



## Staff Report

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File #: REPORT 20-0003, Version: 1

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### Honorable Chairman and Members of the Hermosa Beach Planning Commission

#### Regular Meeting of January 21, 2020

CON 19-1, PDP 19-1, VTPM #80296 & S-21#31- Conditional Use Permit, Precise Development Plan and Vesting Tentative Parcel Map No. 80296 for a two-unit detached condominium project, and grade height determination along the south property line for purposes of locating underground garages eight inches into the south side yard setback, at 847 Bard Street and determine the project is categorically exempt from the California Environmental Quality Act (CEQA).

Applicant/Owner: Neo Leighton, LLC  
C/O Jack Cheng  
100 Wilshire Blvd, 15<sup>th</sup> Floor  
Santa Monica, CA 90401

#### **Recommended Action:**

Staff recommends the Planning Commission:

1. Adopt the attached resolution approving the Conditional Use Permit, Precise Development Plan and Vesting Tentative Parcel Map No. 80296 for a two-unit detached condominium project at 847 Bard Street, subject to conditions, and determine the project is categorically exempt from the California Environmental Quality Act (CEQA); and
2. By Minute Order approve the request for use of alternative (existing) grade height elevations along the south property line for purposes of locating underground garages eight inches into the south side yard setback.

#### **Background:**

GENERAL PLAN:	High Density Residential
ZONING:	Multiple-Family Residential (R-3)
LOT SIZE:	3,298.5 square feet
PROPOSED SQUARE FOOTAGE:	Unit 1: 2,097 square feet Unit 2: 1,972 square feet
PARKING REQUIRED:	4 Standard spaces/1 Guest space
PARKING PROVIDED:	4 Standard spaces/1 Guest space
ON STREET PARKING LOST/GAINED:	0 Lost/0 Gained (tow away zone)
ENVIRONMENTAL DETERMINATION:	Categorically Exempt, CEQA Section 15303(b) (Class 3 Exemption, New Construction or Conversion of Small Structures)

The subject site is located north of 8<sup>th</sup> Street and on the west side of Bard Street, below Clark Stadium. The 3,298.5 square foot lot contains two units with the entirety of the front of the lot

providing parking access from Bard Street. There is no established sidewalk on Bard Street.

Parking for the existing two-unit building is accessed via a concrete driveway from Bard Street leading to a two-car garage. The applicant proposes to demolish the existing units and construct two detached residential condominium units on the subject site.

The applicant proposes to relocate and reduce the width of the existing driveway from the full lot frontage to a single nine foot wide driveway at the north side of the lot. The driveway will provide shared access to both units and there is no loss or gain of on-street parking spaces on Bard Street due to the west side of Bard Street containing a tow away zone. Units 1 and 2 are three level structures that will each contain a two-car garage, bedroom and bathroom on the garage/basement floor, an entry hall two additional bedrooms, two bathrooms and laundry room on the first floor; dining room, kitchen, living room, powder room, and deck on the second floor; and roof deck above the second floor level.

The architectural styles of both units are contemporary with exterior treatments of stone, smooth plaster.

**Analysis:**

A proposal to construct a condominium project requires findings for consideration of a Precise Development Plan, Conditional Use Permit, and the Vesting Tentative Parcel Map pursuant to Government Code Section 66474 and as set forth in Hermosa Beach Municipal Code (HBMC) Sections 16.08.060, 17.40.020, and 17.58.030.

**CEQA Compliance:**

The proposed project is Categorically Exempt from the California Environmental Quality Act as defined in Section 15303(b), Class 3 Exemption, New Construction or Conversion of Small Structures, because the proposal pertains to construction of limited numbers (two) of new, small structures. More specifically, the project is comprised of multi-family residential structures 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 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.

**Basic Zoning Standards:**

The project complies with the requirements of the Zoning Ordinance, including the R-3 zone and design standards for condominiums in HBMC Section 17.22.

