



## Staff Report

File #: REPORT 22-0768, Version: 1

### Honorable Mayor and Members of the Hermosa Beach City Council Regular Meeting of November 29, 2022

**GPA 20-1, ZC 20-1, CON 20-5, PDP 20-10, TPM #83011- REQUEST FOR A GENERAL PLAN AMENDMENT (GPA 20-1) TO AMEND THE LAND USE DESIGNATION FROM COMMUNITY COMMERCIAL (CC) TO HIGH DENSITY RESIDENTIAL (HD), A ZONING CODE CHANGE (ZC 20-1) TO CHANGE THE ZONING DESIGNATION FROM SPECIFIC PLAN AREA 7 (SPA-7) TO RESIDENTIAL PROFESSIONAL (R-P); CONDITIONAL USE PERMIT (CON 20-5), PRECISE DEVELOPMENT PLAN (PDP 20-10), AND TENTATIVE TRACT MAP (TTM #83011) FOR THE CONSTRUCTION OF A TWELVE (12)-UNIT ATTACHED CONDOMINIUM PROJECT AT 911 1<sup>st</sup> STREET (APN 4186-026-047) AND TO ADOPT THE INITIAL STUDY AND NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**  
(Interim Community Development Director Corrie Kates)

#### **Recommended Action:**

Staff and the Planning Commission recommend City Council:

1. Adopt a resolution adopting an Initial Study/Negative Declaration **(Attachment 1)**;
2. Adopt a resolution approving a General Plan Amendment (GPA 20-1) amending the land use designation from Community Commercial (CC) to High Density Residential (HD) and a Zoning Change (ZC 20-1) changing the zoning designation from Specific Plan Area 7 (SPA-7) to Residential- Professional (R-P) **(Attachment 2)**;
3. Adopt a resolution approving a Zone Text Amendment to the Municipal Code to change the Zoning Designation from Specific Plan Area 7 (SPA-7) to Residential Professional (R-P) **(Attachment 3)**; and
4. Adopt a resolution approving a Conditional Use Permit (CUP 20-05), Precise Development Plan (PDP 20-10), and Tentative Tract Map #83011 for a 12-unit condominium project at 911 1<sup>st</sup> Street **(Attachment 4)**.

#### **Executive Summary:**

This item concerns a request for approval of a series of entitlements that would permit the construction of a 12-unit condominium development located at 911 1<sup>st</sup> Street, and adoption of a Negative Declaration based on the finding that the project would not have a significant impact on the environment. At its November 15, 2022 meeting, the Planning Commission voted 3-2 to recommend approval to the City Council for a 12-unit condominium project at 911 1<sup>st</sup> Street.

During deliberations, concerns were raised about the timing of this project in relation to the City's

Housing Element and that the project had no affordable housing component or public benefit component. Staff advised the Planning Commission that the City does not currently have an established process for these programs. Public comment received during the meeting indicated some opposition to the inclusion of any affordable housing into the project. Based on the proceedings of the Planning Commission meeting, staff prepared both approval and denial resolutions and related attachments for possible City Council action. The three options for City Council consideration are as follows:

1. Approve the project as recommended by the Planning Commission and adopt the resolutions regarding the Initial Study/Negative Declaration, the General Plan and Zoning Text Amendments along with the project Conditional Use Permit, Tentative Tract Map and the Precise Development Plan; or
2. Deny the project as proposed and adopt the resolution to deny the General Plan and Zoning Code Amendments for the project as proposed; or
3. Continue this item and provide staff direction regarding further discussions with the project applicant.

**Background:**

The subject site measures 20,137 square feet and is currently developed with two commercial parking lots containing approximately 141 parking spaces. The site, located approximately 400 feet east of Pacific Coast Highway, on the north side of 1<sup>st</sup> Street, has a General Plan Land Use Designation of Community Commercial (CC) and zoning designation of Specific Plan 7 (SPA-7). The property is bounded by Single-Family (R-1) zoned properties to the north, Residential- Professional (R-P) zoned properties to the east and south, and Specific Plan 7 (SPA 7) commercially zoned properties to the west.

The property was originally under the same ownership of 102 Pacific Coast Highway and was used as parking for the switching station. In 1991, the Planning Commission approved a Parking Plan (P.C. Resolution 91-70) at 102 Pacific Coast Highway to allow the use of excess parking spaces (located at the subject site) for storage of new vehicle inventory for the Land Rover dealership and/or public parking. The Land Rover dealership relocated in 2016 and the subject site is now under separate ownership.

