

P.C. RESOLUTION NO. 03-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PRECISE DEVELOPMENT PLAN AND PARKING PLAN, AS AMENDED, FOR AN EXPANSION AND REMODEL TO AN EXISTING COMMERCIAL BUILDING, "THE HERMOSA PAVILION;" AND TO ALLOW SHARED PARKING TO ACCOMMODATE A NEW ALLOCATION OF USES WITHIN THE CENTER, INCLUDING A NEW HEALTH AND FITNESS FACILITY, OFFICES, RETAIL AND RESTAURANT USES AT 1605 PACIFIC COAST HIGHWAY

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

Section 1. An application was filed by Shook Development Corporation owner of property at 1605 Pacific Coast Highway, known as the "Hermosa Pavilion", seeking to amend a previously approved Precise Development Plan and Parking Plan to remodel and expand an existing commercial building and to allow shared parking to accommodate a new allocation of uses within the building including a health and fitness facility, office, retail and restaurant uses.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for a Precise Development Plan and Parking Plan amendments on August 19, 2003, 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 Hermosa Pavilion retail and entertainment complex was originally approved in 1986, and constructed based on a approval consisting of a Parking Plan for shared parking and a Conditional Use Permit for a 6-plex movie theatre (Resolution P.C. 86-40). A new project without the theatre complex, and focusing on a health club and office uses was approved on June 11, 2002, (City Council Resolution 02,6201) which is in the process of construction at the demolition phase. The applicant is proposing changes to the allocation of uses from the June 11, 2002 approval as follows:

Prior Approved Use (6/11/02)	Allocation	Proposed Project	Proposed Allocation
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1	Health and Fitness	68,300 SF	Health and Fitness Club	46,500
2	Office	25,380 SF	Office	26,000
3	Retail	<u>15,050 SF</u>	Retail	28,500
4	Total	105,378 SF	Restaurant	<u>4,000</u>
5			Total	105,000 SF

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7 2. Based on the June 11, 2002, approval, the existing 6-level parking structure will be
8 reconfigured to contain 450 parking spaces (334 standard, 116 compact size) with an additional 31
9 spaces if tandem parking is used and up to 514 spaces with valet assistance in the existing six-level
10 parking structure.

11 3. The site is zoned S.P.A. 8 which requires amendment to the Precise Development Plan
12 for a remodel and expansion project that exceeds 10,000 square feet and exceeds a floor areas to lot
13 area ratio of 1:1. A Parking Plan is necessary to amend the existing approved shared parking
14 arrangement in order to comply with the parking requirements of the Zoning Ordinance.

15 Section 4. Based on the foregoing factual findings, the Planning Commission makes the
16 following findings pertaining to the application for a Precise Development Plan and Parking Plan
17 Amendment:

18 1. The project is consistent with applicable general and specific plans, and is in compliance
19 with the use and development requirements of the Zoning Ordinance.

20 2. The site is zoned S.P.A. 8, Specific Plan Area-Commercial, and the project and
21 proposed use complies with the development standards contained therein.

22 3. Pursuant to Section 17.44.210 of the Zoning Ordinance, a reduction in the number of
23 parking spaces required is acceptable due to the proposed mix of uses with varying peak hours of
24 parking needs. Parking demand is projected to be satisfied by the supply within the parking structure
25 due to the proposed new mix of uses with varying times of peak parking demand. The applicant has
26 submitted a Shared Parking Analysis, prepared by Linscott Law and Greenspan (dated August 5,
27 2003) to demonstrate that the parking will be sufficient for the proposed mix of uses. The shared
28 parking analysis shows that based on projected hourly parking counts the proposed fitness facility; plus
29 projected parking needs of the office and retail uses (based on City parking requirements), that the
30 proposed supply of 450 spaces is adequate and can be supplemented with parking management.

31 4. Compliance with the conditions of approval will mitigate any negative impact resulting
32 from the issuance of the Precise Development Plan.

1 5. The project is Categorically Exempt from the requirement for an environmental
2 assessment, pursuant to the California Environmental Quality Act Guidelines, Sections 15303(b) and
3 15315 as the modifications to the project adopted with a Negative Declaration are minor.

