

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



RECORD PACKET COPY

Tu 15 b

Filed: May 22, 2002
49th Day: July 7, 2002
180th Day: November 18, 2002
Staff: MS-LB ~~VB~~
Staff Report: July 17, 2002
Hearing Date: August 6, 2002
Commission Action:

STAFF REPORT: REGULAR CALENDAR**APPLICATION NUMBER:** 5-02-119**APPLICANTS:** Jay Schuster and Patricia Zingheim**AGENT:** Jim LaPoint**PROJECT LOCATION:** 44 Hermosa Avenue, Hermosa Beach (Los Angeles County)**PROJECT DESCRIPTION:**

Demolition of two single story structures on two adjacent legal lots and construction of a single commercial/residential building that consists of 2 ground level 800 square-foot commercial spaces and two attached garages with two attached 2,373 square-foot residential units above (including approximately 100 square feet on the ground floor). The total floor area is 6,346 square feet (excluding parking). Twelve on-site parking spaces with alley access to the rear are proposed (Four enclosed spaces and eight open spaces). Roof top drainage will be directed through downspouts and onto permeable side and rear yard surface areas. Best Management Practices will be in place during construction (i.e. erosion control, trash and debris disposal, etc.).

Lot Area	4,800 square feet
Building Coverage	2,589 square feet
Pavement Coverage	1,971 square feet
Landscape Coverage	240 square feet
Parking Spaces	12
Zoning	C-1
Plan Designation	Neighborhood Commercial
Height	30 feet

LOCAL APPROVALS RECEIVED:

1. Approval in Concept, City of Hermosa Beach, April 11, 2002
2. Conditional Use Permit 01-7, Precise Development Plan 01-20, Planning Commission Resolution 02-7, City of Hermosa Beach, March 19, 2002

SUBSTANTIVE FILE DOCUMENTS:

1. City of Hermosa Beach Land Use Plan

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions relating to parking, density and water quality best management practices.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

MOTION: *I move that the Commission approve Coastal Development Permit No. 5-02-119 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or

authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. **SPECIAL CONDITIONS:**

1. **Revised Plans Condition**

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a revised parking plan for review and approval of the Executive Director. The revised parking plan shall show one tandem set of residential parking spaces per unit. There shall be no more than two enclosed spaces for the entire two-lot site. All remaining spaces shall be open spaces so that commercial spaces do not block residential spaces.
- B. The permittee shall undertake development in accordance with the approval final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

2. **Residential Density and Parking**

The permitted use of the approved structure is a commercial/residential building that includes two commercial spaces at ground level and two residential units directly above on the second and third floors. A minimum of twelve parking spaces shall be provided and maintained on the site to serve the approved commercial/residential use. Any proposed change in the number of units or change in use shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary

pursuant to the requirements of the Coastal Act and the California Code of Regulations.

3. Erosion and Drainage Control

A. **Prior to Issuance of the Coastal Development Permit**, the applicant shall submit, for review and approval of the Executive Director, a plan for drainage control.

(a) The drainage control plan shall include, at a minimum, the following Best Management Practices to achieve the aforementioned components:

1. Site plans and a written description of site drainage and all polluted runoff control BMPs.
2. Any BMP(s) of the applicant's choosing that will ensure that the development directs all rooftop drainage to landscaped planters or vegetated areas that are designed to infiltrate runoff. Energy dissipaters shall be installed at downspouts to prevent erosion.
3. Any BMP(s) of the applicant's choosing that will ensure that the development direct all sheet flow over impervious surfaces to a vegetated area or a BMP designed to treat, infiltrate, or filter runoff. Minimize impervious surfaces to the maximum extent practicable by employing BMPs like porous pavements, rooftop catch basins, or expand the landscaped area. Consider structural BMPs such as cisterns and driveway dry-wells to treat and infiltrate runoff.
4. The applicant shall plant low water use plants and shall limit irrigation.
5. The applicant shall outline the source control measures that will reduce the pollutants from the parking areas, i.e. sweeping parking lot.

(b) These erosion and drainage control measures shall be required to be in place and operational on the project site such that the goals stated in Section (a) are carried out and maintained throughout the development process to minimize erosion and sediment from the runoff waters during construction and thereafter.

B. The permittee shall undertake development in accordance with the approval final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

4. Deed Restriction

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded a deed restriction, in a form and content acceptable to the Executive Director: (1) indication that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property (hereinafter referred to as the "Standard and Special Conditions"); and (2) imposing all Standard and Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the applicant's entire parcel or parcels. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of the permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description:

The proposed project consists of the demolition of two one-story structures and construction of a three-story, 30-foot high commercial/residential building that consists of two ground level 800 square-foot commercial spaces (limited to commercial service, office or retail uses) with two 2,373 square-foot residential units above (Exhibit 4). The new mixed-use building is located on two adjacent lots. Two two-car garages and eight open spaces are proposed with alley access to the rear of the building to provide parking for the residential units and businesses. The applicant proposes one tandem set of parking spaces per residential unit that includes one enclosed parking space and one open parking space and one additional space for residential guest parking per unit (total of 6 residential parking spaces). Employees and patrons would use the remaining parking spaces (total of 6 commercial parking spaces). Total square footage of the building and attached garages is 8,082.5 on two lots totaling 4,800 square feet (2,400 square feet per lot).

The proposed project is not located between the sea and the first public road (Exhibit 1). The subject site is located along the inland side of Hermosa Avenue, approximately 300 feet inland from the esplanade, a public right-of-way that is parallel and adjacent to the beach. The area is zoned C-1, neighborhood commercial in the City of Hermosa Beach zoning ordinance (Exhibit 6), which states:

17.26.020 (B)(1): C-1 Neighborhood Commercial Zone. To provide sites for a mix of small local businesses appropriate for, and serving the daily needs of nearby residential neighborhoods; while establishing land use regulations that prevent significant adverse effects on abutting residential uses.

The new structure is replacing two old, one-story structures that were once used for a day care center (Exhibit 3). The proposed project conforms to the existing and proposed LUP standards of a 30-foot height limit above the existing grade. The proposed six parking spaces for residential and six commercial spaces conform to the City's parking standards for mixed uses consisting of retail with residential above or office with residential above (2 spaces per residential unit with one additional guest space and one space per 250 square-foot commercial space).

The proposed project conforms to the proposed LUP permitted uses for a C-1 neighborhood commercial zone. The proposed project has received an approval in concept from the City of Hermosa Beach. The City of Hermosa Beach allows residences to be located above a commercial building in the C-1 neighborhood commercial zoned areas as a conditionally permitted use. The City granted the applicant a conditional use permit with a precise development and parking plan (P.C. Resolution 02-7) on March 19, 2002 (Exhibit 5).