When the subject site at 911 1<sup>st</sup> Street was sold separately from 102 Pacific Coast Highway, the Parking Plan was still in place. Now that the lots are under separate ownership, the Parking Plan limits the future use of the building at 102 Pacific Coast Highway. Any intensification of use of this property would require a Parking Plan Amendment. The property owners at 102 Pacific Coast Highway have not submitted an application for any type of development activity or change of use on the site, and as 911 1<sup>st</sup> Street is no longer under the same ownership, this application is being considered independent from 102 Pacific Coast Highway.

At its March 15, 2022 meeting, the Planning Commission opened the public hearing on this item and held a discussion on the following topics:

1. Consistency of the project as it relates to the above-described applications;
2. Clarification and additional information based on the ongoing Housing Element efforts and RHNA allocation numbers; and
3. Staff work with applicant on affordability options.

In a 5-0 vote, the item was continued to a date uncertain, to allow staff and the applicant to look into these items.

At its November 15, 2022 regular meeting, the Planning Commission revisited the application where a public hearing was held. The following topics were discussed:

1. The underutilization and property maintenance issues of the site;
2. The viability challenges for commercial development due to the far proximity to the commercial corridor on Pacific Coast Highway; and
3. A discussion regarding the process to create and implement a Land Value Recap Trust. At present, the City does not currently have a trust fund program, but information was provided to the Planning Commission on what the process would entail.

In a 3-2 decision, the Planning Commission recommended City Council adopt and approve the applicant's request to building a 12 unit-condominium project at 911 1<sup>st</sup> Street.

***Past Board, Commission and Council Actions***

| <b>Meeting Date</b> | <b>Description</b>   |
|---------------------|--|
| March 15, 2022      | Planning Commission held a public hearing voted to continue the item to a date uncertain to allow staff to work with the applicant on affordability options. |
| November 15, 2022   | Planning Commission held a public hearing and recommended City Council adopt and approve the project.  |

**Discussion:**

The applicant has applied for a General Plan Amendment requesting to change the land use designation from Community Commercial (CC) to High-Density (HD) Residential and a Zone Change from Specific Plan 7 (SPA-7) Zone to Residential-Professional (RP) Zone, for the purposes of a multifamily residential development on the subject site.

The project proposes to construct a new 12-unit condominium project consisting of three, four-unit attached condominium buildings with attached garages. All proposed units are designed as a three bedroom and two-and-a-half-bathroom condominium with attached garages and storage on the first

floor, three bedrooms and two full bathrooms on the second floor and a kitchen, living room and half bathroom on the third floor with access to a deck. The units in the two buildings located on the easterly portion of the property propose to have access to roof decks. Each unit would include a two-car, attached garage, plus seven uncovered guest parking spaces for a total parking provision of 24 spaces for the project.

#### Development Standards

If the General Plan Amendment and Zone Change are adopted, then the proposed project complies with the requirements of the Zoning Ordinance, including the R-P zone and design standards for condominiums in Hermosa Beach Municipal Code (HBMC) Chapter 17.22.

| Criteria  | Required   | Provided  |
|---|--|---|
| <b>Lot Area Per Dwelling</b>                                    | 1,320 square feet minimum per unit /maximum 15 units | 1,678 square feet per unit per unit/12 units proposed |
| Lot Coverage Maximum  | 70 percent   | 46 percent  |
| <b>HEIGHT:</b>  | 30'-0"   | 30'-0"  |
| <b>YARDS:</b>   |  |   |
| Front   | 10'-0"   | 10'-0"  |
| Side  | 5'-0"  | 5'-0"   |
| Rear (1 <sup>st</sup> /2 <sup>nd</sup> /3 <sup>rd</sup> floors) | 5'-0"/3'-0"  | 8'-0"   |
| <b>PARKING AND DRIVEWAYS:</b>                                   |  |   |
| Total Parking Spaces Minimum                                    |  |   |
| Garage Spaces Minimum   | 24 (2 per unit)                                      | 24 (2 per unit)                                       |
| Guest Space Minimum   | 1 space / 2 units= 6 guest spaces total              | 7 guest spaces  |
| Turning Radius  | 24 feet  | 26 feet   |
| Driveway Slope  | 12.5 percent   | 12.5 percent  |
| <b>OPEN SPACE:</b>  |  |   |

