



Legislation Details (With Text)

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On agenda: 6/18/2019 **Final action:**
Title: Precise Development Plan Amendment to extend the building permit expiration date, pursuant to Section 15.04.050 of the Municipal Code, for a 30-room hotel currently under construction at 1429 Hermosa Avenue

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1. Proposed Resolution, 2. 2. Site Photos and Public Notice Posters, 3. 3. Applicant Submittal Including Construction Schedule, 4. 4. Supplemental - Correspondence, added 6/18/19 at 2pm

Date	Ver.	Action By	Action	Result
6/18/2019	1	Planning Commission		

Honorable Chairman and Members of the Hermosa Beach Planning Commission

Regular Meeting of June 18, 2019

Precise Development Plan Amendment to extend the building permit expiration date, pursuant to Section 15.04.050 of the Municipal Code, for a 30-room hotel currently under construction at 1429 Hermosa Avenue

Applicant/Owner: 1429 Hermosa Avenue LLC
3730 Pacific Coast Hwy
Torrance, CA 90505

Recommended Action:

Staff recommends that the Planning Commission adopt the attached resolution amending the Precise Development Plan to extend the building permit expiration date one additional year.

Executive Summary:

The applicant is requesting is to extend the building permit expiration date an additional year. The building permit is otherwise is limited to a period of two years, with two six-month extensions allowed to be granted by the Building Official. The Planning Commission has the authority to consider this extension pursuant to the recent amendments to Municipal Code Section 15.04.050, which authorize the Planning Commission to set alternate building permit schedules through the entitlement process.

Background:

The Planning Commission approved a Precise Development Plan for 30-room hotel at 1429

Hermosa Avenue in October 2015. Building permits were issued February of 2016 and construction started early that summer. Section 15.04.050 of the Municipal Code establishes that building permits expire within two years of the date issuance of the permit. The Building Official has also granted two 6-month extensions and the current expiration date based on when the latest extension was granted is July 2019.

The applicant is requesting that the Planning Commission consider further extension of the building permit in order to complete the project. They have provided a construction schedule (attached) which indicates that the project will be complete within the next 6-9 months. The applicant indicates that the reasons for the delays in completing this project have been due to a variety of factors, but most recently due to difficulty in financing the later phases of construction, challenges of a constrained site, inclement weather this past winter and other construction related delays.

Section 15.04.050 of the Municipal Code pertaining to expiration of permits was recently amended by the City Council in January 2018, based on recommendations from the Planning Commission, to provide flexibility for the Commission to allow longer periods for discretionary projects because of their size and complexity. Since the subject project was approved before this amendment, there was no opportunity to request or consider a longer construction period at the time of the initial application and project approval. Due to the project's size and complexity and challenges of a constrained site, a longer than two year period would have been a reasonable condition had the applicant been able to and requested a longer period at the time of original approval. Now that the code has been changed to create this opportunity, the developer is requesting this consideration.

Analysis:

The project delays have raised concerns from neighbors as well as City Council. The developer has been candid about his difficulties with financing and efforts to sell the project and has been seeking a method to extend the permit. The developer now plans to complete the project and indicates that they have secured the necessary funding to complete the project.

At this stage, the project is about 75% done, the exterior scaffolding is about to be removed when the exterior tile work is complete. The next phases will be the interior dry wall and interior finishes. Once the exterior work is completed, that should reduce any negative aesthetic construction impacts or other disruptions to the neighbors.

This is the first time the Commission has received a request for a time extension under the new provisions in the code. As noted above, this developer did not have the opportunity to request additional time at the outset because the provision was not yet built into the Code. The city added this authorization upon determining that some projects require more than two years to complete. While moving forward this will be handled at the entitlement stage, staff supports the request to have the Planning Commission amend the PDP to provide a later expiration date for the building permits. Staff believes that given that the project is almost done and the expressed commitment of the developer to complete the project, that this extension is the best option for the developer and City to

see this project through completion.

California Environmental Quality Act:

The proposed extension is Categorical Exempt from the California Environmental Quality Act, as it is not a project under CEQA. The project is 75% completed and this decision will allow the developer to complete the already approved project.

Summary

Staff recommends the Planning Commission approve the requested amendment the Precise Development Plan to allow the applicant the additional time needed to complete the project.

Attachments:

1. Proposed Resolution
2. Site Photos and Public Notice Posters
3. Applicant Submittal Including Construction Schedule

Respectfully Submitted by: Ken Robertson, Community Development Director