B. Revised Plans for Parking / Public Access

The proposed project includes two attached two-car garages and eight open spaces at the rear of the building to provide parking for the residential units and two businesses. Special Condition One requires that tandem parking be allocated to the residential uses, including one enclosed space and one open space for each unit. The remaining spaces are to be used for commercial and residential guest parking. The Hermosa Beach City Council granted a conditional use permit with a condition that allocated the two two-car garages to residential use, leaving the remaining to be used for commercial use and residential guest parking. The City recommendation allows residential parking spaces to be blocked by commercial parking spaces:

All garage parking shall be permanently assigned to the residential units with two spaces available for each unit. Outdoor parking not located in front of the residential garages shall be assigned for commercial tenants, and their employees and customers. The remaining outdoor parking located in front of the residential garages shall not be assigned, and shall be available both for residential guest parking and patrons and employees of the commercial uses. Since these spaces, when occupied, will block access to the residential garage spaces, their use shall be limited to patrons, employees and residential guests of the project that remain on the premises. Alternatively, patrons, employees, or residential guests must make their keys available to someone on the premises who can move their vehicle to allow for a resident to access or leave the private garage spaces (P.C. Resolution 02-7)

Special Condition One of this Coastal Development Permit differs from the City condition by requiring that there be only one enclosed space for residential use. Special Condition One requires that the applicant submit revised plans showing that only residential spaces may be located behind the enclosed residential spaces, and that each unit may have only one enclosed space to assure that commercial patrons do not block residential spaces. The other proposed enclosed parking spaces; adjacent to the one enclosed residential space per unit, are to be open parking spaces. The applicant assumes that the owner of business will be the same as the owner of the residential unit. However, the Commission recognizes that future business and residential ownership may be separate. If residents or patrons block each other, it discourages use of the on-site parking resulting in use of public spaces by patrons or by residents. Special Condition One relieves that likelihood. Reducing the number of enclosed spaces changes the availability of the second enclosed spaces from residential garage spaces to open spaces for patrons. Therefore as conditioned, development is consistent with the public access policies of the Coastal Act.

The project site is located along a major public street that provides many access ways to the beach and recreational amenities. The public beach and adjacent beaches are a public recreational resource. The walkways provide an urban recreational experience popular throughout the Los Angeles area. The Commission has consistently found that a direct relationship exists between residential and commercial density, the provision of adequate parking, and the availability of public access to the coast.

Section 30252 of the Coastal Act states, in part:

The location and amount of new development should maintain and enhance public access to the coast by... (4) Providing adequate parking facilities or providing substitute means of serving the development with public transportation....

Many of the older developments in Hermosa Beach do not provide adequate on-site parking. The City of Hermosa Beach offers some public transportation but it is not enough to offset the amount of inadequate parking that still exists. As a result, many residents and guests park on the surrounding streets, where there is a parking shortage, and this practice has had a negative impact on public access to the beach. Visitors to the beach use these streets for parking. Residents of the area using the small amount of parking that may be available for the general public on the surrounding streets will reduce the amount of parking for the public.

To assure the development has adequate parking for the owners' and business customer uses, Special Condition Two requires the applicant to provide for twelve (12) on-site parking spaces. In this case, as conditioned, the proposed project would provide a one-car garage with one enclosed residential space and one residential space on the garage apron per unit and eight (8) additional open on-site parking spaces (Exhibit 4). Special Condition Four requires the applicant to record a deed restriction to ensure that future property owners comply with parking requirements described herein. As conditioned, the proposed project provides an adequate parking supply for the proposed two 800 square-foot commercial spaces and two residential units. The proposed project is consistent with prior Commission decisions for Hermosa Beach that required two parking spaces per

residential unit and provisions for commercial parking. The Commission finds that, only as conditioned to maintain the proposed twelve on-site parking spaces, is the proposed project consistent with Section 30252 of the Coastal Act.

C. Drainage Control

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30230 of the Coastal Act states that marine resources shall be maintained, enhanced and restored when possible. Section 30231 of the Coastal Act states that the biological productivity of coastal waters, streams, wetlands, estuaries and lakes shall also be maintained, enhanced and restored when possible. Businesses and residential units have the potential to increase local runoff due to the creation of impervious areas. This runoff could carry with it pollutants such as suspended solids, oil and grease, nutrients and synthetic organic chemicals. Runoff will flow into the City of Hermosa Beach's storm drain system and will ultimately drain into the Pacific Ocean. Polluted runoff negatively affects both marine resources and the public's ability to access and enjoy coastal resources. Therefore, to lessen the potential for pollutants to enter the storm drain system at the subject site, the Commission imposes Special Condition No. 3, related to drainage control recommending that runoff be diverted and filtered as much as possible through pervious surfaces before entering the City's storm drain system. By implementing the condition, the project will be in compliance with Sections 30230 and 30231 of the Coastal Act.

The applicant submitted a drainage plan on May 22, 2002 that proposes permeable paver stones along the side yard and rear yard areas and planters located at the west side corners of the lot (Exhibit 4, P.1&4). All interior and exterior deck and roof drains will terminate onto the proposed permeable surface areas. Parking spaces are sloped,

directing surface drainage into a permeable strip of paver stones between the parking area and the adjacent alley. An attached trash room is located on the north and south side of the building (one per lot). After reviewing the drainage plans, water quality staff concurs that the BMPs that have been incorporated into the proposed project are adequate in meeting the needs of the Commission in protecting water quality resources, therefore consistent with the water and marine policies of the Coastal Act.

D. Deed Restriction

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes one additional condition requiring that the property owner record a deed restriction against the property, referencing all of the above Standard and Special Conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the Property. Thus, as conditioned, any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land including the risks of the development and/or hazards to which the site is subject, and the Commission's immunity from liability.

E. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program, which conforms with Chapter 3 policies of the Coastal Act:

(a) Prior to certification of the Local Coastal Program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of a Coastal Development Permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

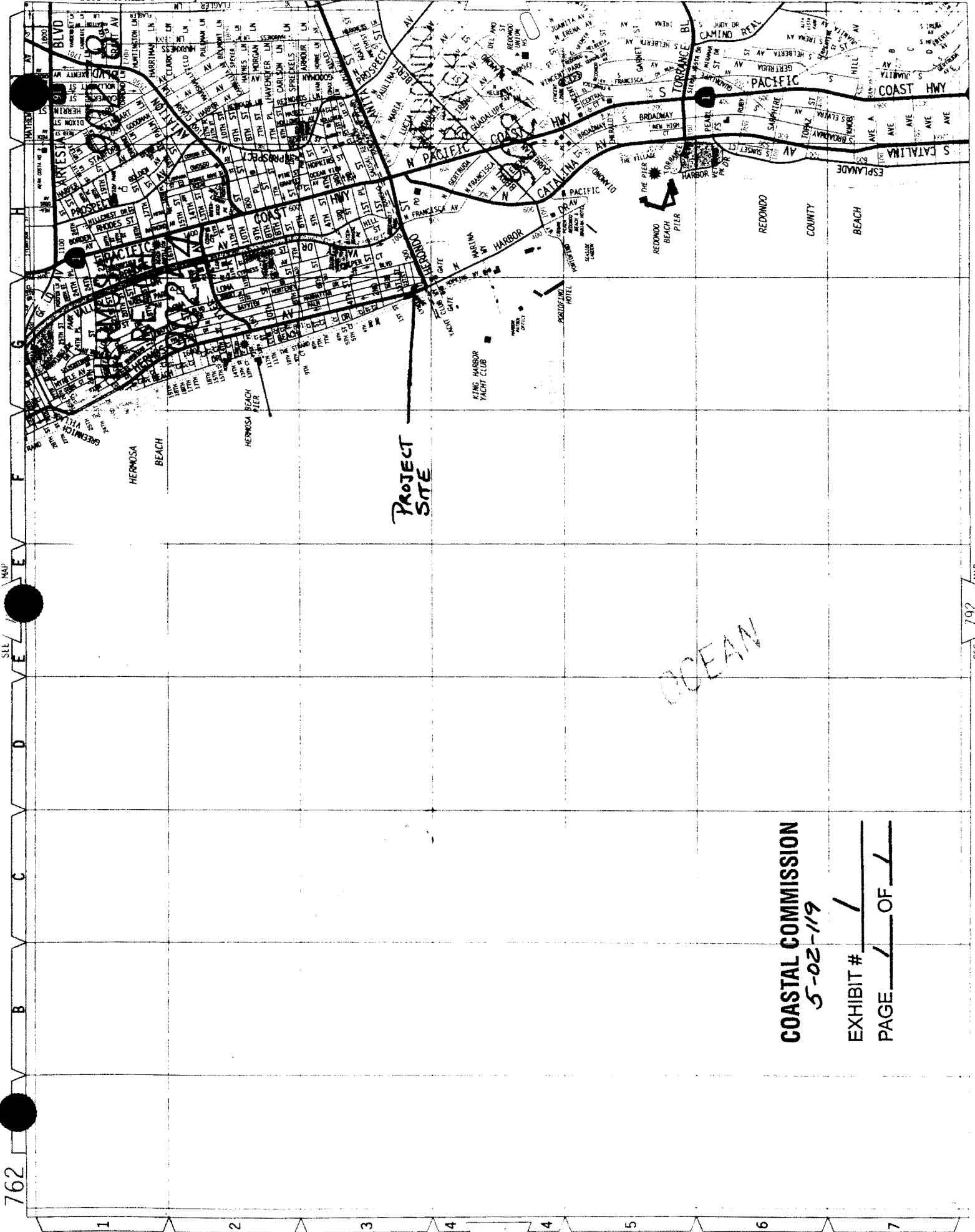
On August 20, 1981 the Commission staff denied the City of Hermosa Beach Land Use Plan (LUP) as submitted and certified it with suggested modifications on April 21, 1982. The modifications were accepted and the LUP is certified. The City submitted a final draft of its zoning and implementation ordinances (LIP) and a revision to their LUP in 2000, but these have not yet been certified. Therefore, the standard of review for development in Hermosa Beach is still the Coastal Act.

The proposed development as conditioned is consistent with the public access and marine resources protection policies of Chapter 3 of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

F. California Environmental Quality Act (CEQA)

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, that would substantially lessen any significant adverse effect that the activity may have on the environment.

The proposed project, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized and there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.



COASTAL COMMISSION

5-02-119

EXHIBIT #

PAGE 1 OF 1

4188 14
SHEET 1
SCALE 1" = 50'

2001

12

MANHATTAN
AVE.

13

E. 1ST.

ST

REVISED
1-31-56
2-8-58
72108801

1999832007002001-14
1999861507004001-14
1999871207001001-14
1999891605006001-14
2000040505010001-14

14

C.F. 1500

Project
Site

AVE.

HERMOSA

DR. 20.

PALM

30	80	7 (41)
"		6 (40)
30		5 (39)
"		4 (38)
		3 (37)
		2 (36)
30	80	1 (35)

32	30	95	8	42	32	30	95	9	43	30	95	10	44	30	95	11	46	30	95	12	47	30	95	13	48	30	95	14	50	30	95	15	51	30	95	16	52	30	95	17	53	30	95	18	54	30	95	19	55	30	95	20	56	30	95	21	57	30	95	22	58	30	95	23	59	30	95	24	60	30	95	25	61	30	95	26	62	30	95	27	63	30	95	28	64	30	95	29	65	30	95	30	66	30	95	31	67	30	95	32	68	30	95	33	69	30	95	34	70	30	95	35	71	30	95	36	72	30	95	37	73	30	95	38	74	30	95	39	75	30	95	40	76	30	95	41	77	30	95	42	78	30	95	43	79	30	95	44	80	30	95	45	81	30	95	46	82	30	95	47	83	30	95	48	84	30	95	49	85	30	95	50	86	30	95	51	87	30	95	52	88	30	95	53	89	30	95	54	90	30	95	55	91	30	95	56	92	30	95	57	93	30	95	58	94	30	95	59	95	30	95	60	96	30	95	61	97	30	95	62	98	30	95	63	99	30	95	64	100	30	95	65	101	30	95	66	102	30	95	67	103	30	95	68	104	30	95	69	105	30	95	70	106	30	95	71	107	30	95	72	108	30	95	73	109	30	95	74	110	30	95	75	111	30	95	76	112	30	95	77	113	30	95	78	114	30	95	79	115	30	95	80	116	30	95	81	117	30	95	82	118	30	95	83	119	30	95	84	120	30	95	85	121	30	95	86	122	30	95	87	123	30	95	88	124	30	95	89	125	30	95	90	126	30	95	91	127	30	95	92	128	30	95	93	129	30	95	94	130	30	95	95	131	30	95	96	132	30	95	97	133	30	95	98	134	30	95	99	135	30	95	100	136	30	95	101	137	30	95	102	138	30	95	103	139	30	95	104	140	30	95	105	141	30	95	106	142	30	95	107	143	30	95	108	144	30	95	109	145	30	95	110	146	30	95	111	147	30	95	112	148	30	95	113	149	30	95	114	150	30	95	115	151	30	95	116	152	30	95	117	153	30	95	118	154	30	95	119	155	30	95	120	156	30	95	121	157	30	95	122	158	30	95	123	159	30	95	124	160	30	95	125	161	30	95	126	162	30	95	127	163	30	95	128	164	30	95	129	165	30	95	130	166	30	95	131	167	30	95	132	168	30	95	133	169	30	95	134	170	30	95	135	171	30	95	136	172	30	95	137	173	30	95	138	174	30	95	139	175	30	95	140	176	30	95	141	177	30	95	142	178	30	95	143	179	30	95	144	180	30	95	145	181	30	95	146	182	30	95	147	183	30	95	148
----	----	----	---	----	----	----	----	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----	-----	----	----	-----

20 FIRST COURT 20

32.04	30.02	"	"	"	30.02	30	"	"	"	"	30	38	
95.32		SHEET 4	SHEET 2	SHEET 2	SHEET 3	41	59	60	61	62	63	64	65
32.04	30.02	"	"	"	30.02	30	27	28	29	30	31	32	33
				N	95.32								
					97.31								
					95.31								
					96.31								
					30.02	30						30	38

MONTEREY BLVD.

