

June 11, 2003

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

**Regular Meeting of  
June 17, 2003**

SUBJECT:           PRECISE DEVELOPMENT PLAN 03-6  
                      NONCONFORMING REMODEL 03-5

LOCATION:           824 FIRST STREET

APPLICANT:        TOMBLIN AND ASSOCIATES  
                      2733 PACIFIC COAST HIGHWAY, SUITE 210  
                      TORRANCE, CA 90505

REQUESTS:         PRECISE DEVELOPMENT PLAN TO ALLOW A 1,124 SQUARE FOOT  
                      EXPANSION AND REMODEL TO AN EXISTING OFFICE BUILDING

                      NONCONFORMING REMODEL TO ALLOW A GREATER THAN 50%  
                      EXPANSION TO A NONCONFORMING BUILDING

**Recommendations**

To approve the Precise Development Plan, and Nonconforming Remodel subject to the conditions as contained in the attached resolution.

**Background**

ZONING:	SPA 7 - Specific Plan Area
GENERAL PLAN:	Commercial Corridor
LOT SIZE:	5578 Sq. Ft.
EXISTING FLOOR AREA / PARKING:	2,990 Square Feet / 10 Spaces
PROPOSED EXPANSION:	1,124 Square Feet
NEW TOTAL FLOOR AREA:	4,114 Square Feet
PERCENT INCREASE IN VALUATION:	73%
FLOOR AREA RATIO:	0.74
REQUIRED PARKING FOR ADDITION:	4 Spaces
PARKING PROVIDED:	4 Added Spaces (14 total)
ENVIRONMENTAL DETERMINATION:	Categorically Exempt

The applicant has abandoned a proposed addition previously considered by the Planning Commission in October 2002, involving a much more substantial expansion (4500 square feet), which involved the use of the adjacent Water Company property for required parking.

The applicant proposes to expand the existing two-story office building by reconfiguring the first and second stories and adding a third story. The existing parking lot would be reconfigured to increase on-

site parking by four spaces, in order to meet the requirements for the expansion. The proposed expansion and remodel exceeds the maximum 50% increase in valuation permitted by right, therefore requiring Planning Commission approval of a greater than 50% increase in valuation pursuant to Chapter 17.52 of the Zoning Ordinance.

The two-story office building was constructed in 1979. The building was constructed in compliance with zoning requirements in place at that time, which included parking at a ratio of one space per 300 square feet, for a total of 10 spaces. Therefore, the building is nonconforming to current parking requirements since it is deficient by two spaces compared to current parking standards (1 space per 250 square feet for a total requirement of 12 spaces).

The project is categorically exempt from the requirements of California Environmental Quality Act (CEQA), pursuant to the CEQA guidelines, Section 15303, Class 3(c), as the project is located in an urbanized area, involves construction of less than 10,000 square feet, and all necessary public services and facilities are available.

### **Analysis**

The proposed plan involves alterations to the existing first floor to enlarge the parking area and relocate the entry and lobby in the front; the addition of a centrally located elevator access from the middle of the parking level; reduction and reconfiguration of the of the second floor office area including the provision of a 33' wide atrium; and the addition of office space and deck areas on the third floor. The applicant plans to upgrade both the function and appearance of the building potentially for his own use, and/or to attract long-term quality tenants.

### **PARKING**

Pursuant to Section 17.44.140(D) expansions to existing buildings nonconforming to parking are required to provide parking for the amount of expansion. In this case, based on the current parking ratio of 1 space per 250 square feet of office area, the proposed 1,124 square foot expansion requires 4 additional parking spaces ( $1,124 / 4 = 4.49$  which rounds to 4<sup>1</sup>). The entry lobby area, atrium, and deck areas are not included in the floor area calculation for purposes of determining parking requirements, pursuant to the definition of gross floor area in Chapter 17.44 of the Zoning Ordinance<sup>2</sup>.

