

February 9, 2004

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

**Regular Meeting of
February 17, 2004**

SUBJECT: GENERAL PLAN AMENDMENT 04-1
ZONE CHANGE 04-1
CONDOMINIUM 04-2
PRECISE DEVELOPMENT PLAN 04-2
V.T.P.M. No. 060398

LOCATION: 710 2nd STREET

APPLICANT: BRENNAN DEVELOPMENT
1440 HIGHLAND AVENUE, D-170
MANHATTAN BEACH, CA 90266

REQUEST: GENERAL PLAN AMENDMENT FROM COMMERCIAL CORRIDOR TO
MEDIUM DENSITY RESIDENTIAL AND ZONE CHANGE FROM
SPECIFIC PLAN AREA NO. 7 (COMMERCIAL) TO R-2 (TWO-FAMILY
RESIDENTIAL)

Recommendation:

Direct staff as deemed appropriate regarding a recommendation to the City Council for the General Plan Amendment and Zone Change.

ALTERNATIVE FOR THE 2-UNIT CONDOMINIUM

Approve the Condominium, Precise Development Plan and Vesting Tentative Map subject to Conditions contained in the attached Resolution (including the condition that the approval will only go into effect if the City Council approves the General Plan Amendment and Zone Change)

Background

SITE INFORMATION

GENERAL PLAN:	Commercial Corridor (MD Residential Proposed)
ZONING:	S.P.A. 7 (R-2 proposed)
LOT SIZE:	4,592 Square Feet
EXISTING USE:	Single Family Residence
PARKING REQUIRED:	4 Standard, 1 Guest
PARKING PROVIDED:	4 Standard, 1 Guest

The subject lot is located on the south side of Second Street and is the first lot west of the commercial development that fronts on Pacific Coast Highway. The commercial site was previously an auto dealership including repair, and is the site is currently under construction for a new full-service Sav-On drugstore. The lot is located at a depth of 230 to 270 feet from P.C.H. The S.P.A. 7 zoning for the site would allow reconstruction of a new single-family residence, but would not allow any two family or multiple family residential use.

The subject lot is currently developed with a single-family residence, constructed in the 1920's or earlier and is nonconforming to the current zoning. A second unit existed on the back of the lot, constructed in 1935, but has since been demolished.

Prior to 1982, the property was zoned residential, as shown on historic zoning and land use maps, which show a commercial depth along 2nd Street, not including the subject lot, with depths at 230 feet (1956 zoning map) and 110 feet (1943 zoning/land use map). The subject lot, however, was rezoned from R-3 to C-3 in 1982 by the City Council, at the request of the property owner, and the current Commercial Corridor General Plan designation and the S.P.A. 7 zoning were established in 1989 as part of the P.C.H. Multi-Use Corridor study. There is no record of any commercial use of the property, and the result is that the current residential use is nonconforming.

The property directly to the south behind the subject lot is zoned R-2 and developed residentially. The property across 2nd Street to the north Street is designated Medium Density and Zoned R-2, and is developed residentially currently used for a residential trailer park. The properties to the west are used and designated for residential purposes. (See the attached aerial photo and General Plan and Zoning Maps).

The Staff Environmental Review Committee, at their meeting of January 8, 2004, recommended an environmental negative declaration for the proposed General Plan Amendment/Zone Change, since it would not change the existing residential use of the site, and would result in a compatible residential density with surrounding residential properties.

Analysis

The applicant's request to re-designate and rezone the property to MD Residential and R-2 would allow exclusive residential use of the lot and allow either single-family use or a 2-unit condominium project. A two-unit development would result in a density that is consistent with surrounding residential densities and compatible with the development pattern of the area to the north, south and west.

Approving this change would preclude any possible future expansion of the Pacific Coast Highway fronting commercial property, although this is improbable given that this lot is located east of the new Sav-On development. For similar zone change proposals, the City has denied the request in order to allow the property to be assembled with the P.C.H fronting property to encourage higher quality commercial projects or add commercial parking to improve existing commercial activity. Given that the developers of the Sav-On project did not incorporate this property, and did not need this extra depth, this argument may not apply in this case. Also, the rezoning would preclude the separate use of this property for commercial uses. Use of this property as an exclusive use, however, is not possible without frontage on P.C.H, since the S.P.A. 7 zone does not permit commercial projects with access exclusively on the residential side streets. Recent direction from the City Council on the issue of commercial depths along P.C.H. has been to maintain commercial depths and not allow encroachment of residential uses.

The applicant argues that this property is unique, however, given that this side of the block currently has a greater commercial depth than either block to the north or south. As such the property is surrounded by residential uses to the north, south and east. Further the grade level of this property is significantly lower than the adjacent commercial property, further isolating this property from the commercial P.C.H. fronting development, and any reasonable potential for commercial use without significantly altering the grade. Therefore, opportunities for commercial use of this property are extremely limited and probably not the best use for the neighborhood.

Analysis - 2-unit Condominium

The project consists of detached three level structures, containing basements with two stories above. The units contain 4 bedrooms and 3 ½ baths and roof decks. The units are designed in Contemporary/Mediterranean style, with stucco finishes, tile roofs, and wrought-iron deck railings.

Both units are designed to comply with the 30-foot maximum height limit at the critical points, as depicted on the roof plan and elevations. All required yards are provided and the lot coverage calculates to be 62%, below the 65% maximum allowable. The front yard is proposed to be 5 feet, which is not consistent with the front yard of the existing structure (approx. 12 feet) and many of the front yards along 2nd Street, which appear to be 10 feet, although a new project at the corner of 2nd and Ardmore has a 5-foot front yard. In similar situation in this R-2-zoned area between Ardmore Avenue and P.C.H., the Commission has required setbacks consistent with existing development. Therefore, staff is recommending a condition that a minimum 10-foot front yard be provided for the project.

