The BCSCCSP conforms to the adopted land use designations for the subject site and is consistent with General Plan goals and policies to provide:

- A senior care community of compatible proportion, scale, and character of the area
- Flexibility in development standards to accommodate a senior care community of superior design and architecture
- Benefits to the local economy, additional revenues to the City, and job creation
- Improved appearance and economic vitality of underutilized commercial areas
- Enhanced landscaped setback areas
- Sufficient emergency and first responder access to the site

Deviations from the base district provisions that otherwise would apply are justified by compensating benefits of the BCSCCSP because it will allow a new senior living community that includes assisted care units and memory care units that provide a continuum of care within the same building that suits different life stages and market needs. The BCSCCSP will further enhance the potential for high quality urban design in comparison with the maximum development potential under the base district provisions because it will facilitate the coordinated development of one cohesive community providing senior care and convalescent services, thus resulting in reduced overall daily traffic trips. In order to create the highest quality senior living environment, the BCSCCSP includes development standards that would allow a greater floor area ratio (1.68 in lieu of 1.5) and a revised parking demand calculation, when compared to what Chapter 231 of the HBZSO otherwise requires. A slightly larger senior care community project enables a modern facility of high quality site design, architecture, and amenities that ensure that residents are provided onsite quality and dependable services and close connections to the surrounding community without significantly impacting existing uses. The BCSCCSP includes adequate provisions for utilities, services, and emergency vehicle access. Public service demands will not exceed the capacity of existing and planned systems.

Conditional Use Permit

The Conditional Use Permit request for the proposed project includes three total requests. First, the convalescent facilities land use is a conditionally permitted use, which herein is used as the land use approval mechanism for a proposed Specific Plan district. Second, the Conditional Use Permit also includes a request to construct the proposed project on a site that has an existing grade differential greater than 3 feet between the low and high points. The original project included the excavation of more than 25,000 cubic yards of soil to accommodate a larger subterranean parking garage. However, the revised project involves the excavation of approximately 12,500 cubic yards of soil, and the request is no longer applicable. Finally, the last request is for approval of a Type 47 ABC alcohol license that would permit the service of beer, wine, and spirits in the dining rooms and cafes of the facility for residents and their guests.

The senior care community will be open and staffed 24 hours a day, seven days a week. The use will be a controlled environment, limiting access to people coming in and out. As a conditionally approved use, staff has reviewed the proposed development and facility operations for compatibility with surrounding uses. Staff suggests conditions of approval that pertain to the safety and security of both residents and guests alike as they utilize the subterranean parking garage. The proposed operations is not anticipated to have detrimental impacts on the surrounding land uses as it provides senior housing necessary for the community, and future residents will be well served by nearby businesses, services, and public open spaces and activities.

Type 47 ABC Alcohol License

A Type 47 ABC alcohol license authorizes the sale of beer, wine and distilled spirits for consumption on the licensed premises. The Police Department has reviewed this request and specific conditions for the responsible operation of the use have been included as recommended conditions of approval for the CUP. The sale and consumption of alcohol is ancillary to the senior care facility and is not anticipated to generate significant impacts to surrounding uses. It enables the proposed facility to provide a high level of resident and guest comfort and convenience, similar to that of a standalone restaurant.

Grade Differential

The HBZSO requires a conditional use permit for any new development that will occur on a site that has an existing grade differential greater than 3 feet between the low and high points (Section 230.70 (C) Measurement of Height). This requirement ensures that developments are addressed to minimize potential impacts of the project on surrounding uses in consideration of existing and proposed grades. Between the lowest (northeast) and highest (southwest) elevations of the site, the grade difference is approximately 6.19 feet. Based on preliminary grading plans, construction of the proposed project would involve approximately 12,500 cubic yards of cut with the anticipated excavation depth of approximately 6.5 feet below the existing ground surface. The proposed project internally terraces the building to follow the natural grade and maintain compatibility with surrounding development. The building is proposed with three stories along the street frontages, and the fourth story occurring towards the center and rear of the site. Building massing is reduced through the use of architectural treatments including wall and roof offsets, an upper story setback, and landscaping.

