

P.C. RESOLUTION 02-40

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 Kinel, 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 Categorically 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

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

2. There shall be compliance with all requirements of the Public Works Department and Fire Department.
3. A joint easement agreement providing for a common driveway with the adjacent property owner, a minimum of 9 feet in width, shall be recorded with the property to the satisfaction of the City Attorney.
4. Two copies of a final landscaping plan indicating size, type, and quantity of plant materials to be planted shall be submitted to the Community Development Department, Planning Division for review and approval prior to the issuance of Building Permits, consistent with landscape plans submitted to the Planning Commission, which shall also include the following:
 - a) Landscaping shall be provided in all available yard areas. At least two trees a minimum 36" box size shall be provided.
 - b) An automatic landscape sprinkler system shall be provided, and shall be shown on plans. (building permits are required)
5. Architectural treatment shall be as shown on building elevations and site and floor plans. 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.
6. Any satellite dish antennas and/or similar equipment shall comply with the requirements of Section 17.46.240 of the Zoning Ordinance.
7. Conduit shall be installed in each unit for cable television.
8. The address of each condominium unit shall be conspicuously displayed on the street side of the buildings with externally or internally lit numbers and the method for illumination shall be shown on plans. Addressing numbering and display subject to approval by the Community Development Department.
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:	Hoffman, Kersenboom, Perrotti, Pizer
	NOES:	Tucker
	ABSTAIN:	None
	ABSENT:	None

CERTIFICATION

I hereby certify the foregoing Resolution P.C. 02-40 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.

Ron Pizer, Chairman

Sol Blumenfeld, Secretary

Date

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