

P.C. RESOLUTION 19-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PRECISE DEVELOPMENT PLAN TO ALLOW A SIX-UNIT MOTEL PROJECT BY CONSTRUCTING A NEW THREE-STORY, DETACHED 2,744 SQUARE FOOT COMMERCIAL BUILDING CONTAINING FIVE UNITS, TO BE CONSTRUCTED BEHIND THE EXISTING 1,841 SQUARE FOOT SINGLE-FAMILY RESIDENCE WHICH WILL BE CONVERTED TO AN ADDITIONAL UNIT, AND A PARKING PLAN TO ALLOW THE 6-SPACE PARKING REQUIREMENT TO BE MET WITH 4 ON-SITE SPACES (INCLUDING 1 TANDEM SPACE) PLUS FEES IN LIEU FOR 2 SPACES, ON A 4,023 SQUARE FOOT LOT IN THE C-2 (RESTRICTED COMMERCIAL) ZONING DISTRICT AT 70 10TH STREET; AND ADOPTING THE MITIGATED NEGATIVE DECLARATION.

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

Section 1. An application was filed by B&J Capital Investments on March 21, 2016, seeking approval of Precise Development Plan 16-7 and Parking Plan 16-2 to allow a new three-story, detached 2,744 square foot commercial building with ground floor retail and second and third floor office space, to be constructed behind the existing 1,841 square foot single-family residence which was proposed to be converted to a single-unit motel, and Parking Plan to allow the 12-space parking requirement to be met with 4 on-site spaces (including 1 tandem space) plus fees in-lieu for 8 spaces, on a 4,023 square foot lot in the C-2 (Restricted Commercial) zoning district at 70 10th Street; and adoption of a Mitigated Negative Declaration.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application on July 17, 2018 at which time testimony and evidence, both oral and written, was presented to and considered by the Planning Commission. During their August 1, 2018 meeting the project was denied with a 5:0 vote. The Commission expressed concerns with unknown office and retail tenants, renting out the front residence for short term vacation use, and anticipated parking impacts by not providing enough parking spaces on-site for the combination of uses while requesting too many parking spaces be paid in-lieu through the City's in-lieu program. The project proposed to provide 4 out of the 12 required parking spaces on-site (33% provided on-site).

Section 3. The applicants considered the Commission's feedback and revised the project uses and reduced the amount of required parking spaces. An application was filed on March 21, 2019, requesting approval of Precise Development Plan 19-2 to allow a six-unit motel project by constructing a new three-story, detached 2,744 square foot commercial building containing five units, to be constructed behind the existing 1,841 square foot single-family residence which will be converted to an additional unit with a 212 square foot ancillary registration office, and a Parking Plan 19-2 to allow the 6-space parking requirement to be met with 4 on-site spaces (including 1 tandem space) plus fees in lieu for 2 spaces, on a 4,023 square foot lot in the C-2 (Restricted Commercial) zoning district at 70 10th Street; and adoption of a Mitigated Negative Declaration. The new project proposes to provide 4 out of 6 required parking spaces on-site (67% provided on-site) thereby reducing the required amount of in-lieu spaces by 71% by changing the uses from retail and office to motel.

Section 4. The Planning Commission conducted a duly noticed public hearing to consider the application on June 18, 2019 at which time testimony and evidence, both oral and written, was presented to and considered by the Planning Commission. The Commission expressed continued concerns with anticipated parking impacts by not providing enough parking spaces on-site for the motel use and ancillary registration office while requesting too many parking spaces be paid in-lieu through the City's in-lieu program. The Commission continued the item to a later date and requested the applicant work on a design solution that would provide additional parking spaces or reduce the number of units thereby reducing the number of parking spaces required.

