

August 12, 2003

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

**Regular Meeting of  
August 19, 2003**

SUBJECT:           PRECISE DEVELOPMENT PLAN 03-10  
                      NONCONFORMING REMODEL 03-9  
                      PARKING PLAN 03-3

LOCATION:           238 PIER AVENUE – STONER BUILDING

APPLICANT:       JEFF STONER, 539 25<sup>TH</sup> STREET  
                      HERMOSA BEACH, CA 90254

REQUESTS:        PRECISE DEVELOPMENT PLAN AND NONCONFORMING REMODEL TO  
                      ALLOW AN ADDITION AND REMODEL TO AN EXISTING COMMERCIAL  
                      BUILDING NONCONFORMING TO PARKING RESULTING IN A GREATER  
                      THAN 50% INCREASE IN VALUATION AND GREATER THAN 30% WALL  
                      REMOVAL

                      PARKING PLAN TO PROVIDE REQUIRED PARKING IN TANDEM AND  
                      TO INCLUDE A MEZZANINE FOR STORAGE ONLY WITH PARKING  
                      REQUIREMENTS BASED ON STORAGE

**Recommendations**

To direct staff as deemed appropriate.

**Background**

ZONING:	C-2 Restricted Commercial
GENERAL PLAN:	General Commercial
LOT SIZE:	3,323 Sq. Ft.
EXISTING FLOOR AREA / PARKING:	1,445 Square Feet / 1 space
PROPOSED ADDITION:	691 Square Feet 727 Sq. Ft. Storage (mezzanine)
FLOOR AREA RATIO:	0.86
REQUIRED PARKING FOR ADDITION:	4 Spaces
PARKING PROVIDED:	4 (in 2 pairs of tandem spaces)
ENVIRONMENTAL DETERMINATION:	Categorically Exempt

The applicant proposes to substantially remodel and retrofit the existing building in order to expand the main floor and add a mezzanine level, and to provide additional parking in a parking garage at the ground floor.

The building was initially constructed as a residence in 1941. The most recent uses of the building have been for commercial purposes, although there is a history of joint residential and commercial use previous to the recent retail uses. The building is nonconforming to current parking requirements as only



**238  
Pier  
Avenue**

one space exists in the basement level with access from the alley, while six spaces would be required under current zoning for retail commercial uses.

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 an addition and complete remodel to the existing building, involving substantial demolition of both the interior and exterior, in order to change the building from a 1940's residential structure to a 30-foot high modern retail commercial building. The existing first floor will be completely remodeled to create a large open retail space with added floor area in the front and rear of the existing space, with a mezzanine/storage level above. Additional parking will be created in the basement level by providing 4 additional parking spaces in tandem in the existing unimproved under-floor area. The project also involves the addition of an elevator and site and landscaping improvements.

### **PRECISE DEVELOPMENT PLAN**

Pursuant to Chapter 17.58 a Precise Development Plan is required because the combination of addition and remodel exceed 1500 square feet. The PDP review requirements are conformance with minimum standards of the zone, and general review of the project relating to compatibility with surrounding uses.

The project meets the basic zoning requirement of the C-2 zone, as a 5-foot setback is provided adjacent to the residential property to the south, and the building is designed to comply with the 30-foot height limit (subject to verification). Parking issues are discussed below. Beyond these basic standards, the project plans show a substantial improvement and modernization to a very old and under-utilized building, in an attempt to revitalize a prominent location in the City's downtown. Retail commercial use of this type is certainly compatible with surrounding uses, and consistent with the general objectives of the City Council to balance the existing predominance of restaurant and bar uses with retail uses. The height of the building, while it will be increased a floor higher than the current building, is consistent with the height limit of adjacent commercial and residential zones.