18

CODE
4340

FIRST ADDITION TO HERMOSA BEACH
M.B. 1-59-60

CONDOMINIUM
PARCEL MAP P.M. 287-77-78

CONDOMINIUM
PARCEL MAP P.M. 286-17-18

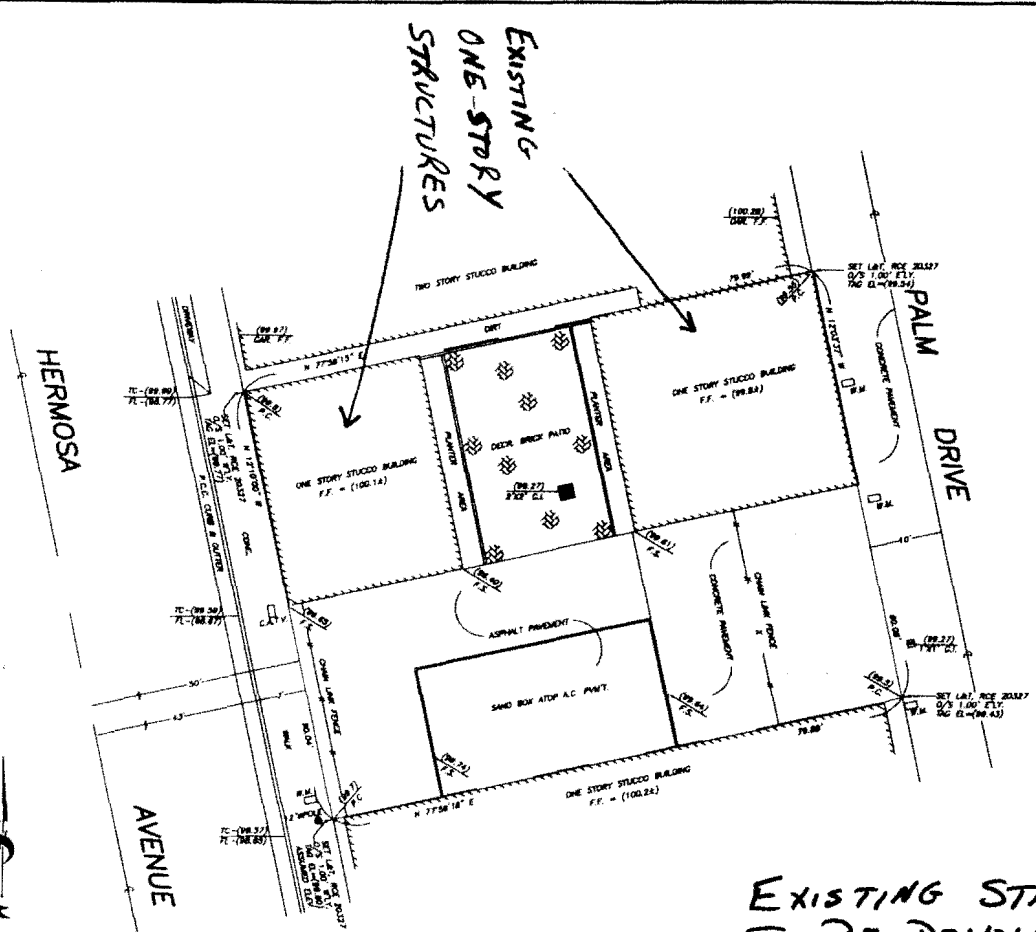
CONDOMINIUM
PARCEL MAP P.M. 286-19-20

CONDOMINIUM
PARCEL MAP PM.286-21-22

COASTAL COMMISSION
5-02-119

EXHIBIT # 2
PAGE 1 OF 1

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.



SCALE: 1/8"=1'-0"

EXISTING STRUCTURES
TO BE DEMOLISHED

COASTAL COMMISSION
5-02-119

EXHIBIT # 3
PAGE 1 OF 1

MAR 28, 2002

LEGEND

F.S.	INDICATES FINISHED SURFACE
T.C.	INDICATES TOP OF CURB
F.L.	INDICATES FLOW LINE
G.I.	INDICATES GROUND INLET
W.M.	INDICATES WATER METER
C.A.T.V.	INDICATES CABLE T.V. HOLE
CONC.	INDICATES CONCRETE
F.N.C.	INDICATES FENCE
F.F.	INDICATES FINISH FLOOR
B.R.	INDICATES BACK OF WALL
E.M.	INDICATES ELECTRIC METER
P.C.	INDICATES PROPERTY CORNER

TOPOGRAPHIC NOTES

1. CONTOUR LINES SHOWN ON THIS TOPOGRAPHIC SURVEY WERE DERIVED FROM RANDOM SPOT ELEVATIONS. THE EXPECTED LEVEL OF ACCURACY IS $\pm 1/2$ OF THE CONTOUR INTERVAL. ISOLATED ELEVATIONS, AS PLACED ON THE PLAN, WERE PHYSICALLY MEASURED AT APPROPRIATELY THE LOCATIONS SHOWING THEIR EXPECTED LEVEL OF ACCURACY IS ± 0.10 FOOT.
2. IF SPECIFIC ELEVATIONS ARE REQUIRED, THE USER SHOULD CONSULT WITH THE ENGINEER, P.W. ENGINEERING, INC. FOR SAME. INTERPOLATIONS MADE FROM THIS TOPOGRAPHIC SURVEY SHOULD BE DONE IN ACCORDANCE WITH STANDARD ENGINEERING PRACTICE, AND LIABILITY FOR INTERPOLATIONS IS NOT ASSUMED BY THE PREPARED, P.W. ENGINEERING, INC.

