

P.C. RESOLUTION NO. 18-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DENYING PRECISE DEVELOPMENT PLAN 16-7 TO ALLOW A NEW THREE-STORY, DETACHED 2,744 SQUARE FOOT COMMERCIAL BUILDING WITH GROUND FLOOR RETAIL AND SECOND AND THIRD FLOOR OFFICE SPACE, TO BE CONSTRUCTED BEHIND THE EXISTING 1,841 SQUARE FOOT SINGLE-FAMILY RESIDENCE WHICH WILL BE CONVERTED TO A SINGLE-UNIT MOTEL, AND DENYING PARKING PLAN 16-2 TO ALLOW THE 12-SPACE PARKING REQUIREMENT TO BE MET WITH 4 ON-SITE SPACES (INCLUDING 1 TANDEM SPACE) PLUS FEES IN LIEU FOR 8 SPACES, ON A 4,023 SQUARE FOOT LOT IN THE C-2 (RESTRICTED COMMERCIAL) ZONING DISTRICT AT 70 10TH STREET.

The Planning Commission of the City of Hermosa Beach does hereby resolve and order as follows:

SECTION 1. An application was filed by B&J Capital Investments on March 21, 2016, seeking approval of a Precise Development Plan 16-7 and Parking Plan 16-2 to allow a new three-story, detached 2,744 square foot commercial building with ground floor retail and second and third floor office space, to be constructed behind the existing 1,841 square foot single-family residence which will be converted to a single-unit motel, and a Parking Plan to allow the 12-space parking requirement to be met with 4 on-site spaces (including 1 tandem space) plus fees in lieu for 8 spaces, on a 4,023 square foot lot in the C-2 (Restricted Commercial) zoning district at 70 10th Street.

SECTION 2. The Planning Commission conducted a duly noticed public hearing on July 17, 2018, to consider the Precise Development Plan 16-7 and Parking Plan 16-2 application at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission.

SECTION 3. Based on the testimony and evidence received, the Planning Commission did not have evidence that a sufficient number of parking spaces would be provided on-site for customers, clients, visitors and employees for the combination of uses proposed to occupy the site. The HBMC requires 12 spaces for this project, and the project proposes 4 on-site spaces (including 1 tandem space) plus payment of fees in lieu for 8 spaces. Further, the evidence presented did not provide the Planning Commission with assurance that the configuration of the proposed on-site parking spaces would be adequate to accommodate customers, clients, visitors and employees of the various combinations of uses proposed to occupy the site.

SECTION 4. Based on the testimony and evidence received, the Planning Commission makes the following findings to **DENY** the application for Parking Plan 16-2 pursuant to Section 17.44.210 of the Hermosa Beach Municipal Code (HBMC):

A Parking Plan is a mechanism provided in the HBMC to allow for a reduction in the number of spaces required. The proposed project with the combination of uses (retail, general office and a single-unit motel) requires a total of 12 parking spaces. The proposed project provides 4 on-site spaces (including 1 tandem space) plus payment of fees in lieu for 8 spaces. Thus, the project requires a Parking Plan to meet HBMC parking requirements. HBMC Section 17.44.040 (E) 2.b. requires building sites, where buildings will exceed a 1:1 gross floor area to building site area ratio, to provide a minimum of 25% of

the required parking on-site with the remaining required parking authorized to be paid through in-lieu fee contributions with approval of a Parking Plan. In accepting in-lieu parking and in approving a Parking Plan, the Commission must find that adequate parking will be provided for customers, clients, visitors and employees.

Members of the Commission and public were concerned with the lack of sufficient on-site parking proposed and found that providing approximately 67% of the 12 required parking spaces through payment of 8 parking spaces in-lieu was too high of a percentage to be provided in-lieu. The Commission found that the 4 proposed on-site parking spaces were not sufficient to satisfy the parking needs for the combination of uses proposed.

The nearest public surface parking lot, which contains 130 parking spaces, is located 300 feet away at 1101 Hermosa Avenue (Lot A). The public parking structure containing 261 parking spaces located at 13th Street and Hermosa Avenue (Lot C) is located within 900 feet of the subject property. Occupancy rates for Lots A and C during weekday afternoons is 95% and 96% respectively. Public parking spaces are provided throughout the Downtown, which is located within Zone 2 of the Coastal Zone public parking supply (between 16th Street and 8th Street and as far east as Ardmore Avenue). In Zone 2, through a combination of public parking lots and metered street parking spaces, occupancy rates are 48% on weekday afternoons. Based on these numbers, there is a lack of sufficient public parking available in the area to accommodate the parking demand from the proposed uses and makeup for the lack of 8 parking spaces on the site until in-lieu fees could be used to supply additional parking in the area. Therefore, the project with only four parking spaces would place an undue burden on the parking resources in the surrounding neighborhood.

General office and retail uses both require one space for 250 square feet of gross floor area. The new 2,744 square foot commercial building requires 11 parking spaces, and the existing 1,840 sq. ft. single-family residence (to be converted to a single-unit motel) must provide one parking space because a motel is required to provide one parking space per unit. Although future retail/office tenants of the building are not known at this time, peak parking demand for retail typically occurs between 12:00 p.m. to 3:00 p.m. weekdays and 2:00 p.m. to 5:00 p.m. weekends. Peak demand for office uses typically occurs between 10:00 a.m. to 12:00 p.m. weekdays and weekends. The combination of the motel, retail and office uses will have patrons visiting the site throughout various hours of the day and the project does not provide adequate parking for the demand created by customers, clients, visitors and employees.

SECTION 5. Based on the foregoing, the Planning Commission **hereby DENIES** the request for Precise Development Plan 16-7 because the project does not provide the parking required under HBMC Section 17.44. In accordance with HBMC Section 17.58.030, denial of a PDP is appropriate when the proposed development is inappropriately designed in relation to the surrounding vicinity. The lack of on-site parking is an inappropriate design in that it doesn't meet code requirements and places an undue burden on the parking resources in the surrounding neighborhood. Given the square footage of the proposed development, layout of the uses and the lot size, there are no conditions that can be approved to the current proposed design that can accommodate more on-site parking.

SECTION 6. While a Mitigated Negative Declaration was prepared for this project, pursuant to Section 15270 of the 'Guidelines for Implementation of the California Environmental Quality Act (CEQA)', Title 14 of the California Code of Regulations, the project is not subject to CEQA because CEQA does not apply to projects which a public agency rejects or disapproves.

SECTION 7. Pursuant to the Code of Civil Procedure Section 1094.6, any legal challenge to the decision of the Planning Commission, after a formal appeal to the City Council, must be made within 90 days after the final decision by the City Council.

VOTE: AYES: 5 - Commissioners Pedersen, Saemann, Hoffman, Flaherty and
Chairperson Rice
NOES: none
ABSTAIN: none
ABSENT: none

CERTIFICATION

I hereby certify the foregoing Resolution P.C. No. 18-23 is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California at its adjourned regular meeting of July 17, 2018 and memorialized on August 21, 2018.



Marie Rice, Chairperson



Ken Robertson, Secretary

August 21, 2018

Date