

## **P.C. RESOLUTION 18-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PARKING PLAN TO ALLOW THE 12-SPACE PARKING REQUIREMENT TO BE MET WITH 4 ON-SITE SPACES (INCLUDING 1 TANDEM SPACE) PLUS FEES IN LIEU FOR 8 SPACES, IN CONJUNCTION WITH THE CONSTRUCTION OF A NEW THREE-STORY, DETACHED 2,744 SQUARE FOOT COMMERCIAL BUILDING WITH GROUND FLOOR RETAIL AND SECOND AND THIRD FLOOR OFFICE SPACE, TO BE CONSTRUCTED BEHIND THE EXISTING 1,841 SQUARE FOOT SINGLE-FAMILY RESIDENCE WHICH WILL BE CONVERTED TO A SINGLE-UNIT MOTEL, ON A 4,023 SQUARE FOOT LOT IN THE C-2 (RESTRICTED COMMERCIAL) ZONING DISTRICT AT 70 10<sup>TH</sup> STREET.**

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

**Section 1.** An application was filed on March 21, 2016 requesting approval of Precise Development Plan 16-7 and Parking Plan 16-2 to allow a new three-story, detached 2,744 square foot commercial building with ground floor retail and second and third floor office space, to be constructed behind the existing 1,841 square foot single-family residence which will be converted to a single-unit motel, and a Parking Plan to allow the 12-space parking requirement to be met with 4 on-site spaces (including 1 tandem space) plus fees in lieu for 8 spaces, on a 4,023 square foot lot in the C-2 (Restricted Commercial) zoning district at 70 10th Street; and adoption of a Mitigated Negative Declaration.

**Section 2.** The Planning Commission conducted a duly noticed public hearing to consider the application on July 17, 2018 at which time testimony and evidence, both oral and written, was presented to and considered by the Planning Commission.

**Section 3.** Pursuant to the California Environmental Quality Act, the City prepared a Mitigated Negative Declaration (MND) for the proposed Precise Development Plan (PDP) project. The Planning Commission made findings and adopted the MND pursuant to Planning Commission PDP Resolution No.18-XX.

**Section 4.** Based on the testimony and evidence received, the Planning Commission makes the following factual findings pertaining to the application for a Parking Plan pursuant to Hermosa Beach Municipal Code (HBMC) Sections 17.44.030 (E) and 17.44.210:

The proposed 4 on-site parking spaces (including 1 tandem space) and payment of fees for 8 parking spaces in-lieu of providing all 12 required parking spaces on-site will be sufficient to satisfy the development's needs for parking during peak demand periods for the new three-story, detached 2,744 square foot commercial building with ground floor retail and second and third floor office space, to be constructed behind the existing 1,841 square foot single-family residence which will be converted to a single-unit motel at 70 10th Street. Adequate parking will be provided for customers, clients, visitors and employees because:

1. Pursuant to HBMC Section 17.44.210.B., factors such as bicycle and foot traffic, common parking facilities, varied work shifts, unique features of the proposed uses, peak hours of the proposed uses as compared with other uses sharing the same parking facilities especially in the case of small restaurants or snack shops in the downtown area or in multitenant buildings, and other methods of reducing parking demand have been taken into consideration.
2. Pursuant to HBMC Section 17.44.040 (E) the proposed project meets the minimum requirement of 25% of the required spaces being provided on site by providing 4 on-site parking spaces (1 in tandem).
3. Peak parking demand for retail typically occurs between 12:00 p.m. to 3:00 p.m. weekdays and 2:00 p.m. to 5:00 p.m. weekends. Peak demand for office uses typically occurs between 10:00 a.m. to 12:00 p.m. weekdays and weekends.
4. Future retail/office tenants of the building are not known at this time. However, general office and retail uses have peak times which coincide with times of the week where public parking is available within the public surface parking lot containing 130 parking spaces located at 1101 Hermosa Avenue (Lot A), the public parking structure containing 261 parking spaces located at 13<sup>th</sup> Street and Hermosa Avenue (Lot C) and at metered street parking spaces. Occupancy rates for Lots A and C during weekday afternoons is 95% and 96% respectively. Public parking spaces are provided throughout the Downtown, which is located within Zone 2 of the Coastal Zone public parking supply (between 16<sup>th</sup> Street and 8<sup>th</sup> Street and as far east as Ardmore Avenue). In Zone 2, through a combination of public parking lots and metered street parking spaces, occupancy rates are 48% on weekday afternoons.
5. Although specific users of the proposed multi-tenant building are unknown, it may be assumed that employees and patrons will be visiting other Downtown businesses and can avail themselves of the “park once” strategy such that the proposed 4 on-site parking spaces would be sufficient to satisfy their needs for parking during peak demand periods.