LEGAL DESCRIPTION

LOTS # 2 & 3, IN BLOCK 41, 1ST ADDITION TO HERMOSA BEACH, AS PER MAP RECORDED IN BOOK 1, PAGES 38 & 39 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY.

AREA = 4,800 SQ. FT.

SURVEY CERTIFICATION

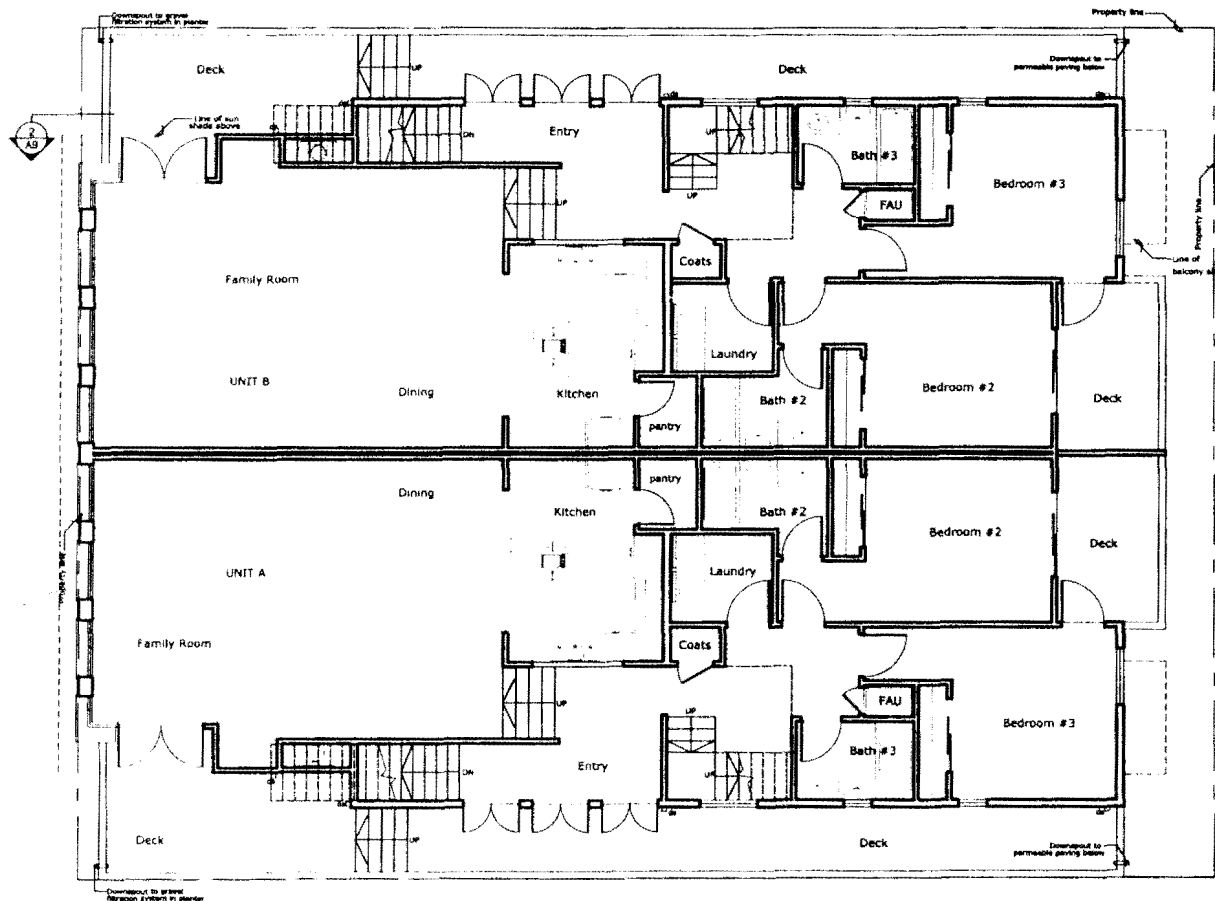
I HEREBY CERTIFY THAT I AM A REGISTERED CIVIL ENGINEER OF THE STATE OF CALIFORNIA, THAT THIS PLAN CONSISTING OF ONE SHEET CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEYING ACT, AND THAT ALL DIMENSIONS SHOWN HEREON ACTUALLY EXIST, AND THAT THE PORTIONS ARE CORRECTLY SHOWN, THIS SURVEY DOES NOT INCLUDE DIMENSIONS EXCEPT THOSE SPECIFICALLY DIMENSIONED HEREON.

VICTOR J. PHU, R.C.E. 20127

DATE

LOT & TOPOGRAPHIC SURVEY

PIAI ENGINEERING, INC. 340 24TH STREET HERMOSA BEACH, CA 90254 (310) 579-4941	FILE NAME: 1184813
	DATE: 12-18-2001
	SCALE: 1/8"=1'-0"
	JOB NO. 11848
DRAWN BY: V.J.P.	PROJECT SITE: 44 HERMOSA AVENUE HERMOSA BEACH, CA
	SHEET A-2



