



Staff Report

File #: REPORT 18-0447, Version: 1

Honorable Chairman and Members of the Hermosa Beach Planning Commission

Regular Meeting of July 17, 2018

Conditional Use Permit Amendment 18-6 to allow vehicle sales/rental and general repair/service for an electric vehicle dealership (E3 Vehicles) within an existing building, and to allow limited outdoor vehicle display, on a 3,163 square foot lot in the SPA-7 (Specific Plan Area 7) zoning district at 619 Pacific Coast Highway; and determination that the project is Categorically Exempt from the California Environmental Quality Act (CEQA).

Applicant: E3 Vehicles
C/O: Amy Errett
350 North Pacific Coast Highway
Redondo Beach, CA 90278

Owner: Tu Anh Tran
631 Gertrude Avenue
Redondo Beach, CA 90277

Recommended Action:

Adopt the attached resolution approving the Conditional Use Permit amendment request to allow vehicle sales/rental and general repair/service (with ancillary office use) for a neighborhood electric vehicle dealership (E3 Vehicles) within an existing building, and to allow limited outdoor vehicle display, on a 3,163 square foot (sq. ft.) lot in the SPA-7 (Specific Plan Area 7) zoning district at 619 Pacific Coast Highway; and determining that the project is Categorically Exempt from CEQA.

Background

ZONING:	SPA-7, Specific Plan Area 7
GENERAL PLAN:	CC, Community Commercial
PREVIOUS/PROPOSED USE:	Motor vehicle general repair, service, installation use (upholstery shop)/ Sale and rental of new/ motor vehicles with ancillary office use
LOT SIZE:	3,160 sq. ft.
LOT DIMENSIONS:	35.12 ft. wide x 90 ft. deep
EXISTING & PROPOSED BUILDING AREA:	Total: 2,147 sq. ft. (1st floor: 1,544 sq. ft. 2nd Floor: 603 sq. ft.)/ no change
REQUIRED/PROPOSED PARKING:	3 spaces/7 spaces (4 in tandem)
ENVIRONMENTAL DETERMINATION:	Categorically Exempt, Section 15301(a) Existing Facilities, as the project involves only minor

alterations of the interior/exterior with no additional square footage.

Located along the Pacific Coast Highway (PCH) corridor which runs north/south through Hermosa Beach, in the Specific Plan Area 7 zoning district, on the west side of PCH between 6th Street and 8th Street, the subject 3,160 sq. ft. site at 619 PCH is surrounded by commercial uses, with commercial buildings abutting the property to the north (Learned Lumber) and south (Sherwin Williams). A 20-foot wide public alley that connects to 6th Street runs between the subject property and a private commercial parking lot owned by Learned Lumber. The rear (west) half of the site is comprised of an eight-space parking lot which abuts the alley, from which additional vehicular access is provided through a sliding six-foot high sliding metal gate.

The site was previously occupied by Southbay Auto Upholstery, a motor vehicle general repair, service, installation use. The subject site contains a single-tenant, two-story 2,147 sq. ft. building located on the east half of the site, which has approximately 35 feet of frontage along PCH with vehicular access via an existing curb cut that leads to a rollup garage type door. The rear of the building contains a single roll up garage style door.

The site is currently governed by an existing Conditional Use Permit (CUP 92-21) approved in Planning Commission Resolution Number 92-68, which restricts the site to the use of automobile upholstery and convertible vinyl tops.

The applicant is currently authorized by the City of Redondo Beach to operate on the private property located at 350 North Pacific Coast Highway in Redondo Beach. The applicant proposes to relocate to Hermosa Beach to offer sales, rental, and minor repair services of new and used neighborhood electric vehicle (NEVs), which are small, electric vehicles commonly used for neighborhood commuting, light hauling, and delivery. NEV use is limited by the California Vehicle Code to streets that have no greater than 35 mile per hour (mph) speed limits. The proposed hours of operation are 9:00 a.m. to 5:00 p.m. daily.