The applicant proposes to supply this required parking by enlarging and reconfiguring the existing parking located at the ground level, including the use of compact parking stalls. The project satisfies the parking requirement for the expansion, but maintains the existing nonconforming condition of two deficient parking spaces. Therefore, the project is subject to the requirements of Chapter 17.52 as it involves the expansion and alterations to a nonconforming building.

### **NONCONFORMING REMODEL**

Chapter 17.52 of the Zoning Ordinance requires Planning Commission approval when an expansion/remodel of a nonconforming building exceeds 50% and/or requires removal of more than thirty 30 percent existing linear feet of the exterior walls or floor area. The project involves removing some of the existing office space on the second floor and providing a central atrium open to the floor

above, and adding 1,837 square feet of new office space, primarily on the third floor. The combination of demolition and addition, results in a net increase in 1,124 square feet of usable office space. The alterations and additions to the building results in a 73% increase in valuation, and require removing less than 30% of existing exterior walls and less than 30% of the existing floor area.<sup>3</sup>

While the existing deficiency with respect to parking requirements is to be maintained, the proposed changes would appear to be consistent with the intent of Chapter 17.52 which allows expansion to buildings with existing nonconformities<sup>4</sup>. The existing nonconformity relating to parking is only two spaces, which is not substantial or unusual. The building was originally built in compliance with a different parking standard, which has been modified only slightly since the date of original construction. The overall project addition and alteration is limited and moderate in scale, and reasonable considering the existing conditions of the property.

#### PRECISE DEVELOPMENT PLAN / S.P.A. 7 ZONE COMPLIANCE

The Specific Plan Area zone provides two sets of development standards. This two-tier approach was established to allow development that complies with the first tier standards as a matter of right without a Precise Development Plan. In this case, the project is designed to be in compliance with first tier standards, since the project does not exceed first tier standards for bulk or building height. The project is less than 1:1 F.A.R and is designed to be 30-feet high.<sup>5</sup> With respect to standards for landscape coverage, the project is less than the 5% ground level coverage standard for the first tier, but this is no worse than the existing condition, and additional landscaped area in the parkway and planters are proposed for the upper level deck.

Since the project complies with the first tier standards, it is not subject to the development review guidelines of the S.P.A. 7 zone and is only subject to the first tier standards of the S.P.A. 7 zone and the general review criteria for any Precise Development Plan, as follows:

*FRONT SETBACK/ LANDSCAPING:* A three-foot setback or equivalent area is required along the front of the building. With the revised configuration of the parking lot and front lobby area, the building setback varies between 0, 3, and 7'8", providing a total setback area greater than a uniform 3-foot setback. The on-site landscaping is limited to a 3' X 9' area, because of the driveway, and entry and exit landings. However, landscaping to comply with this requirement is provided in the parkway in front of the sidewalk, and includes two mature palm trees. Additional planting is provided in planters located on the third story deck.

*BUILDING HEIGHT:* The building is designed to comply with the maximum first tier standard of 30 feet. The front third of the building at the third story deck, will actually be about 24' high to the top of the deck railing, and the stairway penthouse in that portion will also fit within with 30-foot height. In the higher portion of the building the parapet firewall extends above 30 feet by 2'6" as allowed by the Zoning Ordinance. A condition of approval is included requiring that final roof plans clearly show elevations at the property corners and maximum heights at the critical points on the roof to comply with the 30-foot first tier requirement. In addition any proposed roof-top equipment

must be shown on project plans to ensure compliance with Section 17.46.010 of the Zoning Ordinance.