Access, Circulation, and Parking

In the existing condition, the project site is accessed by a total of four driveways; one from Warner Avenue and three from Bolsa Chica Street. With implementation of the proposed project, vehicle access to the community would be provided via three driveways on Bolsa Chica Street (one entry-only driveway and one exit-only driveway for the porte cochere, and one full access driveway from the subterranean parking garage). The proposed project would provide a wrap-around driveway and fire lane access road with an exit only driveway on Warner Avenue (in the northwest corner of the property) for emergency, trash/recycling, and service vehicles. This L-shaped driveway would feature an access control gate for emergency, delivery, and waste vehicles only that complies with the City's Fire standards. Primary vehicle access to the subterranean parking garage for employees, residents, and their guests is provided from the southernmost driveway along Bolsa Chica Street. A passenger drop-off zone for the community would be located in front of the main entrance along Bolsa Chica Street under the porte cochere. Pedestrian access to the community would be provided via sidewalks along Warner Avenue and Bolsa Chica Street as well as internal walkways.

The project would provide 104 parking spaces for residents and staff, 22 of which would be at-grade parking spaces (18 spaces along the south facing façade, and 4 spaces under the porte cochere fronting Bolsa Chica Street). A single-level subterranean parking

garage will be constructed beneath the senior living community and provide 82 parking spaces, including disabled and clean air vehicle spaces. Guest parking is included in the parking requirement calculation outlined below.

Parking Requirements

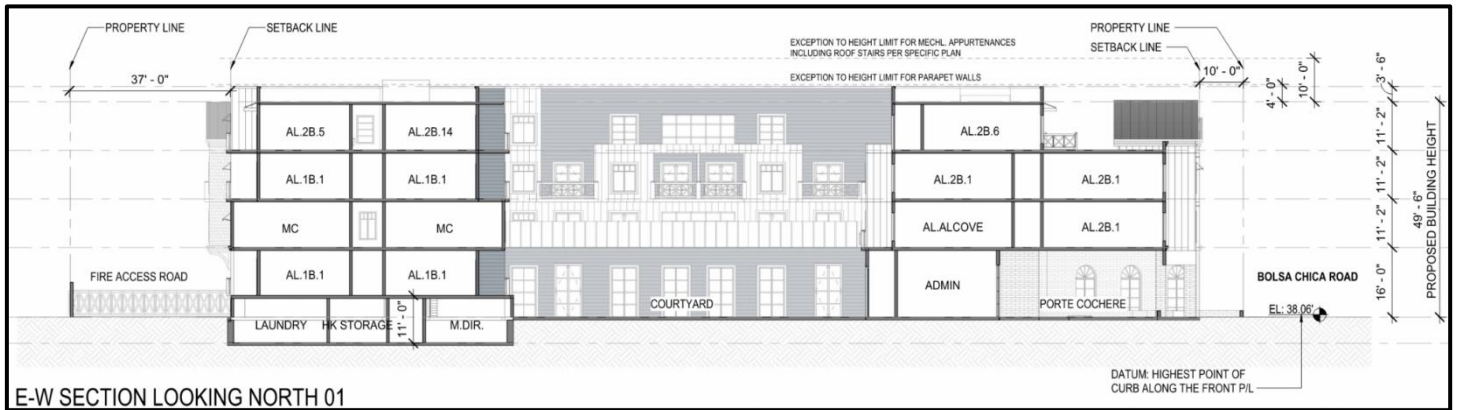
CONVALESCENT FACILITIES	SKILLED NURSING FACILITIES:	0.65 PER UNIT
	ASSISTED LIVING FACILITIES:	0.65 PER UNIT
MEMORY CARE:	25 UNITS x 0.65 =	17 SPACES
ASSISTED LIVING:	134 UNITS x 0.65 =	87 SPACES
	TOTAL	104 SPACES REQUIRED

The HBZSO provides a parking standard for convalescent facilities on a 'per bed' basis. A parking study prepared for this project recommends the above parking rates, calculated on a per unit basis, as adequate for the size and scope of the proposed facility. Based on the project's parking study, the facility's peak demand for parking will be 76 vehicles and the project provides 104 parking spaces.

