

September 9, 2002

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

**Regular Meeting of  
September 17, 2002**

SUBJECT: CONDOMINIUM 02-10  
PRECISE DEVELOPMENT PLAN 02-12  
VESTING TENTATIVE PARCEL MAP #24249

LOCATION: 1723-25 GOLDEN AVENUE

APPLICANT: BRIAN KINEL  
12 THE STRAND  
HERMOSA BEACH, CA 90254

REQUEST: TO ALLOW A TWO-UNIT CONDOMINIUM PROJECT

**Recommendations**

To approve the Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map subject to conditions as contained in the attached Resolution.

**Background**

**PROJECT INFORMATION:**

GENERAL PLAN:	Medium Density Residential
ZONING:	R-2B
LOT SIZE:	6,287 Square Feet
EXISTING USE:	Duplex
PROPOSED SQUARE FOOTAGE:	Units 1: 2,276 square feet each Units 2: 1,862 square feet each
REQUIRED PARKING SPACES:	4 Standard 1 Guest
PROPOSED PARKING SPACES:	4 Standard 3 Guest
ENVIRONMENTAL DETERMINATION:	Categorically Exempt

At the meeting of October 29, 1996, the Planning Commission approved a Conditional Use Permit to allow the existing two units to be converted to condominiums, subject to conditions. The Planning Commission also granted three one-year extensions to the expiration date. The project approval expired on October 29, 2001.

The two detached units were constructed at different times, the front unit in 1981 and the rear unit in 1962 and remodeled in 1977. The front unit has a two car garage directly accessible from the street, and the rear unit has a two car garage accessible via a common driveway shared with the adjacent property.

### **Analysis**

The applicant is requesting to convert the existing dwelling units to condominium ownership. The Zoning Ordinance requires a Conditional Use Permit for condominium conversions, and sets forth the standards for review of such requests. The condominium conversion ordinance includes a provision that the Planning Commission shall require that the condominium conversions conform to current requirements of the city code. As such, staff has reviewed these plans to determine whether these dwelling units meet current zoning requirements.

Parking requirements are met as each unit has a two-car garage and guest parking spaces in front of the garages. The front unit complies with the current standard for a garage setback as the garage has a 19-foot setback from the back edge of the sidewalk. The turning radius for the rear unit garage does not comply with the standard for new projects, as it is 24 feet but slightly substandard relative to stall width dimensions. However, the rear garage does comply with the specific exception allowing a minimum of 20 feet turning radius for existing structures.

Although the currently submitted plans are the same plans approved at the October 29, 1996 meeting, there is no roof plan included for height determination. Staff believes the buildings are below the height limit, but that verification of the height is mandatory in order to approve the project. As a condition of approval, staff recommends that a roof plan with all height information shown be submitted, and if the height of the existing building is over the maximum allowable height then the building must be lowered or the project approval be revoked.

As a previous condition of approval, the applicant was required to submit a recorded joint easement agreement with the adjacent property owner for the common driveway access to the rear unit. The applicant has submitted this recorded easement agreement.

All required yards are provided. The minimum required private open space areas of 300 square feet per unit are provided for both units (a private rear patio and roof deck for the front unit and a private rear yard for the rear unit). The lot coverage is 40%, below the 65% maximum allowable.

Pursuant to the condominium ordinance, storage areas must be provided to comply with the requirement for 200 cubic feet of storage space per unit. Areas for trash facilities need to be noted on the submitted plans as well.

Pursuant to the condominium conversion ordinance the applicant must provide the following required items prior to any approval of a condominium conversion:

- Notice of Intent and evidence it was delivered to each tenant.
- Schedule of Rents for the last six months.

- Tenant Assistance Plan for relocation of tenants.
- Physical Report detailing the existing development's structural integrity.

The applicant has submitted all of these items. While the physical report notes some needed corrections, the buildings are generally in good condition.

CONCUR:

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Scott Lunceford  
Planning Assistant

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Sol Blumenfeld, Director  
Community Development Department

Attachments

1. Resolution
2. Location Map
3. Previous Zoning Analysis

Con02-10

**P.C. RESOLUTION 02-**

**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 #24249 FOR A TWO-UNIT DETACHED CONDOMINIUM CONVERSION PROJECT AT 1723 AND 1725 GOLDEN AVENUE, LEGALLY DESCRIBED AS LOT 11, ANGELA HEIGHTS TRACT.**

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

Section 1. An application was filed by Brian Kinell, owner of real property located at 1723 and 1725 Golden Avenue, seeking approval of a Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map #24249 for a two-unit condominium conversion project.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the subject application on September 17, 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 maintain the existing dwellings on the property, and develop a two-unit residential condominium conversion project.
2. The subject property proposed for condominium conversion development contains 6,287 square feet, is designated Medium Density Residential on the General Plan Map, and designated R-2B Limited Multiple Family Residential on the Zoning Map.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the application for a Conditional Use Permit, Precise Development Plan, 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 existing structures substantially comply with current zoning requirements and building code requirements;
4. Approval of this conversion is consistent with the intent and purposes of the condominium conversion ordinance (Section 17.22.070 of the Hermosa Beach Municipal Code);

