

P.C. RESOLUTION 05-

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 #26923 FOR A TWO-UNIT CONDOMINIUM PROJECT, AT 19 SECOND STREET, LEGALLY DESCRIBED AS LOT 12, BLOCK 3 HERMOSA BEACH TRACT

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

Section 1. An application was filed by Gary Wells owner of real property located at 19 Second Street, seeking approval of a Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map #26923 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 duplex on the property, and develop a two-unit residential condominium project.

2. The subject property proposed for condominium development contains 3,838 square feet, and is requested to be redesignated to High Density Residential on the General Plan Map, and R-3 Multiple-Family Residential on the Zoning Map, and if it is redesignated as requested by the applicant, pending final approval by the City Council, it will be suitable for the proposed project.

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 if zoned R-3 (pending City Council approval) 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
2 elements of 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
4 criteria and will be compatible with neighboring residential properties;

5 7. The project is Categorically Exempt from the requirement for an environmental
6 assessment, pursuant to the California Environmental Quality Act Guidelines, Sections
7 15303(b) and 15315 with the 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
10 the 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.**

- 15 a) **The roof plan shall properly depict maximum and proposed building heights
16 at the critical points, and contain the property lines, property corner
17 elevations, and horizontal distances to the critical points from the property
18 corners.**
- 19 b) **A minimum 300 square feet of open space shall be provided per unit in
20 compliance with Section 17.12.080 of the Zoning Ordinance.**
- 21 c) **The minimum separation between the two structures shall be eight (8) feet.**
- 22 d) **The maximum slope of the driveway to the garage on Beach Drive shall be
23 12.5%, and final plans shall clearly show spot elevations to verify this slope.**

24 **2. The Conditional Use Permit, Precise Development Plan and Vesting Tentative Parcel
25 Map shall only become effective if the City Council approves the proposed General
26 Plan Amendment to redesignate the subject property to High Density Residential on
27 the General Plan Map and the proposed Zone Change from C-1 to R-3 on the Zoning
28 Map.**

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

- a) **Each unit shall have the minimum 200 cubic feet of storage space and plans shall
clearly denote storage space and the location of the FAU and vacuum canister, if
provided.**
- b) **Covenants, Conditions, and Restrictions in compliance with the Condominium
Ordinance shall be submitted to the Community Development Department for
review and approval prior to the issuance of building permits.**
- c) **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.**
- d) **Requirements of Section 17.22.060(G) & (H) shall be shown on structural plans
and reviewed at the time of Building Division plan check.**

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- 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, consistent with landscape plans submitted to the Planning Commission, which shall also include the following:**
 - a) **Landscaping shall be provided in available yard areas as shown on submitted plans. At least two trees a minimum 36" box size shall be provided.**
 - b) **An automatic landscape sprinkler system shall be provided, and shall be shown on plans. (building permits are required)**

- 5. **Architectural treatment shall be as shown on building elevations and site and floor plans. Any modification shall require approval by the Community Development Director.**
 - a) **Precise building height shall be reviewed at the time of plan check, to the satisfaction of the Community Development Director.**

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

- 7. **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.**

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

- 9. **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.**
 - a) **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**

- 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**

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

2 **12. 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
4 obtained, and approval of the Vesting Tentative Parcel Map shall become null and
5 void twenty-four months from the date of approval unless the map is finalized and the
6 project implemented. The applicant may apply in writing for an extension of time to
7 the Planning Commission prior to the dates of expiration.**

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

11 **a) The form of the notification shall be provided by the Planning Division of the
12 Community Development Department.**

13 **b) Building permits will not be issued until the applicant provides an affidavit
14 certifying mailing of the notice.**

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

18 AYES:
19 NOES:
20 ABSENT:
21 ABSTAIN:

22 **CERTIFICATION**

23 I hereby certify the foregoing Resolution P.C. 05- is a true and complete record of the action
24 taken by the Planning Commission of the City of Hermosa Beach, California, at their regular
25 meeting of February 15, 2005.

26 _____
27 Sam Perrotti, Chairman

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29 Sol Blumenfeld, Secretary

30 February 15, 2005
31 _____
32 Date

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