Height

Current HBZSO development standards in the CG (Commercial General) zoning district permit maximum height of structures to 50 feet as measured from the datum, which is established as the highest adjacent top of curb. Under existing CG requirements, an additional 10 feet of overall height, up to 60 feet maximum overall, is permitted but only for parapet walls, stairways, elevators, and mechanical equipment to provide architectural screening of access ways and equipment, and enhancement of the building elevations by incorporating these elements into the colors and materials of the overall project. The proposed Specific Plan would permit a maximum overall height of 50 feet, consistent with current code requirements under the CG designation. The Specific Plan also makes the same accommodation of an additional 10 feet of height, which enables a parapet wall to screen rooftop mechanical equipment, and a single roof access stairway. The proposed project does not include any portion of the primary habitable building area that exceeds 49 feet 6 inches. Below are exhibits from the project's section drawings and elevations that highlight these dimensions:

A. Section Drawing

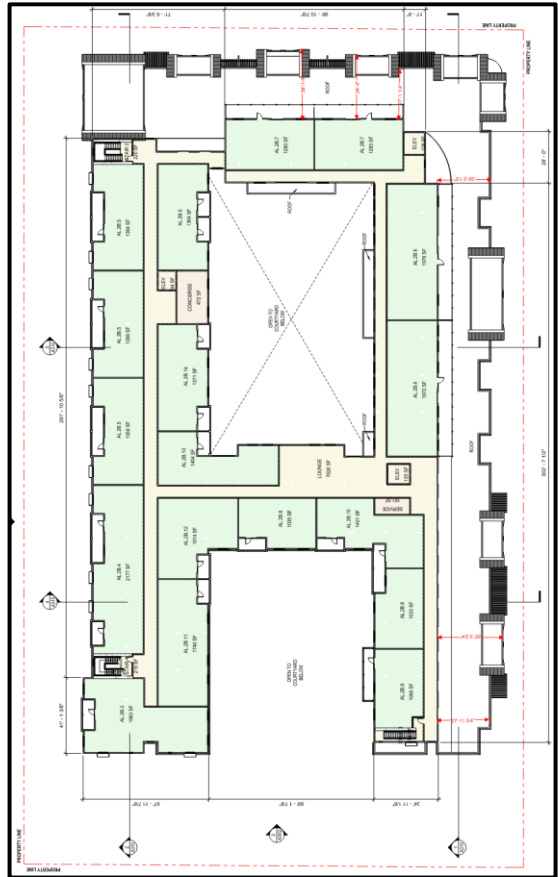


B. Elevation



Additionally, and in accordance with the BCSCCSP, the project includes upper story setbacks at various locations ranging between 27 and 38 feet along each elevation to reduce the overall mass of the structure, provide articulation along the building planes, and provide a transition in scale to adjacent uses. The exhibit below is the 4th floor plan, highlighting those areas on the floors below that are part of the building's primary massing. Each elevation has been treated with an upper story setback to reduce the bulk and massing of the 4th floor.

4th Floor Upper Story Setback



Urban Design Guidelines Conformance:

The City's Urban Design Guidelines promote high quality development that contributes to a positive physical image and identity of the City. Currently, the City's Urban Design Guidelines do not contain specific guidelines for convalescent facilities such as the proposed project. However, the project's location at a highly visible, well-traveled intersection creates a strong demand for quality design and architecture that is compatible with the variety of existing adjacent uses and representative of modern design. Consistent with the City's Urban Design Guidelines for Mixed Use projects, the project creates visual interest by providing a pedestrian friendly design and high-quality architectural design and ornamental landscaping. The style and use of architectural materials is consistent throughout the project's exterior and includes multiple roof lines and cornice details that provide distinctive caps to building facades. As such, the proposed Specific Plan identifies and would incorporate project-specific design guidelines that are consistent with the City's Urban Design Guidelines for both multi-family and commercial development. Design Guidelines contained within the proposed Specific Plan include development guidelines for landscape, signage, and architectural improvements, including but not limited to:

Site Planning Guidelines

Site Character: Place site elements, including buildings, circulation routes, parking, communal outdoor space, and landscape areas to create an orderly site plan and contribute to a positive neighborhood character.

Site Access & Circulation: Design vehicular and pedestrian circulation systems for safe, efficient, and convenient site access and utilization.

Pedestrian Access & Circulation: Provide safe, convenient, and clearly identifiable pedestrian walkways, designed to minimize conflicts with vehicular access and circulation. Shaded pedestrian walkways and connections are encouraged.