Also, with respect to the guidelines for Planning Commission review of Precise Development Plans, and in response to previous public input staff has the following observation and findings:

1. The new design has substantially reduced the overall height and bulk of the building as compared to the proposal reviewed in October 2002, which was 35-feet high. While the new addition will increase the height of the existing building, the height will actually be the same or slightly lower in the front third of the lot, as the existing building with its parapet wall is approximately 24-25 feet high, and at the rear of the lot the building height is within the 30-foot height limit to the roof, and 32'6" to the parapet wall, about 7 to 8 feet higher than the existing building.
2. The project includes removing a 33-foot wide portion of the existing second story offices for a centrally located "atrium," a large indoor/outdoor space with an open ceiling that will extend up to the third level, breaking up the office space and adding architectural interest to the building.
3. The overall scale and design of the project with separate distinct office areas lends itself to occupancy by small professional and other lower intensity types of office uses, and should minimize previously expressed concerns about a high intensity use causing parking problems
4. The reduced scale project provides all parking on site, eliminating the need for parking on the California Water Service property, which will maintain its current status of a "buffer" between the building and the nearest residential uses, and eliminate the concern about residential proximity to a parking lot.
5. The revised project requires no special parking variances, or off-site parking arrangements which were a source of concern regarding the previous proposal, and results in all parking being tucked into the building out of site.
6. The exterior of the building is being enhanced with architectural features and materials to improve its appearance and function. Stepping architectural features enhance the three-dimensional quality and special attention has been given to the appearance at the street, as well as along the east elevation, which is viewed by residences to the east.
7. A landscape plan is included which shows adequate landscaping considering the limited areas available. Landscaping is provided in front of the building both on-site and within the public right-of-way and in planters on the third floor deck.
8. While the roof-line is flat for the rear portion of the lot, stepped and sloping roofs are used in the front to avoid the appearance of a flat roof, especially at the street frontage

#### CONDITIONS OF APPROVAL

In additions to standard conditions for a Precise Development Plan, Staff recommends that the following conditions of approval be included:

1. A revised roof plan shall be submitted to demonstrate compliance with the first tier maximum building height of 30-feet. The plans shall clearly show property lines, property corner

elevations, and maximum height critical points. The roof plan shall clearly delineate all roof-top equipment and structures to verify compliance with Section 17.46.010

2. Architectural treatment of the building shall be as shown on building elevations and site and floor plans. Any modification shall require approval by the Community Development Director.
  - a) The front elevation shall include decorative wall and window treatment as shown on the submitted plans.
  - b) The east elevation shall include all decorative wall, window and balcony treatment as shown on the submitted plans.
3. Landscaping shall include mature trees in the parkway and planters on the upper floor deck, consistent with the submitted plans.
4. Occupancy of the building shall be limited to professional and general office use.
5. No changes are allowed to the parking and the parking layout without Planning Commission approval.

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Ken Robertson

Senior Planner

CONCUR:

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Sol Blumenfeld, Director

Community Development Department

Attachments

1. Proposed Resolution
2. Location Map
3. Photos
4. Nonconforming worksheet
5. Correspondence

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<sup>1</sup> Pursuant to Section 17.44.180, of the Zoning Ordinance, "Resulting Fractions," when calculating required parking any resulting fraction less than one-half shall be disregarded.

<sup>2</sup> The definition contained in Section 17.44.010 is as follows: "Gross Floor Area" means the total area occupied by a building or structure, excepting therefrom only the area of any inner open courts, corridors, open balconies (except when utilized, e.g. restaurant seating or similar usage), and open stairways.

<sup>3</sup> See the attached nonconforming worksheet for the calculation of the 73% increase in valuation. The demolition involves the removal of approximately 80 linear feet of exterior walls out of a total of 720 linear feet, or 11%, and the removal of 736 square feet of existing floor area,  $736/2990 = 24.6\%$

<sup>4</sup> The goals of Chapter 17.52, as expressed in Section 17.52.010 are as follows:

- A. To allow buildings, whether they are occupied by a nonconforming use or nonconforming to zoning standards, to remain and be maintained, and to allow some limited alteration and expansion of said buildings when certain criteria are met;
- B. To encourage restoration and maintenance of historical residential buildings;
- C. To encourage the use of the ordinance to meet current and future minimum standards of parking, open space, setbacks, height, etc.;
- D. To limit remodeling and expansion of buildings which by current standards are exceptionally undersized, dilapidated, significantly overdense, or do not meet minimal standards for parking and setback.