|                             |   |  |
|-----------------------------|---|--|
| Private Open Space:         | 300 square feet (only 100 square feet of the roof deck can count) | Floor Plan A1: 405 square feet<br>Floor Plan A2: 400 square feet<br>Floor Plan A3: 400 square feet<br>Floor Plan B: 407 square feet<br>Floor Plan C: 432 square feet<br>Floor Plan D: 432 square feet<br>Floor Plan E (3 Units): 400 square feet<br>Floor Plan F: 400 square feet<br>Floor Plan G: 414 square feet<br>Floor Plan H: 417 square feet            |
| Common Open Space:          | 1,200 square feet   | 2,482 square feet  |
| <b>DESIGN ELEMENTS:</b>     |   |  |
| Minimum Unit Size           | 1,400 square feet   | Floor Plan A (3 Units): 1,565 square feet<br>Floor Plan B (1 Unit): 1,623 square feet<br>Floor Plan C (1 Unit): 1,802 square feet<br>Floor Plan D (1 Unit): 1,808 square feet<br>Floor Plan E (3 Units): 1,627 square feet<br>Floor Plan F (1 Unit): 1,830 square feet<br>Floor Plan G (1 Unit): 1,862 square feet<br>Floor Plan H (1 Unit): 1,861 square feet |
| Storage Area (Per Unit)     | 200 Cubic Feet  | 376 Cubic Feet per unit  |
| Solid Waste Area (Per Unit) | Area for 3 bins at 2.5 feet by 2.5 feet each                      | One common trash cart <sup>1</sup>   |

<sup>1</sup>To decrease the amount of smaller trash cans on the street during trash pickup days, a common trash facility would be more compatible for the neighborhood and proposed project. Athens Services provides collection of automated carts (96-gallon, 64-gallon, and 34-gallon carts) for multi-family complexes.

If the General Plan Amendment and Zone Change are approved, the subject site would be zoned R-P Residential-Professional Zone with similar multifamily residentially zoned properties to the east and south and R-1 Single-Family zoned properties to the north. The surrounding residential area is comprised of multi-story, multi-family residences with some single-story single-family residences. The proposed project would be compatible with the surrounding area as it would be a multi-story residential development. The existing properties on 1<sup>st</sup> Street are developed with four to 16 dwelling units and are similar in dwelling unit per acre (du/ac) densities (**Attachment 12**). The average dwelling unit per acre on this street is 32.8 dwelling unit per acre. The proposed project is consistent with the existing dwelling unit per acre and proposes 12-units or 25.9 dwelling unit per acre.

The varying levels of the proposed design create articulation and reduce bulk and massing to be consistent with the existing neighborhood. The proposed project's building configuration is consistent with the neighborhood's development pattern and overall character of the neighborhood. The proposed architecture incorporates a contemporary architectural theme that is seen in existing developments within the area.

Aside from the project meeting all development standards set forth in HBMC Chapter 17.22, there are several community benefits that the project would provide to the public and direct vicinity. Currently, the site is underutilized as an empty parking lot and has no visual character from the public right of way. As proposed, the development includes new landscaping along 1<sup>st</sup> street frontage and the front two units oriented with front doors facing 1<sup>st</sup> street, establishing a residential character along the street. The landscaping and entry features promote a more inviting pedestrian environment and neighborhood transition.

Alternatively, a commercial development on the subject site may not be a compatible use in terms of neighborhood transition. Commercial buildings also generally contribute to greater daily vehicle trip generations which would further congest this neighborhood. As proposed, the project provides a surplus of required parking. One additional guest parking space beyond the required six guest parking spaces is provided. Covenant, Conditions, and Restriction (CC&R) protections go beyond City codes and require residents to park in provided on-site parking and not on the street. Allowing the General Plan and Zone Change to R-P provides assurance that the property would not be built as a commercial use surrounded on three sides by residential uses. A surplus of guest parking coupled with the consistent density with the surrounding neighborhood gives the project compatibility with the surrounding area.

A benefit to the City and community would be the \$ \$169,152 Park and Recreation fee (\$14,096 x 12 units = \$169,152) that would go towards park improvements.

