

October 2, 2007

**Honorable Chairman and Members of the  
Hermosa Beach Planning Commission**

**Regular Meeting of  
October 16, 2007**

**SUBJECT:** GENERAL PLAN AMENDMENT 07-1  
ZONE CHANGE 07-2  
CONDOMINIUM 07-9  
PRECISE DEVELOPMENT PLAN 07-08  
VESTING TENTATIVE PARCEL MAP #26923

**LOCATION:** 19 2<sup>ND</sup> STREET

**APPLICANT:** GARY WELLS  
302 THE STRAND  
HERMOSA BEACH, CA 90254

**REQUEST:** GENERAL PLAN AMENDMENT FROM NEIGHBORHOOD COMMERCIAL (NC) TO HIGH DENSITY RESIDENTIAL (HD) AND ZONE CHANGE FROM NEIGHBORHOOD COMMERCIAL (C-1) TO MULTI-FAMILY RESIDENTIAL (R-3), AND A CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN, AND VESTING TENTATIVE PARCEL MAP NO. 26923 FOR A TWO UNIT CONDOMINIUM, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION AT 19 2<sup>ND</sup> STREET

**Recommendation:**

*ALTERNATIVES FOR GENERAL PLAN AMENDMENT/ZONE CHANGE*

1. Deny the requested General Plan Amendment and Zone Change by adoption of the attached resolution.
2. Recommend approval of the General Plan Amendment and Zone Change, and direct staff to return with a resolution.

*ALTERNATIVE FOR THE 2-UNIT CONDOMINIUM*

Approve the Condominium, Precise Development Plan and Vesting Tentative Map No. 26923 subject to conditions contained in the attached Resolution (Attachment 2).<sup>1</sup>

**Background:**

**PROJECT INFORMATION**

<b>GENERAL PLAN:</b>	Neighborhood Commercial (HD Residential Proposed)
<b>ZONING:</b>	C-1 (R-3 proposed)
<b>LOT SIZE:</b>	3,838 Square Feet
<b>EXISTING USE:</b>	Duplex
<b>UNITS ALLOWED IF R-3 ZONE:</b>	2 Units
<b>SQUARE FOOTAGE, PROPOSED UNITS:</b>	Front unit: 2,662 square feet Rear unit: 2,676 square feet
<b>PARKING REQUIRED:</b>	4 Standard, 1 Guest
<b>PARKING PROVIDED:</b>	4 Standard, 1 Guest
<b>ENVIRONMENTAL DETERMINATION:</b>	Negative Declaration (Initial Study on file).

The Planning Commission previously considered this request in November of 2002, and again in February of 2005, and voted to deny the requested General Plan Amendment and Zone Change requests finding that the existing General Plan and Zoning Designations represent the appropriate depth for

commercial or mixed use development for this location. The applicant appealed both decisions to the City Council and both times the City Council sustained the Planning Commission's decision to deny the requests. There have been no material changes in the use or development of surrounding properties since this request was denied. At both previous hearings the Planning Commission approved the condominium project only contingent upon City Council approval of the General Plan Amendment and Zone Change.

The subject lot is located on the north side of 2nd Street and is the second lot east of the neighborhood commercial development that fronts on Hermosa Avenue (currently a restaurant). The lot is located at a depth of 60 to 93 feet from Hermosa Avenue and abuts Beach Drive on the west. The intervening property between the subject site and the restaurant (25 2<sup>nd</sup> Street) is also developed with a duplex. The property is one of three lots located between Hermosa Avenue and Beach Drive designated Neighborhood Commercial on the General Plan Map, and C-1 (Neighborhood Commercial) on the official City Zoning Map. The C-1 zoning for the site does not allow exclusive residential use, and only permits residential use as part of mixed-use project with commercial use on the ground floor.

The subject lot is currently developed with a duplex, constructed in the 1920's. The commercial designation for this block between Hermosa Avenue and Beach Drive dates back to the oldest City land use and zoning maps. The Hermosa Avenue fronting property to the south contains a mix of service and retail commercial uses on both sides of the street, while directly across the Hermosa Avenue the property is developed residentially and zoned R-3. The property directly to the south across 2<sup>nd</sup> street is also zoned C-1 and formerly was a restaurant use, but is currently vacant, although staff has been in discussion with the buyer for the property planning to building a mixed use project (one unit above ground floor commercial). The properties to the west and north are residential.