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

- 6 1. **The development and continued use of the property shall be in conformance with**
7 **submitted plans reviewed by the Planning Commission at their meeting of August 19,**
8 **2003. Minor modifications to the plan shall be reviewed and may be approved by the**
9 **Community Development Director, including modifications to the allocation of uses if**
10 **consistent with the shared parking analysis.**
- 11 2. **To ensure compliance with the Parking Plan for shared parking the allocation of uses**
12 **within the building shall be substantially consistent or less than the following**
13 **allocation:**

	<u>Allocation(in square feet)</u>
14 Health and Fitness Facility (including a	46,500
15 basketball court and pool)	
16 Office	26,000
17 Retail	28,500
18 Total	105,000

19 **Any material change to this allocation requires amendment to the Parking Plan, and**
20 **approval of the Planning Commission.**

- 21 3. **A parking operation plan shall be submitted for approval by the Planning Division**
22 **prior to issuance of the building permit for the Health and Fitness Facility, ensuring**
23 **maximum use of parking structure consistent with the Shared Parking Analysis**
24 **(prepared by Linscott, Law and Greenspan, dated Auguts 3, 2003), and to ensure**
25 **efficient ingress and egress to and from the structure. The parking structure shall**
26 **be operated in accordance with said plan.**
 - 27 a) **A minimum of 450 single use and 30 dual use (tandem) parking spaces shall be**
28 **available within the structure for employees and customers of all tenants within**
29 **the building, and all parking shall be available on a first come first serve basis**
(i.e. no assigned parking except that tandem spaces may be assigned to
employees).
 - b) **The adequacy of parking supplies and the efficiency of the parking operation**
program shall be monitored for six-months after occupancy of the Health and
Fitness Facility, and annually thereafter in the month of January, with a report
submitted to the Community Development Department by the applicant's traffic

1 **engineer certifying adequate on-site parking is available. If supplies are found**
2 **to be inadequate, the applicant shall provide valet assisted parking, and a**
3 **detailed valet assistance program shall be provided to the City for review by the**
4 **City’s traffic engineer. If the City’s traffic engineer finds the parking supply**
5 **inadequate the Planning Commission shall review the Parking Plan and may**
6 **modify the Parking Plan to resolve any parking inadequacy.**

7 **c) A lighting and security plan, including possible use of security personnel shall be**
8 **reviewed and approved by the Police Department to ensure that the parking**
9 **structure is well lit and safe for the patrons prior to issuance of building permits.**

10 **4. Architectural treatment including sign locations shall be as shown on building**
11 **elevations and site and floor plans. Any modification shall require approval by the**
12 **Community Development Director**

13 **5. The project shall comply with the requirements of the Fire Department and the Public**
14 **Works Department.**

15 **6. Final building plans/construction drawings including site, elevation, floor plan,**
16 **sections, details, signage, landscaping and irrigation, submitted for building permit**
17 **issuance shall be reviewed for consistency with the plans approved by the Planning**
18 **Commission and the conditions of this resolution, and approved by the Community**
19 **Development Director prior to the issuance of any Building Permit.**

20 **a. The landscape plans shall include landscaping along Pacific Coast Highway and**
21 **street trees and shall be consistent with the original landscape plans approved for**
22 **the Hermosa Pavilion, subject to review and approval of the Community**
23 **Development Director.**

24 **b. Project plans shall include insulation to attenuate potential noise problems with**
25 **surrounding residential uses.**

26 **7. All exterior lights shall be located and oriented in a manner to insure that**
27 **neighboring residential property and public right-of-way shall not be adversely**
28 **effected.**

29 **8. Bicycle racks shall be provided in conveniently accessible location to the satisfaction**
30 **of the Community Development Director**

31 **9. The project and operation of the businesses shall comply with all applicable**
32 **requirements of the Municipal Code.**

33 **10. A Variance for exceeding the maximum height shall be required for the proposed**
34 **enclosure and roofing of additional floor area. No building permits the expansion**
35 **shall be issued prior to approval of a Variance by the Planning Commission.**

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11. **The Precise Development Plan and Parking 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, its 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 defense, the permittee shall no 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**

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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.

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The Precise Development Plan and Parking Plan shall be recorded, and proof of recordation shall be submitted to the Community Development Department.

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Each of the above conditions 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.

