



## Legislation Details (With Text)

**File #:** REPORT 21-0433 **Version:** 1 **Name:**  
**Type:** Action Item **Status:** Passed  
**File created:** 7/12/2021 **In control:** Planning Commission  
**On agenda:** 7/20/2021 **Final action:** 7/20/2021  
**Title:** CON 21-2, PDP 21-2, VTPM #83160- Conditional Use Permit, Precise Development Plan and Tentative Parcel Map No. 83160 for a two-unit detached condominium project at 856 Cypress Avenue and determine the project is categorically exempt from the California Environmental Quality Act (CEQA).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1. Supplemental - Draft Resolution, added 7/20/21, 2. 2. Applicant Submittal (Architectural plans, Landscape Plan, Tentative parcel map), 3. 3. Site Photos, 4. 4. Radius Map, 5. 5. Poster Verification

Date	Ver.	Action By	Action	Result
7/20/2021	1	Planning Commission	approved	Pass

### Honorable Chair and Members of the Hermosa Beach Planning Commission

#### Regular Meeting of July 20, 2021

CON 21-2, PDP 21-2, VTPM #83160- Conditional Use Permit, Precise Development Plan and Tentative Parcel Map No. 83160 for a two-unit detached condominium project at 856 Cypress Avenue and determine the project is categorically exempt from the California Environmental Quality Act (CEQA).

**Applicant:** Brandon Straus  
2447 Pacific Coast Highway  
Hermosa Beach, CA 90254

**Property Owner:** Kyle and Wendy Bergstesser  
835 Hopkins Way, APT 305  
Redondo Beach, CA 90277

#### **Recommended Action:**

Staff recommends the Planning Commission:

1. Adopt the attached resolution approving the Conditional Use Permit, Precise Development Plan and Tentative Parcel Map No. 83160 for a two-unit detached condominium project at 856 Cypress Avenue, subject to conditions, and determine the project is categorically exempt from the California Environmental Quality Act (CEQA).

#### **Background:**

GENERAL PLAN:	High Density Residential (HD)
ZONING:	Multiple Family Residential (R-3)
LOT SIZE:	3,150 square feet
PROPOSED SQUARE FOOTAGE:	Unit A: 2,060 square feet Unit B: 2,574 square feet
PARKING REQUIRED:	4 Standard spaces/1 Guest space
PARKING PROVIDED:	4 Standard spaces/1 Guest space
ON STREET PARKING LOST/GAINED:	0 Lost/1 Gained
ENVIRONMENTAL DETERMINATION:	Categorically Exempt, CEQA Section 15303(b) (Class 3 Exemption, New Construction or Conversion of Small Structures)

The subject site is located on the east side of Cypress Avenue where 8<sup>th</sup> Street terminates at Clark Field to the north. The 3,150 square foot lot contains a single-family residence.

There is currently one nonconforming enclosed parking space located at the front of the lot. The applicant proposes to demolish the existing building and construct two detached residential condominium units on the subject site.

The applicant proposes to provide parking access from Cypress Avenue through a shared driveway on the south side of the lot. There is currently no curb on the public-right-of way in front of the property. The existing right-of-way consists of brick pavement and a concrete driveway leading to the garage. The applicant proposes to improve the site with curb and gutter and a 9'1" concrete driveway. As a result, the new improvements would create one on-street parking space on Cypress Avenue.

Both units (A and B) propose a three-floor dwelling unit that with their front door entries facing Clark Field to the north. The project would contain a two-car garage, and entry hall, and a guest bedroom and bathroom on the first floor; three bedrooms, two bathrooms, and a laundry on the second floor; a kitchen, dining room, powder room, a family room, and two decks on the third floor; and access to the roof deck above the third floor.

### **Analysis:**

A proposal to construct a condominium project requires findings for consideration of a Precise Development Plan, Conditional Use Permit, and the Vesting Tentative Parcel Map pursuant to Government Code Section 66474 and as set forth in Hermosa Beach Municipal Code (HBMC) Sections 16.08.060, 17.40.020, and 17.58.030.

### **CEQA Compliance:**

The proposed project is Categorically Exempt from the California Environmental Quality Act as defined in Section 15303(b), Class 3 Exemption, New Construction or Conversion of Small Structures, because the proposal pertains to construction of limited numbers (two) of new, small structures. More specifically, the project is comprised of multi-family residential structures in an urbanized area, totaling no more than six dwelling units. Moreover, none of the exceptions to the Categorical Exemption apply, nor would the project result in a significant cumulative impact of successive projects of the same type in the same place over time or have a significant effect on the environment due to unusual circumstances or damage a scenic highway or scenic resources within a state scenic highway. The site is not located on a hazardous waste site and would not cause a substantial adverse change in the significance of a historical resource.

