

JULY 1996

NO MEETING

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE
CITY OF HERMOSA BEACH HELD ON AUGUST 20, 1996,
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:06 p.m. by Chmn. Tucker.

Pledge of Allegiance led by Comm. Merl.

ROLL CALL

Present: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
Absent: None
Also Present: Sol Blumenfeld, Community Development Director
Michael Schubach, Planning Director
Sylvia Root, Recording Secretary

Director Blumenfeld welcomed Comms. Pizer and Schwartz as new Commissioners to the Planning Commission. After detailing their professional and educational backgrounds, Director Blumenfeld also thanked past-Commissioners Dettelbach and Di Monda for their service on the Commission and to the Community.

CONSENT CALENDAR

Staff pulled **Resolutions P.C. 96-26** and **P.C. 96-27** for separate discussion.

MOTION by Comm. Perrotti, Seconded by Comm. Merl, to **APPROVE June 18, 1996 Minutes.**

AYES: Comms. Merl, Perrotti, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: Comms. Pizer, Schwartz

- 4.a **RESOLUTION P.C. 96-26, APPROVING A CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN, AND VESTING TENTATIVE PARCEL MAP #24521 FOR A TWO-UNIT CONDOMINIUM PROJECT AT 1069 7TH STREET AND 1048 8TH STREET and**

- 4.b **RESOLUTION P.C. 96-27, APPROVING A CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN, AND VESTING TENTATIVE PARCEL MAP #24521 FOR A TWO-UNIT CONDOMINIUM PROJECT AT 1075 7TH STREET AND 1052 8TH STREET**

Director Blumenfeld said these two projects were reviewed and approved by the Commission, subject to Conditions. The City Council reviewed these projects, requesting Staff bring back

these Resolutions for formal review and approval by the Commission. The required changes were reflected within the Commissioners' packets.

Chmn. Tucker reopened the Public Hearing at 7:15 p.m.

Vernon Saks, 200 Pier Ave, #22, project architect, said the requested changes had been made. He requested the approval of a half-bath on the bottom floor be changed to a full or three-quarter bath, noting bedrooms were located on this floor, with the garage at the middle level.

Jack Shannon, 711 Prospect, objected to the floor plan being flipped and the footprint being moved five feet closer to his property, feeling this would impact his air space, light and view.

Responding to Commission questions, Director Blumenfeld confirmed the building plans were flipped, as requested by the Commission and the setback requirements were being met. The building would be closer than previously planned to Mr. Shannon's property line. **Vernon Saks** said the building would be located 13 feet back from the street, with the upper deck projecting from that.

Elizabeth Srour, 820 Manhattan Ave., applicant's representative, said there would be 27.5 feet between the buildings, noting this was a generous separation important to the neighbors. Noting the Commission had approved the revised plans, she requested review and approval of a three-quarter bath instead of a half-bath on the lowest level.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 7:26 p.m.

Comms. Perrotti and Merl, noting the plan modifications already made, felt a three-quarter bath was reasonable. Comm. Pizer and Chmn. Tucker stated their agreement. Chmn. Tucker felt the applicant and architect made sufficient efforts to appease neighboring residents and were presenting a building to enhance the area. He said saving views was not something the Commission could consider since no view protection ordinance existed.

MOTION by Comm. Merl, Seconded by Comm. Perrotti, to **APPROVE Resolutions P.C. 96-26 and P.C. 96-27**, with an amendment changing the one-half bath requirement to approval of a three-quarter bath.

AYES: Comms. Merl, Perrotti, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: Comms. Pizer, Schwartz

Chmn. Tucker said this decision could be appealed to City Council within 10 days of this meeting.

ORAL/WITTEN COMMUNICATIONS None

PUBLIC HEARINGS

7. **PDP 96-4/CUP 96-8 -- PRECISE DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF A NEW 6,000 SQUARE FOOT COMMERCIAL BUILDING WITH AUTO REPAIR AND OFFICE USES, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION AT 807 21ST STREET (continued from July 16, 1996 meeting).**

Staff Recommended Action: To approve said Precise Development Plan and Conditional Use Permit, and adopt the Environmental Negative Declaration.

Mr. Schubach presented the Staff Report, noting the owner specifically chose this site, which has ideal use attributes with compatible adjacent uses, although primarily offices. He discussed factors warranting careful consideration of the proposed use and operation, as well as proposed hours of operation, on-site operation, building design and proposed interior usage. Typical conditions relative to this use were proposed by Staff. Mr. Schubach said Staff had an affidavit stating everyone had been properly noticed. Supplemental material had been received suggesting several changes and staff was in agreement with the proposed changes.

Chmn. Tucker opened the Public Hearing at 7:35 p.m.

David Moss, Moss & Assoc., 631 Wilshire Blvd. #208, Santa Monica, applicant's representative, discussed the applicant's goals in operating his business. Mr. Moss discussed Mr. Nota's building design, which he felt was not intrusive in the neighborhood, with internalized activities. The suggested changes resulted from meetings with owners of the adjacent building. Responding to Commission questions, Mr. Moss explained all hazardous wastes are stored inside the building and disposed off as required. Mr. Moss explained how the road testing issues would be addressed and performed.

Dean Nota, project architect, discussed the sloping site, property frontage, proposed floor plan, business operation processes and equipment, waste storage, tow truck assess and proposed traffic flow. He noted the building had a variety of walls and roof heights and would be an asset to the area. Meetings with the adjacent building owners resulted in several changes which Mr. Nota detailed, and to which the applicant had agreed. Mr. Nota asked approval of the project, stating the applicant agreed with the various Conditions, and thanked Staff for their help and cooperation. Mr. Nota explained the entrance and exit site slopes to Comm. Pizer, who had expressed concern regarding the safety of children on the sidewalk area. Mr. Nota agreed a sign could be placed at the exit.

Hakan Wiberg, 4505 Manhattan Beach Blvd., Lawndale, responding to Chmn. Tucker's concerns regarding the number of cars entering the building per day, said his employees were on salary and not commission.

Nancy Costello, 826 21st Street, said she was not notified of this meeting. She said many accidents had occurred at the corner of Pacific Coast Hwy and 21st Street, asking if this business will increase that problem as well as the residents' street parking problem. Director Blumenfeld explained the restrictions that are being considered in the Planning Commission resolutions. He confirmed the hours of business included work on Saturdays. He suggested the Commission

might consider Staff study a partial street parking restriction during the work week. He detailed several other street site problems which can be addressed by Staff. He felt the Conditions of approval would mitigate parking and circulation impacts. Ms. Costello suggested restrictions allowing no vehicle street testing, discussing this issue with Commissioners and Staff. She said she wished the street to remain as "residential" as possible.

Ellen Birenbaum, 832 21st St., said she had not received notice, and neither were her neighbors. She felt 21st Street was used as an alternate to Artesia Blvd., asking the impact of customers turning left into the proposed building. She said this area was a high impact accident area, asking if traffic would be increased. Chmn. Tucker responded the applicant could regulate the cars coming into his shop, with most of his clientele being by appointment only. Director Blumenfeld said the City Engineer would need to study the question of impacts stated by Ms. Birenbaum before an accurate answer was obtained. With the only building access being on 21st Street, she asked if 21st Street would be able to handle the increase in traffic.

Terry Teeple, 22672 Lambert, Lake Forest, representing Charles Dunn Co. and the owner of 2200 Pacific Coast Hwy., said he had met with the applicant and his representatives, who have been extremely helpful and flexible. He felt this venture will add great value to the City, being a hallmark establishment. He wished to put on record his correspondence dated August 20, 1996. Noting copies were in the Commission packets, he gave the original to Staff. He applauded the efforts expended in designing this site and working with neighboring property owners.

Rebuttal

David Moss said the hazardous wastes would be usually restricted to solvents used in auto repairs, with storage being regulated. He noted there was nothing unusual about this application except for the storage of those wastes.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 8:24 p.m.

Comm. Pizer, after discussing possible safety issues and solutions with Mr. Nota, stated support of the project, to which Comms. Schwartz and Perrotti agreed. Comm. Perrotti explained the criteria for denial for the audience's information. For Staff's information, he said the Conditions did not include a requirement of right turn only, suggesting this be included in Condition #4, an addition requiring the hazardous material be stored in an enclosed area on site, suggested on-street parking restrictions and a traffic study on the intersection at 21st Street and Pacific Coast Hwy. be conducted. Chmn. Tucker suggested the hours of operation on Saturdays be limited to 9:00 a.m. to 4:00 p.m. and the Fed-Ex box be removed.

