

plans and process related discretionary permits to create a code complying building to store dirt and construction materials.

Analysis

The applicant is proposing to construct a 7,900 square foot multi-use industrial building with two stories above basement level parking. The project is subject to a Precise Development Plan because it involves construction of a building 1,500 sq. ft. or greater and requires a Parking Plan to accommodate tandem parking which is required to satisfy the full complement of required parking.

Precise Development Plan

The project is a modern styled building that exceeds the design standards of typical buildings in the industrial zone. Pursuant to setback requirements for industrial uses adjacent to residential uses, the proposed building has a 10' landscaped setback from the westerly property line that is shared with adjacent residential properties. There are no other yard or building setback limitations applicable to the project in the M-1 zone.

The building is proposed to conform to the 35' building height limit (please see plans and height calculation). The architect has taken advantage of the steeply sloping southwest corner of the lot in the building design so that the building will not adversely impact the views of the residential uses to the west.

The applicant has indicated that he intends to occupy 1,825 square feet and lease the remainder of the building to tenants such as artists and contractors who will primarily operate as storage facilities with appurtenant offices pursuant to the requirements of the M-1 zone. The applicant proposes to operate a storage facility involving concrete and block within part of the proposed building and store dirt/sand in the basement. The other tenant spaces are designed to meet the needs of small manufacturing, warehousing and/or artist and architectural studio uses. The uses are consistent with those permitted in the zone. However, given the flexible nature of the proposed building, staff believes that incompatible uses not allowed in the zone, such as general office, may potentially occupy the building. Staff recommends the Commission adopt a condition limiting the types of tenants occupying the building to those uses allowed in the zone.

Because the dirt/sand storage use will be located below grade in the basement level of the project, potential noise impacts associated with the heavy equipment used for dirt/sand storage will be substantially mitigated for surrounding uses. Potential impacts from contractor storage and light manufacturing in the building are anticipated to be negligible and may include noise, odors, fumes, traffic.

Parking Plan

Parking for the proposed project is provided on the basement level (12 spaces), on the first floor (23 spaces – 10 tandem), and directly adjacent to Cypress Avenue (3 spaces). The parking area and dirt/sand storage area on the basement level are accessed from a ramp up to Cypress Avenue. The first story parking area is accessed from a ramp down to 6th Street. All of the spaces meet or exceed the minimum size requirements for commercial and industrial parking, with no compact spaces proposed.

A Parking Plan is required because the applicant is proposing to provide 10 tandem parking spaces. Since it is not possible to provide all of the required parking in a conventional layout, there is arguably less than required parking for the project. However by providing the parking in tandem the deficiency can be resolved. The Planning Commission may approve a Parking Plan for a deficiency in parking taking into consideration such factors that will compensate for the parking “deficiency”. The tandem parking spaces are arranged in 4-car garages that are dedicated with direct stair access to 5 of the individual tenant areas on the second floor. Because a single tenant occupies each garage, and the owner characterized these uses as primarily warehousing with appurtenant office, the tandem parking can be easily managed.

Three parking spaces are also proposed to back directly onto Cypress Avenue which is permitted so long as they do not back onto a major street. The three parking spaces that back directly onto Cypress Avenue are nine feet from the back of sidewalk and need 25 feet of backing area per current parking standards. Pursuant to Section 17.44.160 E (Required improvement and maintenance of parking area), traffic circulation within an off-street parking facility except for residential parking shall be designed to ensure that no automobile need enter a major street backwards in order to leave such parking facility. According to the street classification system in the Circulation Element of the General Plan, Cypress Avenue is a local street, not a major street such as an arterial or collector street. Thus the proposed parking egress onto Cypress Avenue is consistent with this provision of the Zone Code.

If the project is approved, staff recommends that the Commission impose a 120-day deadline (from the date of Planning Commission approval) for submittal of final construction plans and building permit fees given the previous code enforcement history connected to the property.

Scott Lunceford
Planning Assistant

Concur:

Sol Blumenfeld, Director
Community Development

Attachments

1. Proposed Resolution
2. Location Map

3. Photographs
4. Code Enforcement Report
5. Height Calculation

pdp601(03-3)

P.C. RESOLUTION 03-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PRECISE DEVELOPMENT PLAN AND PARKING PLAN TO ALLOW DEVELOPMENT OF A TWO-STORY, 7,900 SQUARE FOOT MULTI-USE MANUFACTURING BUILDING WITH TEN TANDEM PARKING SPACES AND THREE PARKING SPACES BACKING ONTO CYPRESS AVENUE AT 601 CYPRESS AVENUE, LEGALLY DESCRIBED AS LOTS 11-14 INCLUSIVE, BLOCK H, TRACT NO. 1686

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

Section 1. An application was filed by David B. Shaw, owner of property comprising the project site at 601 Cypress Avenue, seeking approval of a Precise Development Plan and Parking Plan to construct a 7,900 square foot multi-use manufacturing building with ten tandem parking spaces and three parking spaces backing onto Cypress Avenue.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for a Precise Development Plan and Parking Plan on January 21, 2003, and considered testimony and evidence. Based on the testimony and evidence received the Planning Commission makes the following factual findings:

1. The applicant is proposing to construct a two-story, 7,900 square foot multi-use manufacturing building with ten tandem parking spaces and three parking spaces backing onto Cypress Avenue, which requires a Precise Development Plan and Parking Plan pursuant to Chapters 17.44 and 17.58 of the Zoning Ordinance.
2. The existing site is vacant and zoned M-1 - Light Industrial.
3. The subject property is located on the northwest corner of 6th Street and Cypress Avenue.