As discussed in the background section of this report, at its March 15, 2022 meeting, the Planning Commission expressed some concerns that the project did not include a affordability component or some other kind of public benefit based on the increased value of the land that would come with the GPA and zone change. A letter (**Attachment 17**) was submitted by the applicant providing a discussion on how including an affordability measure in the project would increase density beyond the maximum allowable density in the R-P zone. In the project's current design, the project is below the maximum allowable density and is more consistent with the surrounding residential projects on the block. Including an affordability component would allow the applicant to utilize the State Density Bonus Law to receive concessions to development standards, such as height, setbacks, and provision of parking. Incorporating affordable units would result in a taller and more dense development than currently proposed. Furthermore, the City does not have an inclusionary ordinance whereby the City can mandate an affordability component. At this time, no revisions were made to the design of the project.

City Staff is still assessing the applicability of Assembly Bill (AB) 2097 and whether it would apply within the City of Hermosa Beach. AB 2097 exempts residential projects containing less than 20 units to require parking if it meets certain provisions. If staff finds that this bill is applicable, this project may not be subject to the parking standards set forth in the R-P zone if a future application is submitted and meet the provisions set forth in AB 2097.

### General Plan Amendment

The Hermosa Beach General Plan establishes land use designations and, typically more general goals, objectives and policies. The subject site has a General Plan land use designation of Community Commercial (CC), which aims to provide space for locally oriented commercial uses including retail stores, restaurants, professional and medical offices, and personal services. Uses on the ground floor are reserved for retail, restaurant, and other sales-tax revenue generating uses, while offices and personal service uses are encouraged on upper floors. Residential uses are not allowed in this designation as its intent is to promote and protect retail.

The proposed General Plan use designation for this site is High Density Residential (HD) which is typically designed to provide a range of residential building formats including condominiums, townhouses, duplex/triplex, and apartment buildings 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. A High Density Residential General Plan Designation allows for a density range between 25.1 to 33.0 dwelling units per acre and is consistent with the land use designation of the majority of the block where the subject site is located.

Applying a High-Density Residential land use designation would recharacterize the subject site as a transition between adjacent retail/services uses on Pacific Coast Highway to residential uses within the Hermosa Hills Neighborhood. The hillside area covers the residential portions of Hermosa Beach east of Pacific Coast Highway to the City boundary. The Hermosa Hills area transitions from high and medium density uses adjacent to Pacific Coast Highway.

The development would be appropriate in context with surrounding uses, which include Low Density Residential to the north, High Density Residential to the east and south and commercially zoned properties to the west.

### Zone Change

The proposed Zoning designation for the site is Residential Professional (R-P), which pursuant to HBMC Chapter 17.20.010, allows for any use in the R-3 zone as well as specific professional services uses subject to the granting of a conditional use permit. The proposed R-P zoning designation and development would be appropriate in context with the surrounding uses, which

include R-P zoning designations to the east and south of the subject site.

The purpose of the Specific Plan Area 7 (SPA 7) zone is to protect the health, safety and welfare of the citizens of Hermosa Beach and to encourage the development of high-quality commercial development along Pacific Coast Highway in respect to its impact on residential projects, environmental impacts, circulation and appearance. The Zoning Map shows the subject property reaches further into the residential neighborhood than other commercial areas along Pacific Coast Highway. The property is surrounded by residential uses on three sides, immediately behind the property to the north and to the east, and across 1<sup>st</sup> Street to the south.

Neighboring lots are primarily residential uses and the proposed amendment would be consistent with the current and proposed development. Also, commercial uses typically generate higher traffic volumes versus residential uses which could negatively impact a neighborhood that currently experiences traffic and parking related concerns. The Negative Declaration prepared for the project (**Attachment 8**) found that vehicular trip generation for the proposed use would be approximately 88 daily trips. Whereas if a general office use of 15,000 square feet were proposed for the site-a use permitted by right in the current land use designation and zoning-would generate 165 average daily trips. A retail or office building would be out of place since the property is not easily visible from Pacific Coast Highway and is surrounded by residential uses on three sides.

While policies in PLAN Hermosa support the retention of commercial land area and discourage the conversion of commercial land to residential uses (Land Use Element, Goal 1. Policy 1.9), the proposed residential project would be compatible with the existing neighborhood pattern and would contribute to less traffic congestion than a commercial use. Additionally, the Draft Housing Element outlines specific policies that aim to provide opportunities for additional housing to accommodate the Cities RHNA obligations (Housing Policy Plan 2.1, 2.3 and 3.1).

