

October 10, 2006

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

**Regular Meeting of  
October 17, 2006**

SUBJECT: CONDITIONAL USE PERMIT 06-9

LOCATION: 1601 PACIFIC COAST HIGHWAY (AKA 1605 PACIFIC COAST HIGHWAY)

APPLICANT: GENE SHOOK  
1601 PACIFIC COAST HIGHWAY, SUITE 300  
HERMOSA BEACH, CA 90254

REQUESTS: TO ALLOW A CAR WASH (AUTOMOBILE DETAILING) WITHIN THE  
HERMOSA PAVILLION PARKING STRUCTURE --AUTO SPA

**Staff Recommended Alternatives:**

1. To consider the building parking problems that have occurred over the last six months and advise the applicant to resubmit the project permit application once it has been demonstrated that building spillover parking has been resolved; or
2. Approve the Conditional Use Permit subject to the conditions in the attached resolution.

**Background:**

ZONING: SPA-8

GENERAL PLAN: Commercial Corridor

SITE AREA: 612 Square Feet (4 parking stalls)

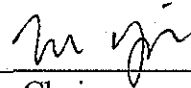
On October 10, 2006, the City Council reconsidered the decision of the Planning Commission regarding the recent amendment to the Hermosa Pavilion Parking Plan. The City Council continued the matter for 60 days in order to allow time for the owner to provide evidence the parking garage was operating efficiently and that building parking was not creating a continued nuisance of spill-over parking in the neighborhood. The owner has been advised of the need to provide another report on parking operations. Since the matter of parking conditions is still unresolved, staff is recommending that the matter of adding another use within the garage be tabled until receipt of the required report.

**Analysis:**

The applicant is proposing to occupy four parking stalls on the entrance level of the Hermosa Pavilion parking structure to operate an automobile detailing business. The available stalls can be increased to six spaces utilizing tandem parking. The business will provide a place for customers to have their cars detailed while visiting and conducting business within the Hermosa Pavilion. The Auto Spa provides a vehicle cleaning service which does not use water and does not discharge fluids into the storm drain system. The detailing services may use steam or chemicals as cleaning mediums. Services may include cleaning, vacuuming, polishing and buffing. Service does not include any body work, parts repair or replacement, upholstery repair or replacement, or any other automobile servicing other than cleaning.

The property is zoned SPA 8. Section 17.38.370 of the Zone Code provides that the SPA 8 Zone allows the same uses as the C-3 zone. The project is categorically exempt under CEQA. A car wash is listed in the permitted use list (Section 17.26.030) of the Zone Code, and allowed with a conditional use permit in the C-3 zone.

The Auto Spa occupies four parking stalls within the parking structure. Parking remains at a sufficient level as the Hermosa Pavilion has more than the required parking spaces for current and proposed use as reflected in the building shared parking analysis prepared by Linscott, Law and Greenspan in February 2003. Also, the Auto Spa does not add any parking demand since it is not a destination business and will be used by customers that are parking in the structure to use other Pavilion businesses. The Auto Spa proposes to operate Monday through Sunday from 8:00a.m. to 11:00p.m. The later hours are to accommodate customers dining at the proposed restaurant within the Hermosa Pavilion.



Eva Choi  
Planning Assistant

Concur:



Sol Blumenfeld, Director  
Community Development

Attachments:

1. Correspondence from Ron Miller
2. Correspondence & Plan
3. Photo of Parking Stalls
4. Radius Map
5. Resolution

RECEIVED

OCT 12 2006

COMMUNITY DEV. DEPT.

Wednesday, October 11, 2006

To the Hermosa Beach Planning Commission:

This letter is submitted in **opposition** to the issuing of a conditional use permit for a car wash (auto detailing) within the Hermosa Pavilion Parking Structure for the following reasons:

1. This CUP request is premature based upon recent action by the HB City Council putting off consideration of the Pavilion restaurant CUP for 60 days.
2. The HB City Council has put off the approval of the Stillwater restaurant in the Pavilion primarily because of discrepancies in the CUP parking definition and the actual usage of parking in the Pavilion parking structure.
3. The parking garage has the 'lot full' sign in front of it several times a week. If it is full true how can there be room to put in a car wash. Explanation of this issue by the owner was not accepted very well by the City Council so they requested a study of actual parking spaces and sizes of those spaces.



