



Staff Report

File #: REPORT 19-0542, Version: 1

Honorable Chairman and Members of the Hermosa Beach Planning Commission

Regular Meeting of August 20, 2019

A-14#63- Planning Commission consideration of a small lot exception to open space and lot coverage requirements otherwise required in the Single-Family Residential (R-1) zone for a new single-family residence at 3411 The Strand, and determination that the project is categorically exempt from the California Environmental Quality Act (CEQA).

Applicant/Owner: Frank Khulusi
942 Highland Avenue
Manhattan Beach, CA 90266

Recommended Action:

Adopt the attached resolution to determine that the small lot exception to open space and lot coverage requirements are warranted for the proposed single-family residence.

Background:

GENERAL PLAN:	Low Density Residential
ZONING:	Single-Family Residential (R-1)
LOT SIZE:	2,275 square feet (sq. ft.)
PROPOSED LIVING SQUARE FOOTAGE:	3,850 sq. ft.
PROPOSED LOT COVERAGE:	68.39 percent (70 percent maximum for small lot)
PROPOSED PARKING:	2 Standard/1 Guest (2 Standard/1 Guest Required)

The subject lot is located at the northwest corner of the city. The lot fronts on The Strand, a paved path that runs along the beach, and the lot is accessed from a service road to the east that runs parallel to Hermosa Avenue. The nearest cross street is 34th Street. The 2,275 square foot lot is 35 feet wide, 65 feet deep, and contains an existing two-story duplex constructed in 1927. The duplex totals 2,443 sq. ft. in size, exclusive of the garages. The existing duplex is legal nonconforming to parking requirement with a total of two parking spaces rather than a total of five parking spaces (four standard parking spaces and 1 shared guest required for a duplex). The existing building is nonconforming to height and yard setbacks. In addition, the existing duplex is a nonconforming use because it contains two units on a R-1 zoned lot.

The applicant proposes to demolish the legal nonconforming existing duplex to construct a new two-

story single-family residence with a basement level. As part of their application, the applicant requests the Planning Commission determine that the small lot exceptions to open space and lot coverage requirements are warranted.

Analysis

The applicant proposes to construct a two-story single-family residence with a basement level consisting of 3,850 sq. ft. of living space on a 2,275 square foot lot. The proposed single-family residence contains a basement floor level comprised of a family room and bar area, guest bedroom, and two bathrooms. There is a 300 square foot open space patio directly west of the basement level and adjacent to The Strand. The first floor level contains a two-car garage and guest parking space (all of which are accessible from the Hermosa Avenue service road), great room, dining room, kitchen, bathroom, and a 63 square foot west facing balcony (it should be noted that this balcony does not count towards the open space requirement because the dimension is less than 7' length x 7' width). The second floor level contains four bedrooms and four bathrooms and a 90 square foot west facing balcony (it should be noted that this balcony does not count towards the open space requirement because the dimension is less than 7'x7'). In addition, there is a 293 square foot roof deck with a swimming pool (100 sq. ft. maximum roof deck area counted towards open space requirement).

Lots that are 2,100 sq. ft. or less are considered a small lot, and while subject to R-1 development standards are granted the exception of the open space and/or lot coverage requirements "by right" pursuant to Hermosa Beach Municipal Code (HBMC).

Pursuant to HBMC Section 17.08.040 (Development Standards for Small Lots), "*Lots within ten percent (10%) of the lot size identified above (i.e., lots ranging from two thousand one hundred one (2,101) to two thousand three hundred ten (2,310) square feet may also be considered for some or all of the lot coverage and/or open space exceptions for small lots... subject to review and approval by the Planning Commission if warranted by any of the following considerations:*"

1. To achieve a consistent and comparable amount of indoor living space with existing dwelling units in the immediate neighborhood.
2. To allow design flexibility in the application of the open space standard in conjunction with the remodeling and expansion of existing structures.
3. To allow an innovative design which otherwise is consistent with the goals and intent of the open space and development standards for the R-1 zone.
4. To address unusual lot configurations or topography, as compared with surrounding lot and development patterns.

The following is a comparison table between the R-1 zone requirements and R-1 zone with "Small Lot" Exceptions, and how they relate to the proposed single-family residence.