CRITERIA	REQUIRED	PROPOSED
Minimum Lot Area for 2 Units	2,640 Sq. Ft.	3,298.5 Sq. Ft.
Lot Coverage Maximum	65%	63.69%
Height Maximum	30'	30'
Front Yard Setback Minimum	5'	5'

Minimum North and South Side Yard Setback:	3'	3'
Rear Yard Setback (1 <sup>st</sup> /2 <sup>nd</sup> and 3 <sup>rd</sup> floors)	5' All Floor Levels	5' All Floor Levels
Total Parking Spaces	5 spaces total	5 spaces total
Garage Parking Spaces	4 (2 per unit)	4 (2 per unit)
Guest Parking Space	1 space	1 space
Driveway Maximum Slope	20%	14.5%
Turning Radius	28'	28' 8"
Open Space Per Unit	300 Sq. Ft.	Unit 1: 411 Sq. Ft. Unit 2: 376 Sq. Ft.
Minimum Unit Size (3 bedroom condominium)	Units 1 & 2: 1,400 Sq. Ft. each	Unit 1: 2,097 Sq. Ft. Unit 2: 1,972 Sq. Ft.
Storage Area Per Unit	200 Cu. Ft.	Unit 1: 265.45 Cu. Ft. Unit 2: 246.45 Cu. Ft.
Solid Waste Area Per Unit	Screened area for 6 bins (3 bins each unit) at 2.5' by 2.5' each	Located below grade adjacent to parking courtyard with screening gates

Covenants, Conditions and Restrictions (CC&R's) have been submitted and will be reviewed by Planning Division for compliance with applicable sections of the zoning ordinance and this entitlement, should the Planning Commission approve.

#### Grade Height Determination

HBMC Section 17.44.150 provides that "...underground parking facilities may be located in the side, front and rear yards which are completely below existing ground level... in the side yards and rear yards not abutting a street, the grade may be raised an average of three feet with a maximum of six feet above the existing grade..."

Grade at any point on a lot is determined based on existing corner point elevations (interpolation method). Alternative determinations of grade, such as convex slope determinations and alternative property corner or grade point elevations, shall be made by the Planning Commission. The grade of a lot may be based on a detailed topographical survey with spot elevations along the property line in question.

The applicant requests Planning Commission approve use of alternative grade heights along the south property line for purposes of locating underground garages eight inches into the south side yard setback. If the standard interpolation method is used to define grade then the garages will not be considered underground and will not be able to encroach into the south side yard setback.

The south elevation shown in attachment 4 illustrates the existing grade line (green), the grade line based on corner point elevations (blue) and the garage locations (orange). The existing natural ground/grade is located approximately 1 to 1.5 feet higher than the standard interpolation method based on existing corner point elevations.

The applicant submitted two soil investigation reports to assess any fill soil conditions. The recent three borings contained in the report dated September 30, 2019, supplement two borings placed on site as described in the report dated July 11, 2018. One to two feet of existing silty sand fill soils overlying undisturbed native soils along the south side of the property

were encountered. The soils engineer confirmed that the fill soils are very similar to on-site native soils and are likely the result of disturbance over the life of the existing building.

Boring Site	Amount of Fill Present	Location of Boring Site
<b>July 11, 2018 Soils Investigation</b>		
B-1 (Not applicable)	3 feet	North side of property. Not applicable. Not asking for alternative grade at north.
B-2	2 feet	South east of property
T-1	1.5 feet	South west of property
<b>September 30, 2019 Soils Investigation</b>		
B-3	1 foot	South west of property
B-4	18 inches	Adjacent to south property line (mid property)
B-5	1 foot	Adjacent to south property line (mid property)

The applicant is not looking to utilize alternative grade heights for purposes of determining building height. Building height will still be measured from the four property corner elevation points (interpolation method).

Staff believes that evidence presented in the two soil investigation reports and survey support the use of the natural and unaltered alternative grade heights requested for purposes of locating underground garages eight inches into the south side yard setback.

