

October 9, 2001

**Honorable Chairman and Members of the
Hermosa Beach Planning Commission**

**Regular Meeting of
October 16, 2001**

SUBJECT: CONDITIONAL USE PERMIT 01-4
 PRECISE DEVELOPMENT PLAN 01-15

LOCATION: 1401 PACIFIC COAST HIGHWAY

APPLICANT: UNION BANK OF CALIFORNIA

REQUEST: DEVELOPMENT OF A ONE-STORY, 3,600 SQUARE FOOT BANK
 BUILDING, WITH A DRIVE THRU TELLER LANE

Recommendation

To approve the requested Precise Development Plan and Conditional Use Permit subject to the conditions as contained in the attached Resolution.

Project Information

ZONING:	SPA 8 - Specific Plan Area
GENERAL PLAN:	Commercial Corridor
LOT SIZE:	34,510 Square Feet
FLOOR AREA:	Existing Restaurant: 3,000 square feet Proposed Bank: 3,600 square feet.
PARKING REQUIRED (IHOP restaurant and bank):	44
PARKING PROVIDED:	46
ENVIRONMENTAL DETERMINATION:	Recommended Mitigated Negative Declaration

Background

The subject site is located at the northwest corner of P.C.H. and Pier Avenue. The property contains an existing restaurant (IHOP) and a vacated former gas station site at the corner and is surrounded by other commercial uses and commercially zoned property. The existing restaurant has 28 parking spaces which is slightly deficient with respect to parking requirements (30 required). The proposed project involves the construction of a new bank building on the former gas station site, and retention of the restaurant and parking area on the northern portion (with no improvements). The proposed structure is a low scale one-story building, and the size and overall impact of the proposed use will be of a relatively low intensity as compared to other possible uses. The proposed bank building will be located towards the front of the lot with the drive-thru teller lane and the bulk of parking located behind the building.

In 1996 the City approved a project as submitted by Unocal to redevelop the entire site with an expanded gas station, car wash, and convenience market. The project was never implemented.

The subject site is zoned commercial (S.P.A. 8). Banks are permitted uses within the S.P.A. 8 zone. The proposed drive-thru teller lane requires a Conditional Use Permit and the new construction requires the approval of a Precise Development Plan. The determination that a drive-thru teller could be permitted with a C.U.P. was made by the City Council on June 12, 2001, pursuant to the similar use provision of Section 17.26.040.

The Staff Environmental Review Committee, at their meeting of September 6, 2001 considered the environmental impacts of the project, and based on the initial study check-list (attached), and testimony at the meeting, recommended an Environmental Negative Declaration.

Analysis

The Specific Plan Area zone includes two sets of development standards (see Section 17.38.330). In this case the proposed development complies with the first tier standards as the building height is less than the first tier maximum of 25 feet; the floor area to lot area ratio is less than 1:1 and the project's total size is less than 10,000 square feet. The project also complies with the first tier standards and the other development standards of the SPA 8 zone.

Landscaping is provided to meet the minimum first tier standard of 5% of the lot area, as 10% of the total lot area is proposed to be landscaped (20% of the newly developed portion). The landscaping is provided along the P.C.H frontage, along Pier Avenue and in and around the parking area. The conceptual landscape plan shows that ample shade trees, shrubs and ground cover are to be provided. Staff is including a recommended condition of approval that a final landscape plan be submitted detailing plant sizes, with minimum 24" box trees and 5 gallon shrubs.

Parking requirements are satisfied both for the proposed development and the existing restaurant. 18 new spaces are proposed to satisfy the parking requirement of 14 spaces for the bank building. Also a total of 46 spaces will be provided on this site combined with the adjacent restaurant to comply with the combined parking requirement of 44 spaces. The project thus eliminates the existing nonconforming parking situation for the restaurant.

