

## **P.C. RESOLUTION 19-~~XX~~**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PARKING PLAN TO ALLOW THE 6-SPACE PARKING REQUIREMENT TO BE MET WITH 4 ON-SITE SPACES (INCLUDING 1 TANDEM SPACE) PLUS FEES IN LIEU FOR 2 SPACES, FOR A SIX-UNIT MOTEL PROJECT CONSISTING OF A NEW THREE-STORY, DETACHED 2,744 SQUARE FOOT COMMERCIAL BUILDING CONTAINING FIVE UNITS, TO BE CONSTRUCTED BEHIND THE EXISTING 1,841 SQUARE FOOT SINGLE-FAMILY RESIDENCE WHICH WILL BE CONVERTED TO AN ADDITIONAL UNIT, ON A 4,023 SQUARE FOOT LOT IN THE C-2 (RESTRICTED COMMERCIAL) ZONING DISTRICT AT 70 10<sup>TH</sup> STREET; AND ADOPTING THE MITIGATED NEGATIVE DECLARATION.**

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

**Section 1.** An application was filed by B&J Capital Investments on March 21, 2016, seeking 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 was proposed to be converted to a single-unit motel, and 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 10<sup>th</sup> 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. During their August 1, 2018 meeting the project was denied with a 5:0 vote. The Commission expressed concerns with unknown office and retail tenants, renting out the front residence for short term vacation use, and anticipated parking impacts by not providing enough parking spaces on-site for the combination of uses while requesting too many parking spaces be paid in-lieu through the City's in-lieu program. The project proposed to provide 4 out of the 12 required parking spaces on-site (33% provided on-site).

**Section 3.** The applicants considered the Commission's feedback and revised the project uses and reduced the amount of required parking spaces. An application was filed on March 21, 2019, requesting approval of Precise Development Plan 19-2 to allow a six-unit motel project by constructing a new three-story, detached 2,744 square foot commercial building containing five units, to be constructed behind the existing 1,841 square foot single-family residence which will be converted to an additional unit with a 212 square foot ancillary registration office, and a Parking Plan 19-2 to allow the 6-space parking requirement to be met with 4 on-site spaces (including 1 tandem space) plus fees in lieu for 2 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. The new project proposes to provide 4 out of 6 required parking spaces on-site

(67% provided on-site) thereby reducing the required amount of in-lieu spaces by 71% by changing the uses from retail and office to motel.

**Section 4.** The Planning Commission conducted a duly noticed public hearing to consider the application on June 18, 2019 at which time testimony and evidence, both oral and written, was presented to and considered by the Planning Commission. The Commission expressed continued concerns with anticipated parking impacts by not providing enough parking spaces on-site for the motel use and ancillary registration office while requesting too many parking spaces be paid in-lieu through the City's in-lieu program. The Commission continued the item to a later date and requested the applicant work on a design solution that would provide additional parking spaces or reduce the number of units thereby reducing the number of parking spaces required.

**Section 5.** The applicant decided to maintain the previously proposed site layout and physical building design and number of motel units while removing and replacing the ancillary registration office/concierge service with the room serving as additional living room area, providing off-site property management services and pick up and drop off cleaning services, requiring all units be keyless entry, providing two parking spaces for neighborhood electric vehicles (with one vehicle provided for motel guests), providing discounts to motel guests who are vehicle free and requiring that two vehicle free units be provided whenever the property is more than 65% occupied (4 units with vehicles & 2 units vehicle free). The Planning Commission conducted a duly noticed public hearing to consider the revised application on August 20, 2019 at which time testimony and evidence, both oral and written, was presented to and considered by the Planning Commission.

**Section 6.** Pursuant to the California Environmental Quality Act, the City prepared a Mitigated Negative Declaration (MND) for the proposed project and the City adopted a Mitigated Negative Declaration pursuant to Precise Development Plan Resolution No. 19-XX.

