

March 16, 2004

**Honorable Mayor Members of the  
Hermosa Beach City Council**

**Regular Meeting of  
March 23, 2004**

SUBJECT: REVIEW AND RECONSIDERATION OF PLANNING COMMISSION APPROVAL OF PRECISE DEVELOPMENT PLAN 04-3, AND PARKING PLAN 04-2 FOR A NEW 3,001 SQUARE FOOT RETAIL BUILDING WITH A REQUIREMENT TO PAY FEES FOR FIVE (5) IN-LIEU PARKING SPACES

LOCATION: 238 PIER AVENUE – STONER BUILDING

**Recommendation:**

To direct as deemed appropriate based on the following alternatives:

1. Sustain the decision of the Planning Commission to approve the project subject to requirement to pay parking in-lieu fees for 5 parking spaces.
2. Approve the project as initially submitted by the applicant using tandem parking to count as 8 required spaces, and a parking in-lieu fee for only one parking space.

**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 (to be demolished)
PROPOSED BUILDING:	3,001 Square Feet – Gross Floor Area <sup>1</sup>
FLOOR AREA RATIO:	0.90
REQUIRED PARKING:	9 Spaces
PARKING PROVIDED:	8 (in 4 pairs of tandem spaces)
ENVIRONMENTAL DETERMINATION:	Categorically Exempt

The existing building to be demolished 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 uses.

At the meeting of February 17, 2004, the Planning Commission approved the project subject to the condition that parking in-lieu fees be paid to compensate for the deficiency of 5 required parking spaces.

The Planning Commission denied a previous development project on August 19, 2003. The project at that time involved a remodel and expansion to the existing building with less than required parking and maintenance of its legal nonconforming status with respect to parking. The City Council sustained the

Planning Commission decision, on appeal, at their meeting of October 28, 2003, and specifically expressed concerns about the revised plan and a revised parking layout, which included tandem parking for 8 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 applicant's new proposal involves the construction of a three level 30-foot high retail commercial building in a craftsman/bungalow style similar to the existing building. The floor plan is similar to the previous proposal with parking on the ground floor accessed from the alley; with the bulk of the square footage on the ground floor; and a mezzanine level accounting for approximately 800 square feet. The project differs from the previous proposal in that none of the existing structure will remain, and there is no attempt to use the parking credit under Section 17.44.140(E) for the existing nonconforming parking deficiency. Also, instead of a modern style building, the architect is proposing a style of architecture similar to style of the existing building with wood shingle siding, wood beams, divided light windows, and stone veneer.

### **PRECISE DEVELOPMENT PLAN**

Pursuant to Chapter 17.58 a Precise Development Plan is required because of the new construction. 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. Beyond these basic standards, the project will replace an under-utilized building, in a prominent location in the City's downtown. Further, the architectural features of the proposed new building are consistent with the original craftsman styled building. Retail development of this type is certainly compatible with surrounding uses, and consistent with the general objectives of the City Council to balance the preponderance 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. The roof ridge heights are below the maximum height as calculated based on the survey information provided.

### **PARKING PLAN**

Based on the current parking ratio proposed for the downtown district of 3 spaces per 1,000 square feet of office or retail space, the proposed 3,001 square feet of gross floor area requires 9 parking spaces pursuant to Section 17.44.040 pertaining to parking requirements for the downtown.<sup>2</sup> The applicant is proposing 8 spaces in tandem, and is requesting consideration that all of these spaces be counted towards the requirement pursuant to Section 17.44.210, Parking Plans, which allows for Planning Commission consideration of reduced parking requirements. Further, the applicant is requesting to pay a fee in-lieu of parking for the last required space pursuant to the new Section 17.44.040 for projects in the downtown district.

The Commission determined that the use of tandem parking for a retail use was not an appropriate application of Section 17.44.210 consistent with past decisions of the Planning Commission and direction of the City Council. While tandem parking would qualify under Section 17.44.210(8) as “other methods for reducing parking demand,” it was not considered an acceptable way to provide parking for a retail use. Tandem parking is normally only recommended in limited situations for office or residential uses, or in a larger parking facility that is managed by an attendant. To address these concerns the applicant proposes to use the rear spaces for employee parking, allowing customer use of the other four spaces and has recently proposed a single tenant for the building. Without tandem parking permitted as required parking, the project is deficient 5 parking spaces (9 required, with only 4 provided) so the Commission felt the only fair approach was to require payment of the in-lieu fee for the five deficient parking spaces.

Based on the decision of the City Council staff will return with a Resolution and conditions of approval (if necessary) at the next meeting.

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Ken Robertson

Senior Planner

CONCUR:

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Sol Blumenfeld, Director

Community Development Department

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Stephen R. Burrell

City Manager

#### Attachments

1. Location Map
2. Planning Commission Minutes / Resolution
3. Applicant letter
4. Photos

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<sup>1</sup> Gross floor area does not include corridors, stairs, the elevator, or any of the storage or parking area at the parking level, and is measured to the outside dimension of the building.

<sup>2</sup> The revised section 17.04.040 has not been codified yet. The Planning Commission recommended the 3 spaces per 1,000 square foot ratio for office/retail in the downtown district at its meeting February 18, 2003, and the City Council introduced the ordinance on March 25, 2003, with final adoption pending Coastal Commission approval. The Coastal Commission only recently approved the amendments and adoption of the ordinance is scheduled for City Council in April.