Section 5. The applicant decided to maintain the previously proposed site layout and physical building design and number of motel units while removing and replacing the ancillary registration office/concierge service with the room serving as additional living room area, providing off-site property management services and pick up and drop off cleaning services, requiring all units be keyless entry, providing two parking spaces for neighborhood electric vehicles (with one vehicle provided for motel guests), providing discounts to motel guests who are vehicle free and requiring that two vehicle free units be provided whenever the property is more than 65% occupied (4 units with vehicles & 2 units vehicle free). The Planning Commission conducted a duly noticed public hearing to consider the revised application on August 20, 2019 at which time testimony and evidence, both oral and written, was presented to and considered by the Planning Commission.

Section 6. Pursuant to the California Environmental Quality Act, the City prepared a Mitigated Negative Declaration (MND) for the proposed project. The MND identified that potential impacts related to generation of excessive groundborne vibration or groundborne noise levels were potentially significant, but this impact was determined to be less than significant with a measure to ensure that vibration levels would be reduced if they reach a certain level and standard conditions of approval for this project. On May 23, 2019 a notice of intent to adopt a Mitigated Negative Declaration (filing number 2019144257) was recorded and published online on the Los Angeles County Clerk CEQA Notice page and notice to the public was provided on the City's website the same day. The 20 day public review period began on May 25, 2019 and ended on June 6, 2019. No comments were received. A public hearing was held at the time of the Planning Commission's consideration of the request on June 18, 2019 and August 20, 2019.

The use of heavy construction equipment has the potential to exceed allowable groundborne vibration levels. The adjacent residence to the west at 64 10th Street is a beach cottage constructed in 1914. Because of the age and historic significance of the existing structure on site and the adjacent structure, these nearby structures must be considered especially sensitive to vibration impacts. The proposed Mitigated Negative Declaration includes a monitoring and vibration reduction measure indicating, "During the periods of site preparation when heavy equipment (such as a 315 excavator and 953 track loader, or similar) will be in use, vibration levels at site's western property line adjacent to the neighboring residential structure at 64 10th Street and at or near the southern foundation of the historic resource on site will be monitored by an acoustic engineer. The monitoring shall be performed by a registered engineer of INCE (Institute of Noise Control Engineering) certified engineer with expertise in vibration monitoring. In the event that vibration is found to exceed the perceptibility threshold of 001 inches per second, the methods and/or equipment used on-site shall be immediately modified to reduce vibration below the 0.01 level. Results of the acoustic monitoring and associated avoidance methods, if any, shall be provided to the Community Development Director in the form of a memorandum prepared by the acoustic engineer in a timely manner."

A condition of approval is also included which provides specificity on how this mitigation measure must be implemented stating that “Prior to issuance of any type of construction-related permits, the developer shall provide evidence that a registered engineer or INCE (Institute of Noise Control Engineering) certified engineer with expertise in vibration monitoring has been hired, and that the scope of work and frequency/availability of the engineer is adequate, to the satisfaction of the Community Development Director.”

The Mitigated Negative Declaration prepared for this project reflects the City’s independent judgment and analysis. The Planning Commission finds that, with implementation of the above-referenced measure which is hereby included as a condition of approval, there is no substantial evidence that the project would have a significant impact on the environment and finds the Initial Study and Mitigated Negative Declaration adequate and complete. The Planning Commission hereby adopts the Mitigated Negative Declaration. The record of proceedings for this MND are maintained in the Hermosa Beach Community Development Department 1315 Valley Drive, Hermosa Beach CA 90254.

On May 13, 2019 the City provided a courtesy notification letter to the Gabrieleno Band of Mission Indians – Kizh Nation Tribe advising them of the revised project at 70 10th Street. The only change to the project previously considered by the Tribe was to the project uses (from the previously proposed office and retail uses to the current proposed motel use). The construction activities and building and site design will be no different.

On July 1, 2019 the Tribe agreed with concluding the consultation process for the revised project at 70 10th Street because they consulted on the initial 70 10th Street project and there is minimal change to the project uses (from the previously proposed office and retail uses to the current proposed motel use) and because the construction activities and building and site design will be no different.