Staff finds while the retention of commercial land should apply to properties located on Pacific Coast Highway, since it is an arterial highway with high levels of traffic and visibility, the unique location of the subject site, approximately 417 feet east of Pacific Coast Highway, and close proximity to sensitive receptors (i.e. residential uses), it is not a candidate site for a viable commercial development project. If the proposal is approved, there is still approximately 60,000 square feet of Pacific Coast Highway fronting property that would be sufficient to facilitate the redevelopment of a commercial use. Given the unique location of the subject site, it is reasonable to assume that a commercial development 400 plus feet away from Pacific Coast Highway would not attract a viable commercial use without a connection to the Pacific Coast Highway fronting property. Since the properties are no longer under the same ownership and the Frontier switching station (102 Pacific Coast Highway is unlikely to be redeveloped due to the necessity of maintaining service for the community, a new commercial development at 911 1<sup>st</sup> Street may not be an option now or in the future.



### Conditional Use Permit

As specified in the Hermosa Beach Municipal Code (HBMC) Section 17.22.040, condominiums are subject to a Conditional Use Permit. In considering the granting of a Conditional Use Permit, general criteria for all uses shall be made pursuant to HBMC Section 17.40.020:

1. **Distance from existing residential uses.** Residential development is directly to the north, south and east of the subject site. The proposed 12-unit condominium development will blend in cohesively with the existing streetscape of multi-family residential uses;
2. **The amount of existing or proposed off-street parking facilities, and its distance from the proposed use.** Based on the proposed development, the R-P zone requires 24 enclosed parking spaces (two per unit) and one guest space for every two units (six guest spaces total). The applicant is proposing 24 enclosed parking spaces and seven guest parking spaces, exceeding the required six guest parking spaces, to alleviate the demand for on-street parking. All proposed parking will be located on site;
3. **Location of and distance to churches, schools, hospitals and public playgrounds.** The two units fronting 1<sup>st</sup> Street are designed with entrances facing 1<sup>st</sup> Street to promote a more inviting pedestrian environment and neighborhood transition. By orienting the front doors towards the street, it creates pathways that follow the most direct route from sidewalk to the front door;
4. **The combination of uses proposed.** The subject site is zoned R-P Residential Professional with the subject site bounded by Single-Family (R-1) zoned properties to the north, Residential - Professional (R-P) zoned properties to the east and south, and Specific Plan 7 (SPA 7) commercially zoned properties to the 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 multi-unit condominiums on a lot with shared driveways;

5. **Precautions taken by the owner or operator of the proposed establishment to assure the compatibility of the use with surrounding uses.** This finding is not applicable if the General Plan Amendment and Zone Change are approved. The site would be maintained and utilized as a residential use which is consistent with the surrounding area;
6. **The relationship of the proposed business-generated traffic volume and the size of streets serving the area.** Commercial uses typically generate higher traffic volumes versus residential uses which could negatively impact a neighborhood that currently experiences

traffic and parking related concerns. IS/ND prepared for the project (**Attachment 8**) found that vehicular trip generation for the proposed use would be approximately 88 daily trips. As an example, this number was compared to a general office use of 15,000 square feet on the 20,137 square foot site that would generate 165 average daily trips. The example of office was used however, the existing commercial zoning allows for higher intensity uses that may generate additional traffic;

7. **The proposed exterior signs and decor, and the compatibility thereof with existing establishments in the area.** The proposed architecture would be compatible with the surrounding area as there are existing developments that incorporated a contemporary architectural theme and is consistent with the bulk and massing of the existing neighborhood. The proposed project's building configuration is consistent with the neighborhood's development pattern and the overall character of the neighborhood;
8. **The number of similar establishments or uses within close proximity to the proposed establishment.** This finding is not applicable as residential uses are established to the north, east and south and commercial uses established to the south of the property;
9. **Noise, odor, dust and/or vibration that may be generated by the proposed use.** Most of the noise, odor, and vibration impacts would be temporary and limited to the construction involved with the roof deck expansion. Therefore, adverse impacts are not anticipated due to increased noise levels being temporary during construction and there being no long-term ambient noise impacts;
10. **Impact of the proposed use to the City's infrastructure, and/or services.** The proposed twelve-unit condominium can connect to the existing utilities that service the residential uses in the immediate neighborhood. If the proposal is approved, the Public Works Department would determine if the site has the capacity to serve the proposed development as part of the civil sheet submittal. The submitted plans were preliminarily reviewed by the Fire Department, Public Works Department, and Building & Safety Division, and no major concerns were identified;
11. **Will the establishment contribute to a concentration of similar outlets in the area.** Varying residential and commercial zoning designations are established in the neighborhood and are substantially developed based on the assigned zoning designations. Any new development or use in the surrounding area are subject to the development standards set forth in the Hermosa Beach Municipal Code; and
12. **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.** This approval is contingent on the City Council approval of a request for a General Plan Amendment 20-1