#### Access and Parking:

Access to the on-site parking is provided through a shared nine foot wide driveway approach that is located on the north side of the lot. The driveway extends to the rear Unit 2 garage and shared guest parking space. The driveway slope profiles indicate the driveway slope will be 14.5%% at the steepest point; within the maximum allowed slope of 20% pursuant to HBMC Section 17.44.120.D. The project has been designed to reduce the existing driveway surface area by reducing and relocating the driveway to the furthest north point of the lot. Street parking is currently prohibited on the west side of Bard Street due to the two away zone. Therefore, there will be no loss or gain of on-street parking spaces on Bard Street.

#### Landscape and Green Measures:

All plants must be water conserving as required by the Hermosa Beach Water Conservation and Drought Management Plan (HBMC Section 8.56) and Water Efficient Landscaping (HBMC Section 8.60). The landscape plan includes a mixture of drought tolerant plants including coastal rosemary, harmony kangaroo paw, blue chalksticks, and candelabra aloe. In addition, the landscape plan will include two 24-inch box size forest pansy redbud trees, both of which will be planted within the front (east) yard planter. The project is conditioned to ensure that all planting materials and trees comply with HBMC Section 8.60, Water Efficient Landscaping. The landscape plan shows that catch basins with sump pumps will be provided on-site and an automatic irrigation system with a moisture sensor is proposed for the landscaped areas.

The project must comply with Section 8.44 Hermosa Beach Stormwater and Urban Runoff Pollution Control Regulations. Additionally, 65% of demolition debris must be recycled, and cement used in foundation mix design must be reduced by not less than 20%, among other requirements. Hermosa Beach's Electrical Code (Section 15.32) requires installation of conduit sized to accommodate solar energy and solar thermal systems.

Compatibility with surrounding area:

The subject site is zoned R-3 Multiple-Family Residential with similar residentially zoned properties to the north, east, south and west. Similar residential development is found in the surrounding area comprised primarily of multi-story, multi-family residences with some single-story single-family residences.

The proposed layout of the building is consistent with multiple-family residential buildings in the immediate neighborhood consisting of both attached and detached two-unit condominiums on a lot with shared driveways leading to parking courtyards which provide vehicle access to the units.

Subdivision Map:

The applicant has applied for a Vesting Tentative Parcel Map No. 80296. A vesting tentative parcel map grants vested rights to proceed with a project in accordance with the ordinances, policies and standards in effect at the time the application for approval of the vesting tentative map is completed. The proposed two-unit condominium is on an existing 3,298.5 square foot lot, with a 30-foot lot width. The R-3 zone requires a minimum lot size of 1,320 square feet per unit; thus allowing a maximum of two dwelling units on the 3,298.5 square foot lot. The lot is similar to surrounding lot sizes and lot widths within the same zone, and the General Plan Land Use designation for lots in the vicinity, and thus complies with Hermosa Beach ordinances regarding subdivision of lots.

The project is conditioned upon payment of Park and Recreation Area Dedication fees for each unit as there is inadequate area on-site for land dedication per City required Parks and Recreation Area fees.

The proposed two-unit condominium can connect to the existing utilities that service the residential uses in the immediate neighborhood. In addition, the existing utilities have the capacity to serve the proposed development. The submitted plans were preliminarily reviewed by the Fire Department, Public Works Department, and Building & Safety Division, and no major concerns were identified.

The proposed subdivision and improvements are compliant with criteria for approval of a subdivision map and are not likely to cause serious public health problems within the proposed subdivision. The design of the proposed subdivision is compatible with the immediate residential environment.

General Plan Consistency:

The proposed two-unit condominium is located within the High Density Residential (HD) General Plan Land Use designation area; the purpose of which is to provide a range of residential housing types to serve the varying living accommodation needs or desires of the community. The intent of this designation is to preserve and contribute to the inventory of diverse housing types available to residents and offer alternatives to single-family residential development. The designation allows for a variety of high density building types and development patterns.

This designation provides a range of residential building formats including condominiums,

townhouses, duplex/triplex, and apartment buildings. Single-family residential is discouraged in this designation. The appropriate density range is between 25.1 to 33.0 dwelling units per acre.