Section 7. Based on the testimony and evidence received, the Planning Commission makes the following findings pertaining to the application for the Precise Development Plan pursuant to H.B.M.C. Section 17.58.030:

1. Distance from existing residential uses in relation to negative effects: Two residential units are located immediately west of the subject property. The rear residence (69 10th Court) is located at the subject property’s west property line and the front residence (64 10th Street) is located approximately three feet from the subject property’s west property line. The proposed building is designed with the motel guest entrance/exits and covered walkways located along the east side of the building (Hermosa Avenue frontage) which are oriented away from nearby residential uses, and vehicular access is provided from 10th Court. Motels are permitted by right within the C-2 zone and all noise from the motel use operations will be contained within the fully enclosed building. Pursuant to HBMC Section 8.24.040, the City’s Noise Ordinance restricts commercial activities that are plainly audible from a residential dwelling unit’s property line from 10:00 p.m. to 8:00 a.m. daily. Lighting will be installed around the building and is required to be downcast so to not disturb neighboring residential uses. The project is conditioned to require lighting be downcast and be non-disruptive to nearby uses. Lighting shall conform to HBMC Section 17.44.160(C).

The existing single-family 1911 bungalow structure will be adaptively re-used as one of the motel units, and to maintain the historic integrity of the structure, no physical changes are proposed. The majority of the motel use will be conducted indoors, with the exception of the front porch which will be available to the guests of the motel’s single unit. The interior of the structure is being converted from three bedrooms to two bedrooms and the previously proposed 212 square foot ancillary

registration office on the first floor will now be used as additional living room area. An off-site property management company will assist with concierge services and tenant check in and checkout. Daily cleaning services will be provided by an outside cleaning service whose employees will be dropped off and picked up. The motel units will be "smart units" where the renters will be able to access information and pay online. All units will be keyless entry. Therefore, negative impacts to existing residential uses are not anticipated.

2. *The amount of existing or proposed off-street parking in relation to actual need:* HBMC Section 17.44.210 provides that a Parking Plan may be approved by the Planning Commission to allow for a reduction in the number of spaces required. The applicant shall provide the information necessary to show that adequate parking will be provided for customers, clients, visitors and employees or when located in a vehicle parking district, the applicant shall propose an in-lieu fee according to requirements of this chapter. Factors such as the following shall be taken into consideration: van pools, bicycle and foot traffic, common parking facilities, varied work shifts, valet parking, unique features of the proposed uses, peak hours of the proposed use as compared with other uses sharing the same parking facilities especially in the case of small restaurants or snack shops in the downtown area or in multitenant buildings, and other methods of reducing parking demand. The applicants request to allow for a reduction in the number of spaces require through payment of parking spaces in-lieu and for use of tandem parking spaces.

Motels require one space for each unit. The proposed project consists of six motel units which require a total of six parking spaces. HBMC Section 17.44.040 (E) 2.b. requires building sites, where buildings will exceed a 1:1 gross floor area to building site area ratio, to provide a minimum of 25% of the required parking on-site with the remaining required parking authorized to be paid through in-lieu fee contributions with approval of a Parking Plan. The proposed project FAR totals 1.14, therefore, a minimum of 2 parking spaces (25% of 6 spaces) must be provided on-site. The proposal complies with code and includes 4 parking spaces on-site with 2 in-lieu spaces requested.

The City, through an agreement with the Coastal Commission as part of our certified Coastal Land Use Plan (LUP) (certified in 1981 and amended as recently as 2004), has an approved parking in-lieu fee program. The basic concept is to allow for the development of smaller properties in the downtown where it is not possible or not practical to provide all required parking on-site. Currently the fee amount is \$28,900 per required parking space not provided on-site. The fee was established by resolution of the City Council and was based on an appraisal completed in July 2006. The in-lieu funds are used to mitigate increased parking demand and funds can be used for future improvements to the City's public parking. The threshold limit was established at 100 parking spaces in 1982 and the City has not yet reached this threshold. Currently 66 in-lieu parking spaces have been approved by the City to date. If the applicant's request to purchase 2 in-lieu spaces is approved, the City's inventory of available in-lieu spaces will be reduced to 32. Once the City reaches the 100 space threshold additional parking must be constructed or, no additional in-lieu parking may be authorized.