4. The car wash will take spaces in the garage and if extra spaces are not available they will have to take local street parking spaces which is against city code by reducing available parking..

5. The owner needs to do a noise study to see if the car wash adds to the noise coming from the Pavilion into the local neighborhood
6. It would be expected that most of the business would be on the weekends. This is the same time period that the Stillwater restaurant is expected to be the busiest. The parking structure probably will not hold all of these activities with the current parking spaces and the result will be spillover into the local street parking.
7. The egress and ingress to the parking garage needs to be redone before more vehicles use the garage. Street congestion is creating dangerous situations and it is getting worse.
8. The Pavilion management has made no attempt to relieve the local parking problems and by their use of the 'lot full' signage has re-routed vehicles to the local streets as well as the VON's parking lot.
9. Patrons of the parking garage continue to park on the streets and in the VON's truck loading area. The Pavilion ownership appears to have not promoted the 2 hour free parking. Garage patrons wait outside by parking in the VON's unloading area until just before their workout sessions start. These vehicles sit with their motors running and their radios blaring. This goes on until midnight or so.
10. Latest car count studies on 16<sup>th</sup> street west of PCH show an increase in the volume of cars using 16<sup>th</sup> street. On September 29<sup>th</sup>, 2006 5233 cars used the street in one day. A car wash will only add to the congestion on the street.
11. Any planned activity in the building needs to recognize the 10 pm noise City code requirement. The residents need to be reassured that the car wash does not add to any noise coming from the Pavilion.

The Planning Commission should take a serious look at this request and should put off any decision until after the City Council deals with the Pavilion parking garage problems.

Respectively Submitted,

Ron Miller  
1600 Ardmore #213  
Hermosa Beach, CA 90254

Wednesday, September 06, 2006

RECEIVED

SEP 07 2006

City of Hermosa Beach  
1315 Valley Drive  
Hermosa Beach, CA 90254  
Attention: Ken Robertson

Regarding:

Dear Mr. Robertson,

Auto Spa space takes place at the entrance level parking "P4", in the southeast corner; currently, 4 unmarked spaces. By utilizing the Auto Spa, we can park up to 6 vehicles in that area. The Auto Spa vehicles are customers of the building. They would be taking up parking space anyway. By utilizing the Auto Spa, we gain space instead of losing space. The detail process is done with steam, not water. Therefore, this leaves no residue on the ground.

The Auto Spa is a feature that the customers of the Pavilion have enjoyed using. Therefore, we would like to ask the City to grant a CUP for this use. The Auto Spa compliments the other services already provided in the building. The Auto spa already has a mobile detailer license in Hermosa Beach and there is no permanent equipment that is mounted, nor are we removing any parking lot spaces.

If you have any questions or concerns, please feel free to contact me at the number provided below.

Sincerely,

Nathan Koher  
Executive Assistant  
Seaside Office Suites

Attached: Picture of southeast side of level P4 in Hermosa Pavilion parking garage.

TICKET BOOTH  
410

RESTROOM  
410A

(N) COL

Entrance  
to  
Parking  
lower level

BICYCLE  
PARKING

EL = 86'-0"

EXISTING FULLY SPRINKLERED BY OTHERS

Auto Spa Space

①

⑤

⑥

②

③

④

FF = 68'-0" DN

SECURITY  
EQUIP.  
ROOM  
409

VAN STALL

BICYCLE  
PARKING

ELE  
L1

EXIST  
ELEV

EXISTING FULLY SPRINKLERED BY OTHERS

SERVICE DRIVE  
011

GAS METERS

STAIR #6  
03

DUMPSTERS

EXISTING  
FREIGHT  
ELEVATOR

PHONE  
ROOM

FF = 87'-7"