1 SECOND FLOOR PLAN

COASTAL COMMISSION
5-02-119

EXHIBIT # 4
PAGE 2 OF 6



REVISION	DATE
1	5-02-02
2	
3	
4	

oakes
1445 HERMOSA AVENUE
HERMOSA BEACH, CA 90253

44 HERMOSA AVENUE
LaPoint Property
1445 Pier Avenue,
Hermosa Beach, CA

Second Floor Plan

STAMP

1445 HERMOSA AVENUE
HERMOSA BEACH, CA 90253

1445 HERMOSA AVENUE
HERMOSA BEACH, CA 90253

A-5



COASTAL COMMISSION
5-02-119

EXHIBIT # 4
PAGE 3 OF 6



REMARKS	DATE
△ 2-22-02	
△	
△	
△	

oakes

44 HERMOSA AVENUE

**LaPoint Property
145 Pier Avenue,
Hermosa Beach, CA**

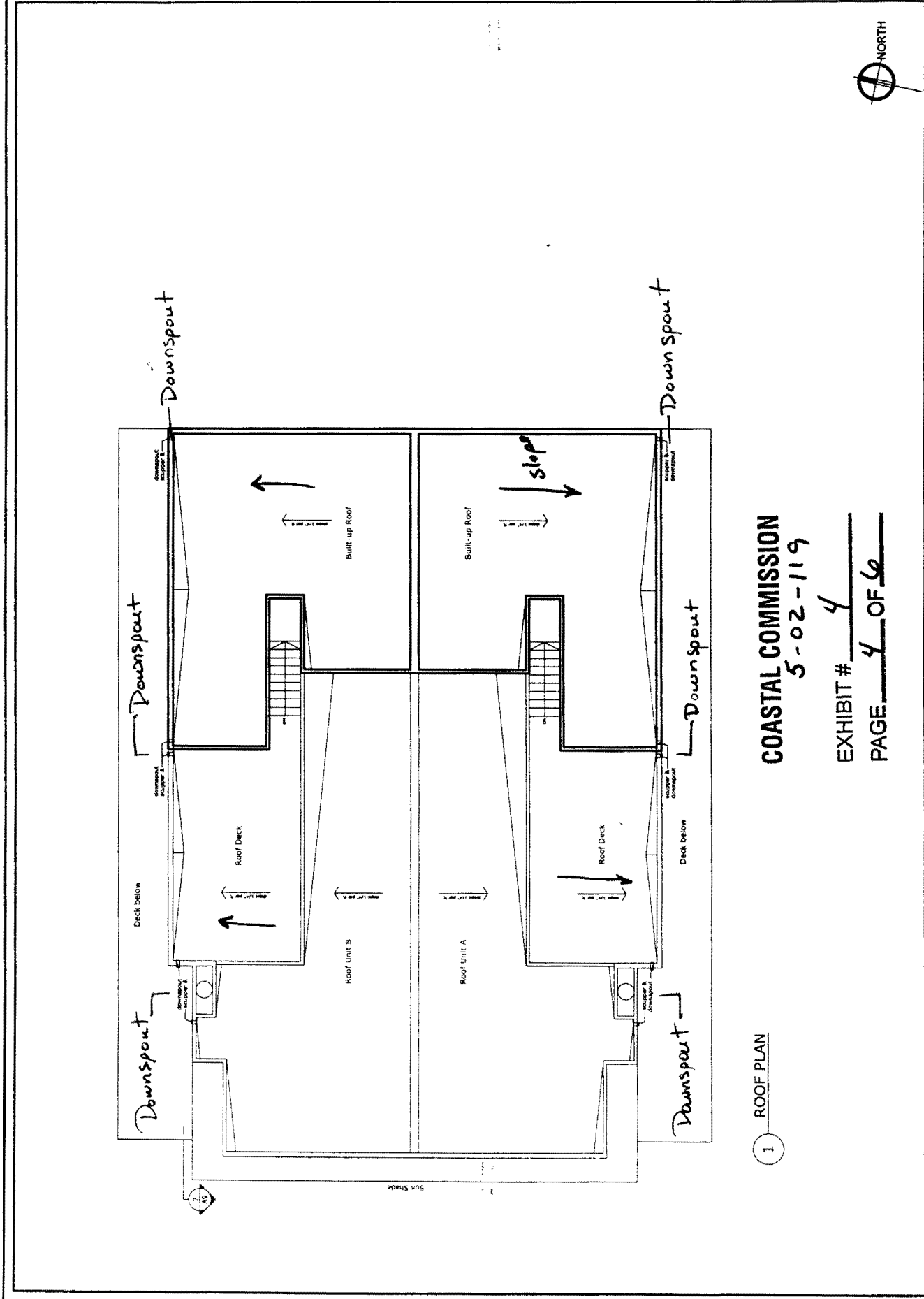
Third Floor Plan

STAMP

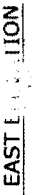
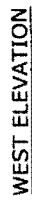
THE UNIVERSITY OF CHICAGO PRESS