A Parking Plan is requested to allow the 6-space parking requirement to be met with 4 on-site spaces (including 1 tandem space) plus fees in lieu for 2 spaces. To provide some context in considering the request for approval of 2 in-lieu spaces, the following is a list of the largest in-lieu parking requests approved by the City to date.

- 20 spaces at 1301 Hermosa Avenue;
- 16 spaces at 906-910 Hermosa Avenue;
- 13 spaces at Pier Plaza;

- 7 spaces at 1429 Hermosa Avenue;
- 5 spaces at 51 Pier Avenue; and
- 5 spaces at 117 Pier Avenue.

The property is located within the Downtown District where the General Plan emphasizes and supports the following parking design goals: A park-once district that allows centralized, *shared parking facilities* providing pedestrian connections at multiple destinations; and *parking should be provided off-site through public or private shared parking facilities*, with any on-site parking situated to the rear of the buildings and/or hidden and screened.

General Plan Mobility Goal 4 aims to provide *innovative parking supply solutions which will be used to provide a variety of services tailored to different users in addition to adopting policies that will incentivize targeted business and commercial development of shared parking solutions*. Policy 4.1 aims to facilitate park-once and shared parking policies among private developments that contribute to a shared parking supply and interconnect with adjacent parking facilities.

Additionally, a bicycle rack accommodating eight bicycles will be located near the southeast corner of the existing structure. The project is conditioned to require that a bicycle rack, for at least eight (8) bicycles, be maintained on-site at all times and that a minimum of four (4) shared bicycles be provided on-site for motel guests and that the motel promote their availability when making reservations online.

The applicants additionally propose to provide green solutions which include providing parking spaces for two (2) neighborhood electric vehicles (golf carts) at the northwest corner of the property with one vehicle provided on-site for motel guests, requiring that two vehicle free units be provided whenever the property is more than 65% occupied (4 units with vehicles & 2 units vehicle free) and that discounts be provided for all occupants of the boutique inn that are vehicle free.

The applicants propose to eliminate and replace the ancillary registration office/concierge room with additional living room area and to provide alternative cleaning solutions. The applicants propose to utilize a local real estate broker and property management firm and the applicants have consulted and confirmed with two local real estate broker/property management firms located within three blocks of the property to provide service to guests and resolve any issues as needed. Through eliminating the ancillary registration office/concierge services there will no longer be an employee occupying a parking space. In addition, the applicants identified two local cleaning services that offer drop off and pick up of cleaning staff thereby making on-site spaces available to motel guests. The applicants also propose that the motel require keyless entry for all rooms.

Peak parking demand for hotel/motel uses typically occurs during overnight hours from 9:00 p.m. to 10:00 a.m. daily. Motel uses have peak times which coincide with times of the week where public parking is more available when compared to general retail and office uses. The nearest public surface parking lot, which contains 130 parking spaces, is located approximately 1 block (300 feet) away at 1101 Hermosa Avenue (Lot A) . Lot B contains 37 parking spaces and is located north of 13th Court; between Hermosa Avenue and Beach Drive, and is approximately two and a half blocks (750 feet) away. The public parking structure containing 261 parking spaces located at 13th Street and Hermosa Avenue (Lot C) is located approximately 3 blocks (900 feet) away. The overall public parking lot occupancy for Lots A, B and C is between 79% to 95% during weekday evenings and weekend afternoons. Public parking spaces are provided throughout the Downtown, which is located within Zone 2 of the Coastal Zone public parking supply (between 16th Street and 8th Street and as far east as Ardmore Avenue). In Zone 2, through a combination of public parking lots and metered street parking

spaces, occupancy rates range between 51% and 62% during weekday evenings and weekend afternoons.

3. *The combination of uses proposed, as they relate to compatibility:* The subject site will contain a total of six motel units. The single-family residence will be converted to one of the motel units. Motels are permitted by right within the C-2 zone, and all noise from the motel use operations will be contained within the fully enclosed building. The on-site motel use is consistent with the surrounding mixture of commercial uses such as general and medical office, retail and restaurant uses. Therefore, adverse impacts are not anticipated.