The Staff Environmental Review Committee, at their meeting of September 6, 2007, recommended an environmental negative declaration for the proposed General Plan Amendment/Zone Change, since it does not change the existing use of the site.

**Analysis - General Plan Amendment/Zone Change:**

The applicant's request to redesignate and rezone the property to High Density Residential and R-3 will allow exclusive residential use of the lot and allow a 2-unit condominium project concurrent with this General Plan Amendment/Zone Change. A two-unit development results in a density that is consistent with surrounding residential densities and compatible with the development pattern of the area to the south and west, and on the East Side of Hermosa Avenue.

Approval of this change will preclude any possible future expansion of the Hermosa Avenue fronting commercial property through to the alley, although this is improbable given that both this lot and 25 2<sup>nd</sup> Street must be combined with the Hermosa Avenue fronting commercial lot. Such land assembly can encourage higher quality commercial projects or add commercial parking to improve existing commercial activity. Also, the change will preclude the possibility of a mixed-use project on the site, with ground floor commercial and residential above.

Direction from the City Council on the issue of commercial depths along Pacific Coast Highway has been generally to maintain commercial depths and not allow encroachment of residential uses, with only a couple of exceptions. The General Plan designation of Neighborhood Commercial is described as follows: *This category includes convenience stores, Laundromats and similar uses designed to primarily serve local walk-in traffic* (Page 26, Land Use Element). The purpose of the Neighborhood Commercial Zone as described in the Zoning Ordinance (Section 17.26.020(B) is *to provide sites for mix of small local businesses appropriate for, and serving the daily needs of nearby residential neighborhood. while establishing land use regulations that prevent significant adverse effects on abutting residential uses.*

The applicant argues that the opportunities for commercial use of this property are very limited because of the size of the lot and the fact that it is isolated from other commercial uses or lots and is not connected by ownership to the Hermosa Avenue fronting lot. The applicant also argues that its lack of viability as a commercial property is shown by the fact that its current use has not change, and by their unsuccessful efforts to sell this property in the past four years as a C-1 property.

**Summary:**

The City Council and Planning Commission have previously resisted redesignation of commercially zoned property in the City and specifically rejected this same request twice. Also, the property can currently be developed with neighborhood-oriented commercial with residential units above. Further, there have been no changes in the development and use of surroundings, or any change in City Council policy regarding these types of requests since the last time it was considered.

**Analysis - 2-Unit Condominium:**

The proposed 2-unit project consists of detached three level structures, containing basements with two stories above. The units contain three bedrooms and a ground floor family room. The units are designed in Mediterranean style, with stucco finishes, tile roofs, and pre-cast deck railings.

Required parking is provided in garages on the ground floor of each unit with direct access to the alleys (Beach Drive and 3<sup>rd</sup> Place). One guest parking space is provided for with access from Beach Drive between the two units. All required yards are provided and the lot coverage calculates to be 64%, below the 65% maximum allowable.

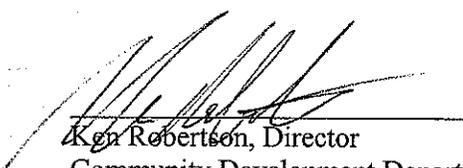
Both units comply with the 30-foot maximum height limit at the critical points, as depicted on the elevations. The proposed open space areas are provided on second story decks adjacent to the living rooms, and in the yard areas between the units. The open space provided in the second floor decks adjacent to the primary living space is 125 square feet for each unit, which is covered by a trellis. The trellis design shows 6" wide beams spaced 2-feet apart, which amounts to a 25% coverage.

The plan provides for landscaping in the areas available between and around the perimeter of the buildings. The plan includes 12 trees identified as 24" box size. Staff will include the standard condition that at least two be a minimum 36" box trees.

Staff is also including a condition that the condominium approval will only become effective if the City Council approves the General Plan Amendment and Zone Change.