ELECTRICAL RM.  
02

UP

UP

SERVICE AREA  
05

NEW  
DOOR

06

EXISTING FULLY SPRINKLERED BY OTHERS

ELEV.  
MACH.  
04

STAIR #6

RMER

RECEIVED

SEP 07 2006

1

2

2.6

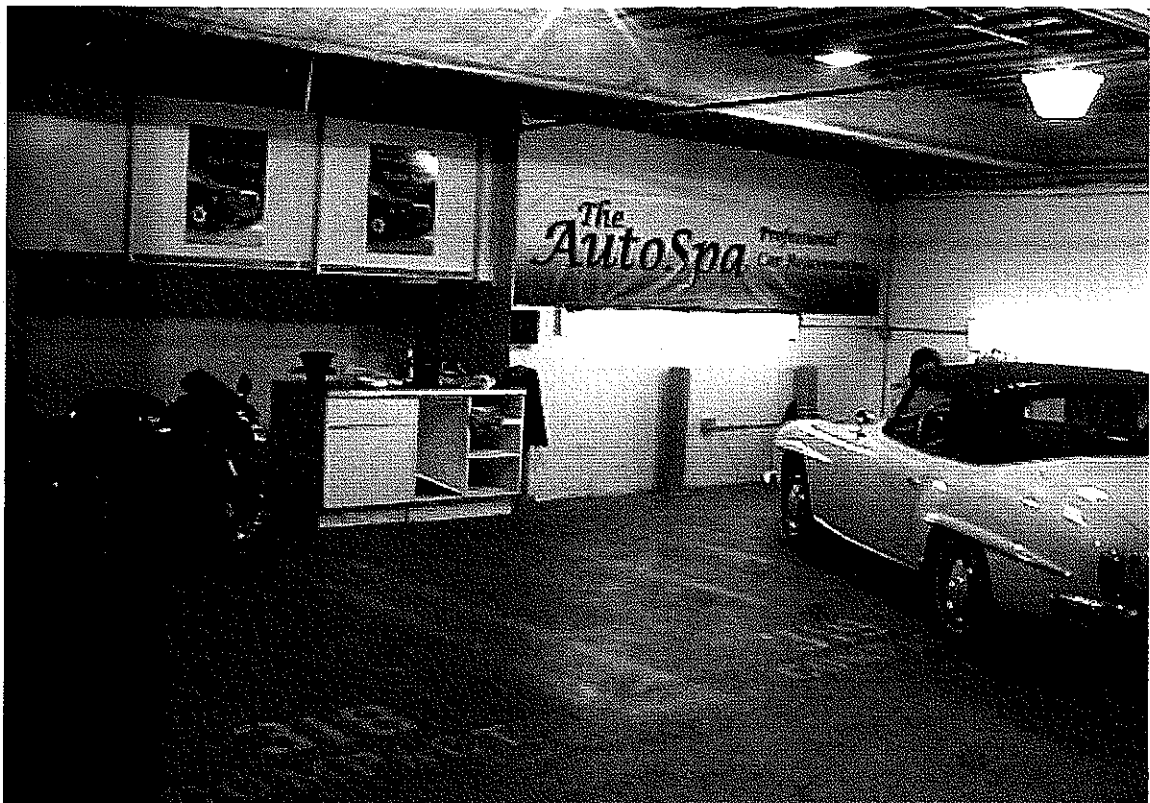
3

3.9

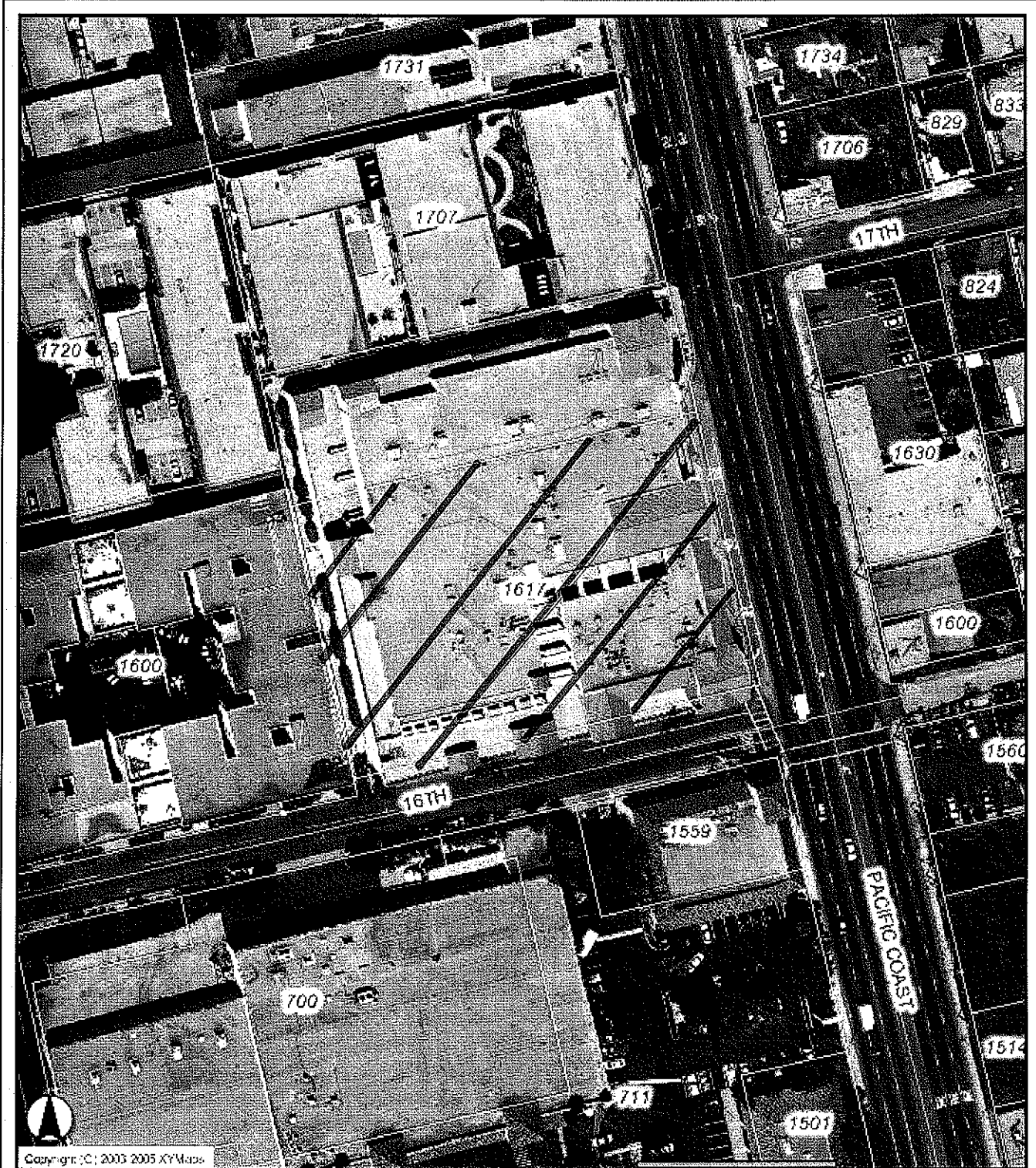
4.2

5.3

5.6



July 11, 2006 – The Auto Spa occupied three parking stalls within the parking structures.



Hermosa Pavilion  
1601 Pacific Coast Hwy



RESOLUTION NO. 06-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT FOR A CAR WASH 'AUTO SPA' WITHIN THE PARKING STRUCTURE OF THE HERMOSA PAVILION AT 1601 PACIFIC COAST HIGHWAY, LEGALLY DESCRIBED AS A PORTION OF LOTS 13 AND 14, BLOCK 81, SECOND 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 Gene Shook to operate a automobile detailing business 'Auto Spa' within the parking structure of the Hermosa Pavilion.