amending the land use designation from Community Commercial (CC) to High Density Residential (HD), a Zone Change changing the zoning designation from Specific Plan Area 7 (SPA-7) to Residential- Professional (R-P) as noted in **Attachment 2**.

### Precise Development Plan

As specified in the Hermosa Beach Municipal Code (HBMC) Section 17.58, “the purpose and intent of requiring a Precise Development Plan (PDP) review for development projects is to achieve a reasonable level of quality, compatibility, in harmony with the community’s social, economic, and environmental objectives, and to protect existing and potential developments, and uses on adjacent and surrounding property.” On a case-by-case basis, the Planning Commission may impose standards above the minimums designated by the HBMC to improve the quality of development and to mitigate any environmental impacts. HBMC Section 17.26 provides standards and limitations for development within the C-1 Zone.

Pursuant to HBMC Section 17.58.030(B), the following general criteria shall be considered:

1. **Distance from existing residential uses in relation to negative effects.** Residential development is directly to the north, south and east of the subject site. The proposed 12-unit condominium development would blend in with the existing streetscape of multi-family residential uses. Therefore, negative impacts to existing residential uses on-site and in the surrounding area are not anticipated;
2. **The amount of existing or proposed off-street parking in relation to actual need.** Based on the proposed development, the R-P zone requires 24 enclosed parking spaces (two per unit) and one guest space for every two units (six guest spaces total). The applicant is proposing 24 enclosed parking spaces and seven guest parking spaces, exceeding the required six guest parking spaces to alleviate the demand for on-street parking;
3. **The combination of uses proposed, as they relate to compatibility.** If the General Plan Amendment and Zone Change are approved, the subject site would be zoned R-P Residential -Professional Zone with similar multifamily residentially zoned properties to the east and south and R-1 Single-Family zoned properties to the north. The surrounding residential area is comprised of multi-story, multi-family residences with some single-story single-family residences. The proposed project would be compatible with the surrounding area as it would be a multi-story residential development. The existing properties on 1<sup>st</sup> Street are developed with four to sixteen dwelling units and are similar in dwelling unit per acre (du/ac) densities (**Attachment 12**). The average dwelling unit per acre on this street is 32.8 dwelling units per acre. The proposed project is consistent with the existing du/ac and proposes 12-units or 25.9 dwelling units per acre;
4. **The relationship of the estimated generated traffic volume and the capacity and safety**

**of streets serving the area.** Commercial uses typically generate higher traffic volumes versus residential uses which could negatively impact a neighborhood that currently experiences traffic and parking related concerns. The Initial Study/Negative Declaration (**Attachment 8**) found that vehicular trip generation for the proposed use would be approximately 88 daily trips. As an example, this number was compared to a general office use of 15,000 square feet on the 20,137 square foot site that would generate 165 average daily trips. The example of office was used however, the existing commercial zoning allows for higher intensity uses that may generate additional traffic;