4. *The relationship of the estimated generated traffic volume and the capacity and safety of streets serving the area:* The project will not introduce any hazards to mobility, as alterations to the surrounding streets are not proposed and the project's proposed modifications will not impact emergency access to the site. Emergency access and fire lanes and ingress and egress points will be maintained in full compliance with the Building and Safety Code and Fire Code. The project does not propose any features or modifications to existing circulation facilities that would have the potential to conflict with transportation/mobility plans. Additional peak hour trips generated by the proposed project are expected to be two additional trips during a.m. and p.m. peak hours which is well below the standard threshold of significance of 50 trips during a peak hour, indicating the project does not have the potential to result in significant impacts related to the capacity of local or regional roads or intersections. Therefore, adverse impacts are not anticipated.

5. *The proposed exterior signs and decor, and the compatibility thereof with existing establishments in the area:* The new commercial building will be detached and located approximately six feet behind the existing on-site single-family residence. In doing so, the project will preserve the small scale character as viewed from 10th Street. Although the new building is not required to be compatible with the bungalow or the eligible historic district in scale or massing, it is important that the new building does not impact the integrity of the eligible 10th Street Beach Bungalow Historic District to the extent that the district would no longer be eligible for historic listing. Architectural treatments and design elements include painted lap siding, wood trim, wood picket railing, exposed rafter tails, masonry walls and covered and recessed walkways and balconies to provide a more pedestrian friendly streetscape. The elevator housing unit will exceed the 30-foot height limit by the minimum amount necessary to meet the California Building Code (approximately 3.66 feet) pursuant to HBMC Section 17.46.010 and will occupy less than 5% of the roof area (approximately 3.45%). No signage is currently proposed. The project is conditioned to require a sign permit for new signage at the subject site in conformance with HBMC Section 17.50.

6. *Building and driveway orientation in relation to sensitive uses, e.g., residences and schools:* The proposed building is designed with the motel guest entrance/exits and covered walkways located along the east side of the building (Hermosa Avenue frontage) which are oriented away from nearby residential uses. The project will maintain the existing vehicular access point provided by a driveway along the south alley (10th Court). The vehicular ingress/egress point is oriented to the south, across from an existing commercial building, where it is least impactful to nearby residences and will additionally limit impacts to street traffic on Hermosa Avenue. No new curb cuts are proposed and all on-street parking spaces will be preserved. No impacts are anticipated. The new building which abuts the Hermosa Avenue sidewalk will be recessed back approximately three to six feet and will contain covered walkways to provide a more pedestrian oriented frontage along Hermosa Avenue.

7. Noise, odor, dust and/or vibration that may be generated by the proposed use: The short duration of noise events generated during the anticipated 12-18 month construction period will temporarily result in increased ambient noise levels, but will not significantly impact the ambient noise environment over the long term or for a significant period of time. Compliance with the City's Noise Ordinance will effectively ensure that the project does not exceed adopted standards and successfully avoids significant construction-related temporary noise impacts. Motels are permitted by right within the C-2 zone, and all noise from the motel use operation will be contained within the fully enclosed building, with the exception of the front porch (fronting along 10th Street) which will be available to the guests of the motel's single unit. The interior of the structure is being converted from three bedrooms to two bedrooms and the previously proposed 212 square foot ancillary registration office on the first floor will now be used as additional living room area. An off-site property management company will assist with concierge services and tenant check in and checkout. Daily cleaning services will be provided by an outside cleaning service whose employees will be dropped off and picked up. The motel units will be "smart units" where the renters will be able to access information and pay online. All units will be keyless entry. As such, significant noise impacts from the long-term operations are not anticipated.

