

P.C. RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PRECISE DEVELOPMENT PLAN FOR A TWO-STORY 6,500 SQUARE FOOT COMMERCIAL OFFICE BUILDING AT 2697-2699 PACIFIC COAST HIGHWAY, AND LEGALLY DESCRIBED AS PART OF LOT A, TRACT 1594

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

Section 1. An application was filed by Michael Wuerth owner of property at 2697-2699 Pacific Coast Highway seeking approval of a Precise Development Plan to construct a two-story commercial office building.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for a Precise Development Plan on January 15, 2002, 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 construct a two-story commercial office building containing 6,500 square feet of office and storage space, which requires a Precise Development Plan pursuant to Chapter 17.58 of the Zoning Ordinance.

2. The subject site is located on the west side of Pacific Coast Highway, north of Artesia/Gould Avenue. The property contains an existing one-story automobile repair shop and is mainly surrounded by other commercial uses and commercially zoned property, except for single-family residential uses to the west separated from the subject property by an alley.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the application for a Precise Development Plan.

1. The project is consistent with applicable general and specific plans, and is in compliance with the use and development requirements of the Zoning Ordinance.

2. The site is zoned C-3, General Commercial, and the project and proposed use complies with the development standards contained therein.

3. The project has been reviewed pursuant to Chapter 17.58, Precise Development Plans and is consistent with the standards and review criteria contained therein.

1 4. Compliance with the Conditions of Approval will mitigate any negative impact resulting
2 from the issuance of the Precise Development Plan.

3 5. The project is Categorically Exempt from the requirement for an environmental
4 assessment, pursuant to the California Environmental Quality Act Guidelines, Section 15303(c) with the
5 finding that the project is an office structure, in an urbanized area, which does not exceed 10,000 square
6 feet in floor area.

7 Section 5. Based on the foregoing, the Planning Commission hereby approves the subject
8 Conditional Use Permit and Precise Development Plan subject to the following **Conditions of
9 Approval:**

- 10 **1. The development and continued use of the property shall be in conformance with
11 submitted plans reviewed by the Planning Commission at their meeting of January
12 15, 2002. Minor modifications to the plan shall be reviewed and may be approved by
13 the Community Development Director.**
- 14 **2. Architectural treatment shall be as shown on building elevations and site and floor
15 plans. Any modification shall require approval by the Community Development
16 Director.**
- 17 **3. The project shall comply with the requirements of the Fire Department and the Public
18 Works Department.**
- 19 **4. The applicant shall obtain approval from the California Department of
20 Transportation for ingress and egress at the proposed driveway location, and any
21 design requirements of CalTrans shall be included on project plans prior to issuance
22 of building permits.**
- 23 **5. Final building plans/construction drawings including site, elevation, floor plan, sections, details,
24 signage, landscaping and irrigation, submitted for building permit issuance shall be reviewed for
25 consistency with the plans approved by the Planning Commission and the conditions of this resolution,
26 and approved by the Community Development Director prior to the issuance of any Building Permit.**
 - 27 **a.) Revised and detailed landscaping plans shall be included which specify plant
28 sizes, with all proposed trees to be minimum 36” box size, including two street
29 trees installed with proper driveway clearance.**
- 30 **6. All exterior lights shall be located and oriented in a manner to insure that
31 neighboring residential property and public right-of-way shall not be adversely
32 effected.**
- 33 **7. An oil separator for on-site stormwater drainage shall be provided in the parking lot
34 to the satisfaction of the Public Works Department.**

1 **8. The project and operation of the businesses shall comply with all applicable requirements of the**
2 **Municipal Code.**

3 Section 6. This grant shall not be effective for any purposes until the permittee and the owners
4 of the property involved have filed at the office of the Planning Division of the Community Development
5 Department their affidavits stating that they are aware of, and agree to accept, all of the conditions of
6 this grant.

7 The Conditional Use Permit and Precise Development Plan shall be recorded, and proof of
8 recordation shall be submitted to the Community Development Department.

9 Each of the above conditions is separately enforced, and if one of the conditions of approval is
10 found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.

11 Permittee shall defend, indemnify and hold harmless the City, it agents, officers, and employees
12 from any claim, action, or proceeding against the City or its agents, officers, or employee to attack, set
13 aside, void or annul this permit approval, which action is brought within the applicable time period of the
14 State Government Code. The City shall promptly notify the permittee of any claim, action, or
15 proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the
16 permittee of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the
17 permittee shall no thereafter be responsible to defend, indemnify, or hold harmless the City.

18 The permittee shall reimburse the City for any court and attorney's fees which the City may be
19 required to pay as a result of any claim or action brought against the City because of this grant.
20 Although the permittee is the real party in interest in an action, the City may, at its sole discretion,
21 participate at its own expense in the defense of the action, but such participation shall not relieve the
22 permittee of any obligation under this condition.

23 The subject property shall be developed, maintained and operated in full compliance with the
24 conditions of this grant and any law, statute, ordinance or other regulation applicable to any
25 development or activity on the subject property. Failure of the permittee to cease any development or
26 activity not in full compliance shall be a violation of these conditions.

27 The Planning Commission may review this Conditional Use Permit and Precise Development
28 Plan and may amend the subject conditions or impose any new conditions if deemed necessary to
29 mitigate detrimental effects on the neighborhood resulting from the subject use.

Section 7. 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.

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VOTE: AYES:
 NOES:
 ABSTAIN:
 ABSENT:

CERTIFICATION

I hereby certify that the foregoing Resolution P.C. 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 January 15, 2002.

Sam Perrotti, Chairman

Sol Blumenfeld, Secretary

Date

Pdpr01-21