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Permittee shall defend, indemnify and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employee to attack, set

1 aside, void or annul this permit approval, which action is brought within the applicable time period of the
2 State Government Code. The City shall promptly notify the permittee of any claim, action, or
3 proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the
4 permittee of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the
5 permittee shall no thereafter be responsible to defend, indemnify, or hold harmless the City.

6 The permittee shall reimburse the City for any court and attorney's fees which the City may be
7 required to pay as a result of any claim or action brought against the City because of this grant.
8 Although the permittee is the real party in interest in an action, the City may, at its sole discretion,
9 participate at its own expense in the defense of the action, but such participation shall not relieve the
10 permittee of any obligation under this condition.

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

15 The Planning Commission may review this Precise Development Plan and Parking Plan and may
16 amend the subject conditions or impose any new conditions if deemed necessary to mitigate detrimental
17 effects on the neighborhood resulting from the subject use.

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

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22 VOTE: AYES: Hoffman, Pizer, Perrotti, and Kersenboom
23 NOES: Tucker
24 ABSTAIN: None
25 ABSENT: None

26 CERTIFICATION

27 I hereby certify that the foregoing Resolution P.C. 03- is a true and complete record of the action
28 taken by the Planning Commission of the City of Hermosa Beach, California at their regular meeting of
29 August 19, 2003.

Peter Hoffman, Chairman

Sol Blumenfeld, Secretary

August 19, 2003
Date

Pc/8-19-03/ppr1605am

481 (if 30 tandem spaces used)
Up to 514 with valet parking
Categorically Exempt²

ENVIRONMENTAL DETERMINATION:

Project History

- July, 1986: Conditional Use Permit and Parking Plan for shared parking were originally approved for theater, retail and office use with valet assisted parking. (**Total square feet 72,860 - Theatre 26,680, retail and restaurant, 46,180**)
- January, 1999: The Planning Commission approved a Precise Development Plan, Parking Plan for shared parking and Variance for expansion and remodel to the Hermosa Pavilion to accommodate a health and fitness center and expanded retail floor area, and to allow enclosure of the upper deck to exceed the height limit. (**Total square feet 99,150 - Theatre 26,680, retail and restaurant 26,280, health club, 46,190**)
- July, 1999: The Commission approved an amendment to above project with the theatre use eliminated and additional retail floor area. (**Total square feet 108,597 – health club 44,476, retail 64,121**) The project was never implemented and the Precise Development Plan expired.
- August, 1999: The Planning Commission approved a Variance, as amended, for the expanded enclosure of the upper deck.
- July, 2001: The City Council concurred with the Planning Commission and denied a project application to expand and remodel the facility under a revised development program with **Total square feet 106,000—office 56,000, health club 45,000 and retail 5,000**. The Council concurred with the Commission decision to deny a slightly larger project.
- The 1999 approvals for the Precise Development Plan, Parking Plan, and Variance have all expired.
- February 19, 2002: The Planning Commission approved a Precise Development Plan, Parking Plan, and Variance, for a new development program
- June 11, 2002: The City Council reconsidered the P.C. approval, and approved the Precise Development Plan, Parking Plan and Variance for the new development program for a **Total square feet 105,378—office 48,990, health club 44,300 and retail 12,088**

Analysis

The proposed modified development program continues to involve interior alterations and additions to remove restaurant and theaters uses and replace them with the health and fitness club, offices, and retail at the ground floor. The proposed modifications to the plan include a significant reduction in the size of the health and fitness club, as “24-Hour Fitness” has eliminated racquetball courts and executive locker rooms (the pool, basketball court and kid’s club remain) and reconfigured their proposed layout. With this reduction, the amount of proposed retail space has substantially increased, and the plan now includes a retail “mall” on the ground floor, with a small restaurant. Attached plans show the new distribution of uses within the building, and tenant improvement plans for the health and fitness club.

PARKING

Parking is projected to be satisfied with the existing supply within the parking structure due to the proposed new mix of uses with varying times of peak parking demand. The applicant has submitted a revised and updated Shared Parking Analysis (dated August 5, 2003), prepared by Linscott Law and Greenspan. The shared parking analysis demonstrates that the existing parking supply will be sufficient for the proposed mix of uses based upon peak and off-peak usage.

