

P.C. RESOLUTION 01-

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 #26483 FOR A TWO (2) UNIT CONDOMINIUM CONVERSION PROJECT AT 1015-17 17TH STREET PURSUANT TO SECTION 17.22.160 OF THE ZONE CODE, LEGALLY DESCRIBED AS LOT 9, J.M. FLOORES SUBDIVISION.

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

Section 1. An application was filed by Michael Roughen, owner in escrow of property located at 1015-17 17th Street, seeking approval of a Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map #25678 for a Two (2) Unit Condominium Conversion project.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the subject application on December 5, 2001, 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 convert the existing 2 dwelling units into a two-unit residential condominium project.

2. The subject property proposed for condominium conversion contains 5,606 square feet, is designated Medium Density Residential on the General Plan Map, and designated R-2B on the Zoning Map.

3. Pursuant to Section 17.22.260 of the Hermosa Beach Zoning Ordinance, the Planning Commission must make the following findings in order to approve a project and grant a permit:

A. Proposed project is consistent with the general plan;

B. All provisions of this title and referenced codes have been met;

C. The overall design, physical condition and amenities of the project provide for livability and safety, and the project will not be a physical or financial burden to the city or neighborhood;

D. Project provides an adequate program of tenant purchase and relocation assistance.

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, and Vesting Tentative Parcel Map:

1. The map is consistent with applicable general and specific plans;
2. The site is zoned R-2B and is physically suitable for the type and density of proposed development;
3. The subdivision or type of improvements is 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;
7. The project is Categorically Exempt from the requirement for an environmental assessment, pursuant to the California Environmental Quality Act Guidelines, Sections 15303 Class3 (b) and 15315 with the finding that the project is in an area with available services.

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

- 1. The development and continued use of the property shall be in conformance with submitted plans received and reviewed by the Commission at their meeting of December 5, 2001 and with all the modifications noted in the Conditions of Approval. Any other minor modification shall be reviewed and may be approved by the Community Development Director.**
 - a) The submitted topographical survey of the property shall contain the required information for determining the convex slope, and shall be wet-stamped by a state licensed land surveyor or civil engineer.
 - b) The building height of the rear unit shall be reduced to conform with the Condominium Conversion Ordinance.
- 2. Decorative paving shall be provided in the driveway to the satisfaction of the Community Development Director; salted concrete will not be acceptable.**
- 3. The project shall meet all requirements of the Condominium Ordinance.**

- a) **Covenants, Conditions, and Restrictions in compliance with the Condominium Ordinance shall be submitted to the Community Development Department for review and approval prior to the issuance of building permits.**
 - b) **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.**
 - c) **Requirements of Section 17.22.060(G) shall be shown on structural plans and reviewed at the time of Building Division plan check.**
 - d) **The Physical Report detailing the structural integrity of the existing development shall be submitted prior to issuance of building permits.**
4. **There shall be compliance with all requirements of the Public Works Department and Fire Department.**
 5. **A Landscaping plan shall be as shown on submitted plans, and modified as follows:**
 - a) **An automatic landscape sprinkler system shall be provided, and shall be shown on plans. (Building permits are required)**
 - b) **A minimum of two 36-inch box size trees shall be provided.**
 6. **Architectural treatment shall be as shown on building elevations. Any modification shall require approval by the Community Development Director.**
 - a) **Precise building height shall be reviewed at the time of plan check to the satisfaction of the Community Development Director.**
 7. **Any satellite dish antennas and/or similar equipment shall comply with the requirements of Section 17.46.240 of the Zoning Ordinance.**
 8. **Conduit shall be installed in each unit for cable television.**
 9. **The address of each condominium unit shall be conspicuously displayed on the street side of the building with externally or internally lit numbers and the method for illumination shall be as shown on plans. All addresses shall be displayed at the main entry to the development. Addressing numbering and display shall be denoted on plans submitted for structural plan check and subject to approval by the Community Development Department.**
 10. **Two copies of final construction plans, including site, elevation and floor plans, which are consistent with the Conditions of Approval of this Conditional Use Permit, shall be reviewed and approved by the Planning Division for consistency with Planning Commission approved plans prior to the submittal to the Building Division for plan check.**
 11. **Prior to the submittal of structural plans to the Building Division for plan check an Acceptance of Conditions affidavit shall be filed with the Planning Division of the Community Development**

Department stating that the applicant/property owner is aware of, and agrees to accept, all of the conditions of this grant. If the drainage of surface waters onto the property requires a sump pump to discharge said waters onto the street, the property owner(s) shall record an agreement to assume the risk associated with use and operation of said sump pump; release the City from any liability; and indemnify the City regarding receipt of surface waters onto the property.

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

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

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

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

14. Prior to issuance of a Certificate of Occupancy for the project and approval of the Final Map, the applicant shall demonstrate to the satisfaction of the Finance Director that any outstanding assessments have been paid in full or apportioned to any newly created parcels and shall provide notice of same to the Community Development Department.

Section 6. Pursuant to the Code of Civil Procedure Section 1094.6, any legal challenge to the 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.

VOTE: AYES:
 NOES:
 ABSTAIN:
 ABSENT:

CERTIFICATION

I hereby certify the foregoing Resolution P.C. 01- is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California, at their regular meeting of December 5, 2001.

Sam Perrotti, Chairman

Sol Blumenfeld, Secretary

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