MOTION by Comm. Schwartz, Seconded by Comm. Perrotti, to **ADOPT** this Resolution, with amendment of Conditions #4 to include right turn only, #5 requiring the hazardous waste storage area shall be enclosed, limiting the hours of operation on Saturdays to 9:00 a.m. to 4:00 p.m. and adding a requirement that a stop or yield sign be posted at the exit.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None

ABSENT: None
ABSTAIN: None

MOTION by Comm. Merl, Seconded by Comm. Perrotti, to **DIRECT** Staff to conduct a study of traffic and parking patterns in the area, returning with suggestions as to how relief might be applied to area residents and businesses. **No objections, so ordered.**

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

8. CUP 96-9/PARK 96-1 -- CONDITIONAL USE PERMIT AND PARKING PLAN TO ALLOW THE CONVERSION OF AN EXISTING 20-ROOM HOTEL TO A YOUTH HOSTEL WITH NO ADDITIONAL OFF-STREET PARKING, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION AT 26 PIER AVENUE, SURF CITY HOSTEL.

Staff Recommended Action To approve said Conditional Use Permit and Parking Plan, and adopt the Environmental Negative Declaration.

Director Blumenfeld said the building was subject to a Compliance Order and conditions had largely been abated. The applicant was now requesting approval of an increase in the occupancy load from 28 to 57, which requires various code compliance measures including the automatic sprinklers. Mr. Blumenfeld stated Staff was concerned with the plans showing 81 beds, since it exceeds the maximum occupancy load, and recommended a limitation on the number of permanent beds not to exceed the occupancy limit. After detailing the standard Conditions of Approval, Mr. Blumenfeld said the applicant also requested the 7-day limit be modified to 21 days. Youth hostels do not have an established parking standard, and would require additional parking if the hotel standards are applied. Staff concurs that the majority of guests will generally not drive to the hostels and supports the request for no additional required parking.

Chmn. Tucker opened the Public Hearing at 8:41 p.m.

Mike Rossi, 26 Pier Ave., **Phillip Boston**, 536 Hyman St., Manhattan Beach, and **Mike Lloyd**, 1204 Ardmore, Manhattan Beach, applicants, introduced themselves. Mr. Lloyd said the building interior had been improved except for the sprinkler system, and the outside would be completed within the next few months. He said other area businesses approved their activity, crime had decreased in the area and the hostelry was gaining a good international reputation. Responding to Comm. Pizer, he explained there would be a smoking room, noting that Europeans and Asians did smoke. Mr. Boston said they requested a 21-day stay limitation rather than a 7-day one, although the average stay was one to ten days. Many people want to leave, visit other areas and return. Mr. Boston said this establishment was intentionally not a member of HI-AYH and should not be held to the same considerations or conditions as that organization.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 8:50 p.m.

Director Blumenfeld said if the CUP was approved, the plan would need amendment since it does not represent the required occupant load.

Comm. Pizer felt parking should be required. Comm. Schwartz's concern was that available beds be limited to the occupancy load. Comm. Merl confirmed 57 beds were being requested and stated installation of sprinklers was crucial. Comm. Perrotti discussed specific conditions with Staff, stating Resolution Conditions #3 should read "3.a" and "3.b". Chmn. Tucker felt approval of a total of 57 beds could be approved, preferred check-in and lock-out times be specified, with a night-time curfew of midnight. Comm. Perrotti did not agree with the curfew, noting other businesses were open later.

MOTION by Comm. Merl, Seconded by Comm. Perrotti, to **APPROVE** the Conditions of Approval presented by Staff, changing Items 3 to 3.a and 3.b.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz
NOES: Chmn. Tucker
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

A short break was taken at 9:13 p.m. Chmn. Tucker reconvened the meeting at 9:22 p.m. with all Commissioners present.

9. **CUP 96-10/PARK 96-2 -- CONDITIONAL USE PERMIT AND PARKING PLAN AMENDMENT TO ALLOW A RESTAURANT WITH ON-SALE BEER AND WINE AT 1141 AVIATION BOULEVARD, HERMOSA STEAK OUT.**

Staff Recommended Action To approve said Conditional Use Permit and Parking Plan.

Mr. Schubach said the applicant asked parking be calculated at one space per 250 square feet which is generally considered adequate for mixed use parking. The eastern portion of the shopping center is located within Redondo Beach, with parking being calculated for the entire center shared by this City and Redondo Beach. Staff had no objections to on-sale alcohol since it would be limited, with little seating and no bar.

Chmn. Tucker opened the Public Hearing at 9:25 p.m.

Lindsay Webber, 114 B Hermosa Ave., applicant, said this would be a family operated business.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 9:26 p.m.

MOTION by Comm. Merl, Seconded by Comm. Pizer, to **APPROVE** Staff's recommendation.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker

NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

10. **VAR 96-1/NR 96-2 -- NONCONFORMING REMODEL TO ALLOW A SECOND STORY ADDITION AND REMODEL TO AN EXISTING NONCONFORMING SINGLE FAMILY DWELLING RESULTING IN A GREATER THAN 50% EXPANSION IN VALUE, AND A VARIANCE TO ALLOW A TWO-CAR GARAGE WITH AN 18.6' BACK-UP DISTANCE RATHER THAN THE REQUIRED 22' AT 250 30TH STREET (AND GARAGE DEPTH OF 18')**

Staff Recommended Action To approve said Nonconforming Remodel and Variance.

Comm. Schwartz ceased participation due to possible conflict of interest.

Mr. Schubach said Staff recommended approval. The retaining wall would be expensive to move, and adequate back-out area will be provided. Staff suggested the correct set back area be provided at the property front. Mr. Schubach said the project is Categorically Exempt under Section 15303A of the California Environmental Quality Act Guidelines.

Chmn. Tucker opened the Public Hearing at 9:30 p.m.

Robert Hodges, 215 30th Street, applicant, introduced the project architect. Mr. Hodges said the current garage was narrow and the remodel would give more room and include guest parking. The house is being pulled back from the front five feet.

Ron, project architect, 534 Altair, Venice, explained opposite this site was a 15' alley and a brick wall and on the opposite garage side was a retaining wall. The garage will contain two spaces with a guest space outside the garage. He explained the site problems, saying this is the best solution to a difficult situation.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 9:34 p.m.

MOTION by Comm. Pizer, Seconded by Comm. Merl, to **APPROVE** Staff's recommendation.

AYES: Comms. Merl, Perrotti, Pizer, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: Comm. Schwartz

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

Comm. Schwartz returned to meeting participation.

11. TEXT 94-4 -- TEXT AMENDMENT REGARDING HEIGHT/GRADE DEFINITION (continued from July 16, 1996 meeting)

Staff Recommended Action To recommend approval of said text amendment.

Director Blumenfeld said the Commission was requested to augment the definition and determination of "grade" where significant variation at corner-point elevations exist. The definition has been previously amended, and the amendment worked well if retaining walls and major changes in grade at the property line were not involved. He explained the difficulty in making building height determinations when there are significant variations at grade at the property lines and presented Staff's recommendation for the determination of height and grade under the conditions. He said this recommendation would help resolve this matter by providing the ability to measure beyond the property line to establish grade at the half-way point between corner-point elevations and adjacent elevations. Comm. Pizer, using the illustrations provided, discussed the examples with Director Blumenfeld. Comm. Schwartz suggestion a sample calculation should be included in the examples. Director Blumenfeld said Staff would change the relative measures and provide some verbiage would be provided explaining how to calculate the height, and these changes included in the diagram. He explained the same formula currently used would be followed, but Staff would be able to deal with grade changes relative to the retaining wall issue. Comm. Merl felt this to be a good, concise definition, noting this problem has never been satisfactorily addressed. He felt this was a fine resolution to the problem.

Chmn. Tucker opened the Public Hearing at 9:48 p.m. No one wished to speak, and Chmn. Tucker closed the Public Hearing at 9:48 p.m.

MOTION by Comm. Merl, Seconded by Comm. Schwartz, to **APPROVE** Staff's recommendation.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

12. SS 96-2 -- SPECIAL STUDY AND TEXT AMENDMENT TO ADD LIMITED DURATION CONDITIONAL USE PERMITS THAT LAPSE AFTER A BUSINESS HAS BECOME DEFUNCT FOR A GIVEN PERIOD OF TIME (continued from July 16, 1996 meeting)

Staff Recommended Action To suspend special study until further direction by City Council.

Director Blumenfeld said Staff wished to withdraw this special study until more direction from City Council was received. He said currently here is the opportunity to revoke a CUP, which is a different process, than a CUP lapsing, and that within the CUP, there are conditions stating if

there is no action taken on the permit during a certain period of time, the CUP will no longer be effective.

Chmn. Tucker said he personally would like to see the study completed.

Chmn. Tucker opened the Public Hearing at 9:52 p.m.

Jim Lissner 2715 El Oeste, asked the Commission also consider lapsing CUP's that had been obtained but not used after a certain period of time.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 9:54 p.m.