	R-1 Zone Requirement	With Small Lot Exception	Proposed Residence
Lot Coverage	65%	70%	68.39%
Minimum Open Space	400 sq. ft.	300 sq. ft.	400 sq. ft.

Open Space on Balconies/Decks	100 sq. ft. (Maximum)	N/A	100 sq. ft.
Directly Accessible to Livable Area	N/A	180 sq. ft. (minimum)	300 sq. ft.
Minimum Dimension for Open Space (length x width)	10' x 10'	7' x 7'	35' x 7'-9 1/4" to 9'5"

The applicant requests the Planning Commission grant the following small lot exceptions:

1. Minimum 7' x 7' (length x width) open space dimensions instead of 10' x 10'; and
2. Provide 68.39 percent lot coverage instead of 65 percent maximum lot coverage.

As part of the small lot exception, the applicant is also requests the Planning Commission interpret that a 30-inch balcony projection that partially covers the 300 sq. ft. basement level open space area and partially covers the 7' dimension, is not considered an obstruction, thus allowing all 300 sq. ft. to count towards the required open space total. If this interpretation is not made, then none of the 300 sq. ft. basement level open space area will qualify or contribute to the required open space requirement since the basement level open space would be less than the minimum dimension for open space - 7' x 7' (length x width).

Pursuant to HBMC Section 17.04.040 "Open space" means areas which are from ground to sky free and clear of any obstructions or obstacles unless otherwise specified within each zone classification. Minor obstacles such as telephone and power lines or similar obstacles, and obstructions such as eaves or entryway overhangs, a maximum of thirty (30) inches wide, may encroach into open space areas in the R-1 zone. The applicant requests the Planning Commission consider, for this specific project, that this specific partial 30-inch balcony projection be viewed similar to an eave which is otherwise allowed to project over open space areas. Eaves are allowed to project over open space areas due to their limited size and ability to allow sunlight to reach open space areas as opposed to coverage that results in dark and unused open space areas. For this specific project, the limited 30-inch projection is limited in size and any dark and unused open space areas will be limited due to the design and layout of this specific basement level open space.

As noted above, HBMC Section 17.08.040.C states that *"lots that range between 2,101 to 2,310 square feet may be considered for some or all of the lot coverage and/or open space requirements... subject to approval by the Planning Commission if one of the four considerations can be made based on review of these considerations."*

The applicant feels that the City can make three of the four considerations to the small lot exceptions. Their explanation is attached as Attachment 5. Staff's analysis of the application is contained below. The Planning Commission will note that Staff generally agrees with the applicant, and has made similar observations and conclusions.

Consideration (#1): *To achieve a consistent and comparable amount of indoor living space with existing dwelling units in the immediate neighborhood.*

The applicant claims their proposed 3,850 sq. ft. of indoor living space is comparable to the that single-family residences within the immediate neighborhood along The Strand and east side of Hermosa Avenue between 26th Street and 35th Street.

The immediate neighborhood consists of homes along The Strand and Hermosa Avenue from 26th Street to 35th Street. The homes fronting The Strand are zoned (R-1) Single-Family Residential, homes east of Hermosa Avenue are zoned (R-3) Multiple-Family Residential, and four lots to the south towards 26th Street are located within the (R-2) Two-Family Residential. As shown in the attached Living Area Square Footages in the Immediate Neighborhood exhibit (Attachment 4), Staff has confirmed that 59 percent of the 66 single-family residences exceed 3,500 sq. ft. of indoor living space and 48 percent exceed 3,800 sq. ft. of indoor living space. In addition, 24 of the 66 single-family residences in the immediate neighborhood have indoor living space that exceeds 4,000 sq. ft.

Based on existing indoor living space square footage within the immediate neighborhood, the proposed 3,850 sq. ft. of indoor living space is comparable to the immediate neighborhood.

Consideration (#2): *To allow design flexibility in the application of the open space standard in conjunction with the remodeling and expansion of existing structures.*

This consideration is not applicable since this is a proposed single-family residence.