The use of heavy construction equipment has the potential to exceed allowable groundborne vibration levels. The adjacent residence to the west at 64 10th Street is a beach cottage constructed in 1914. Because of the age and historic significance of the existing structure on site and the adjacent structure, these nearby structures must be considered especially sensitive to vibration impacts. The Mitigated Negative Declaration requires compliance with a mitigation measure requiring that, "During the periods of site preparation when heavy equipment (such as a 315 excavator and 953 track loader, or similar) will be in use, vibration levels at site's western property line adjacent to the neighboring residential structure at 64 10th Street and at or near the southern foundation of the historic resource on site will be monitored by an acoustic engineer. The monitoring shall be performed by a registered engineer of INCE (Institute of Noise Control Engineering) certified engineer with expertise in vibration monitoring. In the event that vibration is found to exceed the perceptibility threshold of 001 inches per second, the methods and/or equipment used on-site shall be immediately modified to reduce vibration below the 0.01 level. Results of the acoustic monitoring and associated avoidance methods, if any, shall be provided to the Community Development Director in the form of a memorandum prepared by the acoustic engineer in a timely manner."

The project is conditioned to require the applicant submit a demolition and construction management plan for review and approval by the City Building Official at time of Building Permit submittal. The project is also conditioned to require the applicant to hold a pre-demolition/ construction meeting.

HBMC Section 8.12 requires adequate solid waste collection and disposal facilities for all developments. A minimum four cubic yard roll off container is needed for the six- unit motel use. A fully enclosed trash enclosure with a roof will be provided along the west side of the existing structure where the container can be rolled to the edge of the property along 10th Street. Although that space is not large enough to meet the minimum dimensions for a standard or compact parking stall, the area has been informally used to park vehicles, such as a golf cart. The applicant proposes to provide parking spaces for two (2) neighborhood electric vehicles (golf carts) at the northwest corner of the property with one vehicle provided on-site for motel guests. The project is conditioned to require the area be adequately signed to limit parking to two tandem neighborhood electric vehicle spaces and that the applicant provide one vehicle on-site for motel guests. Therefore, with implementation of the mitigation measure and various conditions of approval, adverse impacts are not anticipated.

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

The existing site has available utilities and services. The site has historically been occupied by a residential use. The City's Public Works Department has confirmed that that adequate capacity exists to provide utilities for the proposed development.

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

An Initial Study and Mitigated Negative Declaration was prepared to analyze the proposed project. The Initial Study/Mitigated Negative Declaration determined that, with implementation of one mitigation measure (included as a condition of approval within this resolution), the project will not result in any significant environmental impacts.

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.

The project is conditioned such that upon final approval of the Precise Development Plan the property owner shall be required to file with the City of Hermosa Beach the necessary business license for the motel use and file the transient occupancy tax (TOT) reports and payments with the City of Hermosa Beach.

The applicant proposes to install an electric vehicle charging station and the adjacent parking space will be non-exclusive and may be occupied by a non-electric vehicle. In addition, an area on the roof has been designated for future solar panels. The size and quantity of panels will be determined at time of plan check and are subject to a separate permit. Additionally, the project will comply with the current edition of the California Building Codes, including the Green Code (Title 24 Part 11) and Energy Code (Title 24 Part 6) as adopted by the City of Hermosa Beach (HBMC Title 15). The project energy consultant will prepare calculations to illustrate compliance with the minimum standards to meet code. The California Building Codes and Green and Energy Codes require installation of building insulation, energy windows, occupancy/vacancy sensors on outlets and light fixtures, motion sensor light fixtures within stairways, energy efficient light fixtures (LED or florescent) throughout the interior and exterior and require compliance with mandatory star rated energy efficient mechanical systems, appliances, and electronics such as televisions to ensure no wasteful, inefficient, or unnecessary energy consumption. Therefore, the project will not result in wasteful, inefficient or unnecessary consumption of energy.

