



# City of Hermosa Beach

Civic Center, 1315 Valley Drive, Hermosa Beach, CA 90254-3885 Tel: (310) 318-0235

January 28, 2020

## **Re: 2200 Pacific Coast Highway- Commercial Building Use Mixture and Parking Conditions**

Dear Mr. Shonafelt,

Thank you for your November 26, 2019, letter to the Community Development Department addressing the City's inability to approve various medical clinic business license applications at a general commercial building located at 2200 Pacific Coast Highway (PCH) due to the current on-site parking supply. Essentially, your letter suggests that the City is authorized to approve business licenses for medical clinics at the site because there is sufficient parking to sustain the mix of uses proposed. Below, I will explain the City's determination, address some of your points and propose an option for moving forward.

### **Background- Current Parking and Code Required Parking**

In 1981, the Planning Commission approved a 31 unit commercial office condominium project at 2200 PCH. At that time, the City zoning code required retail and office uses to provide one (1) parking space for each 300 square feet of gross floor area and did not distinguish between a higher parking requirement for medical clinics. The approved plans for 2200 PCH identify 92 required parking spaces based on the prior City code. The letter received on November 26, 2019 suggests that parking has been reduced to 85 spaces since that original approval.

**Entitlement information from the City's building permit card.**

**2200, PACIFIC COAST HWY., LOTS 5 thru 8 & 12 thru 19,  
Tract 2143**

**CITY COUNCIL - 8/11/81 - APPROVED 31 Unit Comm. Condo.  
& Tent. Map #14734, subject to conditions  
set forth in P.C. Res. #81-26 adopted  
7/27/81**

**Screenshot of the project data from the 1981 project plans.**



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B1 OCCUPANCY  
TYPE I CONSTRUCTION - SPRINKLERS

<u>GROSS BUILDING AREA - TOTAL :</u>	<u>30,692 SF</u>
1. BLDG A-B GROSS AREA :	<u>12,318 SF</u>
B2 OCCUPANCY	
2-STORY	
TYPE V-N CONSTRUCTION	
ALLOWABLE AREA :	<u>20,802 SF</u>
2. BLDG B GROSS AREA :	<u>9,907 SF</u>
B2 OCCUPANCY	
2-STORY	
TYPE V-N CONSTRUCTION	
ALLOWABLE AREA :	<u>20,800 SF</u>
3. BLDG C-D GROSS AREA :	<u>8,566 SF</u>
3-STORY w/ BASEMENT	
TYPE V-N CONSTRUCTION - SPRINKLERS	
ALLOWABLE AREA	<u>10,000 SF</u>
<u>NET BUILDING AREA - TOTAL :</u>	<u>37,406 SF</u>

PARKING:  
APPROVED PARKING = 92 SPACES

PARKING RATIO =  $37,406 \div 92 = 298.22 / \text{CAR}$

SETBACKS:  
FRONT : VARIOUS - 6'-0" MIN  
SIDES : VARIOUS - 0'-0" MIN  
REAR : VARIOUS - 4'-0" MIN

MAXIMUM HT : 44'

These plans approved  
Building Dept., City of Hermosa Beach  
*[Signature]*

THE MOSER PARTNER  
ARCHITECTS

1308 ALLY • SAN FRANCISCO • CA • 415 •

Date: 12/1/81

Scale: 1/8" = 1'-0"

Drawn:

Job:

Since the building was built, the City's parking standards have changed, rendering the building nonconforming to current parking standards (even for general office and retail use). Pursuant to HBMC Section 17.44.030, general office and retail uses now require one (1) parking space for every 250 square feet in gross floor area, whereas medical clinics require one (1) parking space per 200 square feet in gross floor area.

Based on the building's 30,692 square foot gross floor area (if all uses were general office and/or retail and do not include any medical clinics) the building would need to provide 123 parking spaces based on current code requirements. Medical tenants would increase that number. Thus, the building is considered nonconforming for parking since it only has 85 parking spaces. That determination is the basis for this analysis.

## Non-Conforming Sites- Changes to a More Intense Use with a Higher Parking Requirement

The following limitations apply to buildings in commercial zones nonconforming as to parking. HBMC Section 17.52.035(E) states, "When the use of an existing commercial, manufacturing or other non-residential building or structure is changed to a more intense use with a higher parking requirement the requirement for additional parking shall be calculated as the difference between the required parking as stated in Section for that particular use as compared to the requirement for the existing or previous use, which shall be met prior to occupying the building unless otherwise specified in Chapter .