Consideration (#3): *To allow an innovative design which otherwise is consistent with the goals and intent of the open space and development standards for the R-1 zone.*

The applicant claims the proposed design incorporates elements to reduce massing and provide visual interest to the public. The proposed design includes an articulated roof line and a facade with a staggered setback with a building orientation that takes advantage of opportunities for outdoor living space.

The property fronts The Strand, a paved path that runs along the beach, and Hermosa Avenue service road. The property has a downward slope of 13 percent from east to west, which is approximately 9 ft. in elevation change from The Strand elevation and the Hermosa Avenue service road and the basement level of the proposed single-family residence. As a result of the grade change, the vehicle access is provided from the service road and creates a split or break between levels. The Hermosa Avenue frontage is occupied by a two-car garage and guest parking space; and therefore, it cannot be utilized for open space purposes. Staff agrees that the applicant's design is innovative because it provides a mixture of west facing open space areas (plus the roof deck), while maintaining useable livable area.

Staff believes the innovative design elements used by the applicant include:

1. Providing a majority of the required open space, 75 percent (300 sq. ft. of the 400 sq. ft. provided) adjacent to The Strand and accessible from a primary living area (basement floor) and 25 percent (100 sq. ft. of 400 sq. ft.) on the roof deck. This contributes to a total of 400 sq. ft. of qualifying useable open space, exceeding the minimum 300 sq. ft. requirement for usable open space areas for the occupants of the home, and is similar to surrounding properties. Pursuant to HBMC Section 17.08.040.A, primary living areas are living rooms, family rooms,

and kitchen and living room or family room combinations. Therefore, the proposed single-family residence contains two primary living area floor levels: The basement level with a family room and a wet bar area; and the second floor with a kitchen, dining room, and living room.

2. The applicant also proposes more narrow balconies on the first and second floor levels, which project over the basement level open space area. Although, the balconies do not qualify or contribute to required open space, since they are less than 7' x 7' (length x width). These open space amenities on the upper floor levels help to break up the façade and create visual interest.
3. The lot is a beach front residential property and therefore, the outdoor living areas are orientated towards the beach to capture the ocean views, similar to other homes along The Strand. The proposed single-family residence will provide a 300 sq. ft. basement level open space with 36-inches wall to increase the ocean view. Moreover, the proposed single-family residence will have a roof deck with a swimming pool, which will increase the opportunities for enjoyment of outdoor living spaces on the property. The proposed single-family residence meets the goals and intent of the open space by providing useable outdoor living area on all levels, plus the roof deck. The addition of large balcony doors on all floor levels will maximize the use of the open space.

Staff believes that the applicant's proposed design is innovative by breaking up the facade by providing decks facing The Strand to avoid the box-type massing appearance to create visual interest while taking advantage of the ocean views. Staff also believes that the applicant's design provides a functional 300 sq. ft. of useable open space on the basement level that is directly accessible from the living area with a 293 sq. ft. of roof deck area (100 sq. ft. max counted towards the required open space requirement) meets the intent of the open space requirements.

Consideration (#4): *To address unusual lot configurations or topography, as compared with surrounding lot and development patterns.*

The applicant claims that subject lot has an irregular lot configuration in which the proposed on-grade open space is irregular in shape. The applicant states the 35' front lot line along The Strand is not squared to the rest of the lot, therefore, the proposed open space has a starting width of 7.9' at the north line and widening to 9.4' at the south lot line. In addition, the applicant is claiming the lot has an unusual topography due to the downwards slope from the rear to the front of the lot.

Lot Configuration

Staff does believe the subject lot has unusual lot configuration because of its shallow lot depth of 65' rather than a typical lot depth in the surrounding area of 90' to 100'. The lot also has a slightly irregular shape.

Topography

The subject lot fronts The Strand (west of the property) with paved path that runs along the beach, and Hermosa Avenue service road (east of the property). The subject lot has an unusual topography in that it has a significant downward slope with a 13 percent grade change from east to west of the property. The service road is approximately nine feet higher in

elevation than The Strand elevation and access to parking can only be provided from the service road.

