

March 12, 2002

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

**Regular Meeting of
March 19, 2002**

SUBJECT: CONDITIONAL USE PERMIT 02-2,
 PARKING PLAN AMENDMENT 02-2

LOCATION: 58 11TH STREET

APPLICANT: HAMILTON GREGG BREWWORKS
 58 11TH STREET

REQUEST: TO ALLOW AN EXISTING SMALL BEER MANUFACTURER WITH
 ON-SALE BEER WITH HOURS TO 1:30 A.M. AND TO USE OFF-SITE
 PARKING TO MEET PARKING REQUIREMENTS

Recommendation

To direct staff as deemed appropriate.

Background

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| ▪ ZONING: | C-2, Restricted Commercial |
| ▪ GENERAL PLAN: | General Commercial |
| ▪ ENVIRONMENTAL DETERMINATION: | Categorically Exempt
Class 3 Project |
| ▪ INCREASED PARKING REQUIRED: | 15 spaces
(Change from retail to bar use) |
| ▪ ADDITIONAL PARKING PROPOSED ¹ : | 6 spaces off-site (3 pairs in tandem)
(Pursuant to Section 17.44.140E) |

In 1992 Hamilton Gregg Brewworks was approved to operate as a “Do-it Yourself Brewery.” The use was allowed based on interpretation of the Planning Commission, confirmed by the City Council, that it fit within the C-2 zone category of a hobby supply business. In January 1993, the Planning Commission approved a Parking Plan to allow the addition of a refrigeration unit in the rear of business, resulting in a decrease in available on-site parking based on the availability of public parking in the surrounding area.

The business has grown from a “Do-it Yourself” brewery business, where customers used the facilities to include beer manufacturing on a small scale. The applicant is now proposing to completely phase out the do-it-yourself portion the business that now operates under a Type 23 “Small Beer Manufacturer” license from the State Department of Alcohol Beverage Control (ABC). The license

¹ The applicant is proposing to add six parking spaces based upon the exception for the downtown area as set forth in Section 17.44.140(E) and Section 17.44.040 that exempts buildings on lots less than 10,000 square feet, with less than a 1:1 F.A.R. ratio from added parking requirements, and that provides for a reduction to 65% of parking required, is no longer applicable as the development cap has been reached on Coastal Land Use Plan Number Amendment No.4.

allows sales and distribution of beer brewed on the premises, and was recently modified to also allow on-site sales and consumption of the manufactured beer.

The building was substantially renovated in 1993 and was one of the earliest projects in the downtown revitalization. The business has operated without incident since opening as a Do-it Yourself Brewery.

Analysis

The applicant is proposing to completely remove the mini kettles associated with the do-it-yourself portion of the business, and instead provide a bar and bar seating. Bench seating and tables already exist as part of the current business operation within the westerly portion of the building. The proposed remodel includes the addition of a second bathroom and the plan does not include any kitchen facilities.

CONDITIONAL USE PERMIT

A Conditional Use Permit is necessary to allow the proposed changes, which will essentially change the primary use of the building to a bar, since the prior approved use as a do-it-yourself brewery “hobby supply” business will be discontinued. The C-2 permitted use list classifies this use as a “alcohol beverage establishment, on-sale,” which requires a C.U.P. The business also includes some off-sale of beer, which is a permitted use in the C-2 zone as long as the business closes at 11:00 P.M.. A C.U.P. is also necessary to extend the hours of this off-sale part of the business to the proposed time of 1:30 A.M. Consistent with the Type 23 ABC license for small beer manufacturers, the request at this time is limited to sale and consumption of beer manufactured on the premises.

The proposed change is not a restaurant, since there are no kitchen facilities and does not conflict with the current moratorium on new restaurants (Ordinance No. 01-1216U). The proposed use is consistent with the General Plan and C-2 Zone.

PARKING

The applicant is proposing to meet parking requirements by providing off-site parking on a nearby lot at 53 11th Place that is in common ownership with the subject property but on a separate parcel. The applicant has improved a portion of the lot for parking for six spaces (3 pairs of tandem spaces) and leases the parking from the property owner. Providing parking off-site on property under common ownership is allowed under Section 17.44.090(A), although ensuring permanent availability is necessary. Either a long-term lease or some type of covenant that permanently ties this parking to the proposed building could accomplish this requirement.

The parking requirement is calculated as the difference between the existing use (hobby supply or retail) and the proposed bar use, as follows:

<u>Use</u>	<u>Gross Floor Area</u>	<u>Parking Ratio</u>	<u>Total Required</u>
Retail (hobby supply)	1775 square feet	1 space / 250 sq. ft.	7
Bar	1775 square feet	1 space / 80 sq. ft.	22
Net Required Parking			15

This calculation is made in accordance with the definitions under Section 17.44.010 Zoning Ordinance for gross floor area, which is measured from the outside of the walls, and includes the entire floor area of the building. Section 17.44,140(E) and 17.44.040 still contain exceptions in the downtown district

for reduced parking at 65% of the standard parking requirement for qualifying projects, and exemption from any required parking for lots less than 10,000 square with less than a 1:1 floor area to lot area ratio. The reduced parking ratio and parking exception were conditionally approved by the Coastal Commission which has permit authority in the downtown. The City has an approved Local Coastal Land Use Plan (LUP) and cannot approve a project inconsistent with it.² Parking exceptions were applied to several projects in the downtown between 1994 and 1997 based on the provisions of Section 17.44.040 and an amendment to the LUP (Coastal Land Use Plan Amendment No 4). However, the City reached its build-out under this amendment which allowed for parking reductions and exceptions up to a cap of 96,250 square feet of development which was achieved in 1997. Therefore, the City cannot approve projects inconsistent with the LUP and cannot approve reductions or exemptions from parking requirements under this Code section according to the City Attorney. The Coastal Commission is no longer approving project parking in the downtown on the basis of these reductions or exemptions.

Unless the Commission finds that this type of bar differs from a typical bar and should be considered for a reduced parking requirement³, the project must provide all required parking on site or satisfy the parking requirement through in-lieu fees. The in-lieu fees would only apply to the portion of the required spaces not provided (i.e. if 6 spaces are provided off-site and verified to be permanently tied to the subject business, then in-lieu fees would be needed for 9 parking spaces).

CONCUR:

Ken Robertson
Associate Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Applicant's correspondence
2. Site Map
3. Photos of parking area

Notes

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2. The City's Coastal Land Use Plan was certified in August 1981. The Government Code recognizes the Local Coastal Plan as an element of the City's General Plan (Government Code Section 30108.55). The revised LCP which includes a new Coastal Land Use Plan and Implementing Ordinance is still being revised for submission to City Council and the Coastal Commission.
 3. Pursuant to Section 17.44.210, the Planning Commission may consider such factors such as bicycle and foot traffic or the uniqueness of the proposed use (beer manufacturer rather than a full service bar and restaurant) as possible reasons for applying a reduced parking standard or may consider other mitigation related to management of parking for the business.