Parking spaces within the parking structure will be striped to provide 450 parking spaces (334 standard size, and 116 compact size). If necessary, attendant assistance could be provided for parking vehicles in 31 tandem spaces and 33 parallel aisle-parking spaces, for a possible total of 514 spaces. The original project of 72,860 square feet was approved with 540 parking spaces. (474 standard and compact, and 66 valet assisted)

The analysis shows that based on the City’s parking requirements the proposed mix of uses results in a total aggregate parking requirement of 734 spaces (Table A). This calculation is based on net floor area, and excludes common areas/internal circulation within the office and retail areas. The calculation is based on a “worst-case” allocation based on a general program for allocating space, since the applicant has not determined a precise mix of tenants. This aggregate calculation, however, does not take into account the peak parking requirements and hourly variation in parking demand for each individual use in a mixed-use project. Therefore, the study includes a *shared demand parking analysis* based on the methodology and hourly parking adjustment factors developed by the Urban Land Institute (Table B). The parking demand rates used for the health club are less than the code required 1 space per 100 square feet and are instead based on combining studies of other 24-Hour Fitness clubs and the ITE parking demand rate, resulting in a rate of 5 spaces required per 1000 square feet at peak times³. The parking rates for the office, retail, restaurant and storage uses are based on the parking requirements in the Zoning Code.

Parking Tabulation:

Proposed Use	Allocation	Code Requirement	Number	Peak Shared Weekday 5:00 P.M
Fitness Club	46,500 SF	10 per 1000 sq. ft	465	233*
Retail	28,500 SF	4 per 1000 sq. ft	114	90
Office	26,000 SF	4 per 1000 sq. ft	104	49
Restaurant	4,000 SF	1 per 100 sq.ft.	40	28
Storage	11,000 SF	1 per 1000 sq. ft.	11	11
Total	105,000 SF (excl. storage)		724	411

*Based on parking rate of 5.0 spaces per 1000 square feet.

The conclusion of the shared parking analysis for the project is that the highest shared parking demand occurs weekdays at 5:00 P.M. for the combination of uses and is projected at 411 spaces and is satisfied by the on-site supply of 450 spaces. While the supply can be increased to 481 spaces with tandem spaces, and up to 514 with valet assisted parallel parking behind the standard stalls, the increased supply is unnecessary given the parking needs of this project. The study does indicate that the tandem parking spaces could be made available in the form of discounted monthly passes for office personnel or other employees, to increase the availability of the first access spaces for office visitors, fitness members, or retail customers. The parking study also notes that the actual net floor area of the project, based on the floor plans, will total 102,000 square feet, rather than 105,000 square feet used in the analysis. Analyzing a “worst-case” scenario at the top end of a potential range in the building floor

area provides flexibility for minor changes in the development program without compromising the conclusions of the shared parking analysis. Finally, a certain percentage of patrons will arrive at the building on foot or bicycle and these trips have not been factored into the analysis.

The overall conclusion of this study, shows a lesser parking impact than the June, 2002 approved plan, which had a maximum parking demand of 435 spaces at peak times.

PRECISE DEVELOPMENT PLAN

The proposed changes to the exterior of the building and the roofline, including landscaping and other site work, are the same as the changes approved in June, 2002, which were determined to be consistent with the requirements of the S.P.A. 7 zone. The interior changes involve a more substantial retail presence on the ground floor, including a common “mall” for accessing individual retail spaces and the restaurant space, and the addition of a “spa” on the second floor which is being considered as part of the total retail square footage.

CONCUR:

Ken Robertson
Senior Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Proposed Resolution for Precise Development Plan and Parking Plan Amendment
2. Location Map
3. Parking and Traffic Study
4. Correspondence

pp1605

¹ The exact mix of tenants and allocation of land uses has not yet been determined, these numbers reflect the “worst-case” scenario with respect to the maximum number of parking spaces required of the allocation scenarios being considered.

² The proposed modifications are categorically exempt, the project is proceeding under the approval of June, 2003, for which a Negative Declaration was approved.

³ The parking rate of 5.0 per 1,000 square feet being utilized is the same rate determined to be acceptable in the final approved parking study in June, 2002, as explained in appendix B in the study, which provides the basis for this rate. This rate is based on surveys of 24-Hour Fitness facilities throughout California, and reflects the parking codes of the cities of San Diego and Oceanside. Further the parking demand rate for this type of facility as identified by the Institute of Traffic Engineers is 4.37 per 1000 square feet.