**Section 6.** Based on the foregoing, the Planning Commission hereby **approves** the proposed Parking Plan 16-2 subject to the following **Conditions of Approval**:

1. **The use and square footage of the subject buildings shall be consistent with the uses and square footage identified in the plans submitted and approved by the Planning Commission on July 17, 2018. Minor modifications that do not affect scale, type, location or intensity of uses or impacts thereof may be approved by the Community Development Director when not in conflict with the findings or conditions of this permit or the Municipal Code. Any substantial deviation must be reviewed and approved by the Planning Commission.**
2. **Precise Development Plan Resolution PC 18-XX shall additionally govern the subject site.**

3. In order to compensate for a lack of required parking on-site, the applicant shall contribute fees to the City's parking improvement fund in lieu of the additional required eight (8) required parking spaces, as set forth in HBMC Section 17.44.040(E) of the Zoning Ordinance, at the amount of \$28,900 as set forth by resolution of the City Council. The payment of fees in-lieu of required parking shall be made prior to issuance of the building permit.
4. A sign permit shall be obtained for new signage at the subject site in conformance with HBMC Section 17.50.
5. The northerly (1<sup>st</sup> access) tandem space shall be designated for employee parking during daytime hours of 8am to 5pm daily. The northerly (1<sup>st</sup> access) tandem space shall be adequately identified with surface painted as well as vertical (building or pole mounted) signage, subject to review and approval of the Community Development Director.
6. The applicant shall obtain and provide evidence to the Community Development Director of an approved Coastal Development Permit prior to issuance of the building permit.
7. The subject property shall be developed, maintained and operated in full compliance with the conditions of this permit and any law, statute, ordinance or other regulation hereafter adopted that is 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.
8. The Planning Commission may review this Parking Plan and may amend the subject conditions or impose any new conditions if deemed necessary to mitigate detrimental effects on the neighborhood resulting from the subject use.
9. Approval of this permit shall expire twenty-four (24) months from the date of approval by the Planning Commission, unless significant construction or improvements or the use authorized hereby has commenced. One or more extensions of time may be requested. No extension shall be considered unless requested in writing to the Community Development Director, including the reason therefore, at least 60 days prior to the expiration date. No additional notice of expiration will be provided.

**Section 7.** This permit 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 permit.

The Parking Plan shall be recorded, and proof of recordation shall be submitted to the Community Development Department prior to the issuance of a building permit.

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.

To the extent permitted by law, Permittee shall defend, indemnify and hold harmless the City of Hermosa Beach, its City Council, its officers, employees and agents (the “indemnified parties”) from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void any permit or approval for this project authorized by the City, including (without limitation) reimbursing the City its actual attorney’s fees and costs in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

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 permit. 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.

**Section 8.** Pursuant to the Code of Civil Procedure Section 1094.6, any legal challenge to the final decision on this Parking Plan (either by the Planning Commission, or the City Council should they take jurisdiction of the project), must be made within 90 days after the final decision.

VOTE:       AYES:  
              NOES:  
              ABSTAIN:  
              ABSENT:

#### CERTIFICATION

I hereby certify the foregoing Resolution P.C. No. 18-XX is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California at its regular meeting of July 17, 2018.

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Marie Rice, Chairperson

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Ken Robertson, Secretary

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July 17, 2018

Date