Section 8. Based on the foregoing, the Planning Commission hereby **approves** the proposed Precise Development Plan 19-2 subject to the following **Conditions of Approval**:

- 1. The project consisting of a six-unit motel development shall be substantially consistent with plans and application submitted and approved by the Planning Commission on August 20, 2019, as modified per subsection 1a-h. The Community Development Director shall review and may approve minor modifications that do not otherwise conflict with the Municipal Code or requirements of this approval, provided that the use is not changed, intensity of use is not increased and the arrangement of space would not increase negative impacts. Any substantial deviation, changes to the floor plan, site plan, or building exterior which alter the primary function of the use as a motel shall be subject to review and approval by the Planning Commission.**
 - a. The front northwest corner of the property, west of the historic structure, shall be dedicated and adequately identified with surface paint as well as vertical (building or pole mounted) signage to accommodate parking spaces for two (2) tandem**

- neighborhood electric vehicles (golf carts) on-site, to the satisfaction of the Community Development Director.
- b. At least one (1) neighborhood electric vehicle shall be provided on-site for motel guests.
 - c. The previously proposed 212 square foot ancillary registration office/concierge room shall be used as additional living room area.
 - d. Two vehicle free units shall be provided whenever the property is more than 65% occupied (4 units may utilize vehicles & 2 units shall be vehicle free).
 - e. Discounts shall be provided for all occupants of the motel that are vehicle free.
 - f. A local off-site property management firm shall be utilized to provide services to guests and to maintain the welfare of the residents, and/or commercial and residential establishments nearby.
 - g. An off-site local cleaning service shall provide all cleaning services and employees shall solely be dropped off and picked up.
 - h. All motel units shall be keyless entry “smart units”.
2. The subject site shall additionally comply with Parking Plan P.C. Resolution 19-XX.
 3. Prior to the submittal of structural plans to the Building Division for plan check an ‘Acceptance of Conditions’ affidavit and recording fees 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 permit of approval.
 4. Upon final approval of the Precise Development Plan the property owner shall file with the City of Hermosa Beach the necessary business license for the motel use and file the transient occupancy tax (TOT) reports and payments with the City of Hermosa Beach.
 5. The applicant shall obtain and provide evidence to the Community Development Director of an approved Coastal Development Permit prior to issuance of the building permit.
 6. Prior to issuance of any type of construction-related permits, the developer shall provide evidence that a registered engineer or INCE (Institute of Noise Control Engineering) certified engineer with expertise in vibration monitoring has been hired, and that the scope of work and frequency/availability of the engineer is adequate, to the satisfaction of the Community Development Director.
 7. During the periods of site preparation when heavy equipment is used (such as a 315 excavator and 953 track loader, or similar), vibration levels at the project site’s western property line adjacent to the residential structure at 64 10th Street and at or near the southern foundation of the historical residence on-site, shall be monitored by an acoustic engineer. The monitoring shall be performed by a registered engineer or INCE (Institute of Noise Control Engineering) certified engineer, with expertise in vibration monitoring. In the event that vibration is found to exceed the perceptibility threshold of 0.01 inches per second, the methods and/or equipment used on-site shall be immediately modified to reduce vibration below the 0.01 level. Results of the acoustic monitoring and associated avoidance methods, if any, shall be provided to the Community Development Department in the form of a memorandum prepared by the acoustic engineer in a timely manner.