**Basic Zoning Standards:**

The project complies with the requirements of the Zoning Ordinance, including the R-3 zone and design standards for condominiums in HBMC Section 17.22.

CRITERIA	REQUIRED	PROPOSED
Minimum Lot Area for 2 Units	2,640 Sq. Ft. (1,320 sq ft per unit)	3148.19 Ft (1,574 sq ft per unit)
Lot Coverage Maximum	65%	64.4%
Height Maximum	30'	30'
Front Yard Setback Minimum	5'	5'
Minimum Side Yard Setback:	3'	3'
Rear Yard Setback (1 <sup>st</sup> /2 <sup>nd</sup> and 3 <sup>rd</sup> floors)	5'	5'
Total Parking Spaces	5 spaces total	5 spaces total
Garage Parking Spaces	4 (2 per unit)	4 (2 per unit)
Guest Parking Space	1 space	1 space
Turning Radius	24'	27'
Open Space Per Unit	300 Sq. Ft.	Unit A: 301 Sq. Ft. Unit B: 362.9 Sq. Ft.
Minimum Unit Size (4 bedroom condominium)	Units 1 & 2: 1,530 Sq. Ft. each	Unit A: 2,060 Sq. Ft. Unit B: 2,574 Sq. Ft.
Storage Area Per Unit	200 Cu. Ft.	200 Cu. Ft. per Unit (Located in the Garage)
Solid Waste Area Per Unit	Screened area for 6 bins (3 bins each unit) at 2.5' by 2.5' each	Located at grade behind the guest parking space

Covenants, Conditions and Restrictions (CC&R's) have been submitted and would be reviewed by Planning Division for compliance with applicable sections of the zoning ordinance and this entitlement, should the Planning Commission approve.

**Access and Parking:**

Access to the on-site parking is provided through a shared 9'1" foot wide driveway approach that is

located on the south side of the lot. The driveway approach would be improved and brought into compliance with current code requirements. The driveway extends to the rear of the Unit B garage and the shared guest parking space. The proposal would improve the curb cut and sidewalk so there would be a gain of one on-street parking space on Cypress Avenue.

#### Landscape and Green Measures:

All plants must be water conserving as required by the Hermosa Beach Water Conservation and Drought Management Plan (HBMC Section 8.56) and Water Efficient Landscaping (HBMC Section 8.60). The landscape plan includes a mixture of variegated fortnightlily, giant bird of paradise, little john bottlebrush, pink stripe flax, and la jolla bougainvillea. The project is conditioned to ensure that all planting materials and trees comply with HBMC Section 8.60, Water Efficient Landscaping.

The project must comply with Section 8.44 Hermosa Beach Stormwater and Urban Runoff Pollution Control Regulations. Additionally, 65% of demolition debris must be recycled, and cement used in foundation mix design must be reduced by not less than 20%, among other requirements. Hermosa Beach's Electrical Code (Section 15.32) requires installation of conduit sized to accommodate solar energy and solar thermal systems.

As part of a separate permit with the Department of Public Works, the applicant is proposing a 1000 square foot encroachment to the north of the property closest to Clark Field. The encroachment area includes a mixture of artificial turf and medium to medium low plantings. The existing retaining wall is proposed to remain.

#### Compatibility with surrounding area:

The subject site is zoned R-3 Two-Family Residential with similar residentially zoned properties to the east, south and west. Similar residential development is found in the surrounding area comprised primarily of multi-story, multi-family residences with some single-story single-family residences.

The proposed layout of the building is consistent with multiple-family residential buildings in the immediate neighborhood consisting of both attached and detached two-unit condominiums on a lot with shared driveways leading to parking courtyards which provide vehicle access to the units.

#### Subdivision Map:

The applicant has applied for a Vesting Tentative Parcel Map No. 83160. A vesting tentative parcel map grants vested rights to proceed with a project in accordance with the ordinances, policies and standards in effect at the time the application for approval of the vesting tentative map is completed. The proposed two-unit condominium is on an existing 3,150 square foot lot, with a 30-foot lot width. The R-3 zone requires a minimum lot size of 1,320 square feet per unit; thus allowing a maximum of two dwelling units on the 3,150 square foot lot. The lot is similar to surrounding lot sizes and lot widths within the same zone, and the General Plan Land Use designation for lots in the vicinity, and thus complies with Hermosa Beach ordinances regarding subdivision of lots.