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<sup>5</sup> Pursuant to Section 17.46.010 of the Zoning Ordinance, parapet walls, elevator towers and stair towers are exempt from the height requirement providing they only exceed the requirement by that amount required to comply with the Building Code.

P.C. RESOLUTION 03-

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**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PRECISE DEVELOPMENT PLAN, AND GREATER THAN 50% INCREASE IN VALUATION TO ALLOW A 1,124 SQUARE FOOT EXPANSION TO AN EXISTING OFFICE BUILDING NONCONFORMING TO PARKING AT 824 FIRST STREET LEGALLY DESCRIBED AS THE NORTHWEST 139.44 FEET OF LOT 6, TRAFTON HEIGHTS TRACT.**

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

Section 1. An application was filed by Tomblin and Associates owner of property at 824 First Street seeking approval of a Precise Development Plan to construct a 1,124 square foot expansion to an existing office building, and a to allow a greater than 50% increase in valuation to a nonconforming building.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for a Precise Development Plan and Nonconforming Remodel on June 17, 2003, and considered substantial testimony and evidence. Based on the testimony and evidence received the Planning Commission makes the following factual findings:

1. The applicant is proposing to expand an existing office building 1,124 square feet by altering the first and second floor and adding a third floor. The existing building, constructed in 1979, contains 2,990 square feet with 10 parking spaces on the ground floor. The existing parking lot is proposed to be reconfigured to increase on site parking by four (4) spaces.
2. Pursuant to Section 17.44.140(D) expansions to existing buildings nonconforming to parking are required to provide parking for the amount of expansion. In this case, based on the current parking ratio of 1 space per 250 square feet of office area, the proposed 1,124 square foot expansion requires 4 additional parking spaces. The applicant proposes to supply this required parking by reconfiguring the existing parking located at the ground level.
3. Planning Commission approval is required to allow the expansion to exceed a 50% increase in valuation pursuant to Section 17.52.030(B) of the Zoning Ordinance, since the existing building is nonconforming to parking. At the time the building was constructed it complied with parking requirements (1 space per 300 square feet) by providing 10 spaces. Currently, the required ratio for office uses is 1 space per 250 square feet meaning 12 spaces are required.

Section 3. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the application for a Precise Development Plan:

1           1. The general criteria of Hermosa Beach Municipal Code Section 17.58.030 for granting or  
2 conditionally granting a Precise Development Plan have been considered. In making this finding, the  
3 Planning Commission has determined that:

- 4           a. The proximity of the project to existing residential uses will not result in negative effects, as the  
5 project involves the expansion of an existing office, that is separated by one intervening lot from  
6 the nearest residential lot.
- 7           b. The amount of existing and proposed off-street parking is sufficient and complies with the  
8 requirements of the Zoning Ordinance.
- 9           c. The proposed continued use of the property for professional and general offices is compatible  
10 with the area.
- 11           d. The capacity and safety of the streets serving the area is adequate for the traffic volume  
12 estimated to be generated by the project.
- 13           e. The proposed exterior signs and decor are sufficiently compatible with existing establishments in  
14 the area.
- 15           f. Building and driveway orientation is appropriate to minimize noise and traffic impacts on nearby  
16 residential areas.
- 17           g. The project will not result in adverse noise, odor, dust or vibration environmental impacts.
- 18           h. The proposed use will not result in an adverse impact on the City's infrastructure and/or  
19 services.