The 1,544 square foot first floor area is proposed for NEV sales/rental and general repair/service use, and will contain a front desk/reception office, a showroom for display of vehicles, one restroom and a mechanical closet. Repair services will be conducted in the southwest corner of the first floor. The garage doors for both the east (front) and west (rear) elevations are aligned and are located at the north end of the building. The 603 square foot second floor will serve as ancillary office use, consisting of three offices and one restroom. All windows are fixed (non-openable).

The existing eight -space parking lot will be reduced to seven spaces, because one space at the northwest corner of the site will be converted to the required trash enclosure area. Four of the seven spaces are in tandem and are proposed to be used for outdoor vehicle display.

Analysis

SPA-7 Zone Development Standards

The SPA-7 zoning district is designated as a commercial corridor and includes areas located on the east and west sides PCH. Permitted uses within the SPA-7 zone are the same as those permitted in the C-3 General Commercial Zone, where the sale and rental of new or used motor vehicles, including storage and incidental maintenance, requires approval of a Conditional Use Permit (CUP). Pursuant to HBMC Section 17.26.050.B.1, outdoor uses may be permitted with approval of a CUP

Hermosa Beach Municipal Code (HBMC) Section 17.38.320 provides commercial development standards for the SPA-7 zone establishes two sets of standards (first and second tier). Projects complying with first tier standards are not required to obtain approval of a Precise Development Plan (PDP); projects falling within the second tier standards require PDP approval. The subject building is existing legal non-conforming to the SPA-7 first tier standards, and the building exterior will not be modified as a part of this request. The existing two-story building is less than and complies with the 30-foot maximum height limit for development west of PCH. The building floor area ratio (FAR) of 1.47 exceeds the maximum FAR of 1.0. The 2,147 square feet of gross floor area building complies with the maximum gross floor area of 10,000 square feet. A minimum of 5% (158 square feet) of the lot area must be landscaped, and the site provides approximately 166 square feet of landscaped and permeable area within a portion of the north side yard. No building setbacks are required pursuant to HBMC 17.38.320 (C).

CUP Criteria, Conditions and Standards:

HBMC Section 17.40.020 establishes the criteria, conditions and standards for reviewing, granting and amending CUPs in order to reduce the potential for adverse secondary land use impacts. In considering the granting of any CUP for any use, the following criteria for granting said permit shall be considered:

17.40.020 General criteria for all uses

- A. *Distance from existing residential uses:* The nearest residential uses are located within the R-2 (Two-Family Residential) zone, northwest of the site, across the rear alley and parking lot and within a private residential community containing eight units. The nearest residential unit building wall is located approximately 120 feet from to the subject rear (west) building.

All noise from the vehicle sales/rental and general repair/service operations will be fully contained within the building. The hours of repair services are limited to 8:00 a.m. to 5:00 p.m. daily with one employee shift per day containing approximately three employees with maximum number of people on-site (including customers) anticipated to be six persons. Pursuant to HBMC Section 8.24.040, the City's Noise Ordinance restricts commercial activities that are plainly audible from a residential dwelling unit's property line from 10:00 p.m. to 8:00 a.m. daily. Therefore, adverse impacts to existing residential uses are not anticipated.

- B. *The amount of existing or proposed off-street parking facilities, and its distance from the proposed use:* Automobile sales (and rental) and motor vehicle general repair, service, and installation require one space for each 1,000 square feet of site area per HBMC Section 17.44.030(B). The site area totals 3,160 square feet and requires three parking spaces. The ancillary office use does not require additional parking as it supports the primary use and will not result in additional employees/customers, and therefore will not create additional parking demand. The current site contains eight parking spaces (four of which are in tandem) and at the rear (west portion) of the subject site. All parking spaces are accessed from the existing alley and meet the minimum required stall dimensions of 8'6" wide by 18 feet deep. A minimum of three non-tandem parking spaces will be provided for customers and employees and the remaining four spaces in tandem will be used to display electric vehicles. The existing northwesterly parking stall will be eliminated in order to accommodate the required trash enclosure area. Parking is prohibited on the southbound side of PCH between the hours of 3:00 p.m. and 7:00 p.m. Monday through Friday (except holidays) and is limited to 2-hour parking between the hours of 7:00 a.m. and 3:00 p.m. The site provides required on-site parking which is sufficient for the proposed use.