The proposed open space is provided on second story decks adjacent to the living and dining areas, and in the roof decks. The total amount provided exceeds the minimum requirement of 300 square feet. The amount provided in the second floor decks adjacent to the primary living space is 251 and 265 square feet, which is 100%, open to the sky. The plan provides for landscaping in the areas available between and around the perimeter of the buildings. The plan includes 4 trees identified as 36" box size. Required parking is provided in garages on the ground floor of each unit with access along a common driveway. One guest parking space is provided at the end of the driveway. The curb cut replaces an existing curb, so the project does not cause the loss of any on-street parking

Staff is also including a condition that the condominium approval will only become effective if the City Council approves the General Plan Amendment and Zone Change.

Conclusion:

Although the City Council and Planning Commission have previously resisted re-designation of commercially designated zoned property in the City under similar circumstances this property has some unique history and unique conditions that may warrant special consideration. If the General Plan and Zone Changes are approved, staff recommends approval of the condominium project subject to conditions as contained in the attached resolution.

Ken Robertson
Associate Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Proposed Resolution
2. Maps (Location, General Plan, Zoning)
3. Aerial Photo and site photos
4. Applicant's letter and analysis
5. Zoning Analysis of Condominium

710 Second Street



P.C. RESOLUTION 04-

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 #060398 FOR A TWO-UNIT CONDOMINIUM PROJECT, AT 710 SECOND STREET LEGALLY DESCRIBED AS LOT 99, WALTER RANSOM CO'S VENABLE PLACE

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

Section 1. An application was filed by Jim Brennan, owner in escrow of real property located at 710 2nd Street, seeking approval of a Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map #060398 for a two-unit condominium project.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the subject application on February 17, 2004, 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 single-family residence on the property, and develop a two-unit residential condominium project.

2. The subject property proposed for condominium development contains 4,592 square feet, and is recommended to be re-designated Medium Density Residential on the General Plan Map, and recommended to be changed to R-2 Two-Family Zone on the Zoning Map pending final approval by the City Council..

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, and Vesting Tentative Parcel Map:

1. The map is consistent with applicable general and specific plans as proposed to be amended;

2. The site if rezoned to R-2 will be 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 February 17, 2004, revised in accordance with the**
14 **conditions below.**

15 a) **The plans shall be revised to provide a 10-foot front yard setback.**

16 b) **The plan shall be revised to show screened locations for trash receptacles.**

17 **2. The Conditional Use Permit, Precise Development Plan and Vesting Tentative Parcel**
18 **Map shall only become effective if the City Council approves the proposed General**
19 **Plan Amendment to re-designate the subject property to Medium Density Residential**
20 **on the General Plan Map and the proposed Zone Change from S.P.A. 7 Commercial to**
21 **R-2 on the Zoning Map.**

22 **3. The project shall meet all requirements of the Condominium Ordinance.**

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

26 b) **The minimum wall insulation rating between units shall be 52 STC. The STC rating**
27 **shall be properly noted on the proposed plans.**

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

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

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

35 **4. There shall be compliance with all requirements of the Public Works Department and**
36 **Fire Department. Public Works Department requirements may include new street**

pavement to centerline of street, curb, gutter and sidewalk along property frontage, undergrounding of overhead utilities, and new sewer lateral.

5. 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:
6. The final landscaping plan shall show accurate placement of plant materials provided in available yard areas pursuant to the plans reviewed by the Planning Commission. At least two trees a minimum 36" box size shall be provided.
7. An automatic landscape sprinkler system shall be provided, and shall be shown on plans. (building permits are required)
8. Architectural treatment shall be as shown on building elevations and site and floor plans.
9. Precise building height shall be reviewed at the time of plan check, to the satisfaction of the Community Development Director.
10. Any satellite dish antennas and/or similar equipment shall comply with the requirements of Section 17.46.240 of the Zoning Ordinance.
11. 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.
12. Roll-up Automatic garage doors shall be installed on all garage door openings.
13. 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.
14. 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
15. 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.
16. 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

1 **Administrator at (800) 755-6864. Applications for apportionment may be obtained in the Public Works Department.**

2 **17. The Conditional Use Permit, and Precise Development Plan shall be null and void**
3 **eighteen months from the date of approval unless building permits have been obtained,**
4 **and approval of the Vesting Tentative Parcel Map shall become null and void twenty-**
5 **four months from the date of approval unless the map is finalized and the project**
6 **implemented. The applicant may apply in writing for an extension of time to the**
7 **Planning Commission prior to the dates of expiration.**

8 **18. Prior to issuance of a building permit, abutting property owners and residents within 100**
9 **feet shall be notified of the anticipated date for commencement of construction.**

10 **19. The form of the notification shall be provided by the Planning Division of the**
11 **Community Development Department.**

12 **20. Building permits will not be issued until the applicant provides an affidavit certifying**
13 **mailing of the notice.**

14 Section 6. Pursuant to the Code of Civil Procedure Section 1094.6, any legal challenge to the
15 decision of the Planning Commission, after a formal appeal to the City Council, must be made within 90
16 days after the final decision by the City Council.

17 VOTE: AYES:
18 NOES:
19 ABSTAIN:
20 ABSENT:

21 CERTIFICATION

22 I hereby certify the foregoing Resolution P.C. 04- is a true and complete record of the action taken by
23 the Planning Commission of the City of Hermosa Beach, California, at their regular meeting of February
24 17, 2004.

25 _____
26 Langley Kersenboom, Chairman

27 _____
28 Sol Blumenfeld, Secretary

29 _____
30 February 17, 2004

31 Date

32 Cd/pc/2004/2-17-04/contr710-2nd