

P.C. RESOLUTION 20-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PARKING PLAN (PARK 20-04) TO ALLOW MEDICAL CLINIC/OFFICE USES AT AN EXISTING MULTI-TENANT COMMERCIAL BUILDING (PACIFIC PLAZA OFFICES) LOCATED AT 2200 PACIFIC COAST HIGHWAY BASED ON USE OF UP TO 40 SHARED PARKING SPACES WITH 2420 PACIFIC COAST HIGHWAY (HOPE CHAPEL); AND DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

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

Section 1. An application was filed by 2200 Associates LLC (C/O Raju Shah) on July 20, 2020, requesting approval of a Parking Plan 20-04 to allow medical clinic/office uses at an existing multi-tenant commercial building (Pacific Plaza Offices) located at 2200 Pacific Coast Highway based on use of up to 40 shared parking spaces with 2420 Pacific Coast Highway (Hope Chapel).

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application on November 17, 2020, at which time testimony and evidence, both oral and written, was presented to and considered by the Planning Commission.

Section 3. The project is categorically exempt from the California Environmental Quality Act defined in CEQA Section 15301 Class 1 Existing Facilities, as the project involves negligible or no expansion of an existing use.

The 27,189 square foot lot houses an approximately 29,338 sq. ft. three-story multi-tenant commercial general office building. The applicant requests consideration of a Parking Plan to accommodate existing and future medical clinic uses through utilizing up to 40 shared parking spaces located at 2420 PCH (Hope Chapel) at the southernmost end of the parking lot/structure to accommodate up to 100 percent medical clinic/office uses at 2200 PCH. The building will remain unaltered as part of this request. No additional square footage will be added, the building envelope (height and mass) will not be increased and the building design will remain unchanged. The existing parking space configuration and number of spaces will also remain unchanged.

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 Section 17.44.210:

In 1981 the City zoning code required retail and office uses to provide one parking space for each 300 square feet of gross floor area and did not distinguish between a higher parking requirement for medical clinics. Since the building was built, the City's parking standards have changed, rendering the building nonconforming to current parking standards.

The proposed Parking Plan (PARK 20-4) to allow up to 100 percent medical clinic/office uses at an existing multi-tenant commercial building (Pacific Plaza Offices) located at 2200 Pacific Coast Highway based on use of up to 40 shared parking spaces with 2420 Pacific Coast Highway (Hope Chapel); as conditioned, is consistent with the zoning code and PLAN Hermosa through:

- 1) Applying the City's non-conforming parking methodology which concludes that converting to 100 percent medical uses would require 27 net additional parking spaces which can be met through use of up to 40 shared spaces at 2420 PCH and with
- 2) Technical evidence provided through the parking analysis/study which concludes that the conversion to 100 percent medical office use would be adequately served by the 125-space supply due to the actual demand being 86-spaces yielding a future surplus of 39 spaces.

Section 5. Based on the foregoing, the Planning Commission hereby **approves** the proposed Parking Plan 20-04 subject to the following **Conditions of Approval**:

1. **The approximately 29,338 sq. ft. three-story multi-tenant office building shall be substantially consistent with plans and application submitted and approved by the Planning Commission on November 17, 2020, authorizing up to 100 percent medical clinic uses. 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, building exterior or addition to the hours which alter the primary function of the use as a general commercial office and medical clinic building shall be subject to review and approval by the Planning Commission.**
2. **Prior P.C. Resolution 81-26 pertaining to the subject property at 2200 Pacific Coast Highway shall remain in full force and effect.**
3. **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 parking access agreement shall be perpetually maintained. Future amendments to the existing parking access agreement between 2200 PCH and 2420 PCH and any new parking access agreements that in any way reduce the amount of available parking at 2420 PCH shall require approval of a Parking Plan Amendment by the Planning Commission prior to implementation.**
5. **2200 PCH shall maintain a minimum of 86 parking spaces on-site during all hours of operation.**

6. All parking shall be shared (not designated) and shared parking use signage shall be established in all parking areas.
7. The two rear tandem spaces shall be reserved for use of long-term visitors and employees.
8. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant 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.
9. 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 or to the public safety and welfare resulting from the subject use pursuant to the procedures for modification/revocation in the HBMC.
10. Approval of this permit shall be effective upon the permittee/owner providing evidence to the City of recording of the signed Acceptance of Conditions' affidavit with the Los Angeles County Recorder's Office.

Section 6. This permit shall not be effective for any purposes until the permittee and the owner of the property involved provide evidence to the office of the Planning Division of the Community Development Department of recording of the signed Acceptance of Conditions' affidavit with the Los Angeles County Recorder's Office 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 business license.

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 7. 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. 20-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 November 17, 2020.

Rob Saemann, Chair

Ken Robertson, Secretary

November 17, 2020

Date