

**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 #26664 FOR A TWO-UNIT CONDOMINIUM PROJECT, AT 310 MONTEREY BOULEVARD, LEGALLY DESCRIBED AS LOT 32, BLOCK K, TRACT 1686**

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

Section 1. An application was filed by Monterey by the Bay, LLC, owner of real property located at 310 Monterey Boulevard, seeking approval of a Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map #26664 for a two-unit condominium project.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the subject application on April 19, 2005, 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 dwelling on the property, and develop a two-unit residential condominium project.

2. The subject property proposed for condominium development contains 3,000 square feet, is designated High Density Residential on the General Plan Map, and designated R-3 Multiple Family Residential on the Zoning Map.

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 is zoned R-3 and is 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;

5. Design of the proposed subdivision is compatible and consistent with applicable elements of the City's General Plan, and is compatible with the immediate environment;

1           6. The project, as conditioned, will conform to all zoning and condominium laws and criteria  
2 and will be compatible with neighboring residential properties;

3           7. The project is Categorically Exempt from the requirement for an environmental  
4 assessment, pursuant to the California Environmental Quality Act Guidelines, Sections 15303(b)  
5 and 15315 with the finding that the project is in an area with available services.

6           Section 5. Based on the foregoing, the Planning Commission hereby approves the subject  
7 Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map subject to  
8 the following **Conditions of Approval:**

- 9       **1. The development and continued use of the property shall be in conformance with  
10 submitted plans, including landscape plans, received and reviewed by the Planning  
11 Commission at their meeting of April 19, 2005.**
- 12       **2. The project shall meet all requirements of the Condominium Ordinance.**
  - 13           a) Each unit shall have the minimum 200 cubic feet of storage space and plans shall  
14 clearly denote storage space and the location of the FAU and vacuum canister, if  
15 provided.
  - 16           b) The minimum wall insulation rating between units shall be 52 STC, and shall be  
17 clearly noted on submitted plans.
  - 18           c) Covenants, Conditions, and Restrictions in compliance with the Condominium  
19 Ordinance shall be submitted to the Community Development Department for  
20 review and approval prior to the issuance of building permits.
  - 21           d) Proof of recordation of approved CC & R's shall be submitted to the Community  
22 Development Director six (6) months after recordation of the Final Map.
  - 23           e) Requirements of Section 17.22.060(G) & (H) shall be shown on structural plans  
24 and reviewed at the time of Building Division plan check.
- 25       **3. There shall be compliance with all requirements of the Public Works Department  
26 and Fire Department.**
- 27       **4. Two copies of a final landscaping plan indicating size, type, and quantity of plant  
28 materials to be planted shall be submitted to the Community Development Department,  
29 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) The landscaping plan shall be revised to show accurate placement of plant  
materials provided in available yard areas as required by the Planning  
Commission. 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)

- 1 5. Architectural treatment shall be as shown on building elevations and site and floor  
2 plans. Any modification shall require approval by the Community Development  
3 Director.
  - 4 a) Precise building height shall be reviewed at the time of plan check, to the  
5 satisfaction of the Community Development Director.
- 6 6. Any satellite dish antennas and/or similar equipment shall comply with the  
7 requirements of Section 17.46.240 of the Zoning Ordinance.
- 8 7. The address of each condominium unit shall be conspicuously displayed on the street  
9 side of the buildings with externally or internally lit numbers and the method for  
10 illumination shall be shown on plans. Addressing numbering and display subject to  
11 approval by the Community Development Department.
- 12 8. Roll-up Automatic garage doors shall be installed on all garage door openings.
- 13 9. The applicant shall submit all required plans and reports to comply with the City's  
14 construction debris recycling program including manifests from both the recycler  
15 and County landfill.
- 16 10. Two copies of final construction plans, including site, elevation and floor plans,  
17 which are consistent with the conditions of approval of this conditional use permit,  
18 shall be reviewed and approved by the Planning Division for consistency with  
19 Planning Commission approved plans prior to the submittal to the Building Division  
20 for Plan Check.
  - 21 a) If the drainage of surface waters onto the property requires a sump pump to  
22 discharge said waters onto the street, the property owner(s) shall record an  
23 agreement to assume the risk associated with use and operation of said sump  
24 pump; release the City from any liability; and indemnify the City regarding  
25 receipt of surface waters onto the property
- 26 11. Prior to the submittal of structural plans to the Building Division for Plan Check an  
27 Acceptance of Conditions affidavit shall be filed with the Planning Division of the  
28 Community Development Department stating that the applicant/property owner is  
29 aware of, and agrees to accept, all of the conditions of this grant.
- 30 12. Prior to approval of the Final Map, and prior to issuance of a Certificate of  
31 Occupancy, outstanding assessments must either be paid in full or apportioned to  
32 any newly created parcels. Notice of same shall be provided to the Community  
33 Development Director. Assessment payoff amounts may be obtained by calling the  
34 City's Assessment Administrator at (800) 755-6864. Applications for apportionment  
35 may be obtained in the Public Works Department.
- 36 13. The Conditional Use Permit, and Precise Development Plan shall be null and void  
37 eighteen months from the date of approval unless building permits have been  
38 obtained, and approval of the Vesting Tentative Parcel Map shall become null and  
39 void twenty-four months from the date of approval unless the map is finalized and the  
40 project implemented. The applicant may apply in writing for an extension of time to  
41 the Planning Commission prior to the dates of expiration.
- 42 14. Prior to issuance of a building permit, abutting property owners and residents  
43 within 100 feet shall be notified of the anticipated date for commencement of  
44 construction.

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- a) **The form of the notification shall be provided by the Planning Division of the Community Development Department.**
- b) **Building permits will not be issued until the applicant provides an affidavit certifying mailing of the notice.**

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

VOTE:           AYES:  
                      NOES:  
                      ABSTAIN:  
                      ABSENT:

CERTIFICATION

I hereby certify the foregoing Resolution P.C. 05- 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 April 19, 2005.

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Ron Pizer, Chairman

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Sol Blumenfeld, Secretary

April 19, 2005  
Date

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