

May 12, 2004

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

**Regular Meeting of
May 17, 2004**

SUBJECT: CONDOMINIUM 04-9
PRECISE DEVELOPMENT PLAN 04-10
VESTING TENTATIVE PARCEL MAP #061109

LOCATION: 970 6TH STREET

APPLICANT: CHARLES W. GEE
7030 SAGE LANE
KNOXVILLE, TN 37931

REQUEST: TO ALLOW A TWO-UNIT CONDOMINIUM PROJECT

Recommendations

To approve the Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map subject to conditions as contained in the attached Resolution.

Background

PROJECT INFORMATION:

GENERAL PLAN:	Medium Density Residential
ZONING:	R-2B
LOT SIZE:	8,294 Square Feet
EXISTING USE:	Single Family Dwelling
PROPOSED SQUARE FOOTAGE:	Unit A: 3,908 square feet Unit B: 3,664 square feet
PARKING REQUIRED:	4 standard and 1 guest
PARKING PROVIDED:	4 standard and 3 guest
ENVIRONMENTAL DETERMINATION:	Categorically Exempt

The subject site is located on the south side of 6th Street between Pine Street and Prospect Avenue.

Analysis

The project consists of two separate two-story buildings each above a basement level. The front unit contains 4 bedrooms, an office and 3 full bathroom and 2 half bathrooms. The rear unit contains 5 bedrooms, an office and 3 full bathrooms, and 1 half bathroom. The buildings are designed in a Mediterranean style of architecture, with exterior stucco finishes, red clay "s" tile roofing, wrought iron railings, and wood corbels. The plans are not well developed and significant design details are not shown clearly.

The garages for both units are accessed from 6th Street with a common drive. One garage is loaded in the front directly from 6th Street, while the other garage, for Unit B, is at the end of a 90 foot driveway. Required parking is provided in the two car garages, with guest parking provided in tandem in the front driveway and in front of the garage at the rear for a total of 3 guest spaces. No on-street parking is lost as a result of widening the driveway since no parking is allowed on the south side of 6th Street. While the tandem guest parking with direct access from 6th street is typical for these types of projects, and is fairly convenient for the users, tandem parking at the end of the long driveway is not typical for a project of this type, and will create an inconvenience should the guest vehicle have to be moved to allow a car parked in the garage to exit. Given the large size of the lot there is ample area to provide guest parking for the rear unit in another location that does not block the back-up area for the garage stalls. Staff is recommending this revision as a condition of approval.

The project generally complies with zoning requirements. The building is designed to comply with the height limit of 30 feet as required for the R-2B zone, as measured at the critical points on the roof. The lot coverage calculates to be 42%, which is well below the 65% maximum allowable. All required yards are provided, including a front yard of 13 feet to exceed the minimum of 5 feet. The proposed private open space areas are provided within second story decks adjacent to the living rooms, roof decks and yard areas between and behind the buildings and are well in excess of the minimum of 300 square feet per unit. The amount provided adjacent to the primary living space is 236 square feet for the front unit and 120 square feet for the rear unit.

Storage areas are provided, complying with the requirement for 200 cubic feet of storage space per unit and an area for trash facilities are provided as well.

Landscape plans are included, and show a generous amount of landscaping along the driveway, in between the units, and in the rear. Two 36" box trees are also provided consistent with the standard requirement of the Commission for condominium projects. Staff also recommends that the concrete driveway be enhanced with a decorative finish. Further, the building elevations are not well developed and the building facades do not contain much relief, therefore, staff is recommending the building be enhanced with more detail such as riglets, coping and/or belly bands.

CONCUR:

Ken Robertson
Senior Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Resolution
2. Location Map
3. Photographs

4. Residential Zoning Analysis/Height Calculation

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970
6th Street

P.C. RESOLUTION 04-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR ON-SALE BEER AND WINE IN CONJUNCTION WITH AN EXISTING RESTAURANT AT 1121 AVIATION BOULEVARD

Section 1. An application was filed by Ki Yon Kim, seeking approval for on-sale beer and wine in conjunction with a restaurant.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for the Conditional Use Permit on May 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 subject restaurant space is approximately 1,500 square feet, and is being remodeled to add a sushi bar and to accommodate male and female bathroom facilities. It is located within a shopping center at the corner of Aviation Boulevard and Prospect Avenue that contains a variety of other businesses, and previous use of the subject space was also for restaurant purposes.