Chmn. Tucker said this study would be forwarded to Staff for direction from City Council. **No objections, so ordered.**

13. GP 95-2 -- DOWNTOWN IMPLEMENTATION PLAN - AMENDMENT TO GENERAL PLAN CIRCULATION ELEMENT FOR PIER AVENUE, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION (continued from July 16, 1996 meeting).

Staff Recommended Action To recommend approval of said General Plan amendment and adoption of an Environmental Negative Declaration.

Director Blumenfeld said the request was the Commission consider recommending to Council the amendment to reclassify Pier Avenue from Arterial to a Collector Street. He explained one of the Downtown Improvement Project's recommendations on Upper Pier Avenue is to create one traveling lane in each direction and two parking lanes. Also recommended for lower Pier Avenue is reconfiguration of directional traffic flow, commensurate with a Collector street. He discussed traffic volume and proposed downtown levels of service in the traffic horizon. He said 28 parking spaces would be lost with the implementation of the Plan on lower Pier Avenue, but restriping would offset the lost parking. Staff recommended adoption of the General Plan Amendment.

Comm. Perrotti asked if there was a Code restriction of vehicle length parked in 45 degree angle parking. Director Blumenfeld said parking was provided for standard vehicles. Common loading areas and provision for taxi stand and high occupancy vehicles will be provided. Comm. Perrotti asked if a study to make Hermosa Ave. between 10th and 15th Streets two lanes instead of four, with diagonal parking. Director Blumenfeld said this idea was dismissed because of the street width and size of the right-of-way and the role Hermosa Ave. plays in downtown circulation. He said at this point the plan is focused upon lower Pier Avenue. Other phases following completion of lower Pier Avenue.

Chmn. Tucker felt the sidewalks did not need to be widened on upper Pier and, expressed concern regarding a signal and left turns going north and south on Ardmore and Valley, and the possibility of traffic back-up. Director Blumenfeld said one recommendation was to provide a signal, discussing the issues of this location.

Chmn. Tucker opened the Public Hearing at 10:06 p.m.

Jim Lissner, 2715 El Oeste, said this project had a major environmental negative effect, starting with the signal at Valley/Ardmore. He detailed the impacts he felt would be experienced. He opposed the loss of downtown parking and recreation of parking in other areas. He felt this major change in the downtown area would push traffic into quiet neighborhood areas and increase pollution.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 10:10 p.m.

Comm. Pizer said he had reservations regarding the traffic signal. Director Blumenfeld said according to the Downtown Circulation and Parking Study, there are no environmental impacts requiring mitigation as a consequence of the downtown improvements. He said a significant delay would occur at Valley/Ardmore, with traffic increases over a five year planning horizon identified in the study. The Traffic Engineer suggested a signal to alleviate the condition, which could be implemented as a recommendation of the Downtown Parking Study. Comm. Perrotti felt this intersection a disaster, supporting either a traffic signal or improved signage. Comm. Merl stated his agreement, although he had reservations about a traffic light and preferred improved signage, supporting a Collector street designation. The consensus of the Commission was the request Staff include the Commission's concerns regarding the Valley/Ardmore intersection to the City Council.

MOTION by Comm. Merl, Seconded by Comm. Schwartz, to **APPROVE** Staff's recommendation.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

STAFF ITEMS

14.a Election of Chairman and Vice Chairman (service term from September 1996 through May 1997)

The consensus of the Commission was to extend the term of office for the Chairman and Vice-Chairman for three months. **No objections, so ordered.**

MOTION by Chmn. Tucker, Seconded by Comm. Perrotti to nominate Comm. Merl as Vice-Chairman. By **unanimous vote (5-0)**, Comm. Merl was elected Vice-Chairman for the duration of this current term.

14.b Community Development Department activity report of May and June, 1996

RECEIVE AND FILE

14.c Tentative future Planning Commission agenda.

Director Blumenfeld said a special meeting to review status of the draft EIR for the hotel and parking structure would be scheduled during the latter portion of September, 1996, possibly September 25.

RECEIVE AND FILE

14.d City Council minutes of July 11, 25, July 9 and 23, 1996.

RECEIVE AND FILE

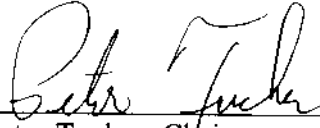
COMMISSIONER ITEMS None

ADJOURNMENT

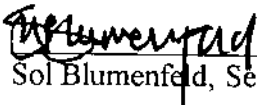
MOTION by the Commission to adjourn at 10:25 p.m. **No objections; so ordered.**

CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of August 20, 1996.



Peter Tucker, Chairman



Sol Blumenfeld, Secretary

9-17-96
Date

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE
CITY OF HERMOSA BEACH HELD ON SEPTEMBER 17, 1996
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:10 p.m. by Chmn. Tucker.

Pledge of Allegiance led by Comm. Schwartz.

ROLL CALL

Present: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
Absent: None
Also Present: Sol Blumenfeld, Community Development Director
Michael Schubach, Planning Director
Sylvia Root, Recording Secretary

CONSENT CALENDAR

MOTION by Comm. Merl, Seconded by Comm. Schwartz, to **APPROVE** the following Consent Calendar items:

- 1) **August 20, 1996 Minutes,**
- 2) **Resolution P.C. 96-28** approving a Precise Development Plan for the construction of a two-story commercial building and a Conditional Use Permit to allow automobile repair, and adoption of a Negative Declaration at 807 21st Street,
- 3) **Resolution P.C. 96-29** approving a Conditional Use Permit and Parking Plan to allow the conversion of an existing 20-room hotel to an international youth hostel with no additional parking, and adoption of a Negative Declaration at 26 Pier Avenue,
- 4) **Resolution P.C. 96-30** approving Master Conditional Use Permit for on-sale alcohol beer and wine and a Parking Plan, thereby allowing a fifth restaurant ("Hermosa Steak Out") at 1141 Aviation Boulevard in the shopping center at the northeast corner of Prospect Avenue and Aviation Boulevard,
- 5) **Resolution P.C. 96-31** approving a greater than 50% expansion and remodel to an existing single-family dwelling while maintaining a nonconforming sideyard setback and a Variance to allow a garage expansion to an existing garage with an 18.6' back-up rather than the required 22-feet and with an interior depth of 18 feet at 250 30th Street,
- 6) **Resolution P.C. 96-32** to recommend amending the zoning ordinance, Section 208, in regards to definitions and methods for determining building height and grade, and
- 7) **Resolution P.C. 96-33** to recommend amending the circulation Element of the General Plan to change the functional classification of Pier Avenue west of Ardmore Avenue from arterial to collectors street, and to recommend adoption on an Environmental Negative Declaration for said General Plan amendment and for the downtown improvement project.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

ORAL/WRITTEN COMMUNICATIONS None

PUBLIC HEARINGS

7. **CUP 96-11 -- CONDITIONAL USE PERMIT AMENDMENT TO ALLOW ON-SALE BEER AND WINE IN CONJUNCTION WITH AN EXISTING RESTAURANT AT 517 PIER AVENUE, RENDEZVOUS CAFE.**

Staff Recommended Action: To approve said Conditional Use Permit amendment.

Mr. Schubach presented the Staff Report, noting Staff's addition of a condition establishing the hours of operation from 7:00 a.m. to 2:00 a.m., consistent with other establishments, along with standard conditions for alcohol serving restaurants. Chmn. Tucker requested a condition requiring a mop sink be added, noting he wished this condition to be in all similar resolutions.

Chmn. Tucker opened the Public Hearing at 7:17 p.m.

Jim Hot, 20144 Pacific Coast Hwy., said the additional condition was not necessary since he already had a mop sink in one of the three bathrooms. He had operated his business as a coffee shop for three years and wished to serve beer and wine with the food.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 7:19 p.m.

Comm. Merl, noting the location as being far from the downtown area, saw no problem with the request.

MOTION by Comm. Schwartz, Seconded by Comm. Merl, to **APPROVE** Staff's recommendation to approve the request subject to the conditions contained in the resolution.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

8. **PARK 96-4 -- PARKING PLAN TO ALLOW A COFFEE HOUSE/BOOKSTORE WITH LESS THAN REQUIRED PARKING AT 528 PACIFIC COAST HIGHWAY, JAVA CONNECTION**

Staff Recommended Action To approve said Parking Plan.

Mr. Schubach said the zoning ordinance was amended specifically for these types of proposed uses, allowing flexibility. He said parking would not be a problem, noting the shared parking with other establishments having different peak business hours. Chmn. Tucker expressed concern about parking and shared parking with other businesses, as well as egress out of the parking lot during rush hour.

Chmn. Tucker opened the Public Hearing at 7:24 p.m.

Marty May, 220 Marina Way, Redondo Beach, said parking was shared with a lock and key shop and Karate studio; both of which had few customers using the parking area. He said he provided parking equal to that provided by two nearby restaurants, together. Mr. May said he has a limited-public use bathroom equipped for handicapped people and would install a mop sink.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 7:26 p.m.