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This is important for two reasons. First, the City previously outlined on September 18, 2019 to the Director of Property Management (VMG) in an email sent to the business owner of Suite 214 who had applied for a business license application that if the tenant space was occupied by a prior medical clinic, which was issued a valid business license from the City then a new medical clinic could be approved for that same tenant space without providing the additional parking spaces. This is because the change in tenant is not an intensification for that space. However, due to the deficient parking at 2200 PCH, if the tenant space were previously occupied by a non-medical general commercial use (such as general office or retail) then a business license for a new medical clinic could not be approved until additional parking could be provided for the higher parking intensive use (or through approval of a Parking Plan Amendment, which is the mechanism needed to authorize less than required parking—see discussion below).

In speaking with the property management company over the course of the last two years, we understand that there are approximately 11 tenants that may be considered medical clinics at 2200 PCH. Typically, in order for all 11 medical clinics to operate on site, the building would need to prove additional parking spaces for the net increase in required parking.

For example, if the building contains 30,692 square feet of gross floor area and if approximately one third (9,207.6 square feet) of the floor area were converted to medical clinic (parked at 1:200) then nine (9) net additional parking spaces would need to be provided for the intensification of use. 9,207.6 square feet of tenant space occupied by general office/retail uses would require 37 parking spaces and if the same area were occupied by medical clinics then 46 parking spaces would be required.

However, there are a few nuances to the parking calculation that I will explain below.

## **City Code Definitions**

Provided below are the City commercial land use definitions and general definitions (Hermosa Beach Municipal Code (HBMC) Section 17.04) which include the following related classifications.

"General office" means facilities where, as a primary use, the administrative activities of a business are performed. General office includes but is not limited to:

D. Personal improvement services offices, including but not limited to counseling, tutoring and similar services. Excludes gymnasium/health and fitness center, educational institutions, medical office, beauty shops, massage therapy businesses, and similar uses.

"Medical or dental clinic" means a place that provides patient care services on an outpatient basis.





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The City has been able to approve various business licenses for counselors and psychologists offices at 2200 PCH without requiring additional parking. This is because the use is classified as general office (and uses the parking standard for general office, not medical clinic). The City interprets **Psychologists** as general office because Psychologists focus extensively on psychotherapy and treating emotional and mental suffering in patients with counseling and behavioral intervention. Based on the code definition, the distinction is that "counseling" does not involve medical treatment, medical devices, medical testing, presence of nurses, and other aspects of a medical office. As articulated in the code, psychologists providing counseling services is a general office use.

A **Psychiatrists** office, on the other hand, is a medical clinic since psychiatrists are trained medical doctors, they can prescribe medications, and they spend much of their time with patients on medication management as a course of treatment (which also may include scales, blood pressure and other medical tests to properly prescribe medication). Therefore, the city interprets **Psychiatrists** office as a medical clinic and not a general office. The city has also been able to approve various psychiatrists at 2200 PCH if the prior tenant space was occupied by a previously City approved medical clinic.

However, when a space is converted from office or retail to medical clinic, that change requires additional parking as set out in HBMC 7.52.035(E).

For these reasons, the current use mixture which includes various medical clinics must be properly permitted through 1) approval of a Parking Plan Amendment and then 2) approval of business license applications.

Additionally, the November 2019 letter references a connection between parking at Hope Chapel and parking at 2200 PCH. In recent years, Hope Chapel has come in to the city for various entitlements and changes of use, which change the parking requirement for the site. The Hope Chapel site has received a Parking Plan, which is the mechanism provided in the HBMC for the city to authorize a reduced amount of parking based on the finding that the site is adequately parked.

## **Private Parking Agreement History and City Approved Parking Plan Records**

In 2010 the property owner of 2200 PCH authorized Hope Chapel (2420 PCH) and the prior youth center (2510 PCH) to use parking at 2200 PCH on limited days and during limited hours. In 2010 the Planning Commission approved the shared parking plan through PC Resolution 10-6. The 2010 parking plan authorized Hope Chapel and the previous youth center (now Lazy Acres grocery store) to use shared parking at 2200 PCH. The approved parking plan did NOT authorize 2200 PCH to use parking at 2420 PCH, 2510 PCH or 950 Artesia Blvd to meet parking requirements at 2200 PCH.

In 2017 the church owned properties received approval of a shared parking plan where all parking was provided on the church owned properties (2420 PCH, 2510 PCH and 950



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Artesia Blvd). As such, church and grocery store parking at 2200 PCH was no longer necessary, and PC Resolution 10-6 was rescinded and no longer in effect. This is good for your client, as it means that none of your client's 85 spaces are reserved for use by neighboring properties.