- C. *Location of and distance to churches, schools, hospitals and public playgrounds:* There are no nearby churches, schools, hospitals or public playgrounds. The nearest church is Wave Church which is located

on 11th Street approximately 1,150 feet northwest of the subject site. Therefore, the proposed use will not affect these types of sensitive receptors.

- D. *The combination of uses proposed:* The subject site is proposed to be used by a single tenant to offer sales, rental and minor repair/services of NEVs. The proposed interior modifications to the building and minor modification to the parking lot will result in a site that is adequate to meet the needs of a single business. The project is conditioned to require that the second floor office area remain ancillary to the first floor electric vehicle sales/rental and general repair/service use, and that the office shall only be used by the employees of the business.
- E. *Precautions taken by the owner or operator of the proposed establishment to assure the compatibility of the use with surrounding uses:* None noted.
- F. *The relationship of the proposed business-generated traffic volume and the size of streets serving the area:* The proposed electric vehicle sales, rental and repair use is not anticipated to generate a significant amount of additional traffic than that generated by the previous upholstery shop, and the size of the building is not being increased. PCH is home to several automobile dealerships and has adequate capacity to accommodate employees and customers traveling to the site. The short sections of 6th Street and the alley that connect the site to PCH are also adequate in this regard.
- The section of PCH in front (east) of the subject site is limited to a 30 mph speed limit, and since electric vehicles are limited to streets with a maximum 35 mph speed limit, NEVs may be driven for personal use and test driven along PCH and neighboring residential streets which have a maximum 35 mph speed limit. As such, the characteristics of the streets serving the area are appropriate and safe to accommodate the proposed use.
- G. *The proposed exterior signs and decor, and the compatibility thereof with existing establishments in the area:* Proposed signage will require a separate sign permit application and no exterior/facade modifications to the building are proposed. The project is conditioned such that outdoor display of product and signage of any kind (including A-frame signage) within the public right-of-way and/or on any private property other than 619 PCH are prohibited, and the public right-of-way shall remain clear of obstructions at all times. These conditions have been included to prohibit product from being displayed off-site and/or on any private property other than 619 PCH and to prohibit off-site advertising impacts on the community.
- H. *The number of similar establishments or uses within close proximity to the proposed establishment:* PCH contains a mixture of commercial uses, a number of which are similar and/or complementary uses to the proposed sales/rental and general repair/service use, such as Rock n' Roll Car Wash, Casey's Cars Inc., Casey's Premium Cars, Jama Auto House Inc., Enterprise Rent-A-Car, Dr. Auto Tech, and Jim and Jack's Collision Center. E3 Vehicles will supplement other automobile focused businesses that currently operate in Hermosa Beach.
- I. *Noise, odor, dust and/or vibration that may be generated by the proposed use:* The majority of general repair and service conducted will include battery exchanges (all recyclable), brake jobs, and cosmetic upgrades that do not require the type of heavy machinery that tends to operate at high noise levels. Noise generated from the site will be limited to that associated with the service component which sometimes requires the use of hand drills. The building contains two garage style roll up doors and two pedestrian doors (one of each are accessed from PCH and the others from the rear/west of the building). All windows are fixed (non-openable) and single-pane. Like other vehicle service uses in the area, the building does not provide an air conditioning system. To mitigate potential noise impacts generated from the general repair/servicing of NEVs, conditions of approval are included to ensure compatibility of the proposed use with surrounding uses, such as requiring all general repair/service be conducted indoors, that all doors remain closed during all general repair and service of vehicles within the designated area located at the

southwest corner of the interior of the building, and that no entertainment, music, speakers, televisions, or audio or visual media of any type, whether amplified or unamplified, shall be provided on or off-site.