NAME	JOHN J. JONES
ADDRESS	1234 5TH AVE. N.W.
CITY	SEATTLE, WASH.
STATE	WA.
ZIP	98101

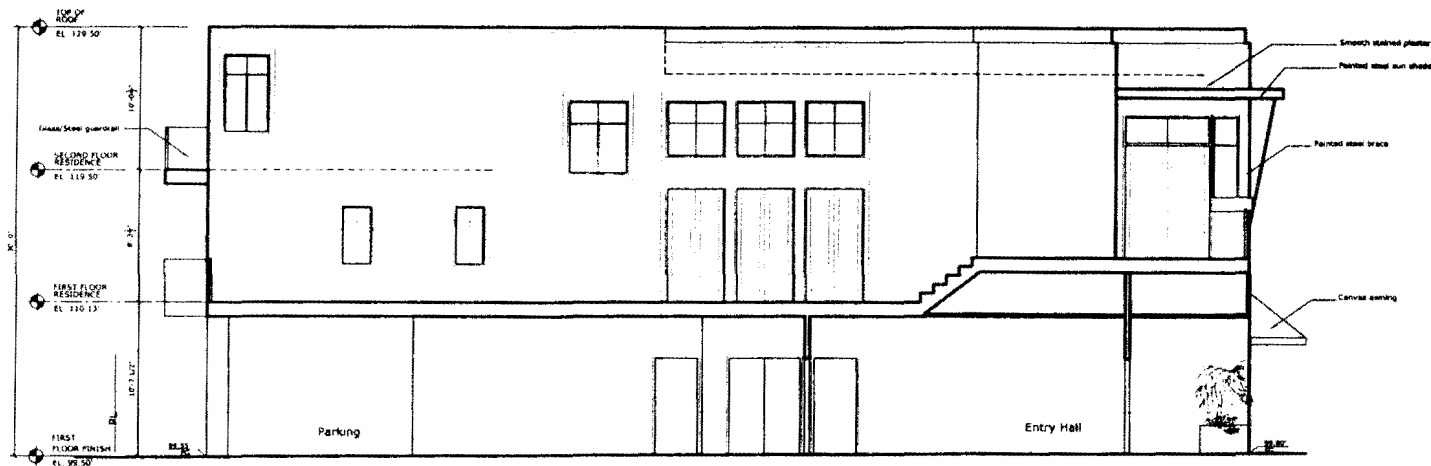
A-6



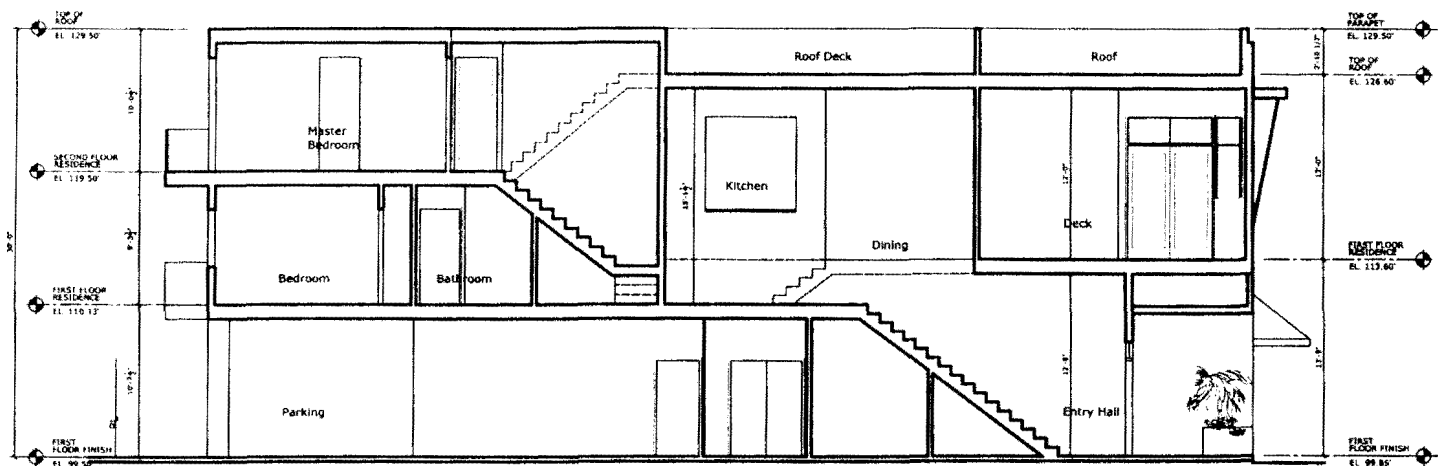
COASTAL COMMISSION
5-02-119
 EXHIBIT # 4
 PAGE 4 OF 6



PAGE 5 OF 6



1 TYPICAL NORTH/SOUTH ELEVATION



2 SECTION

COASTAL COMMISSION

5-02-719

EXHIBIT #

4

REVISION	DATE
1	5-25-02
2	
3	
4	

oakes

44 HERMOSA AVENUE

LaPoint Property
145 Pier Avenue,
Hermosa Beach, CA

NORTH ELEVATION
SECTION

STAMP

NOT TO SCALE
FOR INFORMATION ONLY
DO NOT CONSIDER THIS A FINAL DESIGN
OR A COMMITMENT TO ANY PARTICULAR
DESIGN OR MATERIALS
ALL DIMENSIONS ARE IN FEET AND INCHES
UNLESS OTHERWISE NOTED

DESIGNED BY
DW-1016-1-1016
DATE
10/10/01
BY
10/10/01
SCALE
1/4" = 1'-0"

A-9

P.C. RESOLUTION 02-7

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN, AND PARKING PLAN TO ALLOW A MIXED USE BUILDING WITH TWO RESIDENCES ABOVE COMMERCIAL ON THE GROUND FLOOR WITH PARKING PROVIDED IN TANDEM AT 44 HERMOSA AVENUE LEGALLY DESCRIBED AS LOT 3, BLOCK 41, 1ST ADDITION TO HERMOSA BEACH TRACT

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

Section 1. An application was filed by James LaPoint, owner in escrow of real property located at 44 Hermosa Avenue seeking approval of a Conditional Use Permit, and Precise Development Plan to allow the construction of two residential apartments above commercial on the ground floor and a Parking Plan to allow tandem parking to satisfy parking requirements.

Section 2. The Planning Commission conducted a duly noticed de novo public hearing to consider the subject application on January 15, and February 19, 2002, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission

Section 3. Based on evidence received at the public hearing, the Planning Commission makes the following factual findings:

1. The subject property is located in the C-1, Neighborhood Commercial Zone. A Conditional Use Permit is required pursuant to the C-1 permitted use list of Section 17.26.030 of the Zoning Ordinance, which provides that "residences, one or more apartments may be located above a commercial building" as a conditionally permitted use. A Precise Development Plan is required pursuant to Chapter 17.58 for new construction of more than 1500 square feet, and a Parking Plan is necessary pursuant to Section 17.44.210 to allow the proposed tandem parking to satisfy required parking.

2. The subject property is currently developed with one-story structures most recently used for a child day care center. The property consists of the two 30-foot wide lots fronting on Hermosa Avenue with alley access to the rear.

3. The applicant proposes to construct a new building with commercial on the ground floor with two attached two-story residential apartments above. Twelve (12) parking spaces are provided along the alley in 6 pairs of tandem parking.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the application for a Conditional Use Permit, Precise Development Plan and Parking Plan.

1. The project is consistent with applicable general and specific plans, and is in conformance with the use and development requirements of the zoning ordinance.

2. The site is zoned C-1 Neighborhood Commercial and the project and proposed use complies with the development standards contained therein.

COASTAL COMMISSION

5-02-119

EXHIBIT #

5

PAGE

1

OF

4

1 3. Based on Section 17.44.020, the aggregate parking requirement for the proposed
2 uses on this property is eleven spaces, 6 for the 800 square feet of commercial (limited to
3 commercial service, office or retail uses) and 5 for the two dwelling units including one guest
4 space. The plans provide for 12 spaces, in 6 pairs of tandem spaces. This is less than the 11
5 required spaces since the Zoning Ordinance doesn't recognize tandem parking to count towards
6 required commercial spaces. However, pursuant to Section 17.44.210 the Planning Commission
7 may allow for a reduced parking requirement if it is demonstrated that adequate parking will be
8 provided for customers, clients, visitors, and employees. The Commission finds that the tandem
9 parking, if properly managed in accordance with the conditions of approval below, will provide
10 adequate parking.

11 4. The project is Categorically Exempt from the requirement for an environmental
12 assessment, pursuant to the California Environmental Quality Act Guidelines, Sections
13 15303(b) and 15315 with the finding that the project is in an area with available services.

14 Section 5. Based on the foregoing, the Planning Commission hereby approves the subject
15 Conditional Use Permit, Precise Development Plan and Parking Plan subject to the following
16 **Conditions of Approval:**

- 17 1. The development and continued use of the property shall be in conformance with
18 submitted plans, received and reviewed by the Commission at their meeting of February
19 19, 2002, revised to incorporate the alternative parking layout submitted which provides
20 two-car garages for the residential units and the rest of the parking open. Any minor
21 modification shall be reviewed and may be approved by the Community Development
22 Director.
- 23 2. Occupancy of the commercial space on the ground floor shall be limited to uses
24 permitted in the C-1 zone, and shall not include residential use. Uses that are subject to
25 greater parking requirements, such as restaurants/cafes, snack shops and medical or
26 dental clinics are not permitted unless this Parking Plan is amended to allow these uses.
- 27 3. All garage parking shall be permanently assigned to the residential units with two spaces
28 available for each unit. Outdoor parking not located in front of the residential garages
shall be assigned for commercial tenants, and their employees and customers. The
remaining outdoor parking located in front of the residential garages shall not be assigned,
and shall be available both for residential guest parking and patrons and employees of the
commercial uses. Since these spaces, when occupied, will block access to the residential
garage spaces, their use shall be limited to patrons, employees and residential guests of the
project that remain on the premises. Alternatively, patrons, employees, or residential
guests must make their keys available to someone on the premises who can move their
vehicle to allow for a resident to access or leave the private garage spaces.
4. Signs shall be displayed identifying the assigned parking spaces, and signs shall be posted
on the garage doors to clearly identify the limitations for users of the parking spaces in
the garages to ensure access to the private residential garages. The wording of
these signs and a program for managing use of these parking stalls shall be developed by
the applicant subject to approval of the Community Development Director prior to

ASTAL COMMISSION

5-02-119

EXHIBIT #

5

PAGE

2

OF

4

occupancy of the building. The program shall be implemented on site by the landlord or his designated property manager or agent.