The proposed single-family residence meets all minimum required yard setbacks with a slightly greater front yard setback for all floor levels. The proposed 68.39 percent lot coverage in which the building occupies 1,556 sq. ft. of lot that does not result in a bulky appearance or massing of the building. The proposed building occupies 77.25 sq. ft. more than the standard R-1 development standard instead of 65 percent standard maximum lot coverage. Accordingly, the single-family residence meets the intent and goals of the development standards for the R-1 zone by meeting a majority of the R-1 development standards with the exception to the open space and lot coverage requirements.

Environmental Determination:

The proposed single-family residence is Categorically Exempt from the California Environmental Quality Act as defined in Section 15303(a), Class 3 Exemption, New Construction or Conversion of Small Structures. The project consists of a single-family residence in an urbanized area, totaling no more than six dwelling units. Moreover, none of the exceptions to the Categorical Exemption apply. Nor will the project result in a significant cumulative impact.

General Plan Consistency:

The proposed single-family residence is located within a Low Density Residential (LD) Land Use designation. According to Plan Hermosa, *"The purpose of this designation is to provide retention, maintenance, investment in single-family residential neighborhoods, and to protect residential uses from potential nuisances of nonresidential uses. This low density designation is also intended to provide the lowest levels and offer a high quality environment for family life, and ensure the preservation of residential property values."*

The subject lot is also located within the Walk Street Neighborhood character area, which *"provides a range of beach side residential development and neighborhood commercial services within a linear street network,"* as stated in Plan Hermosa. In addition, the walk streets also provide beach access from Hermosa Avenue out to The Strand that is a feature unique to this beach front residential area. Plan Hermosa states, *"The future vision for this character area is to maintain the high quality pedestrian connections through the walk streets and retain the form, scale, and orientation of buildings in this area by designing buildings to take advantage of the ocean view through the outdoor living areas facing the ocean."* The proposed project will be consistent in that it will serve as a lower density single-family use and building has been designed to capture the ocean views through providing additional outdoor living opportunities.

The proposed design features implement the following PLAN Hermosa goals and policies in the Land Use policies:

1.6 Scale and Context. Consider the compatibility of new development within its urban context to avoid abrupt changes in scale and massing.

The proposed single-family residence has outdoor and primary living areas facing the ocean similar to the surrounding neighborhood. Additionally, a roof deck with swimming pool is provided to increase the outdoor living opportunities.

2.5 Neighborhood Preservation. Preserve and enhance the quality of residential neighborhoods by avoiding or abating the intrusion of disruptive, nonconforming buildings and uses.

The proposal is to demolish the existing duplex, which is a nonconforming use and building, and to construct a new single-family residence. Elimination of the nonconforming use will preserve and enhance the neighborhood by ensuring the use of the site is consistent with the General Plan land use designation and the zoning code.

5.1 Scale and Massing. Consider the scale of new development within its urban context to avoid abrupt changes in scale and massing.

The proposed single-family residence consists of a two-story with a basement level and west facing balconies. Due to the slope on the properties, it will have a three-story appearance facing The Strand and a two-story appearance facing the Hermosa Avenue service Road. This is similar to the other residences in the surrounding neighborhood; thus the proposed single-family residence will have a similar scale and mass as others in the area.

Summary:

Staff recommends the Planning Commission adopt the attached resolution to approve the small lot exception from open space and lot coverage requirements located at 3411 The Strand. Staff also recommends Planning Commission interpret that the 30-inch balcony projections do not obstruct the 300 sq. ft. proposed basement level open space area. The subject lot is consistent with HBMC Sections 17.08.040.C.1, 17.08.040.C.3, 17.08.040.C.4 because the property has an unusual lot configuration and topography, the proposed single-family residence will have comparable indoor living space in the immediate neighborhood, and the proposed single-family residence is an innovative design which otherwise is consistent with the goals and intent of the open space and development standards for the R-1.

Attachments:

1. Proposed Resolution
2. Site Photographs
3. Project Plans
4. Applicant's Living Square Footages in the Immediate Neighborhood Exhibit
5. Applicant's Discussion of Small Lot Considerations
6. Public Notice Posters
7. Radius Map

Respectfully Submitted by: Kathy Khang, Assistant Planner
Approved: Ken Robertson, Community Development Director
Legal Review: Lauren Langer, City Attorney