

November 26, 2002

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

**Regular Meeting of
December 4, 2002**

SUBJECT: CONDOMINIUM 02-18 AMENDMENT

LOCATION: 49 & 55 8TH STREET

APPLICANTS: BRIAN DURHAM THOMAS HILL
49 8TH STREET 55 8TH STREET

REQUEST: AMENDMENT TO AN EXISTING FOUR-UNIT CONDOMINIUM
TO ENCLOSE EXISTING SECOND FLOOR DECKS AND ADD
NEW DECKS ON THE THIRD FLOOR.

Recommendations

To approve the request subject to conditions as contained in the attached Resolution.

Background

At the meeting of November 14, 1977, the Planning Commission approved a Conditional Use Permit and Tentative Map for the subject 4-unit condominium project located at the north side of 8th Street between Beach Drive and Hermosa Avenue. At the meetings of November 4 and December 1, 1992, the Planning Commission heard and denied a request to enclose the covered second story deck of one of the rear units, which was similar to the currently proposed request. The main reason for the denial (as shown in attached Resolution 92-61) was that the Planning Commission was concerned that only one of the rear decks would be enclosed, thereby having a negative affect on the overall architecture and symmetrical appearance of the building.

Analysis

The applicants are proposing to enclose the covered second story decks on both the rear units facing the alley. This expansion would result in an additional 135 square feet of gross floor area for each unit.

Enclosing the covered portion of the second story decks results in a 63 square feet reduction of open space for each unit. This reduction occurs because each deck includes a 4.5 foot overhang which is clear to sky, thus the northerly 9 foot by 7 foot deck areas qualify as open space because open space in the R-3 zone is allowed to be up to 50 percent covered pursuant to Section 17.16.080 of the Zone Code. By enclosing the covered area, the open space would be reduced to a 4.5 foot dimension and would no longer qualify as open space because of not having the minimum 7 foot dimension.

The applicants propose to add additional deck areas for each unit on the third floors to offset the open space lost by enclosing the covered decks on the second floor. The proposed third floor deck additions extend existing decks over currently unused roof areas and result in an addition of 137 square feet of open space for each unit. The decks would be within the existing building footprint and below the existing building height at the same elevation as the existing third floor decks.

The proposed addition complies with all zoning requirements including height, open space and lot coverage. While the proposed changes modify the massing and architectural appearance of the existing building, the changes do not appear to compromise the overall architecture and symmetrical appearance of the building as was a previous Planning Commission concern in 1992. Also, the applicants plan on using the same contractor to do the work for both units in order to have continuity and consistency of work done on both units.

Scott Lunceford
Planning Assistant

CONCUR

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Resolution
2. Photos
3. Copy of Resolution 92-61

Conamend49 (02-18)



P.C. RESOLUTION 02-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT AMENDMENT TO AN EXISTING FOUR-UNIT CONDOMINIUM TO ENCLOSE EXISTING SECOND FLOOR DECKS AND ADD NEW DECKS ON THE THIRD FLOOR, AT 49 AND 55 8TH STREET, LEGALLY DESCRIBED AS CONDOMINIUM UNITS 3 AND 4 OF LOT 1, CONDOMINIUM PARCEL MAP 121-14-15

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

Section 1. An application was filed by Brian Durham and Thomas Hill, owners of real property located at 49 and 55 8th Street respectively, seeking approval of a Conditional Use Permit Amendment to an existing four-unit condominium to enclose existing second floor decks and add new decks on the third floor.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the subject application on December 4, 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 applicants are proposing to enclose the covered second story decks, resulting in an additional 135 square feet of gross floor area, in the two rear units within an existing four-unit condominium project;

2. The applicants are also proposing to add 137 square feet to existing third story decks in each of the rear units;

3. The units will still comply with current open space requirements even with the proposed reduction of usable open space caused by the enclosure because of the addition to the third story decks;

4. Design of the proposed addition is compatible and consistent with the existing condominium project.

Section 4. Based on the foregoing, the Planning Commission hereby approves the subject Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map subject to the following **Conditions of Approval:**

- 1. The addition shall be in conformance with submitted plans received and reviewed by the Planning Commission at their meeting of December 4, 2002.**
- 2. The addition shall meet all requirements of the Condominium Ordinance.**

- 1 **3. Architectural treatment shall be as shown on plans and shall match existing exterior**
2 **materials of the building.**
- 3 **4. There shall be compliance with all requirements of the Public Works Department and**
4 **Fire Department.**
- 5 **5. Any satellite dish antennas and/or similar equipment shall comply with the requirements**
6 **of Section 17.46.240 of the Zoning Ordinance.**
- 7 **6. Two copies of final construction plans, including site, elevation and floor plans, which**
8 **are consistent with the conditions of approval of this conditional use permit amendment,**
9 **shall be reviewed and approved by the Planning Division for consistency with Planning**
10 **Commission approved plans prior to the submittal to the Building Division for Plan**
11 **Check.**
 - 12 **a) If the drainage of surface waters onto the property requires a sump pump to**
13 **discharge said waters onto the street, the property owner(s) shall record an**
14 **agreement to assume the risk associated with use and operation of said sump pump;**
15 **release the City from any liability; and indemnify the City regarding receipt of**
16 **surface waters onto the property.**
- 17 **7. Prior to the submittal of structural plans to the Building Division for Plan Check an**
18 **Acceptance of Conditions affidavit shall be filed with the Planning Division of the**
19 **Community Development Department stating that the applicant/property owner is**
20 **aware of, and agrees to accept, all of the conditions of this grant.**
- 21 **8. Prior to approval of the Final Map, and prior to issuance of a Certificate of Occupancy,**
22 **outstanding assessments must either be paid in full or apportioned to any newly created**
23 **parcels. Notice of same shall be provided to the Community Development Director.**
24 **Assessment payoff amounts may be obtained by calling the City's Assessment**
25 **Administrator at (800) 755-6864. Applications for apportionment may be obtained in the**
26 **Public Works Department.**
- 27 **9. The Conditional Use Permit Amendment shall be null and void eighteen months from**
28 **the date of approval unless building permits have been obtained. The applicant may**
29 **apply in writing for an extension of time to the Planning Commission prior to the date of**
30 **expiration.**
- 31 **10. Prior to issuance of a building permit, abutting property owners and residents within 100**
32 **feet shall be notified of the anticipated date for commencement of construction.**
 - 33 **a) The form of the notification shall be provided by the Planning Division of the**
34 **Community Development Department.**
 - 35 **b) Building permits will not be issued until the applicant provides an affidavit certifying**
36 **mailing of the notice.**

37 Section 5. Pursuant to the Code of Civil Procedure Section 1094.6, any legal challenge to the
38 decision of the Planning Commission, after a formal appeal to the City Council, must be made within 90
39 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 December 4, 2002.

Ron Pizer, Chairman

Sol Blumenfeld, Secretary

Date

conamendr49 (02-18)