1           5. The existing structures and intensity of development as proposed for conversion is compatible  
2 and consistent with applicable elements of the City's General Plan, and is compatible with the immediate  
3 environment;

4           6. The project, as conditioned, will conform to all zoning and condominium laws and criteria and  
5 will be compatible with neighboring residential properties;

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

8           8. The project is Categorical Exempt from the requirement for an environmental assessment,  
9 pursuant to the California Environmental Quality Act Guidelines, Sections 15303(b) and 15315 with the  
10 finding that the project is in an area with available services.

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

14           **1. The development and continued use of the property shall be in conformance with  
15 submitted plans, including landscape plans, received and reviewed by the Planning  
16 Commission at their meeting of September 17, 2002. Minor modifications to the building  
17 interior or minor changes to exterior architectural treatment shall be reviewed and may  
18 be approved by the Community Development Director.**

19           **a) Maximum and proposed building height at the correct critical point elevations shall  
20 be noted on the roof plan and all elevations and cross-sections. Project approval is  
21 subject to final height check and conformance to the maximum allowable height of 30  
22 feet.**

23           **2. The project shall meet all requirements of the Condominium Conversion Ordinance.**

24           **a) Each unit shall have the minimum 200 cubic feet of storage space and plans shall  
25 clearly denote storage space and the location of the FAU and vacuum canister, if  
26 provided.**

27           **b) Covenants, Conditions, and Restrictions in compliance with the Condominium  
28 Ordinance shall be submitted to the Community Development Department for review  
29 and approval prior to the issuance of building permits.**

**c) Proof of recordation of approved CC & R's shall be submitted to the Community  
Development Director six (6) months after recordation of the Final Map.**

**d) Evidence of compliance with the requirements of Sections 17.22.230 (Structural Pest  
Report), 17.22.240 (Fire Protection Standards), and 17.22.300 (Requirements for  
Pre-existing Buildings) regarding building structure and safety, including seismic  
safety, shall be provided to the Community Development Director prior to the  
approval of the Final Map, and shall also include the following:**

**1. Energy insulation standards: The buildings must comply with energy insulation  
standards of both the city and state applicable to new buildings to the extent that the**

1 following components are thereby required: insulation of the attic areas; and  
2 provision of weather stripping and other anti-infiltration treatments.

- 3
- 4 **2. There shall be compliance with all requirements of the Public Works Department and**  
5 **Fire Department.**
- 6 **3. A joint easement agreement providing for a common driveway with the adjacent property**  
7 **owner, a minimum of 9 feet in width, shall be recorded with the property to the**  
8 **satisfaction of the City Attorney.**
- 9 **4. Two copies of a final landscaping plan indicating size, type, and quantity of plant materials**  
10 **to be planted shall be submitted to the Community Development Department, Planning**  
11 **Division for review and approval prior to the issuance of Building Permits, consistent**  
12 **with landscape plans submitted to the Planning Commission, which shall also include the**  
13 **following:**
- 14 **a) Landscaping shall be provided in all available yard areas. At least two trees a**  
15 **minimum 36" box size shall be provided.**
- 16 **b) An automatic landscape sprinkler system shall be provided, and shall be shown on**  
17 **plans. (building permits are required)**
- 18 **5. Architectural treatment shall be as shown on building elevations and site and floor plans.**  
19 **Any modification shall require approval by the Community Development Director.**
- 20 **a) Precise building height shall be reviewed at the time of plan check, to the satisfaction**  
21 **of the Community Development Director.**
- 22 **6. Any satellite dish antennas and/or similar equipment shall comply with the requirements**  
23 **of Section 17.46.240 of the Zoning Ordinance.**
- 24 **7. Conduit shall be installed in each unit for cable television.**
- 25 **8. The address of each condominium unit shall be conspicuously displayed on the street**  
26 **side of the buildings with externally or internally lit numbers and the method for**  
27 **illumination shall be shown on plans. Addressing numbering and display subject to**  
28 **approval by the Community Development Department.**
- 29 **9. Roll-up Automatic garage doors shall be installed on all garage door openings.**
- 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.**
- a) 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**

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.
12. Prior to approval of the Final Map, and prior to issuance of a Certificate of Occupancy, outstanding assessments must either be paid in full or apportioned to any newly created parcels. Notice of same shall be provided to the Community Development Director. Assessment payoff amounts may be obtained by calling the City's Assessment Administrator at (800) 755-6864. Applications for apportionment may be obtained in the Public Works Department.
13. 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.
14. 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.

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. 02- 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 August 20, 2002.

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 Ron Pizer, Chairman

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 Sol Blumenfeld, Secretary

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 Date

Conr02-10