

**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 #26814 FOR A TWO-UNIT CONDOMINIUM PROJECT, AT 538 AND 540, LEGALLY DESCRIBED AS LOT 16, TRACT 1074.**

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

Section 1. An application was filed by Robert S. Corry owner of real property located at 538 and 540 Manhattan Avenue, seeking approval of a Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map #26814 for a two-unit condominium project.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the subject application on November 19, 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 demolish the existing two dwellings on the property, and develop a two-unit residential condominium project.

2. The subject property proposed for condominium development contains 2,900 square feet, is designated High Density Residential on the General Plan Map, and designated R-3 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 Precise Development Plan, Conditional Use Permit, Vesting Tentative Parcel Map:

1. The map is consistent with applicable general and specific plans;

2. The site is zoned R-3 and is physically suitable for the type and density of proposed development;

3. The subdivision or types of improvements are 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;

1           5. Design of the proposed subdivision is compatible and consistent with applicable elements of  
2 the City's General Plan, and is compatible with the immediate environment;

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

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

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

11 **1. The development and continued use of the property shall be in conformance with**  
12 **submitted plans, including landscape plans, received and reviewed by the Planning**  
13 **Commission at their meeting of November 19, 2002, revised in accordance with the**  
14 **conditions below. Minor modifications to the building interior or minor changes to**  
15 **exterior architectural treatment shall be reviewed and may be approved by the**  
16 **Community Development Director.**

17           a) A minimum 100 square feet of open space shall be provided adjacent to the  
18 primary living area for each unit, and shall be at least 50% open to the sky in  
19 compliance with Section 17.12.080 of the Zoning Ordinance.

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

21           a) Each unit shall have the minimum 200 cubic feet of storage space and plans shall  
22 clearly denote storage space and the location of the FAU and vacuum canister, if  
23 provided.

24           b) The minimum wall insulation rating between units shall be 52 STC, and shall be  
25 clearly noted on submitted plans.

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

29           d) 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.

          e) Requirements of Section 17.22.060(G) & (H) shall be shown on structural plans and  
reviewed at the time of Building Division plan check.

**3. There shall be compliance with all requirements of the Public Works Department and  
Fire Department.**

**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,**

1 consistent with landscape plans submitted to the Planning Commission, which shall also  
2 include the following:

- 3 a) Landscaping shall be provided in available yard areas as shown on submitted plans.  
4 At least two trees a minimum 36" box size shall be provided.
- 5 b) An automatic landscape sprinkler system shall be provided, and shall be shown on  
6 plans.

7 **5. Architectural treatment shall be as shown on building elevations and site and floor  
8 plans. Any modification shall require approval by the Community Development  
9 Director.**

- 10 a) Precise building height shall be reviewed at the time of plan check, to the  
11 satisfaction of the Community Development Director.

12 **6. Any satellite dish antennas and/or similar equipment shall comply with the requirements  
13 of Section 17.46.240 of the Zoning Ordinance.**

14 **7. The address of each condominium unit shall be conspicuously displayed on the street  
15 side of the buildings with externally or internally lit numbers and the method for  
16 illumination shall be shown on plans. Addressing numbering and display subject to  
17 approval by the Community Development Department.**

18 **8. Roll-up Automatic garage doors shall be installed on all garage door openings.**

19 **9. Two copies of final construction plans, including site, elevation and floor plans, which  
20 are consistent with the conditions of approval of this conditional use permit, shall be  
21 reviewed and approved by the Planning Division for consistency with Planning  
22 Commission approved plans prior to the submittal to the Building Division for Plan  
23 Check.**

- 24 a) If the drainage of surface waters onto the property requires a sump pump to  
25 discharge said waters onto the street, the property owner(s) shall record an  
26 agreement to assume the risk associated with use and operation of said sump pump;  
27 release the City from any liability; and indemnify the City regarding receipt of  
28 surface waters onto the property

29 **10. 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.**

**11. 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.**

**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-**

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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.**

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 November 19, 2002.

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Ron Pizer, Chairman

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Sol Blumenfeld, Secretary

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Date

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