Section 2. The Planning Commission conducted a public hearing to consider the application on October 17, 2006, at which testimony and evidence, both written and oral, were presented to and considered by the Planning Commission.

Section 3. Based on the evidence received at the public hearing, the Planning Commission makes the following factual findings:

1. The applicant is proposing to occupy four parking stalls within the parking structure of the Hermosa Pavilion to operate an automobile detailing business.
2. The City's Zoning Ordinance requires a Conditional Use Permit to operate an automobile detailing business, which is similar in both use and intensity as a car wash.

Section 4. Based on the foregoing findings, the Planning Commission makes the following findings pertaining to the application for a conditional use permit:

1. The site is zoned S.P.A. 8 and is physically suitable for the type and intensity of the proposed development and the proposed use complies with the development standards contained therein;
2. The project, as conditioned, will conform to all zoning laws and criteria and will be compatible with neighboring residential properties;
3. The project is located in a large commercial building, the Hermosa Pavilion, which contains a mix of commercial uses, including a health and fitness club, offices, and retail uses and large parking structure, containing sufficient shared parking to satisfy the peak demand of these mix of uses. The proposed use which occupies parking stalls that are in exceed of the required parking for the current and proposed use of the entire shopping center, does not conflict with the stated purpose and general intend of the commercial zone.

1 4. The project is Categorical Exempt from the requirement for an environmental  
2 assessment, pursuant to the California Environmental Quality Act Guidelines, Sections 15303(b)  
3 and 15315 with the finding that the project is in an area with available services.

4 Section 5. Based on the foregoing, the Planning Commission hereby approves the subject  
5 Conditional Use Permit, 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, received and reviewed by the Commission at their meeting of**  
8 **October 17, 2006.**
- 9 2. **The business shall comply with all State and local laws and licensing requirements**  
10 **involving the operation of an automobile detailing or a car wash business.**
- 11 3. **The business shall not discharge water or fluids of any type into the storm drain**  
12 **system.**
- 13 4. **The operating hours shall be limited to between 8:00 A.M. and 11:00 P.M.**
- 14 5. **There shall be compliance with all requirements of the Building and Safety Division**  
15 **of the Community Development Department and Fire Department.**
- 16 6. **The establishment shall not adversely affect the welfare of the residents, and/or**  
17 **commercial establishments nearby.**
- 18 7. **Noise emanating from the property shall be within the limitations prescribed by the**  
19 **City's noise ordinance and shall not create a nuisance to surrounding residential**  
20 **neighborhoods, and/or commercial establishments.**
- 21 8. **Any significant changes to the parking layout, which would alter the primary**  
22 **function of the business as an automobile detailing or car wash business, or any**  
23 **changes that increase the intensity or type of use shall be subject to review and**  
24 **approval by the Planning Commission.**
- 25 9. **The project and operation of the business shall comply with all applicable**  
26 **requirements of the Municipal Code.**

27 Section 6. This grant shall not be effective for any purposes until the permittee and the  
28 owners of the property involved have filed at the office of the Planning Division of the  
29 Community Development Department their affidavits stating that they are aware of, and agree to  
accept, all of the conditions of this grant.

The Conditional Use Permit, shall be recorded, and proof of recordation shall be  
submitted to the Community Development Department.

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.

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

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

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

18 The Planning Commission may review this Conditional Use Permit, and may amend the  
19 subject conditions or impose any new conditions if deemed necessary to mitigate detrimental  
20 effects on the neighborhood resulting from the subject use.

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

24 AYES:  
25 NOES:  
26 ABSENT:  
27 ABSTAIN:

28 **CERTIFICATION**

29 I hereby certify that the foregoing Resolution P.C. 06- 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 October 17, 2006.

\_\_\_\_\_  
Kent Allen, Chairman

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

\_\_\_\_\_  
October 17, 2006

Date

F:\B95\CD\PC\2006\10-17-09\cupr06-9DOC