HBMC Section 8.12 requires adequate solid waste collection and disposal facilities for all developments. The proposal includes a location at the northwest corner of the site to accommodate the required trash enclosure facility to serve the site. A condition of approval is included requiring that a trash enclosure facility capable of accommodating a minimum two cubic yard roll off container be located at the northwest corner of the site, and that the area be adequately signed to prohibit parking within the designated trash enclosure location so that it easily accessible to trash haulers.

Cosmetic upgrades to electric vehicles will include lights, seats, radios, roof racks, fenders, grills, and brush guards in which installations are simple electrical and manual installations that do not emit smoke, dust or odors. Because the business will work with electrical drive systems, there will be no fluid, fumes or smoke emitted during repairs. The proposed use, as conditioned, is not anticipated to create adverse impacts regarding noise, odor, dust and/or vibration.

- J. *Impact of the proposed use to the city's infrastructure, and/or services:* A condition of approval is included indicating that the practice of washing and rinsing floor mats, equipment, tables, etc., or discharge of any liquids, other than stormwater, onto the public right-of-way, into the parking lot drain or storm drains, is prohibited. Discharge of liquids or wash water shall be limited to the sanitary sewer. The existing site has available utilities and services. The site has historically been occupied by a motor vehicle general repair, service, installation use (upholstery shop). Therefore, the proposed sale and rental of new or used motor vehicles with ancillary office use will be sufficiently served by existing infrastructure and services.
- K. *Will the establishment contribute to a concentration of similar outlets in the area:* The site has historically operated as a motor vehicle upholstery shop use and the transition to a NEV sales/rental and general repair/service use is also a vehicle-related use. While PCH is home to several automobile dealerships, E3 Vehicles will be the first NEV dealer and rental business in the city and will therefore offer the community a wider choice.
- L. *Other considerations that, in the judgment of the Planning Commission, are necessary to assure compatibility with the surrounding uses, and the city as a whole:*
Low speed vehicle batteries are fully recyclable, and battery distributors will drop off new batteries and take the old battery cores away from the site for proper disposal. Additionally, all old brake parts/pads are returned to the manufacturer to be recycled. At no time will the business store or have on hand inventories of batteries or other types of potentially hazardous materials.

Pursuant to HBMC Section 17.26.050.B.1. outdoor uses are permitted with approval of a CUP. The proposal includes outdoor display of vehicles within the four tandem parking spaces in the parking lot located behind (west) the building. Since the parking requirement for the proposed use is three spaces, and seven are provided, it is appropriate for the four tandem spaces to be used for outdoor display, and a condition of approval is included limiting the outdoor display to that specific area.

An anonymous letter from a member of the public was received and is attached. The letter cites problems with the business operation at the current Redondo Beach location, including displaying electric vehicles on another's commercial parking lot, blocking public right-of-ways and sidewalk paths of travel with display vehicles, and double parking display vehicles on public streets. Staff at the City of Redondo Beach confirmed that these problems have been ongoing. The proposed project is conditioned such that outdoor display of product and signage of any kind (including A-frame signage) within the public right-of-way and/or on any private property other than 619 PCH is strictly prohibited, and the public right-of-way shall remain clear of obstructions at all times.

Environmental Determination:

The project is Categorically Exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301(a), Class 1 Exemption, Existing Facilities, because the project is comprised of only minor interior and exterior alterations involving things such as interior partitions, plumbing and electrical conveyances, and does not involve an increase in square footage of the building.

General Plan Consistency:

The proposed establishment is located within the Community Commercial (CC) General Plan land use area and within the Pacific Coast Highway Corridor. The purpose of the CC land use area is to provide opportunities and locations for uses designed to serve the shopping, dining, and employment desires of the entire community, with a mix of locally-owned businesses and regional or national retailer. Land uses are to primarily serve the local market, though they may also serve the needs of visitors and residents of nearby jurisdictions. Appropriate land uses include locally oriented commercial uses such as retail stores, restaurants, professional and medical offices, and personal services. Uses on the ground floor are reserved for retail, restaurant, and other sales-tax revenue generating uses, while offices and personal service uses are encouraged on upper floors. The appropriate intensity range is between a Floor Area Ratio of 0.5 - 1.25.