**Section 7.** 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) Section 17.44.210:

HBMC Section 17.44.210 provides that a Parking Plan may be approved by the Planning Commission to allow for a reduction in the number of spaces required. The applicant shall provide the information necessary to show that adequate parking will be provided for customers, clients, visitors and employees or when located in a vehicle parking district, the applicant shall propose an in-lieu fee according to requirements of this chapter. Factors such as the following shall be taken into consideration: van pools, bicycle and foot traffic, common parking facilities, varied work shifts, valet parking, unique features of the proposed uses, peak hours of the proposed use 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. The applicants request to allow for a reduction in the number of spaces require through payment of parking spaces in-lieu and for use of tandem parking spaces. Motels require one space for each unit. The proposed project consists of six motel units which require a total of six parking spaces. HBMC Section 17.44.040 (E) 2.b.

requires building sites, where buildings will exceed a 1:1 gross floor area to building site area ratio, to provide a minimum of 25% of the required parking on-site with the remaining required parking authorized to be paid through in-lieu fee contributions with approval of a Parking Plan. The proposed project FAR totals 1.14, therefore, a minimum of 2 parking spaces (25% of 6 spaces) must be provided on-site. The proposal complies with code and includes 4 parking spaces on-site with 2 in-lieu spaces requested.

The City, through an agreement with the Coastal Commission as part of our certified Coastal Land Use Plan (LUP) (certified in 1981 and amended as recently as 2004), has an approved parking in-lieu fee program. The basic concept is to allow for the development of smaller properties in the downtown where it is not possible or not practical to provide all required parking on-site. Currently the fee amount is \$28,900 per required parking space not provided on-site. The fee was established by resolution of the City Council and was based on an appraisal completed in July 2006. The in-lieu funds are used to mitigate increased parking demand and funds can be used for future improvements to the City's public parking. The threshold limit was established at 100 parking spaces in 1982 and the City has not yet reached this threshold. Currently 66 in-lieu parking spaces have been approved by the City to date. If the applicant's request to purchase 2 in-lieu spaces is approved, the City's inventory of available in-lieu spaces will be reduced to 32. Once the City reaches the 100 space threshold additional parking must be constructed or, no additional in-lieu parking may be authorized.

A Parking Plan is requested to allow the 6-space parking requirement to be met with 4 on-site spaces (including 1 tandem space) plus fees in lieu for 2 spaces. To provide some context in considering the request for approval of 2 in-lieu spaces, the following is a list of the largest in-lieu parking requests approved by the City to date.

- 20 spaces at 1301 Hermosa Avenue;
- 16 spaces at 906-910 Hermosa Avenue;
- 13 spaces at Pier Plaza;
- 7 spaces at 1429 Hermosa Avenue;
- 5 spaces at 51 Pier Avenue; and
- 5 spaces at 117 Pier Avenue.

The property is located within the Downtown District where the General Plan emphasizes and supports the following parking design goals: A park-once district that allows centralized, *shared parking facilities* providing pedestrian connections at multiple destinations; and *parking should be provided off-site through public or private shared parking facilities*, with any on-site parking situated to the rear of the buildings and/or hidden and screened.

General Plan Mobility Goal 4 aims to provide *innovative parking supply solutions which will be used to provide a variety of services tailored to different users in addition to adopting policies that will incentivize targeted business and commercial development of shared parking solutions*. Policy 4.1 aims to facilitate park-once and shared parking policies among private developments that contribute to a shared parking supply and interconnect with adjacent parking facilities.

Additionally, a bicycle rack accommodating eight bicycles will be located near the southeast corner of the existing structure. The project is conditioned to require that a bicycle rack, for at least eight (8) bicycles, be maintained on-site at all times and that a minimum of four (4) shared bicycles be provided on-site for motel guests and that the motel promote their availability when making reservations online.

The applicants additionally propose to provide green solutions which include providing parking spaces for two (2) neighborhood electric vehicles (golf carts) at the northwest corner of the property with one vehicle provided on-site for motel guests, requiring that two vehicle free units be provided whenever the property is more than 65% occupied (4 units with vehicles & 2 units vehicle free) and that discounts be provided for all occupants of the boutique inn that are vehicle free.

The applicants propose to eliminate and replace the ancillary registration office/concierge room with additional living room area and to provide alternative cleaning solutions. The applicants propose to utilize a local real estate broker and property management firm and the applicants have consulted and confirmed with two local real estate broker/property management firms located within three blocks of the property to provide service to guests and resolve any issues as needed. Through eliminating the ancillary registration office/concierge services there will no longer be an employee occupying a parking space. In addition, the applicants identified two local cleaning services that offer drop off and pick up of cleaning staff thereby making on-site spaces available to motel guests. The applicants also propose that the motel require keyless entry for all rooms.

