

CITY OF HERMOSA BEACH
RESOLUTION NO. 23-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PRECISE DEVELOPMENT PLAN, TO ALLOW A TWO-UNIT ATTACHED DUPLEX PROJECT AT 414 MONTEREY BOULEVARD, AND DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

SECTION 1. An application was filed on December 13th, 2022 by the applicant/owner Kent McKeown, for a two-unit attached duplex project located at 414 Monterey Boulevard, seeking approval for a Precise Development Plan.

SECTION 2. The Planning Commission conducted a duly noticed public hearing to consider the subject application on February 21, 2023, at which time testimony and evidence, both written and oral, was presented to and considered by the Planning Commission.

SECTION 3. The proposed project is Categorically Exempt from the California Environmental Quality Act as defined in Section 15303(b), Class 3 Categorical Exemption, New Construction or Conversion of Small Structures.

SECTION 4. Based on the testimony and evidence received, the Planning Commission hereby further finds, determines and declares pertaining to the application for Precise Development Plan pursuant to Sections 17.40.020 and 17.58.030 of the Municipal Code.

1. ***Distance from existing residential uses in relation to negative effects;***
Residential development is directly to the north, south and west of the subject site. The proposed two-unit duplex development will blend in cohesively with the existing streetscape of multi-family residential uses;
2. ***The amount of existing or proposed off-street parking in relation to actual need;***
Based on the proposed development, the R-3 zone requires 4 parking spaces (two per unit) and one guest space for every two units (1 space). The project proposes to remove the existing 8 foot driveway located on the south front corner property line and create a 16'-0" curb cut to access the garage and guest parking spaces for both units. The new curb cut results in a loss of one

on-street parking space. HBMC Section 17.44.020 (B) establishes that “one (1) additional space of on-site guest parking shall be provided for each on-street space lost because of new curb cuts and/or driveways.” The applicant is proposing 4 enclosed parking spaces and two guest parking spaces. All proposed parking will be located on site;

3. ***The combination of uses proposed, as they relate to compatibility;***

The underlying zoning for the subject site is Multiple Family Residential (R-3) which permits two-unit projects. Properties to the north, south and west are also zoned R-3. The surrounding residential area is comprised of multi-story, multi-family residences. The proposed project would be compatible with the surrounding area as it would be a multi-story residential development.

4. ***The relationship of the estimated generated traffic volume and the capacity and safety of streets serving the area;***

The existing use of the lot as a two-unit development is not changing, and thus, the generated traffic volume is not anticipated to increase.

5. ***The proposed exterior signs and decor, and the compatibility thereof with existing establishments in the area;***

The proposed architecture would be compatible with the surrounding area as there are existing developments that incorporate a contemporary architectural theme and is consistent with the bulk and massing of the existing neighborhood. The proposed project's building configuration is consistent with the neighborhood's development pattern and the overall character of the neighborhood.

6. ***Building and driveway orientation in relation to sensitive uses, e.g., residences, schools, churches, hospitals and playgrounds;***

The proposed duplex is designed with a direct access garage that fronts Monterey Boulevard. The driveway is oriented towards Monterey Boulevard and away from South Park, which is located directly behind the subject site. The nearest school is Our Lady of Guadalupe School, located 0.8 miles to the east at 304 Massey Avenue. As a result of the project's location, it is not anticipated to have adverse effects on surrounding sensitive uses.

7. ***Noise, odor, dust and/or vibration that may be generated by the proposed use;***

Most of the noise, odor, and vibration impacts would be temporary and limited to the construction of the project. Therefore, adverse impacts are not anticipated due to increased noise levels being temporary during construction and there being no long-term ambient noise impacts.

8. ***Impact of the proposed use to the city's infrastructure, and/or services;***

There is currently an 8-foot driveway access point on the southwest corner of the front property line. The proposed project would create a 16'-0" curb cut to access the shared driveway that leads to the garage. The new curb cut will result in a loss of one on-street parking space. The applicant is proposing a total of two guest parking spaces, which is required pursuant to HBMC 17.44.020.B. Modifications and encroachments in the public right-of-way would require permits from the Department of Public Works.

9. ***Adequacy of mitigation measures to minimize environmental impacts in quantitative terms;***

Not applicable as the project is Categorically Exempt from the provisions of the California Quality Act (CEQA).

10. ***Other considerations that, in the judgment of the planning commission, are necessary to assure compatibility with the surrounding uses, and the city as a whole.***

No other considerations noted.

SECTION 5. Based on the foregoing, the Planning Commission **hereby approves** a Precise Development Plan. These approvals are granted subject to the following conditions, which must be met at all times, unless otherwise stated, in order to enjoy the use of the subject property for any and all uses permitted by the granting of the requested approvals.

1. The development and continued use of the property shall be in conformance with submitted plans received and approved by the Planning Commission at its meeting of November 15, 2022. Minor modifications that do not affect scale, type, location or intensity of uses or impacts thereof may be approved by the Community Development Director when not in conflict with the findings or conditions of this permit.
2. The project shall comply with all requirements of the City of Hermosa Beach Building Division, Public Works Department, Los Angeles County Fire Department, and the Hermosa Beach Municipal Code.
3. Architectural treatments and accessory facilities shall be as shown on building elevations, site, and floor plans. Precise building height compliance shall be reviewed at the time of Plan Check, to the satisfaction of the Community Development Director. In addition:
 - a. All parking dimensions shall comply with HBMC Chapter 17.44. Roll-up automatic garage doors shall be installed on all garage door openings and clearly indicated on floor plans.
 - b. Driveway transitions shall comply with HBMC Section 17.44.120(D).