Building Design Guidelines

Building Character & Quality: Design a visually attractive building that improves the aesthetic quality of site and surroundings. The building should exhibit a unified composition, achieving a sense of proportion and balance in both exterior form and the placement of such features as windows, doors, and architectural elements.

Façade Articulation: Modulate exterior building walls; articulation may include change of wall plane, door and window treatment, and other compatible architectural treatment that creates an interesting pattern of projections and provides visual relief (e.g., balconies, canopies, and overhangs, etc.).

Materials & Finishes: Choose materials, textures, and colors that add visual interest and complement the scale and character of the building. []

Environmental Status

Original Project

In accordance with the California Environmental Quality Act (CEQA), EIR No. 21-004 was prepared by LSA to analyze the potential environmental impacts of the original project as well as identify appropriate mitigation measures.

A Draft EIR analyzing the original project was made available to the public, public agencies, Planning Commission and City Council for review at the start of the 45-day public comment period on May 1, 2023. The Final Draft EIR, including the Response to Comments and all text changes as a result of the public comment period was posted on the City's website prior to the public hearing on the EIR and an online link was forwarded to the Planning Commission and City Council.

The Draft EIR for the original project discussed potential adverse impacts in the areas described below. The direct, indirect, and cumulative impacts of the original project were addressed, as were the impacts of the No Project Alternative.

Scope of EIR Analysis

The Draft EIR of the original project studied the following topics pursuant to CEQA guidelines:

Aesthetics	Geology and Soils
Noise	Utilities and Service Systems
Cultural Resources	Greenhouse Gas Emissions
Land Use and Planning	Air Quality
Energy	Tribal Cultural Resources

Environmental topics and CEQA Checklist questions/thresholds with no potential significant impacts were discussed in Chapter 2.0 of the EIR and were scoped out from further detailed analysis in the EIR.

Project Impacts

The draft EIR concluded that the environmental impacts as a result of implementation of the original project would not result in significant unavoidable adverse impacts. Chapter 4.0 of the draft EIR includes proposed mitigation measures for potentially significant impacts for Cultural Resources, Geology and Soils, and Tribal Cultural Resources to ensure that no significant, adverse effects on the environment would occur. The Mitigation Monitoring and Reporting Program is included as Attachment No. 12 and has been incorporated into the Conditions of Approval (Attachment No. 1).

Revised Project

As described above, the revised project represents a request to construct a convalescent facility that is reduced in its size and scope. Since the revisions to the original project include a reduction in height, elimination of a previously proposed 5th story, elimination of any independent senior living units, and modification of the on-site access and circulation design, the applicant prepared a Revised Draft EIR to provide a comparison analysis of the revised project with that of the original project.

The Draft EIR for the original project found that the original project would not result in significant unavoidable adverse impacts and that with incorporation of mitigation measures, all potential impacts could be reduced to a less than significant impact level. Similarly, the Revised Draft EIR makes the same conclusions, given that the revised project is smaller and less intense than the original project. The same mitigation measures will be applied to the project to ensure that any project-related potentially significant impacts are reduced to a less than significant level upon implementation.

The Revised Draft EIR was made available to the public, public agencies, Planning Commission and City Council for review during a 60-day public comment period that commenced June 20, 2024 and concluded August 19, 2024. The Final Revised Draft EIR, which includes the Response to Comments and all text changes as a result of the public comment period has been posted on the City's website prior to the public hearing on the EIR, and a link was forwarded to the Planning Commission and City Council.

Alternatives

Public Resource Code (PRC) Section 21100 and CEQA Guidelines Section 15126 require an EIR to identify and discuss a No Project Alternative and a reasonable range of

alternatives to the proposed project that would feasibly attain most of the basic objectives of the project and would avoid or substantially lessen any of the significant environmental impacts. Further, the range of alternatives required in an EIR is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. An EIR's discussion of alternatives need not include alternatives that do not offer significant environmental advantages in comparison with the project. Of those alternatives, the EIR must examine only those that the lead agency determines could feasibly attain most of the basic objectives of the project. The City, as lead agency, has determined that since there are no significant and unavoidable impacts resulting from the proposed project, and any alternative proposed would not meet all the project objectives, only the No Project Alternative is identified and discussed in the EIR to meet this requirement.

The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. Pursuant to CEQA Guidelines Section 15126.6(e)(3)(C), the lead agency should project what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. The alternative would involve no changes to existing land uses and conditions on the project site, and no new development would occur.