Section 3. Based on the foregoing factual findings the Planning Commission makes the following findings pertaining to the application for a Precise Development Plan and Parking Plan:

1. The general criteria of Hermosa Beach Municipal Code Section 17.58.030(B) for granting or conditionally granting a Precise Development Plan in the M-1 zone have been considered. In making this finding, the Planning Commission has determined that:
 - a. The proximity of the project to existing residential uses to the west will not result in negative effects with incorporation of the conditions below.
 - b. The use proposed is compatible with each other and with the area.
 - c. Building and driveway orientation is appropriate to minimize noise and traffic impacts on nearby residential areas.
 - d. The project will not result in adverse noise, odor, dust or vibration environmental impacts.

1 e. The proposed use will not result in an adverse impact on the City's infrastructure and/or
2 services.

3 2. The criteria of Hermosa Beach Municipal Code Section 17.58.030(C) for denial of a
4 Precise Development Plan are not applicable. In making this finding, the Planning Commission has
5 determined that:

6 a. The project will not substantially depreciate property values in the vicinity, or interfere with
7 the use or enjoyment of property in such area, because of excessive dissimilarity or
8 inappropriateness of design in relation to the surrounding vicinity.

9 b. The project will not have significant environmental adverse impacts.

10 3. The general criteria of Hermosa Beach Municipal Code Section 17.44.210(B) for granting
11 or conditionally granting a Parking Plan in the M-1 zone have been considered. In making this finding, the
12 Planning Commission has determined that:

13 a. The tandem parking spaces are arranged in 4-car garages that are dedicated with direct
14 access to 5 of the individual tenant areas on the first floor. Because a single tenant occupies
15 each garage, there would be no conflicts with parking management as far as the tandem
16 parking is concerned.

17 b. The proposed parking egress onto Cypress Avenue is consistent with Section 17.44.160E of
18 the Zone Code for three parking spaces that back directly onto Cypress Avenue because
19 Cypress Avenue is a local street and not a major street (arterial or collector street).

20 4. The proposed project will be consistent with the General Plan and Zone Code, and will
21 resolve the code violations that currently exist at the subject property.

22 Section 4. Environmental Exemption.

23 1. The project is Categorically Exempt from the requirements of the California
24 Environmental Quality Act, pursuant to CEQA guidelines, Section 15332 with the following findings: the
25 project is an in-fill project that is consistent with the applicable general plan designation and all applicable
26 general plan policies as well as with applicable zoning designation and regulations, the proposed
27 development occurs within city limits on a project site of no more than five acres substantially surrounded
28 by urban uses, the project site has no value as habitat for endangered, rare or threatened species, approval
29 of the project would not result in any significant effects relating to traffic, noise, air quality, or water
quality, and the site is adequately served by all required utilities and public services.

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

31 **1. The development and continued use of the property shall be in conformance with submitted
32 plans as revised and reviewed by the Planning Commission at their meeting of January 21,
33 2003, incorporating all revisions as submitted by the applicant, and as required by the
34 conditions below.**

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- (a) A minimum 10-foot landscaped setback from the westerly property line shall be provided at the second story.
- (b) A minimum 8-foot high decorative concrete masonry block wall shall be provided along the westerly property line.
- 2. The Precise Development Plan and Parking Plan shall only be in effect after the lots comprising the project site are merged in accordance with Section 16.20.110 of the Subdivision Ordinance.
- 3. Final building plans shall be submitted and all building permit fees shall be remitted within 120 days from the date of Planning Commission approval.
- 4. Architectural treatment of the building shall be as shown on building elevations and site and floor plans.
- 5. A detailed drainage and Stormwater Pollution Prevention Plan is required for approval by the Public Works Department, prior to the issuance of building permits and implemented on site, demonstrating that on-site drainage will be eliminated through a filtering system with final specification subject to approval by the Public Works Department.
- 6. The applicant is responsible for all off-site right-of-way construction required by the Public Works Department.
- 7. The project shall comply with the requirements of the Fire Department.
- 8. Final building plans/construction drawings including site, elevation, floor plan, sections, details, signage, landscaping and irrigation, submitted for building permit issuance shall be reviewed for consistency with the plans approved by the Planning Commission and the conditions of this resolution, and approved by the Community Development Director prior to the issuance of any Building Permit.
- 9. All exterior lights shall be located and oriented in a manner to insure that neighboring residential property and public right-of-way shall not be adversely affected.
- 10. All roof equipment shall be located and designed to be screened from public view by the parapet walls.
- 11. The project and operation of the business shall comply with all applicable requirements of the Municipal Code.
- 12. The Precise Development Plan and Parking Plan shall be recorded, and proof of recordation shall be submitted to the Community Development Department.
- 13. Each of the above Conditions of Approval is separately enforced, and if one of the Conditions of Approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.
- 14. Permittee shall defend, indemnify and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employee to attack, set aside, void or annul this permit approval, which action is brought

1 within the applicable time period of the State Government Code. The City shall promptly
2 notify the permittee of any claim, action, or proceeding and the City shall cooperate fully in
3 the defense. If the City fails to promptly notify the permittee of any claim, action or
4 proceeding, or if the City fails to cooperate fully in the defense, the permittee shall no
5 thereafter be responsible to defend, indemnify, or hold harmless the City.

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

11 **16. The subject property shall be developed, maintained and operated in full compliance with
12 the conditions of this grant and any law, statute, ordinance or other regulation applicable to
13 any development or activity on the subject property. Failure of the permittee to cease any
14 development or activity not in full compliance shall be a violation of these conditions.**

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

19 Section 7. Pursuant to the Code of Civil Procedure Section 1094.6, any legal challenge to the
20 decision of the Planning Commission, after a formal appeal to the City Council, must be made within 90
21 days after the final decision by the City Council.

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