The project is conditioned upon payment of Park and Recreation Area Dedication fees for each unit as there is inadequate area on-site for land dedication per City required Parks and Recreation Area fees.

The proposed two-unit condominium can connect to the existing utilities that service the residential uses in the immediate neighborhood. In addition, the existing utilities have the capacity to serve the

proposed development. The submitted plans were preliminarily reviewed by the Fire Department, Public Works Department, and Building & Safety Division, and no major concerns were identified.

The proposed subdivision and improvements are compliant with criteria for approval of a subdivision map and are not likely to cause serious public health problems within the proposed subdivision. The design of the proposed subdivision is compatible with the immediate residential environment.

**General Plan Consistency:**

The proposed two-unit condominium is located within the High Density Residential (HD) General Plan Land Use designation area; the purpose of this designation is to provide a range of residential housing types to serve the varying living accommodation needs or desires of the community. The intent of this designation is to preserve and contribute to the inventory of diverse housing types available to residents and offer alternatives to single-family residential development. The designation allows for a variety of high density building types and development patterns.

This designation provides a range of residential building formats including condominiums, townhouses, duplex/triplex, and apartment buildings. The appropriate density range is between 25.1 to 33.0 dwelling units per acre.

The subject site is also located within the Sand Section Neighborhood character area as indicated in the City's General Plan, which accommodates a range of small-scale apartments adjacent to single-family homes and integrates a mixtures of housing types.

The intent to enhance multi-modal connectivity and access while preserving the building form, scale, and orientation in this neighborhood. Through new multi-modal connections, convenient access to community parks and the Greenbelt is provided and helps to maintain the compact urban format and highly connected street network of this neighborhood.

Building Design and Orientation discourages flat, box-like front facades in favor of greater articulation; garages and parking are typically accessed through alleyways or driveways that extend behind buildings; this area includes prevailing setback requirements for front, side, and rear setbacks that vary from block to block.

The proposed project is consistent with the HD Land Use designation in that it would contribute to the residential neighborhood as a multi-family (two-unit on a single lot) development and meets the intent of the Sand Section Neighborhood character area with a density of 27.6 dwelling units per acre and through providing garages and parking behind the buildings. The design of the detached two-unit development is consistent with the Sand Section Neighborhood character area in that the driveway extends behind the buildings, the front building provides a 5-foot front yard setback to match the prevailing setback on this street, and both units have been designed with building articulation elements such as staggered building facades, vertical and horizontal architectural bands and columns and large balconies and roof decks with a mixture of architectural finishes.

Land Use Goal 2 states "While each neighborhood in Hermosa Beach is distinct, they each provide a variety of housing types, densities, designs and mix of uses and services that collectively reflect the small beach town character. The diversity of building types responds to the diversity of the city's population and the desire to create interesting and varied neighborhoods."

Specifically, Land Use Goal 2 Policy 2.1 states “Neighborhoods are complete and well-structured by encouraging, where appropriate, the following characteristics including having homes with entries and windows facing the street.

The proposed design features implement the following PLAN Hermosa goals and many of its policies in the Land Use policies 1.6 Scale and Context., 2.1 Complete Neighborhoods, 2.3 Balanced Neighborhoods, 2.6 Diversity of building types and styles, 2.7 Context sensitive design, 5.1 Scale and Massing, 5.6 Eclectic and diverse architecture, and 6.9 Shared driveways.

**Summary:**

The project and Vesting Tentative Parcel Map as conditioned are consistent with the zoning code, subdivision laws and other relevant provisions of the Municipal Code, and the site is physically suitable for the type and density of proposed development. Therefore, staff recommends adoption of the attached resolution approving the Conditional Use Permit, Precise Development Plan, Vesting Tentative Parcel Map #83160 for a two-unit detached condominium project at 856 Cypress Ave, and determine the project is Categorically Exempt from the California Environmental Quality Act (CEQA).

**Attachments:**

1. Draft Resolution
2. Applicant Submittal (Architectural plans, Landscape Plan, Tentative parcel map)
3. Site Photos
4. Radius Map
5. Poster Verification

**Respectfully Submitted by:** Melanie Emas, Assistant Planner

**Approved:** Ken Robertson, Community Development Director