Through that proceeding, the City acknowledged the existence of the private parking agreement between 2200 PCH and the Hope Chapel properties within the Parking Plan Resolution (PC Reso 18-14). The Parking Study was updated accordingly, based on use of up to 40 spaces at Hope Chapel by the office tenants at 2200 PCH, and the Parking Study concluded that adequate parking will still be provided for the Hope Chapel, Lazy Acres and 950 Artesia Blvd on-site uses. This Parking Plan, however, only regulates the use of the buildings that were part of that application. Essentially the City found that even if tenants from 2200 PCH use up to 40 of the spaces during certain times of the day, the church and grocery store would still be adequately parked. The approved parking plan did not authorize 2200 PCH to use parking at 2420 PCH, 2510 PCH or 950 Artesia Blvd to meet parking requirements at 2200 PCH.

**The applicant has acknowledged an easement whereby 2200 Pacific Coast Highway may use 25 to 40 spaces, Monday through Friday from 7am to 6pm. Even if those spaces are used, parking is adequate as shown by the Parking Study because there would be a surplus of parking of at least 113 spaces during that time.**

**A total of 293 shared parking spaces will be provided between Hope Chapel (2420 PCH), the Hope Chapel administration office building (2306 PCH), and the commercial office/annex building (950 Artesia Blvd) and Lazy Acres (2510 PCH) with an additional 66 spaces for the exclusive use of Lazy Acres (2510 PCH) for a total of 359 spaces.**

**Given the shared updated Parking Analysis results, it is concluded that the total on-site parking supply of 359 parking spaces, of which 66 spaces are for the exclusive use of Lazy Acres (2510 PCH), will be adequate to support weekday and weekend peak total parking demand of 318 and 341 spaces respectively.**

## **Application Options and Process**

Accordingly, should the owners of 2200 PCH believe that the site is adequately parked with various medical, retail and office uses, then your client may also apply to the city for a Parking Plan. As noted above, this is the mechanism for the city to determine that less than code required parking is acceptable on a case by case basis and this determination can consider a shared parking analysis as suggested in your letter. If the Planning Commission approves the Parking Plan, then the City can issue the business licenses for the subject businesses.



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## Parking Plan

It is our understanding that the owner of 2200 PCH has already engaged services from Linscott Law & Greenspan engineers who prepared a Parking Study. With that information, your client has two options. (1) Your client could apply for a Parking Plan that only looks at 2200 PCH. Alternatively, and in order to take advantage of the offsite parking at Hope Chapel and Lazy Acres (which is already accounted for in their Parking Plan), you would need to apply jointly with those property owners for a comprehensive Parking Plan that more formally memorializes the private parking agreement, and authorizes your client at 2200 PCH to use up to 40 off site spaces at the Hope Chapel and Lazy Acres site. If you believe that the site is adequately parked without those spaces and are prepared to make that case to the planning commission, then a parking plan for only the subject property can be requested. If the property owner decides to apply for a Parking Plan pursuant to HBMC Section 17.44.210 (see links below) we ask that the following items and steps be completed:

1. Please schedule a preliminary review meeting with a City Planner so that application materials can be reviewed prior to formal submittal to make sure all necessary application materials are provided for review. At this time, we could discuss in more detail the two option set out below.
2. Complete the General Planning Application and gather application materials for a Parking Plan Amendment (to amend the Hope Chapel Parking Study and Parking Plan) and submit to the City. If you go with option 2, the Hope Chapel property owner must co-sign as applicant and notarize the general planning application authorizing for their previously approved Parking Plan to be amended to accommodate the 2200 PCH request to formally acknowledge use of up to 40 parking spaces by 2200 PCH to meet their on-site parking demand to accommodate their higher parking intensity medical clinics. The Parking Plan Amendment application fee is \$6,200.
3. Submit a deposit in the amount of \$6,000 to the City to cover the cost of the City's Parking and Traffic Consultant's peer review of the Parking Study. Once an application is received then the City will prepare a reimbursement agreement which must be signed and notarized by both property owners and the developer/applicant. **The City will refund to the applicant any amount of the applicant's payments which remain unexpended.**
4. City staff and the City's parking consultant will need to assess the current gross floor area of the building and have a clear inventory of all existing business uses at 2200 PCH (with descriptions and possibly floor plans). Please submit the tenant roster with uses and square footages as part of submittal.

The Parking Plan handout can be found via the link below.

<https://www.hermosabeach.gov/home/showdocument?id=13059>

The General Planning Application can be found via the link below.

<https://www.hermosabeach.gov/home/showdocument?id=13174>





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Planning Commission Hearing Schedule of Hearing Dates  
<https://www.hermosabeach.gov/home/showdocument?id=13315>

Please do not hesitate to contact me with any specific questions you may have.

A handwritten signature in black ink, appearing to read 'Ken Robertson', with a long horizontal flourish extending to the right.

**Ken Robertson**

Director, Community Development Department  
City of Hermosa Beach