Internal circulation is designed to connect the new development with the existing restaurant, which thus connects it with the adjacent shopping center. One new curb cut on P.C.H. is proposed for ingress and egress to replace the two existing curb cuts that were available for the gas station. This ingress/egress will be shared with the restaurant. Two curb cuts will be provided on Pier avenue, with one being the exit for the drive-thru lane and the other providing ingress and egress from Pier Avenue. The State Department of Transportation (CalTrans) is responsible for final issuance of permits to allow ingress and egress from the proposed curb cuts on Pacific Coast Highway. Based on their approval of the similar projects, however, staff would not anticipate CalTrans to require major modifications to the project as the project generated traffic as compared to the prior use will be lower¹. The City, prior to issuing building permits will require approval from CalTrans, which is included as a condition of approval

¹ See the attached comparison of trip rates of previous gas/service station and proposed "drive-in" bank. The total daily trips and AM peak hour trip generation for the bank are significantly less, while the p.m. peak is similar to prior use.

Previously the issue of whether to require a deceleration / right turn lane in addition to the existing 3 southbound lanes has come up in association with the development of this corner. It was not required for the 1996 project, and CalTrans has not indicated a need for such a lane. Based on the traffic generation comparison noted above, this project will result in less traffic generation than the prior use, meaning there is no justification or authority for requiring such a traffic mitigation measure due to the direct impact of this project. Further, a recent traffic study of the level of service at the P.C.H./Pier Avenue intersection indicated that that it is operating within capacity (Level of Service B during AM peak and LOS D during PM peak ²) with no indicated need for a right turn/deceleration lane. Further, the project design includes an area at the Pier Avenue/P.C.H. intersection for dedication for a gateway sign, which has been an objective in the City's downtown revitalization plan. If this area was otherwise dedicated for a right turn lane, this prominent corner sign location would be lost, as well as the proposed ample landscaping, and the project would have to be compressed on a much smaller site area.

Overall the project can be characterized as low scale and low intensity, especially when considering other possible uses, such as the previously approved gas station with convenience market and car wash. As such it will have no view impacts and insignificant impacts on traffic and congestion, and is able to provide ample parking and landscaping. By locating the building in the front of the lot and coordinating circulation and parking with the adjacent restaurant to minimize curb cuts it is consistent with site design principles contained in the Livable Communities Handbook for South Bay Cities³. Further it allows the IHOP restaurant to be retained and brings the parking into compliance with current standards.

CONCUR:

Ken Robertson
Associate Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Proposed Resolution
2. Trip Generation Comparison
3. Location Map
4. Photographs
5. Excerpt from Downtown Implementation Plan: Signage

pdp1401pch

² Traffic Analysis prepared by Katz, Okitsu & Associates for the Hampton Inn Project 2/2000

³ Livable Communities Handbook – Land Use and Design Strategies for South Bay Cities July, 2000

P.C. RESOLUTION NO. 01-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT AND PRECISE DEVELOPMENT PLAN FOR A ONE-STORY 3,600 SQUARE FOOT DRIVE-THROUGH BANK AT 1401 PACIFIC COAST HIGHWAY, AND LEGALLY DESCRIBED AS A PORTION OF LOT 10, BLOCK 80, 2ND ADDITION TO HERMOSA BEACH

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

Section 1. An application was filed by Union Bank of California lessee of property at 1401 Pacific Coast Highway seeking approval of a Conditional Use Permit and Precise Development Plan to construct a bank building with a drive-through teller window.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for a Conditional Use Permit and Precise Development Plan on October 9, 2001, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission.

Section 3. Based on evidence received at the public hearing, the Planning Commission makes the following factual findings:

1. The applicant is proposing to construct a one-story bank building containing 3,600 square feet with a drive-through teller window, which requires a Precise Development Plan pursuant to Chapter 17.58 of the Zoning Ordinance.

2. Pursuant to Section 17.26.040 regarding similar uses, the City Council determined that the proposed use with the drive-through teller window may be permitted in conjunction with the bank with the approval of a Conditional Use Permit.

3. The subject site is located at the northwest corner of P.C.H. and Pier Avenue. The property contains an existing restaurant (IHOP) and a vacated former gas station site and is surrounded by other commercial uses and commercially zoned property. The existing restaurant has 28 parking spaces, which is slightly deficient with respect to parking requirements (30 required). The proposed project involves the construction of a new bank building on the former gas station site, and retention of the restaurant and parking area on the northern portion (with no improvements). The proposed bank building will be located towards the front of the lot with the drive-thru teller lane and the bulk of parking located behind the building.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the application for a Conditional Use Permit and Precise Development Plan.