MOTION by Comm. Schwartz, Seconded by Comm. Merl, to **APPROVE** Staff's recommendation to approve the Parking Plan.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

9. **TEXT 96-3 -- TEXT AMENDMENT REGARDING FENCE HEIGHT.**

Staff Recommended Action To recommend approval of said text amendment.

Mr. Schubach said the City Council had amended the encroachment ordinance allowing fences on the public right-of-way to be 42" high. It was felt fair that private property owners should also be allowed to have fences the same height. Chmn. Tucker asked if the City required liability insurance coverage for use of the public right-of-way areas. Director Blumenfeld said this has been an issue because the maintenance of the insurance has not been consistent.

Chmn. Tucker opened the Public Hearing at 7:30 p.m. No one wished to speak, and Chmn. Tucker closed the Public Hearing at 7:30 p.m.

MOTION by Comm. Pizer, Seconded by Comm. Perrotti, to **ACCEPT** this Text Amendment.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

10. **TEXT 95-8 -- TEXT AMENDMENT TO OPEN SPACE REQUIREMENTS IN THE R-1 ZONE TO ALLOW UP TO A 10% MARGIN FOR ADMINISTRATIVE DECISION IN CERTAIN JUSTIFIABLE CASES ON LOTS OF 2100 SQUARE FEET OR LESS, AND STUDY THE POLICIES OF OTHER CITIES TO DETERMINE THE EFFECT OF A 10% OPEN SPACE REQUIREMENT FOR ALL R-1 LOTS.**

Staff Recommended Action To recommend approval of said text amendment.

Director Blumenfeld said Staff requested a continuation to allow Staff to receive clarification from City Council. The Council's direction would be brought back to the Commission for consideration.

Chmn. Tucker opened the Public Hearing at 7:32 p.m. No one wished to speak, and Chmn. Tucker closed the Public Hearing at 7:32 p.m.

The consensus of the Commission was to comply with Staff's request, although not continuing the item. Renoticing will be required.

HEARINGS

11. **NR 96-3 -- NONCONFORMING REMODEL TO ALLOW A REMODEL AND ADDITION TO AN EXISTING SINGLE FAMILY DWELLING WITH A NONCONFORMING SIDE YARD SETBACK, RESULTING IN A GREATER THAN 50% EXPANSION AND EXTENSION OF THE NONCONFORMING SETBACK AT 325 GENTRY STREET.**

Staff Recommended Action To approve said Nonconforming Remodel.

Mr. Schubach said this was a typical request for remodel, with the nonconformities not being severe or unusual. Staff recommended approval, with conditions. Director Blumenfeld said the plan and survey did not include enough information for Staff to determine if the height limit is exceeded. This will be determined during plan check. Comm. Perrotti said the percentage was incorrect on Page 1 of the Resolution, Paragraph A, Line 2. He confirmed the number should be "78.6". Mr. Schubach said Staff will include a statement requiring an additional portion to Finding E finding the project is in an area with available services, and not in an environmentally sensitive area. The Commission agreed to this addition.

Chmn. Tucker opened the Hearing at 7:39 p.m.

Harvey Johnson, 325 Gentry Street, responding to Comm. Schwartz' questions regarding conformance with surrounding properties, said the second house to the west was built "out", the houses on the east side were all built "out" and one remodel on the south side of the street has been remodeled similar to what he was requesting. He detailed the actual property nonconformities, stating the setbacks are greater, on the average.

No one else wished to speak, and Chmn. Tucker closed the Hearing at 7:40 p.m.

MOTION by Comm. Merl, Seconded by Chmn. Tucker, to **APPROVE** NR 96-3, with Staff's recommended conditions.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

12. LLA 96-1 -- LOT LINE ADJUSTMENT BETWEEN 2515 HERMOSA AND 2530 THE STRAND.

Staff Recommended Action To approve said Lot Line Adjustment.

Mr. Schubach said this was a request to move the lot line between two parcels. Both lots would be equal or exceed surrounding lot sizes. Staff recommended a condition that the dwelling overhanging the new lot be modified or demolished. Director Blumenfeld said staff received a request to review the nonconformity on lot A on a future agenda. He said it was logical to establish the lot limits prior to considering any nonconformity. Therefore, the items were being presented sequentially on different agendas and the lot line adjustment will not become effective until the house is modified or demolished. Chmn. Tucker discussed the difference in addresses with Mr. Schubach.

Chmn. Tucker opened the Hearing at 7:50 p.m.

Gerald Compton, 1200 Artesia Blvd., #300, said the house will be demolished and a new one built. The lot line adjustment is being done prior to demolition of the one house and additions to the other. He said if all the current setbacks were totalled, the result is much more than total requirements.

Mike Kaplan, applicant, 2515 Hermosa Ave., said the remodel is to "open up" his house, and he wished to build a new house next door to his to provide a home for his mother.

No one else wished to speak, and Chmn. Tucker closed the Hearing at 7:55 p.m.

MOTION by Comm. Perrotti, Seconded by Comm. Merl, to **APPROVE** this lot line adjustment between 2515 Hermosa and 2530 The Strand.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

13. S-4(1) -- REQUEST FOR APPROVAL TO ALLOW A MURAL TO EXCEED SIGN AREA REQUIREMENTS AT 518 PIER AVENUE, KAREN'S CLEANERS.

Staff Recommended Action To approve said request.

Mr. Schubach said this was a request to approve an existing mural which did not depict any part of the business, itself. Staff recommended approval by Minute Order. Chmn. Tucker, noting this was another after-the-fact request, suggested new businesses be notified that mural must have prior approval. Director Blumenfeld said Staff has originated a signage handbook for businesses, which will soon be published and issued with business license requests.

Chmn. Tucker opened the Hearing at 7:57p.m. No one wished to speak, and Chmn. Tucker closed the Hearing at 7:57 p.m.

Chmn. Tucker felt the new signage handbook would probably circumvent many future reviews of "after the fact" murals.

MOTION by Chmn. Tucker, Seconded by Comm. Merl, to **APPROVE** Staff's recommendation.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

STAFF ITEMS

14.a Community Development Department activity report of July, 1996.

Director Blumenfeld said the Commission is scheduled to conduct a special meeting was being held next week to collect public input on the draft E.I.R. for the Hermosa Inn Hotel and parking structure. The meeting has been noticed and posted. This is the beginning of the Hearing and Circulation process. He said building activity had doubled since last year.

14.b Tentative future Planning Commission agenda.

RECEIVE AND FILE

14.c City Council minutes of August 13, 1996.

RECEIVE AND FILE

COMMISSIONER ITEMS None

ADJOURNMENT


MOTION by the Commission to adjourn at 8:05 p.m. No objections; so ordered.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of September 17, 1996.



Peter Tucker, Chairman



Sol Blumenfeld, Secretary

10-29-96

Date

**MINUTES OF THE PLANNING COMMISSION SPECIAL MEETING
CITY OF HERMOSA BEACH
HELD ON SEPTEMBER 25, 1996, AT 7:00 P.M.
IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:00 p.m. by Chmn. Tucker.

Pledge of Allegiance led by Comm. Schwartz.

ROLL CALL

Present: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
Absent: None
Also Present: Sol Blumenfeld, Community Development Director
Michael Schubach, Planning Director
Ken Robertson, Associate Planner

DISCUSSION

Chmn. Tucker announced the purpose of the meeting purpose is to obtain comments and input on the Environmental Impact Report for the Hermosa Inn and parking structure proposed to be built in the downtown area. Noting this was an interim draft, he said the final draft would be brought back to the Commission after this meeting. He turned the meeting over to Staff.

Director Blumenfeld emphasized this was the beginning of the 45-day circulation period for the draft E.I.R. The Commission's project decision date is scheduled on November 19, 1996, when the project application and environmental document will be reviewed and a project determination will be made. The purpose of this meeting is to collect public and Commission comments relating to the draft document being circulated at this point. The discretionary approvals coming before the Commission in November include a Conditional Use Permit and Precise Development Plan for the condominium subdivision, a vesting tentative map and lot merger for the subdivision, approval of a parking agreement relative to conformance to the General Plan, air space easement relative to a bridge-spanning beach drive, review of the project relative to the height exception and setting datum for height measurement per recent changes in the Zoning Ordinance, project conformity to Congestion Management Program Plan, and review of the E.I.R.

He explained the project was comprised of two parts, detailing the proposed hotel project and parking structure development, including area surrounding site. He introduced the project developer, Chop Keenan, to briefly review hotel project design.

Chop Keenan, Keenan Land Company, explained the professional background, experience and current projects of the partnership of Seaview Development Company. A 96-room, all suite, traditional, full-service hotel was being proposed in Hermosa Beach, to include conference facilities and amenities. No restaurant will be located in the building, but a full kitchen for catered events

will be on site. He explained there would be an organization marketing to the business conference group sales to bring business to this location. Mr. Keenan introduced the design team, explaining the project was two phased with the first being on the beach front property. A temporary parking lot will be created while the City parking structure is under construction. Seaview Development would be contributing the fair market value costs for the City parking structure in the amount of \$1,100,000, which is payment of future parking and operational costs.