Richard Denniston  
Associate Planner



Ken Robertson, Director  
Community Development Department

**Attachments**

1. Proposed Resolution denying GP and Zone Change
2. Draft Resolution to approve 2-unit condominium project
3. Location and Radius Maps
4. Poster Verification
5. Zoning and General Plan Map

<sup>1</sup> Staff has added a Condition of Approval that the Planning Commission approval will only go into effect if the City Council approves the General Plan Amendment and Zone Change.

P.C. RESOLUTION 07-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, TO DENY A REQUEST FOR A GENERAL PLAN AMENDMENT FROM NEIGHBORHOOD COMMERCIAL (NC) TO HIGH DENSITY RESIDENTIAL AND A ZONE CHANGE FROM NEIGHBORHOOD COMMERCIAL (C-1) TO MULTI-FAMILY RESIDENTIAL (R-3) FOR THE PROPERTY LOCATED AT 19 SECOND STREET AND LEGALLY DESCRIBED AS LOT 12, BLOCK 3, HERMOSA BEACH TRACT**

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

Section 1. An application was filed by Gary Wells owner of property at 19 Second Street seeking to amend the General Plan Map and the Zoning Map for the subject property.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for a General Plan Amendment and Zone Change on October 16, 2007, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission

Section 3. Based on evidence received at the public hearing, the Planning Commission makes the following factual findings:

1. The property is designated Neighborhood Commercial on the General Plan Map, and Neighborhood Commercial on the official City Zoning Map. The C-1 zoning for the site allows local neighborhood oriented commercial uses or residential use with ground floor commercial as part of a mixed-use project.
2. The requested change will reduce the depth of the commercial designated property, as measured from Hermosa Avenue westward, from 93 to 60 feet, and replace the commercial designations on the subject property to allow residential development for up to two units consistent with the High Density Residential classification of the General Plan and the R-3 Zoning district in the Zoning Ordinance.
3. The property at 19 2nd Street has been in continuing use for residential since the 1920's and perhaps earlier.
4. Surrounding property to the north and west is designated High Density Residential on the General Plan and zoned R-3, which allows residential development up to a density of 33 units per acre, and is currently developed with a mix of multi-family uses.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the General Plan Amendment and Zone Change:

1. The proposed amendment to the General Plan Map to reduce the depth of the Neighborhood Commercial designation by excluding 19 2<sup>nd</sup> Street, from 93 feet to 60 feet, is not in the best interest of the City with respect to long-term land use and development at the Hermosa Avenue and 2<sup>nd</sup> Street intersection.
2. The General Plan Map accurately depicts the appropriate depth for neighborhood commercial development and long-term land use and development of this area.

1 3. Reducing the potential depth for commercial development would preclude the opportunity for  
2 new commercial activity or the expansion of existing commercial development along the subject segment of  
Hermosa Avenue.

3 Section 5. Based on the foregoing, the Planning Commission hereby denies the request to amend  
4 the Land Use Map of the General Plan, and the City's Official Zoning Map.

5 AYES:

6 NOES:

7 ABSENT:

8 ABSTAIN:

9 **CERTIFICATION**

10 I hereby certify the foregoing Resolution P.C. 07- is a true and complete record of the action taken by the  
11 Planning Commission of the City of Hermosa Beach, California, at their regular meeting of October 16,  
12 2007.

13 \_\_\_\_\_  
14 L. Kersenboom, Chairman

15 \_\_\_\_\_  
16 Ken Robertson, Secretary

17 October 16, 2007

18 Date

P.C. RESOLUTION 07-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE PARCEL MAP #26923 FOR A TWO-UNIT CONDOMINIUM PROJECT AT 19 SECOND STREET, LEGALLY DESCRIBED AS LOT 12, BLOCK 3 HERMOSA BEACH TRACT**

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

Section 1. An application was filed by Gary Wells owner of real property located at 19 Second Street, seeking approval of a Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map #26923 for a two-unit condominium project.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the subject application on October 16, 2007, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission

Section 3. Based on evidence received at the public hearing, the Planning Commission makes the following factual findings:

1. The applicant is proposing to demolish the existing duplex on the property, and develop a two-unit residential condominium project.
2. The subject property proposed for condominium development contains 3,838 square feet, and is requested to be redesignated to High Density Residential on the General Plan Map, and R-3 Multiple-Family Residential on the Zoning Map, and if it is redesignated as requested by the applicant, pending final approval by the City Council, it will be suitable for the proposed project.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the application for a Precise Development Plan, Conditional Use Permit, Vesting Tentative Parcel Map:

1. The map is consistent with applicable general and specific plans.
2. The site if zoned R-3 (pending City Council approval) will be physically suitable for the type and density of proposed development.
3. The subdivision or types of improvements are not likely to cause serious public health problems.
4. The subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.
5. Design of the proposed subdivision is compatible and consistent with applicable elements of the City's General Plan, and is compatible with the immediate environment.
6. The project, as conditioned, will conform to all zoning and condominium laws and criteria and will be compatible with neighboring residential properties.

1 7. The project is Categorically Exempt from the requirement for an environmental assessment,  
2 pursuant to the California Environmental Quality Act Guidelines, Sections 15303(b) and 15315 with the  
3 finding that the project is in an area with available services.

4 Section 5. Based on the foregoing, the Planning Commission hereby approves the subject  
5 Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map subject to the  
6 following **Conditions of Approval:**

- 7 1. **The development and continued use of the property shall be in conformance with submitted**  
8 **plans, including landscape plans, received and reviewed by the Planning Commission at**  
9 **their meeting of October 16, 2007, revised in accordance with the conditions below.**
  - 10 a) **The roof plan shall properly depict maximum and proposed building heights at the**  
11 **critical points, and contain the property lines, property corner elevations, and**  
12 **horizontal distances to the critical points from the property corners.**
  - 13 b) **A minimum 300 square feet of open space shall be provided per unit in compliance**  
14 **with Section 17.12.080 of the Zoning Ordinance.**
  - 15 c) **The minimum separation between the two structures shall be eight (8) feet.**
  - 16 d) **The maximum slope of the driveway to the garage on Beach Drive shall be 12.5%,**  
17 **and final plans shall clearly show spot elevations to verify this slope.**
- 18 2. **The Conditional Use Permit, Precise Development Plan and Vesting Tentative Parcel Map**  
19 **shall only become effective if the City Council approves the proposed General Plan**  
20 **Amendment to redesignate the subject property to High Density Residential on the General**  
21 **Plan Map and the proposed Zone Change from C-1 to R-3 on the Zoning Map.**
- 22 3. **The project shall meet all requirements of the Condominium Ordinance.**
  - 23 a) **Each unit shall have the minimum 200 cubic feet of storage space and plans shall**  
24 **clearly denote storage space and the location of the FAU and vacuum canister, if**  
25 **provided.**
  - 26 b) **Covenants, Conditions, and Restrictions in compliance with the Condominium**  
27 **Ordinance shall be submitted to the Community Development Department for**  
28 **review and approval prior to the issuance of building permits.**
  - 29 c) **Proof of recordation of approved CC & R's shall be submitted to the Community**  
Development Director six (6) months after recordation of the Final Map.
  - d) **Requirements of Section 17.22.060(G) & (H) shall be shown on structural plans and**  
reviewed at the time of Building Division plan check.
3. **There shall be compliance with all requirements of the Public Works Department and Fire**  
**Department.**
4. **Two copies of a final landscaping plan indicating size, type, and quantity of plant materials to**  
**be planted shall be submitted to the Community Development Department, Planning Division**

1 for review and approval prior to the issuance of Building Permits, consistent with landscape  
2 plans submitted to the Planning Commission, which shall also include the following:

- 3 a) Landscaping shall be provided in available yard areas as shown on submitted plans.  
4 At least two trees a minimum 36" box size shall be provided.
- 5 b) An automatic landscape sprinkler system shall be provided, and shall be shown on  
6 plans. (building permits are required)
- 7 5. Architectural treatment shall be as shown on building elevations and site and floor plans.  
8 Any modification shall require approval by the Community Development Director.
- 9 a) Precise building height shall be reviewed at the time of plan check, to the satisfaction  
10 of the Community Development Director.
- 11 6. Any satellite dish antennas and/or similar equipment shall comply with the requirements of  
12 Section 17.46.240 of the Zoning Ordinance.
- 13 7. The address of each condominium unit shall be conspicuously displayed on the street side of  
14 the buildings with externally or internally lit numbers and the method for illumination shall  
15 be shown on plans. Addressing numbering and display subject to approval by the  
16 Community Development Department.
- 17 8. Roll-up Automatic garage doors shall be installed on all garage door openings.
- 18 9. Two copies of final construction plans, including site, elevation and floor plans, which are  
19 consistent with the conditions of approval of this conditional use permit, shall be reviewed  
20 and approved by the Planning Division for consistency with Planning Commission approved  
21 plans prior to the submittal to the Building Division for Plan Check.
- 22 a) If the drainage of surface waters onto the property requires a sump pump to  
23 discharge said waters onto the street, the property owner(s) shall record an  
24 agreement to assume the risk associated with use and operation of said sump pump;  
25 release the City from any liability; and indemnify the City regarding receipt of  
26 surface waters onto the property
- 27 10. Prior to the submittal of structural plans to the Building Division for Plan Check an  
28 Acceptance of Conditions affidavit shall be filed with the Planning Division of the  
29 Community Development Department stating that the applicant/property owner is aware  
of, and agrees to accept, all of the conditions of this grant.
11. Prior to approval of the Final Map, and prior to issuance of a Certificate of Occupancy,  
outstanding assessments must either be paid in full or apportioned to any newly created  
parcels. Notice of same shall be provided to the Community Development Director.  
Assessment payoff amounts may be obtained by calling the City's Assessment  
Administrator at (800) 755-6864. Applications for apportionment may be obtained in the  
Public Works Department.
12. The Conditional Use Permit, and Precise Development Plan shall be null and void eighteen  
months from the date of approval unless building permits have been obtained, and approval  
of the Vesting Tentative Parcel Map shall become null and void twenty-four months from

1 the date of approval unless the map is finalized and the project implemented. The applicant  
2 may apply in writing for an extension of time to the Planning Commission prior to the dates  
of expiration.

3 13. Prior to issuance of a building permit, abutting property owners and residents within 100  
4 feet shall be notified of the anticipated date for commencement of construction.

5 a) The form of the notification shall be provided by the Planning Division of the  
Community Development Department.

6 b) Building permits will not be issued until the applicant provides an affidavit certifying  
7 mailing of the notice.

8 Section 6. Pursuant to the Code of Civil Procedure Section 1094.6, any legal challenge to the  
9 decision of the Planning Commission, after a formal appeal to the City Council, must be made within 90  
days after the final decision by the City Council.