20           2. The criteria of Hermosa Beach Municipal Code Section 17.58.030(C) for denial of a  
21 Precise Development Plan are not applicable. In making this finding, the Planning Commission has  
22 determined that:

- 23           a. The project will not substantially depreciate property values in the vicinity, or interfere  
24 with the use or enjoyment of property in such area, because of excessive dissimilarity or  
25 inappropriateness of design in relation to the surrounding vicinity.
- 26           b. The project will not have significant environmental adverse impacts

27           Section 4. Based on the foregoing factual findings, and the findings that the project complies  
28 with the Precise Development Plan review criteria the Planning Commission makes the following findings  
29 pertaining to the application for a greater than 50% increase in valuation:

- 1. The maintenance of the existing nonconforming parking condition continues a deficiency of two  
parking spaces relative to current parking requirements of 1 space per 250 square feet, which is not



1 severe or unusual, and is due to a slight increase in the parking requirement ratio that occurred since the  
2 original construction of the building.

3 2. The scale of the proposed expansion is limited in scope and reasonable based on the existing  
4 condition of the property, and is consistent with the first tier planning and zoning requirements for the  
5 SPA-7 zone, and does not warrant requiring the nonconforming parking to be brought into  
6 conformance.

7 3. Approval of the expansion is consistent with the intent and goals of Chapter 17.52 of the Zoning  
8 Ordinance.

9 Section 5. Pursuant to the California Environmental Quality Act (“CEQA”) The project is  
10 categorically exempt from the requirements of CEQA, pursuant to the CEQA guidelines, Section  
11 15303, Class 3(c), as the project is located in an urbanized area, involves construction of less than  
12 10,000 square feet, and all necessary public services and facilities are available and the property is not  
13 located in an environmentally sensitive area.

14 Section 6. Based on the foregoing, the Planning Commission hereby approves the subject  
15 Precise Development Plan and greater than 50% increase in valuation subject to the following

16 **Conditions of Approval:**

- 17 **1. The development and continued use of the property shall be in conformance with**  
18 **submitted plans reviewed by the Planning Commission at their meeting of June 17,**  
19 **2003, incorporating all revisions as required by the conditions below. Minor**  
20 **modifications to the plan shall be reviewed and may be approved by the Community**  
21 **Development Director.**
- 22 **2. A revised roof plan shall be submitted to demonstrate compliance with the first tier**  
23 **maximum building height of 35-feet. The plans shall clearly show property lines,**  
24 **property corner elevations, and maximum height critical points on the roof plan. The**  
25 **roof plan shall clearly delineate all roof-top equipment and structures to verify**  
26 **compliance with Section 17.46.010**
- 27 **3. Architectural treatment of the building shall be as shown on building elevations and**  
28 **site and floor plans. Any modification shall require approval by the Community**  
29 **Development Director.**
  - 30 **a) The front elevation shall include decorative wall and window treatment as**  
31 **shown on the submitted plans.**
  - 32 **b) The east elevation shall include all decorative wall, window and balcony**  
33 **treatment as shown on the submitted plans.**
- 34 **4. Occupancy of the building shall be limited to professional and general office use.**

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5. **No changes are allowed to the parking and the parking layout without Planning Commission approval**
6. **The project shall comply with the requirements of the Fire Department and the Public Works Departments.**
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.**
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. **The project and operation of the business shall comply with all applicable requirements of the Municipal Code.**
10. **Upon issuance of building permits the project shall proceed in compliance with the scope of work outlined on the plans and any further demolition or construction contrary to said plans will result in project delays in order for the City to review project modifications, and may require new plan submittals and Planning Commission review to proceed with construction work.**
11. **Prior to issuance of building permits for demolition and construction, the contractor shall verify the structural integrity of the proposed walls to be retained with a structural inspection approved by the Community Development Director, with details incorporated on construction drawings. This may require further additional structural pest inspections and/or an inspection by a structural engineer.**
12. **The Precise Development Plan shall be recorded, and proof of recordation shall be submitted to the Community Development Department.**
13. **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.**
14. **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 State 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**

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defense, the permittee shall no thereafter be responsible to defend, indemnify, or hold harmless the City.

15. 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.

16. 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 7. 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 8. 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 the foregoing Resolution P.C. No. 03- 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 June 11, 2003.

\_\_\_\_\_  
Peter Hoffman, Chairman

\_\_\_\_\_  
Sol Blumenfeld, Secretary

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Date

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