Mr. Keenan said the public would be buying a commercial suite within the hotel, resulting in 96 different suite owners, with a Homeowners Association. Beachhouse Hotels will contract with the owners to manage their rooms, including marketing, front desk operation, maid service; all hotel management. All units are deed restricted to a total of 90 days occupancy by the commercial owner per year, 29 days may be consecutive. The remaining days are mandated to be available to the public at commercial rates. Mr. Keenan described other similar hotel operations currently open or under construction at this time.

Tommy Landau, 628 East Channel Road, Santa Monica, introduced **Todd Pilgreen**, project architect. He detailed the experience provided by this company. He referenced the City model constructed for presentation. It showed how the hotel fitted into the City's context and the parking structure, and a building model and detail model. Additional exhibits included a rendering looking across the Strand at the building. He explained how the project design fit into the City context which he felt fit nicely, discussed the plan and design. He discussed in detail the building plans, color, height and design, as well as parking and street improvements.

Director Blumenfeld said the Commission would consider the following issues at the hearing in November including conformance to the General Plan, Coastal Land Use Plan and downtown revitalization program. He noted that the project approval included the parking structure. Noting the design is not fully developed, he previewed the project, including provision of pedestrian access, a 7,000 square foot retail area in the multilevel structure to screen it from the street, possible incorporation of a Police substation and parking structure height. Parking attendant and card key operation is being considered for the structure. The hotel project's two phases will take approximately 11 months to complete. The parking structure will likely begin with the second phase of the hotel and take 12 to 18 months to complete. He explained the parking displacement which will need to be accommodated, presenting the proposals being considered. He stated building height needed to be addressed, which included base point corner elevation, establishment of parapet height, confirmation of allowable exceptions and street elevations as the standard for setting corner point elevations. The height ordinance is being amended, which will affect this project.

Jay Ziff, EIP Associates, presented an overview of the draft E.I.R. document, including slides of the project and surrounding areas. He explained there were two hotel buildings, with 54 parking spaces provided on the second hotel site. Some valet parking will be required. Phase II will include a hotel, parking structure, retail offices and some City use within the retail space. The parking structure will not be viewed from Hermosa Avenue. The draft E.I.R. is a requirement of C.E.Q.A. Mr. Ziff explained the C.E.Q.A.'s goal and purpose, including the requirement to respond to all comments on the E.I.R. Comments will be received until November 3, 1996. He explained

the E.I.R.'s purpose is to identify impacts, mitigations and alternatives available. He detailed the content each of the E.I.R. chapters, noting the summary and introduction chapter had been provided and were available. The E.I.R. identifies impacts that are termed "significant" and "less than significant". He explained the purpose of mitigation measures, including the possibility of some significant impact. Project development will obstruct some ocean and coast views, with air quality also being impacted. Some temporary and periodic construction noise and land use impacts will be experienced; with a potential for nuisance noise which cannot be mitigated. Project approval requires a Statement of Overriding Considerations for the unavoidable impacts. The E.I.R. contains five alternatives which are compared to the proposed project and analyzed within the E.I.R., each of which Mr. Ziff detailed for the audience and Commissioners.

Mr. Ziff said E.I.R.'s are evaluated by "the rule of reason" standard, used in judicial review which does not expand the conclusion correctness, but insures the decision-makers have what they need to provide informed decisions. E.I.R.s allow for expert disagreement, as long as the disagreement source is aired in the environmental document. The E.I.R. is going through a circulation period, with the "final E.I.R." presenting the comments received during the circulation period, providing lead agency responses and revisions to the draft E.I.R. Comments will be received until November 3, 1996. Public comment can be made on the final project hearings on November 19 and 26, 1996. It is important to make a distinction between the content and adequacy of the E.I.R. and analysis. The E.I.R. does not address whether the project is good or bad, providing only an objective look at potential impacts on the environment and mitigation measures to reduce such impacts. He asked comments be specific to the E.I.R. analysis, noting other hearings will address the project. Chmn. Tucker opened the Hearing for public comments, asking comments should address the E.I.R. report for the hotel and parking structure.

Jim Lissner, 2715 El Oeste, said the draft E.I.R. had been received five days ago, asking how the Commissioners had found the time to review the thick document in time for this meeting. Noting there were a total of seven written comments, said the main way comments got into the record was orally. Noting there was one copy in the library, said he had seen no written comments by the Commissions and expressing concern regarding the meeting timing, feeling comment quantity and quality was being reduced. Chmn. Tucker responded the Commission had until November 3, 1996, which is approximately 45 days, to submit comments; this meeting will not close the comment period. The public and Commissioners have ample time to submit comment and input on this report.

Shirley Cassell, Hermosa Beach, said she voiced concerns regarding height at a previous meeting. The contractors had said they wished to install 8-foot trellis' above the 30-foot height limit. Homeowners have been forced to drop homes down to 30 feet. If private property owners are not allowed to exceed the height limit, this group should not be either. Two other hotels were told they must provide ample parking on their property. This company wishes to buy 100 spaces in the parking structure, meaning they will always have 100 spaces. The parking structure is for the public; not the hotel. She asked how the City will collect the bed tax. She said before giving away the height and parking, real consideration should be given, since the other hotels had not been allowed these exceptions.

Jerry Newton, 2041 Circle Drive, said one E.I.R. issue was if the project was compatible with the downtown implementation plan. Noting his involvement with the Chamber of Commerce, D.E.C. and R/UDAT. He said the hotel and parking structure were two key components of the R/UDAT plan, stating this project was consistent with the downtown implementation plan. He felt the most significant impact was construction, noting the E.I.R. suggestion that a shuttle system be implemented during Phase II. He felt the shuttle system should be implemented during Phase I. The draft E.I.R. proposes using Pier Avenue as a construction route during Phase II, which he felt was not an appropriate route. He asked consideration of 11th, 13th and 14th Streets as sufficient. Lot B will be a staging area during Phase II construction. Staging during Phase I will not disrupt parking lot use. Consideration as to whether or not there will be an auditorium should be given at Phase II. If the Bijou Theater is abated, that site might provide sufficient staging with Lot B to stop closure of 13th Street. Referencing Page 3-26 of the report, Mr. Newton suggested the hours of operation be changed to an earlier hour for people going to work. He approved construction crew parking available away from the downtown site. Crews could also use the shuttle. Regarding height and trellis, if a roof deck is provided for events, he felt the trellis was a "nice thing". Noting the downzoning to 30 feet and the neighborhood character, he said this hotel would be smaller in scale than the condominiums to the north. Some R-2s and R-3s were built when the height limit was 35 feet, so this hotel and trellis will be in scale and consistent with the neighborhood. He was critical of the proposed meeting rooms, suggesting a change to the three vertically stacked, 500-foot rooms. He suggested one larger room as a utility and benefit to the community. He suggested the configuration be changed to provide a larger space for community and private groups. He supported the project, noting it was consistent with the General Plan everything previously discussed.

Don Falkenstein, Palm Drive, said Mr. Newton's comments about running the construction up 14th Street was consistent with how "they" feel about the residents. He said this would be a serious problem for him and other 14th Street residents, suggesting the businesses suffer. He opposed not having a single on-site parking space. He felt parking spaces would be lost, with parking spaces being needed. He felt the retail will be another bar and restaurant, which will require additional space. Noting the 65% parking space discount being given, he felt the retail and hotel will require 235 spaces, with little parking space being planned. He suggested the hotel be forced to provide on-site parking. He opposed height being over 30 feet and blocking views for the profit of a few.

Patricia Spiritus, 1610 The Strand, said she has a business on 11th Street and has participated in the revitalization effort for the past 4-5 years. She said the current site "breaks your heart", being fine commercial real estate. The project will fill out and round out the downtown for businesses and residents. She discussed the willingness of the Staff, Council and Commission to work through the situation, noting this was a win-win situation. She applauded the developers for coming into the town, noting the open forum and meetings was a wonderful informational environment. She stated project support, noting this project was compatible and of benefit, noting it would profit everyone; not just a few.

Bill Cohen, 37 14th Street, said the impact report discussed alternatives. The alternative he supported was limiting the project to just the Phase I site along The Strand and parking should be where Phase II is proposed. If more space is needed, they could purchase the nonconforming house

to the east, along 14th Street. The project size would be reduced, but would still be profitable. He felt the construction phase would encompass a three-year period, which was a significant time to disrupt businesses, resulting in loss of revenue. He requested elimination of all construction on Saturday and Sunday, resulting in increased business.