- 5. The proposed exterior signs and decor, and the compatibility thereof with existing establishments in the area.** The proposed architecture would be compatible with the surrounding area as there are existing developments that incorporated a contemporary architectural theme and is consistent with the bulk and massing of the existing neighborhood. The proposed project's building configuration is consistent with the neighborhood's development pattern and the overall character of the neighborhood;
- 6. Building and driveway orientation in relation to sensitive uses, e.g., residences and schools.** The two units fronting 1<sup>st</sup> Street are designed with entrances facing 1<sup>st</sup> Street to promote a more inviting pedestrian environment and neighborhood transition. By orienting the front doors towards the street, it creates pathways that follow the most direct route from sidewalk to the front door;
- 7. Noise, odor, dust and/or vibration that may be generated by the proposed use.** Most of the noise, odor, and vibration impacts would be temporary and limited to the construction involved with the roof deck expansion. Therefore, adverse impacts are not anticipated due to increased noise levels being temporary during construction and there being no long-term ambient noise impacts;
- 8. Impact of the proposed use to the City's infrastructure, and/or services.** There are currently two driveway access points from 1<sup>st</sup> Street. The proposed project would create a 28'-0" curb cut to access the shared driveway that leads to the garages. The new curb cut does not result in a loss of on-street parking since the project is removing the existing curb cuts and replacing on-street parking. The applicant is proposing seven guest parking spaces, which is one more than the required six guest parking spaces to alleviate the demand for on-street parking. Modifications and encroachments in the public right-of-way would require permits from the Department of Public Works;
- 9. Adequacy of mitigation measures to minimize environmental impacts in quantitative terms.** In accordance with CEQA and Section 21080 (c) of the Public Resources Code, preparation of a Negative Declaration (ND) may occur if the City, as lead agency, finds that there is no evidence that the Project would have a significant effect on the environment; and

- 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.** As noted in the above criteria, approval of the proposed project would not result in the creation of an impact to the surrounding uses and/or the City as a whole. The proposed development is consistent with the surrounding buildings.

#### Subdivision Map

The applicant has applied for a Tentative Parcel Map No. 83011. A tentative parcel map grants 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 tentative map is completed. The application for a Tentative Parcel Map pursuant to the California Government Code Section 16.08.060 of the Municipal Code.

- 1. The proposal is consistent with the General Plan in that it does not impede the City's ability to meet its General Plan goals and purpose of the High Density (HD) Residential designation that allows for multiple dwellings.** The proposal meets the HD designation because it would provide twelve-units on a 20,137 square foot lot and is within the intended dwelling unit per acre range (25.1-33) of the HD designation in the General Plan. As conditioned, the proposal is consistent with applicable development standards set forth in the Hermosa Beach Municipal Code (HBMC) for the R-P zone.
- 2. The site is physically suitable for a two-unit attached residential condominium project.** The two-unit attached residential condominium project contains a total of seven on-site parking spaces with four spaces located within garages and three guest parking spaces. This development complies with all development standards and does not require approval of a deviation.
- 3. The subdivision and improvements provide for adequate drainage, sanitation and potable water, underground utilities, parking and construction requirements, and therefore are not likely to cause public health problems.** The project as conditioned would provide permeable surfacing and storm water retention facilities to the maximum extent feasible per HBMC Section 8.44.095 and any additional non-percolated or retained storm water would be conveyed to an onsite subsurface infiltration system as required by HBMC Section 8.44.095 subject to maintenance agreements.
- 4. The proposed subdivision would front on a public street, would provide vehicular access from 1<sup>st</sup> Street, and does not exhibit dedicated public easements.** Therefore, the subdivision and improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- 5. The project, as conditioned, would conform to all zoning requirements including, but**

**not limited to setbacks, lot coverage, open space, building height, and parking.** The project also conforms to all condominium standards including, but not limited to private storage space, minimum unit sizes, architecture and building layout, landscaping, and would be compatible with neighboring properties that are developed with similar multi-story multi-family residences.

- 6. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.** The Planning Commission adopted the Initial Study and Negative Declaration for the project finding that no evidence that the project would have significant impacts on the environment.
- 7. The proposed subdivision would be consistent with the prevailing lot patterns and dwelling unit per acre** and is not likely to reduce property values in the surrounding neighborhood area because the project is similar to surrounding development, consists only of the division of airspace at less than the maximum density allowed, and conditions have been placed on the project to ensure compatibility.

As summarized in the staff report, staff is able to make the findings necessary to support the series of entitlements for the new construction of a 12-unit condominium project at 911 1<sup>st</sup> Street if the General Plan Amendment and Zoning Change are approved. The project meets or exceeds all of the development standards for the RP zoning designation, would be consistent with majority of development on the subject block, and would have no significant environmental impact. However, the decision to grant the General Plan Amendment and Zoning Change are at the discretion of the City Council as they are legislative functions and should only be granted if the City Council determines that the General Plan Amendment is in the public interest pursuant to Government Code section 65358.

