

CITY OF HERMOSA BEACH
RESOLUTION NO. 24-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DETERMINING THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), AND APPROVING A PRECISE DEVELOPMENT PLAN (PDP 24-02), TO ALLOW FOR A 2,015 SQUARE FOOT COMMERCIAL TENANT IMPROVEMENT AT 1048 HERMOSA AVENUE IN THE DOWNTOWN COMMERCIAL (C-2) ZONE

WHEREAS, An application was filed on February 8, 2024 by the applicant Chris Frantz of Formula Racing Partners LLC, for a Precise Development Plan located at 1048 Hermosa Avenue, to allow for a 2,015-square-foot commercial tenant improvement.

WHEREAS, The Planning Commission conducted a duly noticed public hearing to consider the subject application on April 16, 2024 at which time testimony and evidence, both written and oral, was presented to and considered by the Planning Commission.

WHEREAS, The proposed project is Categorically Exempt from the California Environmental Quality Act as defined in Section 15301(a)&(e), Class 1 Categorical Exemption, Existing Facilities. More specifically, the project consists of mostly interior partition work as well as a small addition of less than 50 percent of the existing structure or 2,500 square feet. Moreover, none of the exceptions to the Categorical Exemptions apply, nor will 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 will not cause a substantial adverse change in the significance of a historical resource.

WHEREAS, 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 Section 17.58.030 of the Hermosa Beach Municipal Code (HBMC).

1. ***Distance from existing residential uses in relation to negative effects:***

The subject property is approximately 20 feet from the closest residential property, measured from the east property line to the beginning of the nearest residential property line across the alley. Potentially negative effects from the scope of the PDP include temporary disruptions associated with construction such as noise, traffic, and potential dust or debris.

2. ***The amount of existing or proposed off-street parking in relation to actual need:***

The project site currently has one parking space on the property and one space will remain after the completion of work. The project site is exempt from providing any additional off-street parking due to HBMC Sections 17.44.015 (C)(1) and (D)(1). These code sections allow for no new parking to be provided for the first 5,000 square feet of ground floor, non-residential, non-office, and non-late night alcohol establishment uses. They also allow for no new parking to be provided for additions of less than 10 percent or 500 square feet. Because the new mezzanine addition on the second floor is an addition of less than 500 square feet, no new parking is needed.

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

The corridor along this segment of Hermosa Avenue is currently comprised of a variety of retail, restaurant, and personal service type uses. The proposed design and floor-plan layout resulting from the tenant improvement scope of work would not have an effect on the use of the site or its compatibility with its surroundings.

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

There will not be a greatly increased volume of traffic as a result of the approval of this project. This proposal is similar in size and scale with other commercial establishments in the surrounding area and does not feature any characteristics which would result in an unusual or disproportionate traffic impact. Furthermore, aside from the revised entry points and front-facing window, all work will be internal and thus the size of the building will not significantly expand.

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

The proposed exterior signage and décor is consistent with the surrounding establishments in the area and would not deviate substantially from what is seen along Hermosa Ave. The exterior changes consist of alterations to the entryway where the doorway would be flush with the exterior walls, a transparent glass overhead door would be installed, and the existing awning would be removed. New signage would be added featuring the word "Drive" and would be required to comply with HBMC Section 17.50.130 regarding

signage in the C-2 Zone.

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

The building and driveway orientation of the site is not proposed to change in any way and therefore would have no impact on the sensitive uses identified above.

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

The project would generate noise, dust, and vibrations consistent with other commercial tenant improvements along Hermosa Avenue and must comply with all applicable City codes. These negative effects would be temporary and limited due to the majority of the work occurring from within the existing walls of the building.

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

The proposed commercial space is not anticipated to have substantial impacts on the City's infrastructure or services. The commercial site is existing, and the proposed use would not have substantially greater infrastructure or service needs than the prior dry-cleaning use.

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

The project does not create adverse environmental impacts because the commercial site is already in existence and the majority of work will be internal.

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.***

To ensure compatibility and compliance with the HBMC, a trash enclosure is included as a condition of approval. Satisfaction of this condition will bring the property into compliance with HBMC Section 8.12.220(C) which requires all residential and commercial structures to provide an enclosure for all solid waste containers. The addition of this proposed condition as well as the inclusion of the trash enclosure into the proposed plan set shall ensure that the enclosure is built diligently pursuant to City standards.

SECTION 1. Based on the foregoing, the Planning Commission **hereby approves** Precise Development Plan 24-02 for a 2,015 square foot commercial tenant improvement as set forth in Planning Commission Resolution 24-04 subject to the following Conditions of Approval:

1. The development and continued use of the property shall be in conformance with submitted plans received and reviewed by the Planning

Commission at its meeting of April 16, 2024, in accordance with the conditions below. The Community Development Director may approve minor modifications that do not otherwise conflict with the HBMC or requirements of this approval.

2. The project shall fully comply with all requirements of the C-2 Zone as applicable of the Municipal Code
3. 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 HBMC.
4. Applicant is responsible to obtain any public right of way permits if determined to be necessary to complete the proposed tenant improvement work including but not limited to: Dumpster Permits, Staging Permits, and Material Drop Off.
5. This approval shall not be effective for any purposes until the permittee and the owners of the property involved have filed at the office of the Planning Division of the Community Development Department their affidavits stating that they are aware of, and agree to accept, all of the conditions of this grant. The Precise Development Plan Amendment shall be recorded, and proof of recordation shall be submitted to the Community Development Department prior to the issuance of a building permit.
6. 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 shall be provided.
7. 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 any detrimental effects on the neighborhood resulting from the design, materials, or site improvements.
8. 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.

9. 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. 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.
10. 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.
11. The applicant must construct an enclosure for all solid waste containers necessary to serve the business pursuant to HBMC 8.12.220 prior to the issuance of a certificate of occupancy.
12. The applicant shall be prohibited from installing any reflective tint on any exterior surface of the building.
13. The sale and service of alcohol shall be prohibited unless approved by the Planning Commission in a subsequent resolution.

SECTION 2. 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 24-04 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 April 16, 2024.

Peter Hoffman, Chair

Carrie Tai, Secretary