Al Burnett, 1405 Manhattan Avenue, made the following statements for consideration: 1) asked if the model was scaled to the surrounding buildings, 2) said he was confused as to the actual height measurement method, noting the method had just been changed, 3) said the trellis structure was actually trellis and chimneys, asking how chimneys are going to keep smoke off the deck, 4) asked if the buildings would overhang on The Strand or compliance to construction requirements on 14th Street were required, 5) what public spaces are available and how will they be accessed, 6) can residents use the public spaces, 7) although the structure, absent the trellis height, is a good design, he felt the height was out of place relative to the surrounding structures, 7) would the rooms be suites and would the owners be discouraged from staying beyond the 90 days, 8) 72% non-owner occupancy rate and allowance of owners to live there three months each year represented a 25% occupancy tax reduction or a 97% occupancy rate when the owners are not staying there, 9) the design does not provide a hotel with restaurant and retail, 10) would a City tax be available for independently catered on-site events, 11) how would the City enforcement of the 90 day owner-occupancy, 12) are there limitation to stop this becoming a time-share operation, which he opposed, 12) suggested audited financial statements on the SeaScape project be provided to verify the occupancy rate, taxes received and units sold, 13) property owners are allowed to build to 30 feet and the hotel should be required to the same, or made to pay compensation for property owners' property devaluation, and 14) who determines the impacts stated in the E.I.R. report.

Jay Ziff, EIP Associates, responded, stating each of the issue sections in Chapter 4 contains a subheading, "Standards of Significance". Not all issues have official standards, most have standards. Traffic, air quality, noise have identified standards. The E.I.R., as much as possible, looks to the established standards in determining the impact levels. There are a variety of technical professionals who worked on the different sections in the document, using available standards. Director Blumenfeld said the final E.I.R. determination comes through a certification process which happens through public hearings at the Planning Commission and the City Council.

Al Burnett asked if just allowing Phase I was a feasible alternative. He agreed the construction trucks should be kept aware from residents as much as possible.

No one else wished to speak, and Chairman Tucker closed the public testimony, bringing discussion back to the Commission for comments.

Discussion

Comm. Perrotti, addressing on-site parking, said problems had been identified when considering subterranean parking and felt on-site subterranean parking might not be feasible. Referencing the scoping meeting and appendix, he asked if the issue of removal of ground contamination was covered in the document.

SPEAKER responded a couple studies were conducted at the time of the scoping meeting, which addressed the potential of encountering hazardous materials at the sites, E.I.R. page 1-4. Both studies indicated lead contamination was remediated, with no potential on site. Documents are available for review at the City.

Comm. Perrotti asked if the units would use a common chimney. Director Blumenfeld responded each chimney has several stacks. Comm. Perrotti noted the chimney height was based on proper draft, to which Director Blumenfeld said the chimney manufacturer recommended an eight to ten foot stack for proper draft. Comm. Perrotti discussed the suite room layout, doors and furniture location with Director Blumenfeld.

SPEAKER said the suite was all one room, with a 42 inch wall.

Comm. Perrotti, referencing Page 2-7, noted the reference to a future C.U.P. for live entertainment and dancing, asked what the current intended use would be. Director Blumenfeld said it was to be an observation deck, with outdoor seating. There is an opportunity to use it for other purposes. One mitigation measure discussed provides that if the roof deck use proved to create a noise problem, the use could be subject to a special use permit to prevent a problem.

Director Blumenfeld said if the Commission determines that historically the grade was set six inches higher than existing grade, based on evidence submitted, it would need to make these findings on the grade/building height issues.

Comm. Perrotti stated support for starting the shuttle service at Phase I, recommending it be started at 9:00 a.m. He supported an independent verification of revenue at the other hotel site mentioned in testimony.

Comm. Merl said his concerns were related to the construction phase which would have a tremendous impact upon the area. He suggested work on Saturday year around be examined, the theater site should be looked at if it does come down, and felt the shuttle be provided in early morning hours, being crucial to transporting both business and construction workers. He felt the parking structure should also be reviewed in terms of lighting, security, potential air quality issues and how the 100 parking spaces related to the hotel will be demarcated and its effects on traffic. He felt the issue of routing of construction, vehicles and supplies, and noise could be a problem. He felt there needed to be coordination with the improvements on Pier Avenue.

Comm. Schwartz requested better understanding of how the anticipated project construction schedule will tie in with the downtown improvement plans, noting the impacts to traffic flow.

Comm. Pizer expressed concern about the construction phase, requesting to see a time line or events scheduled for that area, noting construction will impact both residents and businesses on lower Pier Avenue. He expressed concern regarding the hydrology of the storm drainage. He requested input for crime control within the parking structure, noting the increasing burden on the Police force.

Chmn. Tucker said the Code handles construction start times and limits work on week ends, mechanisms are in place for violations of the Code. He felt it essential the shuttle program start immediately concurrent with Phase I, the downtown merchants and employees need to use the shuttle instead of parking downtown, and suggested the shuttle start at 7:00 a.m. Referencing the required suspension of construction during summer-time special events in the downtown area, he felt this should be reviewed, noting the tremendous construction slow down that would occur. He felt the faster construction was completed, the better for everyone. He suggested volleyball and other similar events look to the south side of the pier, noting the lack of space for unloading during the construction period. Interstructure should be carefully looked at, since flooding is easy in that area. He said both the hotel and parking structure will probably need sprinklers. He expressed concern regarding construction wastes reaching the storm drains and polluting the bay, recommending waste water entrapment. He said there is a method to get construction vehicles to the area, avoiding the downtown and north 14th Street residents. There was nothing in the report about parking structure lighting. It needs to be brightly painted and illuminated very well at night, with an attendant, perhaps. He saw no provision for future electric cars; plugs are needed. Noting the parking lot will be four feet below grade, he asked for provision for flooding in the lower portion, including emergency provision for a sump pump, gas generator. Between the hotel and parking structure, relating to public improvements, the costs should be shared on a ratio of who benefits the most. Will CalTrans approve changing the intersection at Pier and Pacific Coast Highway, or is that necessary. He said 8th Street was a major City entrance, and was not so noted. The turn pocket at 13th Street will need to be enlarged when the structure is complete. He hoped the planning and improvements dovetail together as in a master plan.

Addressing the hotel, Chmn. Tucker commented and expressed concern relating to: 1) the trellis would prevent emergency vehicles going down 13th or 14th Streets, 2) the bridge will need some type of air rights over the top, 3) in the hotel front, he hoped a log or barrier would be placed to prevent the hotel from flooding, suggesting the developers take this into consideration, 3) the railing in front of the hotel needs to be constructed in a manner to allow people to leave the rooms and hop over to the Strand, 4) that people cannot sit on the rails, suggesting the rails be made uncomfortable to sit on, 5) hours of operation for the roof top deck should be limited to 10:00 p.m. to keep the noise down, 6) guests should be warned of the volleyball tournaments and associated noise, 7) he preferred microwaves rather than stoves in the kitchen, 8) the trellis, with combustible material, so close to the chimneys could be a fire safety hazard, suggesting the contractor review the Code of required distance, and 8) the 12-inch steps might be made 6-inch steps. He said 14th Court residents previously had buildings in front of them and will again. During construction, the view will not be pretty, but will not be as bad as the "green wall" during the volleyball tournaments. He felt the contractor would put in dual glazed windows without being requested, noting the chimneys are high because of manufacturer's requirements for proper draft. He questioned the loading zone being in front of the main door, suggesting the loading zone be made larger in front of the hotel.

Director Blumenfeld emphasized the circulation period will continue for about 40 more days, with the Public Hearing scheduled on November 19, 1996, which is the Commission's decision date for the property application and the E.I.R. The City Council meeting will be held on November 26, 1996.

Chmn. Tucker invited further public comment.

John Hales, 624 8th Place, said he had not heard anything about the number of employees for hotel services, noting parking would be necessary for them, also. Director Blumenfeld responded the project is parked by room, there is no City requirement for employee parking, which is the policy of many cities. Mr. Hales said this would impact the neighborhood. Service trucks would also impact the area, since Beach Drive is really an alley in its general usage. He foresaw "plugging" of Beach Drive with trucks, noting he saw no provision for on-site parking of service vehicles. Chmn. Tucker responded the loading zone was one lane wider than Beach Drive, so provision was being made.

No one else wished to make further comment.

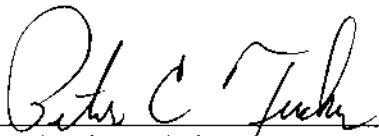
MOTION by Chmn. Tucker, seconded by Comm. Pizer, to **RECEIVE and FILE** No objections, so ordered.

ADJOURNMENT

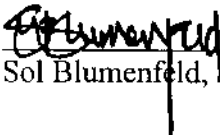
MOTION by the Commission to adjourn the meeting. No objections; so ordered.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at this special meeting of September 25, 1996.