The PCH Corridor serves as the primary entry point into Hermosa Beach, as well as a pass-through corridor between Manhattan Beach and the Palos Verdes Peninsula. There should be a variety of commercial retail, office, residential, and auto-oriented uses along the corridor. The desired form and character in relation to building design and orientation should provide maximum transparency of ground floor uses to attract shoppers and to provide visual interest to pedestrians. Parking should be arranged along sides of buildings, and zero lot line front and side setbacks should be allowed to ensure a consistent rhythm of storefronts.

The locally-owned NEV retail and rental service business (on the ground floor) with ancillary office use (on the upper floor) is an appropriate auto-oriented land use within the CC General Plan land use area and the PCH Corridor. The existing legal non-conforming building contains a gross floor area ratio of 1.47 which exceeds the appropriate intensity range of 0.5-1.25. However, the building will not be expanded as a part of this request.

The Mobility element of the General Plan states, “The number of electrical vehicle owners and drivers in Hermosa Beach has expanded dramatically as the number of model options has increased and the availability of state and federal rebates and incentives continues....NEVs are also a common form of transportation in Hermosa Beach and are offered free parking at silver meters.”

The General Plan describes the sustainability benefits of a multi-modal transportation system stating, “Less auto use means less air pollution, soil and water pollution, and greenhouse gas emissions. Today and into the future, autos and trucks will continue to emit significant amounts of pollutants. These pollutants undermine our air quality, flow into our storm drains, and coat our streets, buildings, and open spaces. In addition, transportation is responsible for the greatest proportion of greenhouse gas emissions in the city (54% as of 2010). By providing a range of sustainable transportation choices, Hermosa Beach can reduce its impacts on the environment, both locally and globally.”

NEVs are aligned with the Slow Speed Network Strategy Plan for the Southbay. The California Department of Motor Vehicles (DMV) mandates that Low Speed Vehicles must be able to drive

between 20 to 25 mph. NEVs are governed by a computer-programmed motor controller which is installed by the manufacturer, and the controller cannot be physically altered to modify the speed. Motor speed adjustments require a motor programmer used at the original manufacturer level. Low Speed Vehicles are legally limited to roads that have a posted speed limit of 35 miles per hour or less. The applicant notes that many local event planners utilize NEVs to facilitate setup/patrolling/teardown of events such as Fiesta Hermosa and the Redondo Beach Super Bowl 5K. NEVs are street legal and are commonly used by production companies and special events within a particular site for basic logistical tasks.

Electric vehicles provide efficient modes of transportation to support the community's clean air and green initiatives. As such, the proposed use and subject site are consistent with the goals and policies of the General Plan.

The project is consistent with the goals and the following policies of the General Plan: Land Use policies 1.1 (diverse and distributed land use pattern), 1.5 (balance resident and visitor needs), 1.7 (compatibility of uses), 1.9 (retain commercial land area); Mobility policy 3.5 (incentivize other modes) and Sustainability and Conservation policy 1.1 (low-carbon municipality).

Summary

Based on the analysis above, the proposed neighborhood electric vehicle sales, rental, and service use with ancillary office use located at 619 Pacific Coast Highway (E3 Vehicles), as conditioned, is consistent with the Hermosa Beach Municipal Code and PLAN Hermosa. Staff recommends the Planning Commission adopt the attached resolution approving the CUP amendment, and determine that the project is categorically exempt from CEQA.

Attachments:

1. Proposed Approval Resolution
2. Applicant Submittal
3. Planning Commission Resolution 92-68
4. Written Comments from the Public
5. Legal Posters
6. Radius Map

Respectfully Submitted by: Nicole Ellis, Associate Planner

Concur: Kim Chafin, Planning Manager

Approved: Ken Robertson, Community Development Director