- c. All exterior lighting shall be downcast, fully shielded and illumination shall be contained within the property boundaries. Lighting shall be energy conserving and motion detector lighting shall be used for all lighting except low-level (3 feet or less in height) security lighting and porch lights. Lamp bulbs and images shall not be visible from within any onsite or offsite residential unit. Exterior lighting shall not be deemed finally approved until 30 days after installation, during which period the building official may order the dimming or modification of any illumination found to be excessively brilliant or impacting to nearby properties.
 - d. Any satellite dish antennas and/or similar equipment shall comply with HBMC Section 17.46.240.
- 4. The plans and construction shall comply with all requirements of the Building Code in Title 15 and Green Building Standards in Chapter 15.48. Water conservation practices set forth in Section 8.56.070 shall be complied with and noted on construction plans.
- 5. Two copies of final construction plans, including site, elevation, and floor plans, which are consistent with the conditions of approval of this precise development plan permit, shall be reviewed and approved by the Planning Division for consistency with Planning Commission approved plans and this Resolution prior to the submittal to the Building Division for Plan Check.
- 6. Prior to the submittal of structural plans to the Building Division for Plan Check the permittee and the owners of the property involved shall file at the office of the Planning Division of the Community Development Department an Affidavit of Acceptance stating that they are aware of, and agree to and accept, all of the conditions of this permit. The permittee shall record with the Los Angeles County Recorder's Office the Affidavits of Acceptance and Resolution(s), and proof of recordation shall be submitted to the Community Development Department prior to the issuance of a building permit.
- 7. The applicant shall submit all required plans and reports to comply with the City's construction debris recycling program including manifests from both the recycler and County landfill; at least 65% of demolition debris associated with demolition of the existing improvements and new construction shall be recycled.
- 8. Civil engineering plans shall be prepared by a licensed civil engineer and conceptually approved by the Hermosa Beach Public Works Department prior to submitting an application for Building Permits to the Community

Development Department. Complete civil engineering plans shall address grading, undergrounding of all utilities, pavement, sidewalk, curb and gutter improvements, on-site and off-site drainage (no sheet flow permitted), installation of utility laterals, and all other improvements necessary to comply with the Hermosa Beach Municipal Code and Public Works specifications, and shall be filed with the Community Development Department.

9. Civil engineering plans shall include adjacent properties/structures, sewer laterals, and storm drain main lines on street.
10. A minimum of five 24-inch box size tree shall be provided within the public right-of-way on 1st Street and the tree species shall be listed on the Public Works Department's Approved Tree List.
11. Project construction shall protect private and public property in compliance with HBMC Sections 15.04.070 and 15.04.140. No work in the public right of way shall commence unless and until all necessary permits are attained from the Public Works Department including if required, an approved Residential or Commercial Encroachment Permit.
12. Sewer lateral video upstream and downstream manhole along with manhole rim/lid elevations must be submitted prior to grading and plan check. Sewer lateral video must be submitted with plan check submittal, if the developer plans to use the existing sewer lateral. Sewer lateral work may be required after review of the sewer lateral video.
13. Sewer main work may be required after review of sewer lateral video.
14. The project must comply with Storm Water and Urban Runoff Pollution Control Regulations (HBMC Chapter 8.44) and must implement Low Impact Development Standards, and submit at time of grading and plan check along with an erosion control plan.
15. Prior to issuance of a Building Permit, abutting property owners and residents within 100 feet of the project site shall be notified of the anticipated date for commencement of construction.
 - a. The form of the notification shall be provided by the Planning Division of the Community Development Department.
 - b. Building permits would not be issued until the applicant provides an affidavit certifying mailing of the notice.
16. Project construction shall conform to the Noise Control Ordinance

requirements in HBMC Section 8.24.050. Allowed hours of construction shall be printed on the building plans and posted at construction site.

17. Traffic control measures, including flagmen, shall be utilized to preserve public health, safety, and welfare.
18. Approval of this permit shall expire twenty-four (24) months from the date of approval by the Planning Commission, unless significant construction or improvements or the use authorized hereby has commenced. One or more extensions of time may be requested. No extension shall be considered unless requested, in writing to the Community Development Director including the reason therefore, at least 60 days prior to the expiration date. No additional notice of expiration would be provided.
19. The Planning Commission may review this Precise Development Plan and may amend the subject conditions or impose any new conditions if deemed necessary to mitigate detrimental effects on the neighborhood resulting from the subject use.
20. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this permit and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
21. To the extent permitted by law, Permittee shall defend, indemnify and hold harmless the City of Hermosa Beach, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void any permit or approval for this project authorized by the City, including (without limitation) reimbursing the City its actual attorney's fees and costs in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.
22. The permittee shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of this permit. Although the permittee is the real party in interest in an action, the City may, at its sole discretion, participate at its own expense in the defense of the action, but such participation shall not relieve the permittee of any obligation under this condition.

23.The Precise Development Plan shall be recorded with the Affidavit of Acceptance, and proof of recordation shall be submitted to the Community Development Department prior to the issuance of a building permit.

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

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 PC 23-02 is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California, at its regular meeting of February 21, 2023.

Stephen Izant, Chair

Carrie Tai, Secretary

February 21, 2023

Date