Peter Tucker, Chairman



Sol Blumenfeld, Secretary

10-29-96
Date

OCTOBER 15, 1996

PLANNING COMMISSION MEETING

CANCELED

DUE TO LACK OF PUBLIC NOTICE

ON THE AGENDA POSTING

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE
CITY OF HERMOSA BEACH HELD ON OCTOBER 29, 1996
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:10 p.m. by Chmn. Tucker.

Pledge of Allegiance led by Comm. Merl.

ROLL CALL

Present: Comms. Merl, Perrotti, Pizer, Chmn. Tucker
Absent: Comm. Schwartz (arrived at 7:20 p.m.)
Also Present: Sol Blumenfeld, Community Development Director
Michael Schubach, Planning Director
Sylvia Root, Recording Secretary

CONSENT CALENDAR

MOTION by Comm. Merl, Seconded by Comm. Perrotti, to **APPROVE** the following Consent Calendar items:

- 1) **September 17, 1996 Minutes,**
- 2) **Resolution P.C. 96-34** approving a Conditional Use Permit amendment for on-sale alcohol, beer and wine, at 517 Pier Avenue,
- 3) **Resolution P.C. 96-35** approving a Parking Plan, to allow the conversion of an existing retail space to include snack shop (coffee house) with no additional parking at 528 Pacific Coast Highway,
- 4) **Resolution P.C. 96-36** recommending amending the zoning ordinance to allow fences a maximum of 42 inches high in the required front yard setback,
- 5) **Resolution P.C. 96-37** approving a greater than 50% expansion and remodel to an existing nonconforming single-family dwelling at 325 Gentry Street, and
- 6) **Resolution P.C. 96-38** approving a Certificate of Compliance for a lot line adjustment at 2530 The Strand and 2515 Hermosa Avenue.

AYES: Comms. Merl, Perrotti, Pizer, Chmn. Tucker
NOES: None
ABSENT: Comm. Schwartz
ABSTAIN: None

At the request of Staff and agreement of the Planning Commission, the September 25, 1996 Minutes were pulled. The revised Minutes will be submitted at the next scheduled meeting.

ORAL/WRITTEN COMMUNICATIONS None

PUBLIC HEARINGS

7. CUP 96-12 -- CONDITIONAL USE PERMIT AMENDMENT TO ALLOW MOTORCYCLE SERVICE AND REPAIR, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION AT 424 PACIFIC COAST HIGHWAY

Staff Recommended Action: To approve said Conditional Use Permit.

Mr. Schubach presented the Staff Report, stating Staff suggested the conditions be adopted as recommended since two other motorcycles shops are within the vicinity, and have essentially the same conditions. Commenting conditions would need modification if full repair is approved, Mr. Schubach discussed the conditions, parking, water treatment and ventilation requirements with Commissioners. Director Blumenfeld said interior building changes would be required if full repair is to be allowed.

Chmn. Tucker opened the Public Hearing at 7:13 p.m.

David Ferris, applicant, said he had contacted most of neighboring properties and residences and had received positive responses to his proposed application. He was concerned with the restrictions on test driving, noting Pacific Coast Highway would be used when testing. He asked what he should do when major repairs are required if he is only allowed to perform minor repair. He felt he would have three to four customers per day, average. He said the storm drain was actually a simple barrier to keep rain water out of the building. He explained the shop will be for general repair, with advertising stating maintenance and service would be provided.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 7:18 p.m.

Comms. Merl and Perrotti stated support, with Staff's recommendations. Comm. Pizer said the business was consistent with the area. Comm. Schwartz discussed employee parking with Mr. Schubach. Chmn. Tucker felt conformity with the other motorcycle shops was needed, noting full repairs is another usage and might cause problems for nearby residents.

MOTION by Comm. Merl, Seconded by Comm. Perrotti, to **APPROVE** Staff's recommendation.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

8. **CON 96-5/PDP 96-6 -- CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE PARCEL MAP #24249 FOR A TWO-UNIT CONDOMINIUM CONVERSION AT 1723 AND 1725 GOLDEN AVENUE.**

Staff Recommended Action To approve said Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map.

Mr. Schubach said the proposal met all requirements. A condition requiring a mutual easement to be in place due to the driveway being partially on neighboring property. The driveway entrance is seven feet wide. If this is a problem, plan revision displaying a full-width driveway should be conditioned.

Chmn. Tucker opened the Public Hearing at 7:30 p.m.

Elizabeth Srour, 820 Manhattan Ave., applicant's representative, said the applicant agreed with the conditions of approval. She said this was the first she had heard about any concern about driveway width, noting the adjacent property owner's agreement would be required if a condition were imposed. The applicant was willing to do whatever necessary to obtain application approval.

Jerry Compton, project architect, said one unit had a root-top deck with an operable skylight, which was not included in the open space calculations. He discussed current driveway plans with Chmn. Tucker, noting the curb cut was not wide either. Mr. Compton said the garage was 21'10"; deep enough for storage of trash containers. Trash containment is planned on the right side of the garage. Noting the neighbor's garage was almost to the property line, the long gate and lock are the applicant's. Chmn. Tucker suggested roll-up doors on the garages, which Mr. Schubach confirmed as a requirement for one of the garages. Director Blumenfeld said Staff wished to submit the requested easement agreement to the City Attorney for review as to conformity.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 7:45 p.m.

MOTION by Comm. Merl, Seconded by Comm. Perrotti, to **APPROVE** Staff's recommendation to approve the Conditional Use Permit, Precise Development Plan and Vesting Tentative Parcel Map #24249 for a two-unit condominium conversion at 1723 and 1725 Golden Avenue, with the addition of a requirement for documentation of an easement agreement to maintain a nine-foot drive, requiring submittal of the easement agreement to the City Attorney for review of conformity, roll-up doors, and inclusion on the plans of common storage in the garage.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

9. **ZON 96-2 -- ZONE CHANGE FROM M-1, LIGHT MANUFACTURING, TO R-2, TWO-FAMILY RESIDENTIAL, OR TO SUCH OTHER ZONE AS DEEMED APPROPRIATE BY THE PLANNING COMMISSION, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION AT 322 ARDMORE AVENUE, 603 AND 623 3RD STREET.**

Staff Recommended Action To recommend approval of said zone change from M-1 to R-2 and adoption of the Environmental Negative Declaration.

Mr. Schubach said the City Council had directed Staff to bring this item to the Planning Commission. Adjacent properties have been rezoned with the exception of these three lots. He said the lots were small and would not accommodate manufacturing uses. Two of the lots are currently being used for residential; one lot is used for automotive purposes, which is nonconforming to manufacturing usage.

Chmn. Tucker opened the Public Hearing at 7:50 p.m. No one wished to speak, and Chmn. Tucker closed the Public Hearing at 7:50 p.m.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

HEARINGS

10. **NR 96-4 -- EXPANSION TO AN EXISTING SINGLE FAMILY DWELLING NONCONFORMING TO FRONT AND SIDE YARDS RESULTING IN A GREATER THAN 50% INCREASE IN VALUATION AT 2515 HERMOSA AVENUE.**

Staff Recommended Action To approve said Nonconforming Remodel.

Planning Director Schubach said the proposal conformed to zoning requirements, and noted the expansion increase from 4303 to 4659 square feet. A lot line adjustment has just been approved for this property. Lot coverage will be 56%, with improvements intended to enhance the northerly elevation and orienting the house towards the pool.

Chmn. Tucker opened the Public Hearing at 7:53 p.m.

Jerry Compton, 1200 Artesia Blvd., #300, project architect, displayed exhibits and a project model, described the proposed project, including setback, open space, site elevations and proposed adjustments. Noting the plans being incorrect, he said the current lot coverage of 55% would be reduced to 52%. The pool will be accessible to both properties, but not encroach onto the southerly property. He asked approval of the project.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 8:00 p.m.

MOTION by Comm. Merl, Seconded by Comm. Perrotti, to **APPROVE** Staff's recommendation.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

STAFF ITEMS

11.a Community Development Department activity report of August, 1996.

Receive and File.

11.b Tentative future Planning Commission agenda.

Receive and File

11.c City Council minutes of September 10, 12, 18 and 24, 1996.

Receive and File

11.d Compliance of Precise Development Plan No. 95-26 Condition No. 4 regarding posting of parking signs at Greenwood Park in connection with Starbuck's Coffee at 1100 Pacific Coast Highway.

Director Blumenfeld said this item was connected with PDP 95-26, approved by the Commission. Several items, including sign posting, was required. All items have been completed with the exception of sign posting, which was to be posted by the property owner or request a modification of the PDP approval. The owner objected to this condition. Staff agreed it would be difficult to enforce. Staff recommended reconsideration of this requirement, which would require PDP modification. Staff requested direction from the Commission.