5. Precise building height information shall be provided on final project plans, which shall include corner point elevations provided on a detailed roof plan indicating corner points of the lot, the location of all property lines and maximum and proposed heights at the critical points on the roof.
6. Architectural treatment shall be as shown on building elevations and site and floor plans. Any modification shall require approval by the Community Development Director.
7. Two copies of a final landscaping plan indicating size, type, and quantity of plant materials to be planted shall be submitted to the Community Development Department, Planning Division for review and approval prior to the issuance of Building Permits
 - a. At least two street trees shall provided along the Hermosa Avenue frontage subject to approval by the Public Works Department.
8. There shall be compliance with all requirements of the Public Works Department and Fire Department
9. Precise building height shall be reviewed at the time of plan check, to the satisfaction of the Community Development Director.
10. Roll-up Automatic garage doors shall be installed on all garage door openings
11. Two copies of final construction plans, including site, elevation and floor plans, which are consistent with the conditions of approval of this conditional use permit, shall be reviewed and approved by the Planning Division for consistency with Planning Commission approved plans prior to the submittal to the Building Division for Plan Check.
12. Prior to the submittal of structural plans to the Building Division for Plan Check an Acceptance of Conditions affidavit 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 grant.

Section 6. This grant 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 grant.

The Conditional Use Permit, Precise Development Plan and Parking Plan shall be recorded, and proof of recordation shall be submitted to the Community Development Department.

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.

COASTAL COMMISSION

5-02-119

EXHIBIT # 5

PAGE 3 OF 4

1 Permittee shall defend, indemnify and hold harmless the City, it agents, officers, and
2 employees from any claim, action, or proceeding against the City or its agents, officers, or
3 employee to attack, set aside, void or annul this permit approval, which action is brought within
4 the applicable time period of the State Government Code. The City shall promptly notify the
5 permittee of any claim, action, or proceeding and the City shall cooperate fully in the defense. If
6 the City fails to promptly notify the permittee of any claim, action or proceeding, or if the City
7 fails to cooperate fully in the defense, the permittee shall no thereafter be responsible to defend,
8 indemnify, or hold harmless the City.

9 The permittee shall reimburse the City for any court and attorney's fees which the City
10 may be required to pay as a result of any claim or action brought against the City because of this
11 grant. Although the permittee is the real party in interest in an action, the City may, at its sole
12 discretion, participate at its own expense in the defense of the action, but such participation shall
13 not relieve the permittee of any obligation under this condition.

14 The subject property shall be developed, maintained and operated in full compliance with
15 the conditions of this grant and any law, statute, ordinance or other regulation applicable to any
16 development or activity on the subject property. Failure of the permittee to cease any
17 development or activity not in full compliance shall be a violation of these conditions.

18 The Planning Commission may review this Conditional Use Permit, Precise Development
19 Plan and Parking Plan and may amend the subject conditions or impose any new conditions if
20 deemed necessary to mitigate detrimental effects on the neighborhood resulting from the subject
21 use.

22 Section 7. Pursuant to the Code of Civil Procedure Section 1094.6 any legal challenge to
23 the decision of the Planning Commission, after a formal appeal to the City Council, must be made
24 within 90 days after the final decision by the City Council.

25 VOTE: AYES: Pizer, Tucker, Kersenboom, Chaiman Perrotti
26 NOES: Hoffman
27 ABSENT: None
28 ABSTAIN: None

29 CERTIFICATION

30 I hereby certify the foregoing Resolution P.C. 02-7 is a true and complete record of the action
31 taken by the Planning Commission of the City of Hermosa Beach, California, at their regular
32 meeting of February 19, 2002.

33 Sam Perrotti
34 Sam Perrotti, Chairman

35 Sol Blumenfeld
36 Sol Blumenfeld, Secretary

37 March 19, 2002
38 Date **COASTAL COMMISSION** Pdpr44Hermosa
39 5-02-119

40 EXHIBIT # 5

41 PAGE 4 OF 4
42 4

MAR 28 2002
COM. DEV. DEPT.

APPENDIX B
LOCAL AGENCY REVIEW FORM

SECTION A (TO BE COMPLETED BY APPLICANT)

Applicant _____
Project Description 6,300 sq. ft. mixed use small commercial w/2 unit residential over

Location 44 Hermosa Avenue, Hermosa Beach, CA. 90254, County of Los Angeles

Assessor's Parcel Number _____

SECTION B (TO BE COMPLETED BY LOCAL PLANNING OR BUILDING INSPECTION DEPARTMENT)

Zoning Designation C-1 NA du/ac
General or Community Plan Designation Neighborhood Commercial NA du/ac

Local Discretionary Approvals

- ☐ Proposed development meets all zoning requirements and needs no local permits other than building permits.

- ☒ Proposed development needs local discretionary approvals noted below.

Needed Received

<input type="checkbox"/>	<input type="checkbox"/>	Design/Architectural review
<input type="checkbox"/>	<input type="checkbox"/>	Variance for _____
<input type="checkbox"/>	<input type="checkbox"/>	Rezone from _____
<input type="checkbox"/>	<input type="checkbox"/>	Tentative Subdivision/Parcel Map No. _____
<input type="checkbox"/>	<input type="checkbox"/>	Grading/Land Development Permit No. _____
<input type="checkbox"/>	<input type="checkbox"/>	Planned Residential/Commercial Development Approval
<input type="checkbox"/>	<input type="checkbox"/>	Site Plan Review
<input type="checkbox"/>	<input type="checkbox"/>	Condominium Conversion Permit
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Conditional, Special, or Major Use Permit No. <u>CUP 01-7</u> <u>PDP 01-20</u>
<input type="checkbox"/>	<input type="checkbox"/>	Other _____

CEQA Status

- ☒ Categorically Exempt Class 3 Item 15303(b)(c)
☐ Negative Declaration Granted (Date) _____
☐ Environmental Impact Report Required, Final Report Certified (Date) _____
☐ Other _____

Prepared for the City/County of Hermosa Beach by Ken Roberts
Date 4/11/02 Title Associate Planner

COASTAL COMMISSION

5-02-119

EXHIBIT # 6

PAGE 1 OF 1