10 AYES:

11 NOES:

12 ABSENT:

13 ABSTAIN:

14 CERTIFICATION

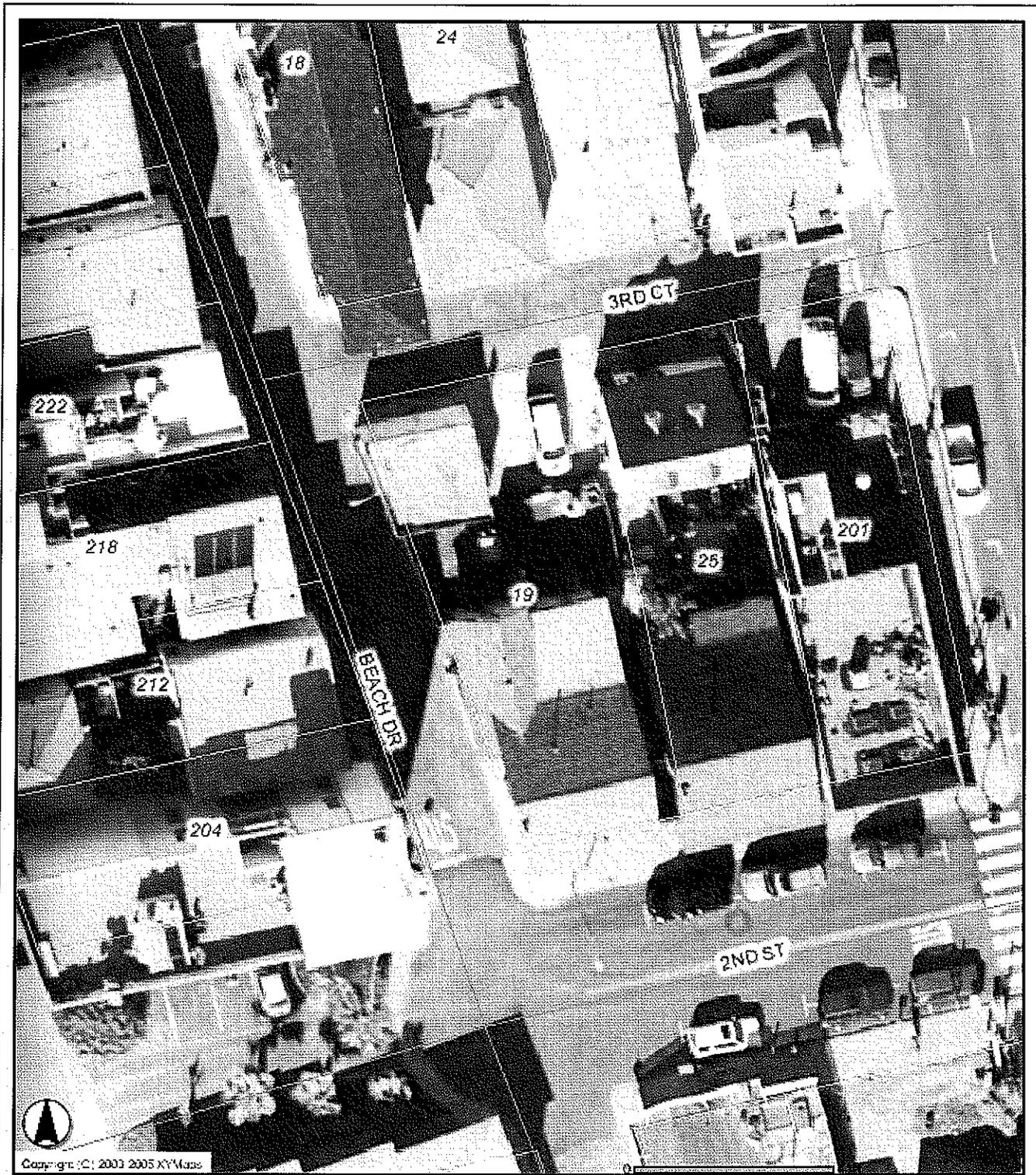
15 I hereby certify the foregoing Resolution P.C. 07- is a true and complete record of the action taken by the  
16 Planning Commission of the City of Hermosa Beach, California, at their regular meeting of October 16,  
2007.

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L. Kersenboom, Chairman

19 \_\_\_\_\_  
Ken Robertson, Secretary

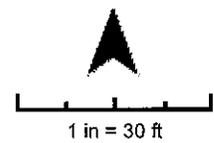
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October 16, 2007