2. The site is zoned C-3, General Commercial allowing restaurant uses, and on-sale beer and wine with approval of a Conditional Use Permit. Since the occupancy of the building will continue to be used for restaurant purposes there is no intensification of use, and no requirement for additional parking.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the application for a Conditional Use Permit:

1. The site is zoned C-3, and is suitable for the proposed use;
2. The proposed use is compatible with surrounding commercial and residential uses;
3. The imposition of conditions as required by this resolution will mitigate any negative impacts on nearby residential or commercial properties;
4. This project is Categorically Exempt pursuant to Section 15303c of the California Environmental Quality Act.

Section 5. Based on the foregoing, the Planning Commission hereby approves the Conditional Use Permit subject to the following **Conditions of Approval**;

- 1
2 **1. The project shall be substantially consistent with submitted plans as reviewed by the**
3 **Planning Commission on May 17, 2004. Modifications to the plan shall be reviewed**
4 **and may be approved by the Community Development Director.**
- 5
6 **2. The hours of operation shall be limited to between 7:00 A.M. and 10:00 P.M. Sunday**
7 **through Thursday, and between 7:00 A.M. and 11:00 P.M. on Fridays and Saturdays.**
- 8
9 **3. The establishment shall not adversely effect the welfare of the residents, and/or**
10 **commercial establishments nearby.**
- 11
12 **4. The business shall provide adequate staffing, management and supervisory techniques**
13 **to prevent loitering, unruliness, and boisterous activities of the patrons outside the**
14 **business and in the parking areas.**
- 15
16 **5. Noise emanating from the property shall be within the limitations prescribed by the**
17 **City's noise ordinance and shall not create a nuisance to surrounding residential**
18 **neighborhoods, and/or commercial establishments.**
- 19
20 **6. The Police Chief may determine that a continuing police problem exists, and may**
21 **authorize the presence of a police approved doorman and/or security personnel to**
22 **eliminate the problem, and then shall submit a report to the Planning Commission,**
23 **which will automatically initiate a review of this Conditional Use Permit by the Planning**
24 **Commission.**
- 25
26 **7. The exterior of all the premises shall be maintained in a neat and clean manner, and**
27 **maintained free of graffiti at all times.**
- 28
29 **8. The applicant shall submit a detailed seating and occupancy plan prepared by a**
30 **licensed design professional, which shall be approved by the Community Development**
31 **Department prior to final occupancy of restaurant, and posting of the occupant load.**
32 **Any significant changes to this interior layout which would alter the primary function of**
33 **the business as a restaurant shall be subject to review and approval by the Planning**
34 **Commission.**
- 35
36 **9. The project and operation of the business shall comply with all applicable requirements**
37 **of the Municipal Code.**

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

42 The Conditional Use Permit shall be recorded, and proof of recordation shall be submitted to the
43 Community Development Department.

1 Each of the above conditions is separately enforced, and if one of the conditions of approval is found to
2 be invalid by a court of law, all the other conditions shall remain valid and enforceable.

3
4 Permittee shall defend, indemnify and hold harmless the City, its agents, officers, and employees from any
5 claim, action, or proceeding against the City or its agents, officers, or employee to attack, set aside,
6 void or annul this permit approval, which action is brought within the applicable time period of the State
7 Government Code. The City shall promptly notify the permittee of any claim, action, or proceeding and
8 the City shall cooperate fully in the defense. If the City fails to promptly notify the permittee of any claim,
9 action or proceeding, or if the City fails to cooperate fully in the defense, the permittee shall no
10 thereafter be responsible to defend, indemnify, or hold harmless the City.

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

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

20 The Planning Commission may review this Conditional Use Permit and may amend the subject
21 conditions or impose any new conditions if deemed necessary to mitigate detrimental effects on the
22 neighborhood resulting from the subject use.

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24 VOTE: AYES:
25 NOES:
26 ABSENT:
27 ABSTAIN:

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CERTIFICATION

I hereby certify the foregoing Resolution P.C. 04- 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 May 17,
2004.

Langley Kersenboom, Chairman

Sol Blumenfeld, Secretary

Date _____