

**P.C. RESOLUTION 03-40**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, TO DENY A REQUEST FOR A 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 DENYING A PARKING PLAN TO PROVIDE REQUIRED PARKING IN TANDEM AND TO INCLUDE A MEZZANINE FOR STORAGE ONLY WITH PARKING REQUIREMENTS BASED ON STORAGE AT 238 PIER AVENUE LEGALLY DESCRIBED AS LOT 19, BLOCK 48, FIRST 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 Jeff Stoner, owner of property at 238 Pier Avenue, seeking approval of a Precise Development Plan, Nonconforming Remodel, and Parking Plan for an addition and remodel resulting in a greater than 50% increase in valuation, and a Parking Plan to provide required parking in tandem, and to include a storage area with parking requirements based on storage.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for a Precise Development Plan, Nonconforming Remodel, and Parking Plan on August 19, 2003, and considered testimony and evidence both written and oral. Based on the testimony and evidence received the Planning Commission makes the following factual findings:

1. 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.

2. 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 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.

3. 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

1 the basement level by providing 4 additional parking spaces in tandem in the existing unimproved under-  
2 floor area.

3 4. Pursuant to Chapter 17.58 a Precise Development Plan is required because the  
4 combination of addition and remodel exceed 1500 square feet.

5 5. Pursuant to Section 17.44.140(D) of the Zoning Ordinance expansions to existing buildings  
6 nonconforming to parking are required to provide parking for the amount of expansion. In this case,  
7 based on the current parking ratio of 1 space per 250 square feet of commercial retail space, the  
8 proposed 691 square foot addition requires 3 additional parking spaces. However, the added  
9 mezzanine space would require 3 additional spaces, but the applicant is requesting that the  
10 mezzanine/storage level space be considered as storage only, requiring 1 additional space for a total of  
11 4 required. The applicant is proposing 4 spaces in tandem, and is requesting that these 4 spaces be  
12 considered adequate for the project

13 6. The project requires approval, pursuant to Chapter 17.52 of the Zoning Ordinance, for an  
14 expansion/remodel of a nonconforming building exceeding 50% and removal of more than thirty 30  
15 percent existing linear feet of the exterior walls or floor area. The project involves removing exterior  
16 walls of the basement and first floor levels, complete removal of interior walls on the first floor, and  
17 adding 691 square feet of new retail space and 747 square feet of storage space. The alterations and  
18 additions to the building results in a 98.4% increase in valuation assuming a lesser valuation for the  
19 storage area, and require removing at least 51% of existing exterior walls.

20 Section 3. Based on the foregoing factual findings the Planning Commission makes the  
21 following findings pertaining to the application for a Precise Development Plan and a Nonconforming  
22 Remodel pursuant to Chapter 17.52 of the Zoning Ordinance.

23 1. In reviewing the project relative to the standards and review criteria for Precise  
24 Development Plans, Chapter 17.58, the project does not provide sufficient off-street parking to  
25 compensate for the additional floor area, and the alternative method of providing the parking in tandem  
26 and considering a portion of the addition as storage, does not satisfactorily mitigate the parking need for  
27 the expanded commercial use.

28 2. The project is not consistent with the goals contained in Chapter 17.52, pertaining to  
29 nonconforming buildings, since the addition and remodel is not limited, and the project does not involve  
alterations and restoration of an existing historic building, and instead is essentially the complete  
reconstruction of the existing building. As shown on submitted plans, the amount of anticipated  
demolition exceeds 50%, and once commenced would likely involve more demolition than anticipated.  
Further the project involves structural changes, not yet evaluated by a structural engineer, that may  
make the proposed method of construction as shown on the plans infeasible, and may require complete  
demolition of the existing structure. As such, the project should be considered as new construction, and  
not afforded the benefits of maintaining its nonconforming condition with respect to parking.

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Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the application for a Parking Plan.

1. The plans do not provide the required parking for the addition in a manner that complies with the Zoning Ordinance, Chapter 17.44. The applicant is proposing to provide 4 additional spaces in tandem as an alternative, and proposes to use a portion of the addition for storage only to reduce the applicable parking requirement.

2. The Commission finds that the proposal to use tandem parking for the proposed increased square footage for retail use, and to dedicate a portion of the addition for storage only is not an acceptable or appropriate alternative. The proposed driveway is not sufficient to meet the standard set forth in Section 17.44.210, Parking Plans, as tandem parking is not appropriate for providing required parking for a retail use, and the dedication of a portion of the new addition for storage does not adequately address potential parking demand for the building should the storage area be used for other purposes.

Section 5. Based on the foregoing, the Planning Commission hereby deny the subject, Precise Development Plan, Nonconforming Remodel and Parking Plan.

VOTE:           AYES:           Chairman Hoffman, Kersenboom, Tucker  
                      NOES:           Comms. Perrotti, Pizer  
                      ABSTAIN:       None  
                      ABSENT:        None

CERTIFICATION

I hereby certify the foregoing Resolution P.C. No. 03-40 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 August 19, 2003.

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

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Sol Blumenfeld, Secretary

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Date

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