### **PARKING PLAN**

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 commercial retail space, the proposed 691 square foot addition requires 3 additional parking spaces. However, the added mezzanine space would require 3 additional spaces, but the applicant is requesting that the mezzanine/storage level space be considered as storage only, requiring 1 additional space for a total of 4 required. The applicant is proposing 4 spaces in tandem, and is requesting that these 4 spaces be considered adequate for the project.

Section 17.44.210, Parking Plans, allows the Planning Commission to consider reducing the on-site parking requirement based on factors such as the uniqueness of the proposed use, bicycle and walk in traffic, and peak hours of the proposed use relative to peak hours of other businesses who use the same parking, and other methods of providing parking. While parking for storage uses is not a separate requirement in the commercial zones, Section 17.44.030(I) pertaining to parking requirement for

*industrial uses*, allows for a reduced parking requirement for buildings or portions of buildings used exclusively for storage/warehouse purposes of one space per 1,000 square feet.

The Commission should consider whether the use of tandem parking for a retail use is an appropriate application of Section 17.44.210. Tandem parking is not typically the best solution for retail uses, as customer turnover is frequent, and is therefore, is usually recommended for office uses. To address that issue, however, the applicant proposes to use the back two spaces for employee parking, allowing customer use of the outside two spaces. Also the Commission needs to consider whether its appropriate to reduce required parking for storage area, as was recently done for the O'Kells Fireplace business on P.C.H. The storage area is proposed to be unfinished and off limits to customers, allowing the retail shop to store and stock merchandise, and the applicant is willing to sign a covenant restricting the use this area to storage purposes. The tandem parking and storage use give the Commission two possible methods for reduced parking in this case. In addition, the Commission should consider the building's location in the downtown district, which provides substantial public parking, including street parking directly in front of the business. The daytime period is also the typical peak parking demand time for retail uses.

This discussion regarding the Parking Plan approval assumes that the mezzanine will be for storage, if the applicant wants to pursue making this area retail space, the only way to resolve the parking issue pursuant to the Zoning Ordinance would be to pay parking in-lieu fees.

#### NONCONFORMING REMODEL

The Commission must determine whether the project conforms to Chapter 17.52 of the Zoning Ordinance 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 exterior walls of the basement and first floor levels, complete removal of interior walls on the first floor, and adding 691 square feet of new retail space and 747 square feet of storage space. The alterations and additions to the building results in a 98.4% increase in valuation assuming a lesser valuation for the storage area, and require removing at least 51% of existing exterior walls.<sup>1</sup>

Since the existing deficiency with respect to parking requirements is to be maintained and very little of the existing structure will remain, it is questionable whether the proposed changes are consistent with the intent of Chapter 17.52, which allows expansion to buildings with existing nonconformities<sup>2</sup>. The existing deficiency relating to parking is five spaces, while not unusual in the downtown, is fairly significant for such a small site. This attempt to maintain legal nonconforming status with such extensive demolition and reconstruction should be carefully considered by the Commission, and weighed against the benefits that will be achieved by the upgrading and improvement of this building.

Staff will prepare a resolution based on the Commission decision and bring it back for review at the next meeting. If approved, staff recommends the following conditions of approval:

1. Property owner to record a covenant that the mezzanine/storage level will be for stocking and storage of merchandise only, and shall otherwise be off limits to customers of the building.
2. A revised roof plan shall be submitted to demonstrate compliance with the maximum building height of 30-feet. The plans shall clearly show property lines, property corner elevations, and maximum heights critical points.

3. A wet stamped survey clearly identifying property corner elevations.
4. The back two-tandem parking spaces shall be assigned for employee use only, with the outside spaces for customer use.

CONCUR:

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Ken Robertson  
Senior Planner

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Sol Blumenfeld, Director  
Community Development Department

Attachments

1. Location Map
2. Photos
3. Nonconforming Valuation Worksheet

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<sup>1</sup> The nonconforming valuation worksheet is attached. As noted, the valuation number used for the mezzanine is for storage, as the space will not be finished in the same way as the habitable space on the main floor.

<sup>2</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.