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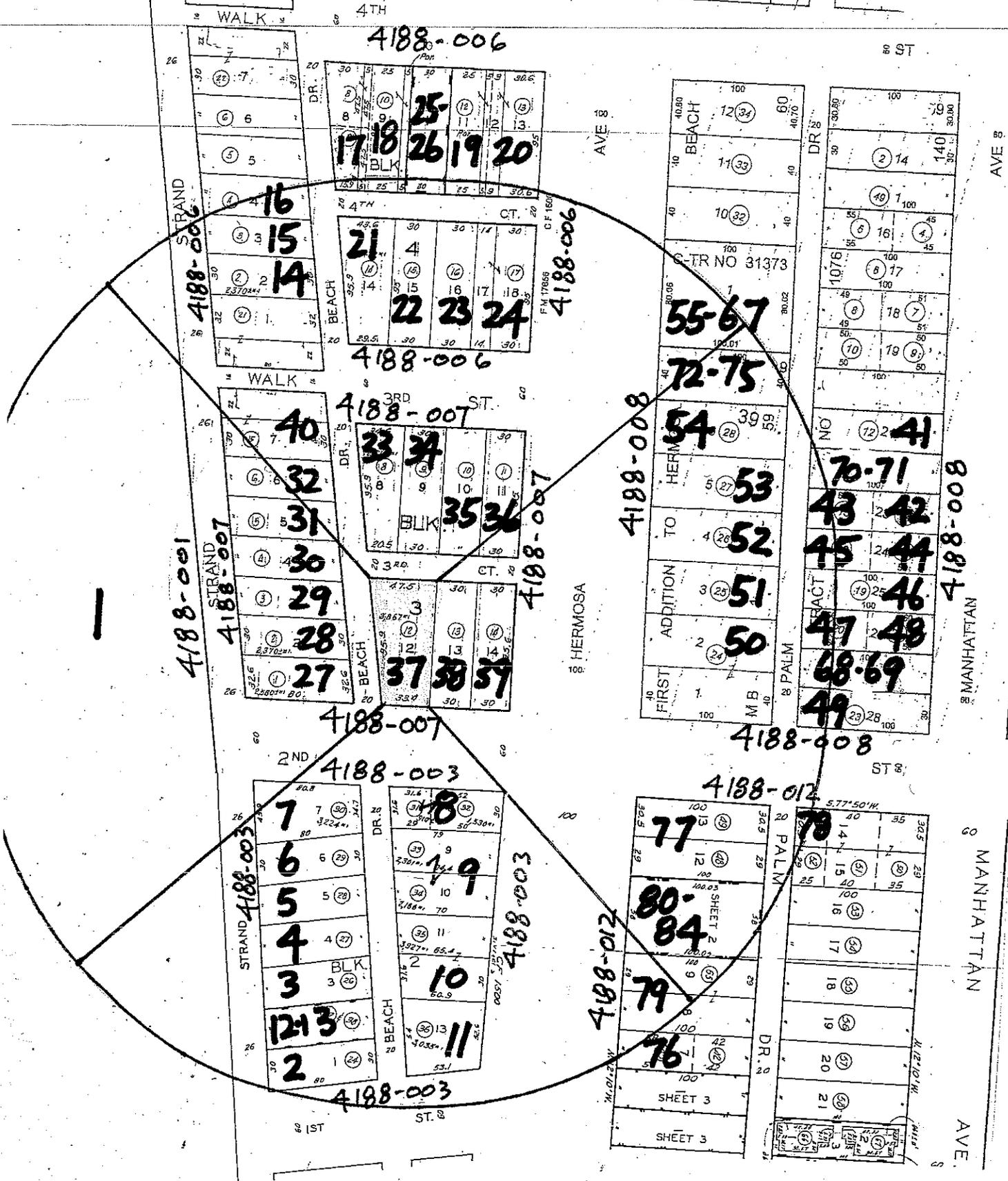
# 19 2nd Street

## City of Hermosa Beach



Date Printed: 10/2/2007

10



ADDRESS: 19 2<sup>ND</sup> ST

SCALE 1" = 100'

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POSTER VERIFICATION  
19 2<sup>ND</sup> STREET