The subject site is also located within the Sand Section Neighborhood character area as indicated in the City's General Plan, which accommodates a range of residential development types, with neighborhood commercial services. The abundance of small, pedestrian-friendly blocks give this area its charm and intimate sense of community.

The future vision of this neighborhood includes preserving the building form, scale, and orientation in this neighborhood. It is appropriate to have small-scale apartments adjacent to single-family homes in this area and an integrated mixture of housing types is what defines the identity of the Sand Section.

Building Design and Orientation should avoid flat, box-like front façades and greater Articulation is favorable. Garages and parking are typically accessed through alleyways or driveways that extend behind buildings. This area may include prevailing setback requirements for front, side, and rear setbacks that vary from block to block, but provide consistency within each block.

The proposed project is consistent with the HD Land Use designation in that it will contribute to the residential neighborhood as a multi-family (two-unit on a single lot) development and meets the intent of the Sand Section Neighborhood character area with a density of 15.14 dwelling units per acre and through providing garages and parking behind the buildings. The design of the detached two-unit development is consistent with the Sand Section Neighborhood character area in that the driveway extends behind the buildings, the front building provides the required five-foot front yard setback, as there is not a larger prevailing front yard setback along the west side of Bard Street, and both units have been designed with building articulation elements such as staggered building facades, vertical and horizontal architectural bands and columns and large balconies and roof decks with a mixture of architectural finishes.

Land Use Goal 2 states "While each neighborhood in Hermosa Beach is distinct, they each provide a variety of housing types, densities, designs and mix of uses and services that collectively reflect the small beach town character. The diversity of building types responds to the diversity of the city's population and the desire to create interesting and varied neighborhoods."

Specifically, Land Use Goal 2 Policy 2.1 states "Neighborhoods are complete and well-structured by encouraging, where appropriate, the following characteristics including having homes with entries and windows facing the street.

Although the design does not incorporate a front facing entry for Unit 1, the design does provide a large front facing balcony with horizontal metal guardrails and large vertical windows which encourages having "eyes on the street." The Sand Section Neighborhood character area also does not specifically identify front facing entries as a character defining "building design and orientation" unlike other character areas such as the North End Neighborhood which specifically states "Buildings should have a primary entrance onto the numbered streets, and are encouraged to have a secondary entrance on perpendicular streets."

The proposed design features implement the following PLAN Hermosa goals and many of its policies in the Land Use policies 1.6 Scale and Context., 2.1 Complete Neighborhoods, 2.3 Balanced

Neighborhoods, 2.6 Diversity of building types and styles, 2.7 Context sensitive design, 5.1 Scale and Massing, 5.6 Eclectic and diverse architecture, and 6.9 Shared driveways.

Perfect consistency is not required with all General Plan policies. Consistency means that the project does not impede the City's ability to meet its General Plan goals. The proposed uses are in line with the City's long-term vision set out in the General Plan and the overall project does not impede the City's ability to meet its goals

**Summary:**

The project and Vesting Tentative Parcel Map as conditioned are consistent with the zoning code, subdivision laws and other relevant provisions of the Municipal Code, and the site is physically suitable for the type and density of proposed development. Therefore, staff recommends adoption of the attached resolution approving the Conditional Use Permit, Precise Development Plan, Vesting Tentative Parcel Map #80296 for a two-unit detached condominium project, and approve by minute order the use of alternative (existing) grade height elevations along the south property line for purposes of locating underground garages eight inches into the south side yard setback, at 847 Bard Street, and determine the project is Categorical Exempt from the California Environmental Quality Act (CEQA).

**Attachments:**

1. Proposed Resolution
2. Site Photos
3. Applicant Submittal- Plans
4. South Elevation- Grade Lines and Garage Locations
5. Soils Investigations and Survey
6. Radius Map
7. Poster Verification

Respectfully Submitted by: Nicole Ellis, Associate Planner

Legal Review: Lauren Langer, City Attorney

Approved: Ken Robertson, Community Development Director