1. The project is consistent with applicable general and specific plans, and is in compliance with the use and development requirements of the Zoning Ordinance.
2. The site is zoned S.P.A. 8, Specific Plan Area-Commercial, and the project and proposed use complies with the development standards contained therein.
3. Pursuant to the specific standards of the S.P.A. 8 zone and the underlying C-3 zoning, the project conforms to the zoning requirements contained therein including, but not limited to, bulk, landscaping, parking, and building height.
4. The project has been reviewed pursuant to Chapter 17.58, Precise Development Plans and is consistent with the standards and review criteria contained therein.
5. The proposed use with the drive-through lane has been considered in accordance with Section 17.40.020 pertaining to Conditional Use Permits.
6. Compliance with the Conditions of Approval will mitigate any negative impact resulting from the issuance of the Precise Development Plan.
7. The Planning Commission concurs with the Staff Environmental Review Committee's recommendation, based on their environmental assessment/initial study, that this project will result in a less than significant impact on the environment, and therefore qualifies for a Negative Declaration.

Section 5. Based on the foregoing, the Planning Commission hereby approves the subject Conditional Use Permit and Precise Development Plan subject to the following **Conditions of Approval**:

- 1. The development and continued use of the property shall be in conformance with submitted plans reviewed by the Planning Commission at their meeting of October 16, 2001. Minor modifications to the plan shall be reviewed and may be approved by the Community Development Director.**
- 2. Egress from the drive-through lane onto Pier Avenue shall be right turns only. Appropriate signs prohibiting left turns out of the side shall be provided to the satisfaction of the City Department of Public Works.**
- 3. Architectural treatment shall be as shown on building elevations and site and floor plans. Any modification shall require approval by the Community Development Director.**
- 4. The project shall comply with the requirements of the Fire Department and the Public Works Department.**
- 5. The applicant shall obtain approval from the California Department of Transportation for ingress and egress at the proposed driveway locations, and any**

design requirements of CalTrans shall be included on project plans prior to issuance of building permits.

- 6. The applicant shall convey to the City for long term purposes, in a form acceptable to the City attorney, the 15' X 15' area as identified on project plans for City use as a downtown gateway sign and landscaping.**
- 7. Final building plans/construction drawings including site, elevation, floor plan, sections, details, signage, landscaping and irrigation, submitted for building permit issuance shall be reviewed for consistency with the plans approved by the Planning Commission and the conditions of this resolution, and approved by the Community Development Director prior to the issuance of any Building Permit.**
 - a.) Detailed landscaping plans shall be included which specify plant sizes, with all proposed trees to be minimum 24" box size and shrubs minimum 5 gallon size, and which specify landscaping.**
- 8. All exterior lights shall be located and oriented in a manner to insure that neighboring residential property and public right-of-way shall not be adversely effected.**
- 9. An oil separator for on-site stormwater drainage shall be provided in the parking lot to the satisfaction of the Public Works Department.**
- 10. The project and operation of the business shall comply with all applicable requirements of the Municipal Code.**
- 11. The Precise Development Plan shall be recorded, and proof of recordation shall be submitted to the Community Development Department.**
- 12. Each of the above Conditions of Approval is separately enforced, and if one of the Conditions of Approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.**
- 13. Permittee shall defend, indemnify and hold harmless the City, it agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employee to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of the Government Code. The City shall promptly notify the permittee of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the permittee of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the City.**
- 14. The permittee shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of this grant. Although the permittee is the real party in interest in an**

action, the City may, at its sole discretion, participate at its own expense in the defense of the action, but such participation shall not relieve the permittee of any obligation under this condition.

- 15. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.**

Section 6. This grant shall not be effective for any purposes until the permittee and the owners of the property involved have filed at the office of the Planning Division of the Community Development Department their affidavits stating that they are aware of, and agree to accept, all of the conditions of this grant.

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:
 NOES:
 ABSTAIN:
 ABSENT:

CERTIFICATION

I hereby certify that the foregoing Resolution P.C. 00- is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California at their regular meeting of October 16, 2001.

Sam Perrotti, Chairman

Sol Blumenfeld, Secretary

Date

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