The Commission discussed with Director Blumenfeld condition requirements, parking patterns, peak parking periods, and enforcement difficulties. Chmn. Tucker, noting the concessions previously made for this applicant, supported posting of the signs to assure a mechanism of sign enforcement and availability of parking spaces. The Commissioners discussed enforcement difficulties on the City-owned property with Staff.

The consensus of the Commission was to **DIRECT** Staff to review the lease agreement for the City property to determine available provisions for parking and right-of-way, presenting this report at the next scheduled Commission meeting.

COMMISSIONER ITEMS

Comm. Perrotti, asked about final submission date for the draft EIR. Director Blumenfeld said submittals would be accepted until November 3, 1996. Comm. Perrotti said the first two chapters contained the background and summary, suggesting people read these two chapters.

ADJOURNMENT


MOTION by the Commission to adjourn at 8:15 p.m. **No objections; so ordered.**

CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of October 29, 1996.



Peter Tucker, Chairman



Sol Blumenfeld, Secretary

11-15-94

Date

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE
CITY OF HERMOSA BEACH HELD ON NOVEMBER 19, 1996
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:05 p.m. by Chairman Tucker.

Pledge of Allegiance led by Comm. Pizer.

ROLL CALL

Present: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
Absent: None
Also Present: Sol Blumenfeld, Community Development Director
Michael Schubach, Planning Director
Sylvia Root, Recording Secretary

CONSENT CALENDAR

MOTION by Comm. Merl, Seconded by Comm. Pizer, to **APPROVE** with no change:

3. October 29, 1995 Minutes,
- 4.a) **Resolution P.C. 96-39** approving a Conditional Use Permit and Vesting Tentative Parcel Map #24249 for a 2-unit condominium conversion project at 1723 and 1725 Golden Avenue,
- 4.b) **Resolution P.C. 96-40** approving a Conditional Use Permit to allow retail sales of motorcycles, accessories, and motorcycle repair at 424 Pacific Coast Highway and adoption of a Mitigated Environmental Negative Declaration.
- 4.c) **Resolution P.C. 96-41** recommending approval of a zone change from M-1 (Light Manufacturing) to R-2 (Two-Family Residential) and adoption of an Environmental Negative Declaration for the property located at 603 and 623 3rd Street and 322 Ardmore Avenue.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

5. **Items for consideration** None

ORAL/WRITTEN COMMUNICATIONS: None

PUBLIC HEARINGS

7. **CON 96-8/PDP 96-9 -- CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE PARCEL MAP #24603 FOR A TWO-UNIT CONDOMINIUM AT 603 30TH STREET**

Staff Recommended Action: To continue to a date certain in order for the applicant to submit revised plans.

Planning Director Schubach new plans had been submitted . The plans made a major change to the access driveway. Staff would support approval of these plans with conditions, recommending adoption of the Resolution. Director Blumenfeld said Staff had received no calls regarding continuation of this item.

Chmn. Tucker opened the Public Hearing at 7:11 p.m.

Elizabeth Srour, 820 Manhattan Avenue, applicant's and property owner's representative, explained the reasons for submittal of the revised plans, including the City Attorney's determination this item could go forward as a condominium project. She said the design presentation, with the exception of the driveway, was the same as before. The proposal exceeds all requirements for condominium use. She said Staff's recommended conditions are acceptable and asked for project approval. She said the trash areas are in the individual garages, which Director Blumenfeld confirmed.

Gene Fay, 2920 Hermosa View Dr., said he was concerned with the safety factor at 30th Street, the increased traffic with the additional garage, and felt the building could be an "eye-sore" from his property. He discussed the allowed building height, setbacks and plan changes with Commissioners and Staff. He stated this building would impair his line of sight.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 7:24 p.m.

Discussion

Comm. Pizer said he was impressed with the modifications. Comm. Merl commented the driveway on Ardmore would have been unsafe, noting the requested changes were essential. He felt the project now met all requirements. Comm. Perrotti confirmed with Staff the open space requirements would be met.

MOTION by Comm. Pizer, Seconded by Comm. Merl, to **APPROVE** CON 96-8/PDP 96-9 as presented.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Clerk within 10 days from this date.

8. **CON 96-6/PDP 96-7 -- CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE PARCEL MAP #24632 FOR A TWO-UNIT CONDOMINIUM AT 928 17TH STREET.**

Staff Recommended Action: To approve said Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map.

Mr. Schubach noted supplemental information submitted by a neighbor. He said Staff concern related to the rear unit not meeting the minimum open space requirement, requiring a change to increase the open space. The bottom floor has a full bath and large wet bar. However, it has an open stair case, which is not conducive to an illegal unit conversion. Staff recommended no full bath and a smaller wet bar with a minimum size sink. Mr. Schubach explained an additional 20 to 40 square feet was necessary to comply with open space requirements.

Chmn. Tucker opened the Public Hearing at 7:33 p.m.

Elizabeth Srouer, 820 Manhattan Ave., applicant's representative, displayed a site rendering, noting the articulation and attention to interior design. She felt the project would be an attractive addition, noting the project complied with zoning and condominium standards. She explained the lack of open space was due to a misunderstanding with the architect and could be corrected by expansion of the balcony. She requested Condition 1.a be changed to allow a 3/4 bath. The applicant accepted Staff's recommendation relating to the wet bar. The design offers versatility and will accommodate a growing or grown family. she asked for approval. Chmn. Tucker noted concern with the rear elevations, wall height relating to the adjacent southern property line. Ms. Srouer said this concern could be addressed by the architect. Chmn. Tucker also discussed with Ms. Srouer the height elevations, noting the rear building might be too high.

Sandy Thomas, 929 16th Street, said she had submitted letters from herself and neighbors, a map and pictures. She was extremely concerned with the loss of privacy in her backyard and bedroom resulting from the placement of the deck. She requested mature landscaping and movement of the deck area.

Ron Thomas, 929 16th Street, reiterated his wife's concerns regarding the loss of privacy and possible loss of property value. He discussed the photographs provided with the Commissioners.

Glenn Rule, 950 17th Street, said he lives east of this project. He felt the buildings would obstruct his ocean view, additional traffic will result on this narrow street, and asked if an environmental review had been conducted. Director Blumenfeld explained this project was exempt from that requirement. Mr. Rule said he opposed the project.

Virginia Cook, 15103 Greystone, Norwalk, property owner of 920 17th Street, noted the changes on the street made since 1916, and objected to the possibility of continued replacement of single-units with multiple units on this street, feeling the street and area was becoming over populated. She stated her opposition to further development, asking the application be denied.

REBUTTAL

Elizabeth Srour discussed the area zoning, property rights that go with the land and the right of every property owner to enjoy those benefits. She felt the City had addressed the parking problems through new development standards, noting older homes do not have sufficient parking, while this new construction provides adequate parking. She acknowledged this property would have a beautiful view, noting that other properties lost view as each house was built. She said the applicant was prepared to work with Staff and neighbors regarding landscaping to create a buffer. The natural property use included living space use of the upper level. She asked for at least conceptual approval. Chmn. Tucker suggested the balcony be moved to the south-west corner with a 45 degree angle to preserve some privacy for the neighbors. Ms. Srour agreed this could be possible.

No one wished to speak, and Chmn. Tucker closed the Public Hearing at 8:06 p.m.

Discussion

Comm. Pizer said the beach cities are crowded and the concerns discussed sometimes cannot be mitigated. He felt the relocation of the rear deck to be a very good suggestion. Comm. Schwartz said residents had the ability to request area rezoning if they felt the density was getting too intense. She noted this property had certain rights which must be honored. Comm. Merl commented that if the area were rezoned, many units would become nonconforming, so this action is not to be taken lightly. He supported relocation of the deck, provision of mature landscaping and review of the wall situation. Chmn. Tucker stated agreement with Commissioner statements, noting the City did not have a view ordinance. He felt moving the balcony, providing a landscaping screen, reducing the wet bar area and prohibiting a full bath downstairs could alleviate many concerns.

MOTION by Comm. Perrotti, Seconded by Comm. Merl, to **APPROVE** CON 96-6/PDP 96-7 with modification to Condition 1.a to allow a maximum of a 3/4 bath room, additional of a Condition 1.c to address the wall at the west and south boundary not to exceed six feet in height from the adjoining property, with an open wall thereafter, expansion of language in Condition 4.b to require mature landscaping at the southerly property line to increase resident privacy and screening purposes, and relocation of the deck from the dining area to the living room area diagonal at the south-west corner.

- AYES:** Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
- NOES:** None
- ABSENT:** None
- ABSTAIN:** None

Chmn. Tucker stated this decision may be appealed to the City Council within 10 days from this date.

9. VAR 96-2 -- VARIANCE TO ALLOW A 3' REAR YARD SETBACK RATHER THAN THE REQUIRED 5' FOR A NEW SINGLE FAMILY DWELLING AT 2650 HERMOSA AVENUE.

Staff Recommended Action: To approve said Variance.