Peak parking demand for hotel/motel uses typically occurs during overnight hours from 9:00 p.m. to 10:00 a.m. daily. Motel uses have peak times which coincide with times of the week where public parking is more available when compared to general retail and office uses. The nearest public surface parking lot, which contains 130 parking spaces, is located approximately 1 block (300 feet) away at 1101 Hermosa Avenue (Lot A) . Lot B contains 37 parking spaces and is located north of 13<sup>th</sup> Court; between Hermosa Avenue and Beach Drive, and is approximately two and a half blocks (750 feet) away. The public parking structure containing 261 parking spaces located at 13<sup>th</sup> Street and Hermosa Avenue (Lot C) is located approximately 3 blocks (900 feet) away. The overall public parking lot occupancy for Lots A, B and C is between 79% to 95% during weekday evenings and weekend afternoons. 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 range between 51% and 62% during weekday evenings and weekend afternoons.

Alternative transportation options for motel occupants which may provide parking relief, include ride sharing services (Uber and Lyft) and bus lines 130 and 109 which have stops along Hermosa Avenue. The Parking Analysis conducted for the proposed Strand and Pier Hotel project (11 and 19 Pier Ave., 1250 and 1272 The Strand, and 20, 30, and 32 13th St.), indicated through traffic counts for the Beach House Hotel (containing 96 rooms) that during the Friday evening peak hour (June 23, 2017), there were 12 Uber/Lyft trips (approximately 35% of the total trips) which suggests that a large portion of motel guests may arrive via Uber/Lyft.

**Section 6.** Based on the foregoing, the Planning Commission hereby **approves** the proposed Parking Plan 19-2 subject to the following **Conditions of Approval**:

1. The project consisting of a six-unit motel development shall be substantially consistent with plans and application submitted and approved by the Planning Commission on August 20, 2019, as modified per subsection 1a-h. The Community Development Director shall review and may approve minor modifications that do not otherwise conflict with the Municipal Code or requirements of this approval, provided that the use is not changed, intensity of use is not increased and the arrangement of space would not increase negative impacts. Any substantial deviation, changes to the floor plan, site plan, or building exterior which alter the primary function of the use as a motel shall be subject to review and approval by the Planning Commission.
  - a. The front northwest corner of the property, west of the historic structure, shall be dedicated and adequately identified with surface paint as well as vertical (building or pole mounted) signage to accommodate parking spaces for two (2) tandem neighborhood electric vehicles (golf carts) on-site, to the satisfaction of the Community Development Director.
  - b. At least one (1) neighborhood electric vehicle shall be provided on-site for motel guests.
  - c. The previously proposed 212 square foot ancillary registration office/concierge room shall be used as additional living room area.
  - d. Two vehicle free units shall be provided whenever the property is more than 65% occupied (4 units may utilize vehicles & 2 units shall be vehicle free).
  - e. Discounts shall be provided for all occupants of the motel that are vehicle free.
  - f. A local off-site property management firm shall be utilized to provide services to guests and to maintain the welfare of the residents, and/or commercial and residential establishments nearby.
  - g. An off-site local cleaning service shall provide all cleaning services and employees shall solely be dropped off and picked up.
  - h. All motel units shall be keyless entry “smart units”.
2. The subject site shall additionally comply with Precise Development Plan P.C. Resolution 19-**XX**.
3. Prior to the submittal of structural plans to the Building Division for plan check an ‘Acceptance of Conditions’ affidavit and recording fees shall be filed with the Planning Division of the Community Development Department stating that the applicant/property owner is aware of, and agrees to accept, all of the conditions of this permit of approval.

4. 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.
5. 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 two (2) 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 building permits.
6. The motel shall provide 4 parking spaces on-site at all times.
  - a. The parking lot shall be designed and striped in compliance with HBMC Chapter 17.44.
  - b. The parking lot shall be fully available for and limited to motel guest parking during all hours of operation.
7. A bicycle rack for at least eight (8) bicycles shall be maintained on-site at all times.
  - a. A minimum of four (4) shared bicycles shall be provided on-site for motel guests and the motel shall promote their availability when making reservations online.
8. A sign permit shall be obtained for new signage at the subject site in conformance with HBMC Section 17.50.
9. 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.
10. 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.
11. 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. 19-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 August 20, 2019.

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David Pedersen, Chairman

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Ken Robertson, Secretary

August 20, 2019  
Date