- 8. 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.**
- 9. The elevator housing unit shall be subject to Hermosa Beach Municipal Code Section 17.46.010 and shall occupy no more than 5% of the total roof area.**
- 10. All exterior lighting shall be downcast and 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 (three 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.**
- 11. Lighting for signage must be downcast and non-disruptive to nearby uses and compliant with HBMC Section 17.50 (Signs).**
- 12. A sign permit shall be obtained for new signage at the subject site in conformance with HBMC Section 17.50.**
- 13. An trash enclosure facility with roof, capable of accommodating a minimum four-yard roll off container shall be located along the west side of the existing structure, subject to review and approval of the Community Development Director.**
- 14. A bicycle rack for at least eight (8) bicycles shall be maintained on-site at all times.
 - a. A minimum of four (4) shared bicycles shall be provided on-site for motel guests and the motel shall promote their availability when making reservations online.****
- 15. The exterior of the premises shall be maintained in a neat and clean manner, and maintained free of graffiti at all times.**
- 16. Noise emanating from the property shall be within the limitations prescribed by the City's Noise Ordinance (Hermosa Beach Municipal Code Chapter 8.24) and shall not create a nuisance to surrounding residential neighborhoods, and/or commercial establishments.**
- 17. The establishment shall not adversely affect the welfare of the residents, and/or commercial and residential establishments nearby.**
- 18. The project must comply with Storm Water and Urban Runoff Pollution Control Regulations (HBMC Ch. 8.44) and install permeable surfaces in the parking lot and other non-landscaped areas to the maximum extent feasible. If providing water-permeable surfaces on at least 50% of exterior surface area is not feasible and incorporating measures in 8.44.095 to the extent practicable to infiltrate the volume of runoff produced by a 0.80 inch twenty-four (24) hour rain event, then the applicant shall infiltrate runoff on-site. In the event that subsurface infiltration is required, plans shall designate the exact location of the subsurface infiltration system, the applicant shall enter into a maintenance agreement with the City (prior to final map approval) for the ongoing infiltration, and**

provide a surety bond to the City to guarantee that on-site, subsurface infiltration is achieved. The amount of the bond shall be determined by the Building Division. All other drainage shall be routed to an off-site facility or on-site permeable area approved by the City. To the extent possible, a portion of roof drainage shall be routed to on-site permeable areas. No drainage shall flow over any driveway or sidewalk. Low Impact Development calculations and documentation such as Appendix D and E of the Storm Water LID Guidelines must be submitted to the Public Works Department at time of grading and plan check along with an erosion control plan.

19. 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 from the property. The recorded agreement must be filed with the City prior to issuance of the Certificate of Occupancy.
20. The project and operations shall comply with all requirements of the Building Division, Public Works Department and Fire Department, and the City of Hermosa Beach Municipal Code.
21. Building plans shall be submitted to the Los Angeles County Fire Department for review and approval. Final fire inspections shall be coordinated with the Los Angeles County Fire Department.
22. The project shall maintain in conformance with all other applicable regulatory agency requirements and standards, including but not limited to: Los Angeles County Health Department, California Disabled Access Standards (Government Code Title 24), and Los Angeles County National Pollutant Discharge Elimination System Permit (NPDES).
23. The applicant shall submit a demolition and construction management plan (and shall hold a pre-demolition/construction meeting) for review and approval to the City Building Official at time of Building Permit submittal.
 - a. 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.
 - b. The form of the notification shall be provided by the Planning Division of the Community Development Department.
 - c. Building permits will not be issued until the applicant provides an affidavit certifying mailing of the notice.
 - d. Project construction shall conform to the Noise Control Ordinance requirements in Section 8.24.050. Allowed hours of construction shall be printed on the building plans and posted at construction site.
 - e. During construction traffic control measures, including flagmen, shall be utilized to preserve public health, safety, and welfare.
24. 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.

25. Civil engineering plans shall be prepared by a licensed civil engineer and conceptually approved by the Public Works Department prior to submitting an application for Building Permits. 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 Municipal Code and Public Works specifications and shall be filed with the Community Development Department.
26. Civil engineering plans shall include adjacent properties/structures, sewer laterals, and storm drain main lines on street.
27. Project construction shall protect private and public property in compliance with 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.
28. Sewer flow rate for 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.
29. The practice of washing and rinsing floor mats, equipment, tables, etc., or discharge of any liquids, other than Stormwater, onto the public right-of-way, into the parking lot drain or storm drains, is strictly prohibited. Discharge of liquids or wash water shall be limited to the sanitary sewer.
30. Exterior and interior water use shall comply with Chapter 8.56.
31. 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 hereafter adopted that is 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.
32. 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 Precise Development Plan.
33. 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 will be provided.

Section 9. This permit 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 permit.

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

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.

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.

Section 10. 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. No. 19-XX 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 August 20, 2019.

David Pedersen, Chairman

Ken Robertson, Secretary

August 20, 2019
Date