#### **Environmental Determination:**

In accordance with the California Environmental Quality Act (CEQA) and Section 21080 (c) of the Public Resources Code, preparation of a Negative Declaration (ND) may occur if the City, as lead agency, finds that there is no evidence that the Project would have a significant effect on the environment. An Initial Study ("IS") was prepared by (Ed Almanza & Associates) in conformance with requirements of CEQA and the State CEQA Guidelines (**Attachment 8**) to evaluate the potential environmental effects of the proposed Project. The Initial Study indicated that the Project would not have a significant effect on the environment. As such, a Negative Declaration ("ND") was prepared for the Project.

The Notice of Intent (NOI) to adopt the ND was posted with the Los Angeles County Clerk and was made available on the City Planning website. No public comments related to the IS/ND were received. The draft IS/ND was circulated for a 28-day public review period beginning February 16,

2022 and ending on March 15, 2022 at 5:00 p.m., in accordance with CEQA Guidelines Section 15073.

### **General Plan Consistency:**

This report and associated recommendation have been evaluated for their consistency with the City's General Plan. Relevant Policies are listed below:

#### Governance Element:

- **Goal 1. A high degree of transparency and integrity in the decision-making process.**
  - **Policy 1.1 Open meetings.** Maintain the community's trust by holding meetings in which decisions are being made, that are open and available for all community members to attend, participate, or view remotely.
- **Goal 5: Small beach town character is reflected throughout Hermosa Beach.**
  - **Policy 5.1 Residential and commercial compatibility.** Provide a balance between residential and commercial uses and strive to ensure their compatibility.
  - **Policy 5.2 Development decisions.** Strive to conduct the development review process in a consistent and predictable manner.
  - **Policy 5.3 Clear regulations.** Establish clear, unambiguous regulations and policies to clearly communicate the City's expectations for new development.
  - **Policy 5.4 Guidelines and standards.** Provide for clear development guidance, standards, and rules by developing tools and guidelines to illustrate concepts of local character.
  - **Policy 5.7 Visitor and resident balance.** Recognize the desire and need to balance visitor serving and local-serving uses as a key to preserving character and the economic vitality of the community.

#### Land Use and Design Element:

- **Goal 1: Create a sustainable urban form and land use patterns that support a robust economy and high quality of life for residents.**
  - **Policy 1.6 Scale and context.** Consider the compatibility of new development within its urban context to avoid abrupt changes in scale and massing.
- **Goal 2: Neighborhoods provide for diverse needs of residents of all ages and abilities and are organized to support healthy and active lifestyles.**
  - **Policy 2.3 Balanced neighborhoods.** Promote a diverse range of housing unit types and sizes, within allowed density
- **Goal 5. Quality and authenticity in architecture and site design in all construction and renovation of buildings.**
  - **Policy 5.6 Eclectic and diverse architecture.** Seek to maintain and enhance neighborhood character through eclectic and diverse architectural styles.

**Fiscal Impact:**

The fiscal impact of the recommended action would include a \$169,152.00 Park and Recreation fee (\$14,096 x 12 units = \$169,152) that would go towards park improvements.

**Attachments:**

1. Draft Resolution to adopt IS/ND
2. Draft Resolution to approve GP Amendment and Zone Change
3. Draft Resolution to approve Zone Text Amendment from SPA-7 to R-P
4. Draft Resolution to approve CON, PDP and Tentative Tract Map No. 83011
5. Draft Resolution to deny GP Amendment and Zone Change
6. Draft Resolution to deny CON, PDP and Tentative Tract Map No. 83011
7. Project Plans
8. Initial Study and Negative Declaration
9. Application Justification
10. Site Photographs
11. Poster Verification
12. Existing Dwelling Unit Per Acre on 1<sup>st</sup> Street Map
13. Radius Map
14. General Plan Land Use Designation and Zoning Map (Existing and Proposed)
15. Site History
16. Parking Plan (P.C. Resolution 91-70)
17. Correspondence from Applicant dated September 27, 2022
18. Link to March 15, 2022 Planning Commission Staff Report
19. Link to November 15, 2022 Planning Commission Staff Report

**Respectfully Submitted by:** Maricela Guillean, Associate Planner

**Concur:** Corrie Kates, Interim Community Development Director

**Noted for Fiscal Impact:** Viki Copeland, Finance Director

**Legal Review:** Patrick Donegan, City Attorney

**Approved:** Suja Lowenthal, City Manager