CEQA also requires the identification of an environmentally superior alternative. CEQA Guidelines Section 15126.6(e)(2) states that if the No Project Alternative is the environmentally superior alternative, then the EIR should also identify and environmentally superior alternative among the others. In the short term, the No Project Alternative would have the least impact on the environment because it does not involve any new construction activities or the intensification of land uses. However, when compared to the proposed project, the No Project Alternative would result in greater environmental impacts to air quality and transportation-related impacts to the surrounding circulation system due to the greater number of vehicle trips to and from the project site. Therefore, the No Project Alternative would result in potentially significant impacts that would not occur under the proposed project and would not provide the benefits of the proposed project including helping the City to meet its goal of providing senior housing options within the City, revitalizing the project site, and providing new job opportunities.

The EIR can be certified because it is adequate and complete in that it has identified all significant environmental effects of the project. All significant environmental impacts which can feasibly be mitigated or avoided have been mitigated or avoided by the incorporation of Project Design Features, standard code requirements, and mitigation measures. Lastly, the EIR was prepared in compliance with CEQA Guidelines.

Coastal Status:

Not applicable.

Design Review Board:

Not applicable. |

Other Departments Concerns and Requirements:

The Departments of Public Works, Fire, and the Building Division have reviewed the project and identified a list of applicable code requirements (Attachment No. 11). The Police Department reviewed the project and is proposing conditions of approval regarding the request for a Type 47 ABC alcohol license.

Public Notification:

Legal notice was published in the Huntington Beach Wave on Thursday, August 29, 2024 and notices were sent to property owners of record within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Community Development Department's Notification Matrix), applicant, interested parties, and those who commented on the EIR and provided contact information. No written communications received as of September 4, 2024 have been received.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:
May 16, 2024

MANDATORY PROCESSING DATE(S):
EIR – May 16, 2025 (certified within 1 year)
GPA/ZMA/ZTA/CUP – None

SUMMARY:

The Planning Commission may decide to approve Conditional Use Permit No. 21-024 based on the following:

- Revised project proposal is consistent with the proposed Mixed Use General Plan designation and Specific Plan zoning
- Revised project proposal satisfies all the findings required for approving a Conditional Use Permit

The Planning Commission may recommend certification of Revised EIR No. 21-004 and approval of GPA No. 21-004, ZMA No. 21-003, and ZTA No. 22-005 with findings (Attachment No. 1).

This recommendation may be based on the following:

- The EIR is adequate and complete in that it has identified all significant environmental effects of the project.
- All significant environmental impacts which can feasibly be mitigated or avoided have been mitigated or avoided by incorporation of Project Design Features, standard regulatory requirements, and mitigation measures.
- The EIR was prepared in compliance with CEQA Guidelines.
- The GPA, ZMA, and ZTA are consistent with the General Plan and its goals, policies, and objectives.
- The GPA, ZMA, and ZTA are compatible with the surrounding area.

- The request will allow development of a new senior care community on the subject site to service senior residents in need of opportunities to age in place with professional care services.
- The project will enhance the local economy, provide additional revenue to the City, create jobs, and provide additional attainable senior housing stock. |

ATTACHMENTS:

1. Suggested Findings and Conditions of Approval of ZMA No. 21-003, ZTA No. 22-005, and CUP No. 21-024
2. Draft City Council Resolution No. 24-XX for EIR No. 21-004
3. Draft City Council Resolution No. 24-XX for GPA No. 21-004
4. Draft City Council Ordinance No. XXXX for ZMA No. 21-003
5. Draft City Council Resolution No. 24-XX for ZTA No. 22-005
6. Draft Bolsa Chica Senior Living Community Specific Plan (SP-19)
7. Vicinity Map
8. Existing and Proposed General Plan Land Use Designation Maps
9. Existing and Proposed Zoning Maps
10. Site Plan, Floor Plans, and Elevations received and dated August 20, 2024
11. Code Requirements Letter dated June 14, 2024
12. Draft Mitigation Monitoring and Reporting Program
13. Final EIR No. 21-004 (includes Draft EIR, Appendices, Response to Comments, and Errata not attached but available at https://www.huntingtonbeachca.gov/business_detail_T9_R337.php)