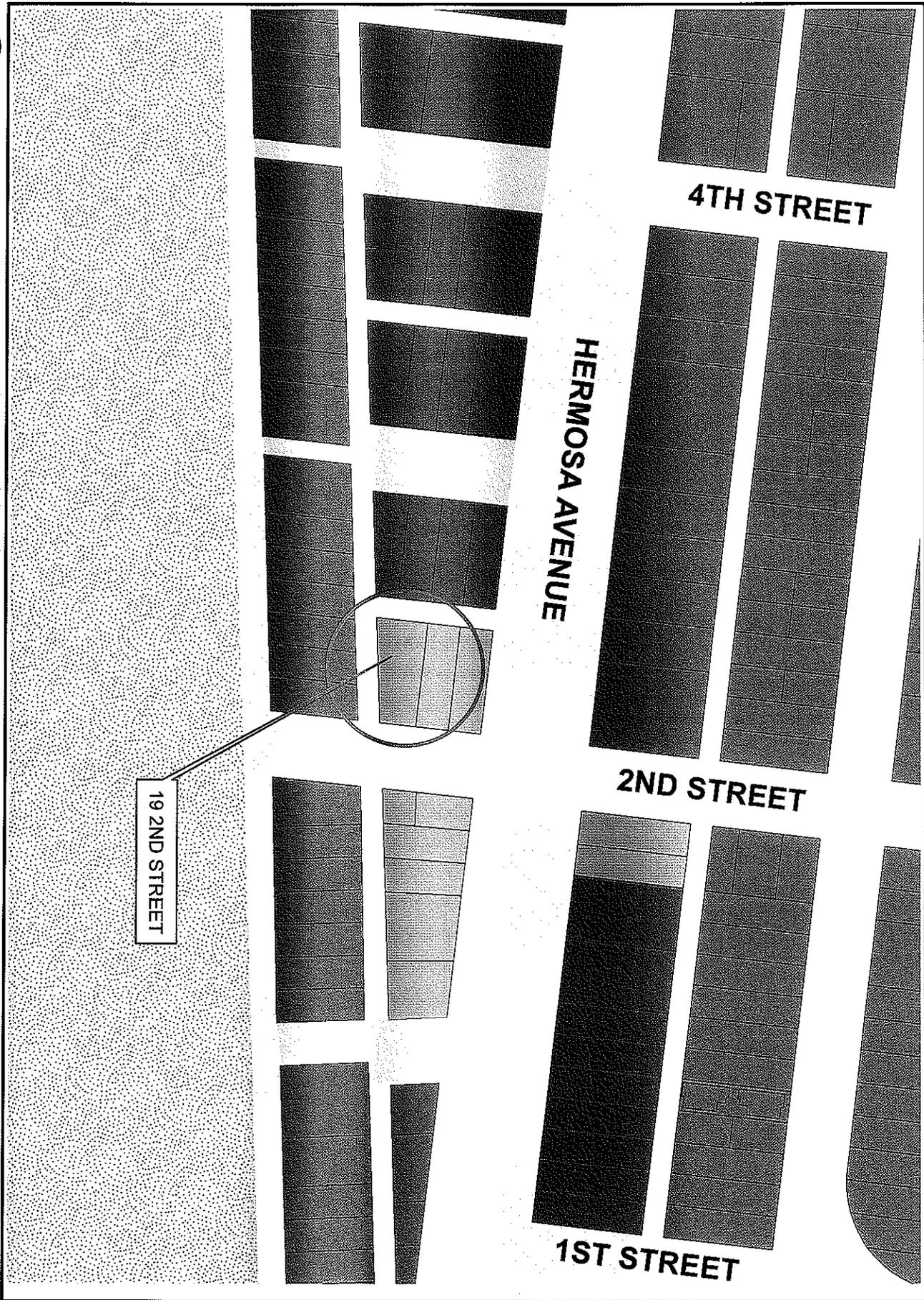






# GENERAL PLAN MAP

CITY OF HERMOSA BEACH



- DESIGNATIONS**
- LD LOW DENSITY RESIDENTIAL (13K)
  - MD MEDIUM DENSITY RESIDENTIAL (13K)
  - HD HIGH DENSITY RESIDENTIAL (13K)
  - HC NEIGHBORHOOD COMMERCIAL
  - GC GENERAL COMMERCIAL
  - CC COMMERCIAL CORRIDOR
  - IND INDUSTRIAL
  - OS OPEN SPACE/RECREATION FACILITIES
  - SPN SPECIFIC POLYMER (14) ZONING
  - MPN MIDDLE HOME PARK
  - CEP CITY EDUCATION DISTRICT
  - WALK STREET
  - BEACH
- OTHER DESIGNATIONS**
- UNCLAS - UNCLASSIFIED SCHOOL DISTRICT
  - Public Parking
  - Valley Park
  - Clark Stadium
  - Community Center
  - East Hermosa Fitness Park
  - First City of Hermosa Beach Park
  - McDonnell Park
  - Oceanwood Park
  - Scout Park
  - Waverly Park
  - 1st & Probert Park
  - 1st & Valley Park
  - Scout Park
  - Academy Park
  - Ocean Blvd
  - Beachside Drive Park
  - North Park
  - Regional Vehicle Park
  - City Yard

