

CALIFORNIA COASTAL COMMISSION

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

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Filed: April 20, 2006
49th Day: June 8, 2006
180th Day: October 17, 2006
Staff: Ryan Todaro-LB
Staff Report: June 13, 2006
Hearing Date: July 12-14, 2006
Commission Action:

**STAFF REPORT: CONSENT CALENDAR**

APPLICATION NUMBER: 5-06-154

APPLICANTS: Jersey Hills, LLC and Patrick Killen

AGENT: Cheryl Vargo

PROJECT LOCATION: 20 2nd Street, City of Hermosa Beach, Los Angeles Co.

PROJECT DESCRIPTION: Demolish existing commercial building and construct a 3-story, 30-foot high, 3,680 square-foot mixed use building with an 874 square-foot commercial unit on the first floor, a 2,806 square-foot residential unit on the second and third floors and 6 parking spaces.

SUMMARY OF STAFF RECOMMENDATION:

Commission staff is recommending **APPROVAL** of the proposed project with **Three (3) Special Conditions** regarding: **1)** additional approvals for any future development; **2)** conformance with the submitted drainage and run-off control plan; **3)** a deed restriction against the property, referencing all of the Special Conditions contained in this staff report.

LOCAL APPROVALS RECEIVED: City of Hermosa Beach Approval-in-Concept dated March 7, 2006.

LIST OF EXHIBITS:

1. Location Map
2. Site Plan
3. Elevations

STAFF RECOMMENDATION:

Staff recommends that the Commission **APPROVE** the permit application with special conditions.

MOTION:

I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION:

I. APPROVAL WITH CONDITIONS

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. Future Development

- A. This permit is only for the development described in coastal development permit No. 5-06-154. Except as provided in Public Resources Code section 30610 and applicable regulations, any future development as defined in PRC section 30106, including, but not limited to, a change in the density or intensity of use land, shall require an amendment to Permit No. 5-06-154 from the California Coastal Commission or shall require an additional coastal development permit from the California Coastal Commission or from the applicable certified local government.

2. Drainage and Run-Off Control Plan

- A. The applicant shall conform to the drainage and run-off control plan received on May 17, 2006 showing roof drainage and runoff from all impervious areas directed to vegetated/landscaped areas wherever possible. Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property.
- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. 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 landowner has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating 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; and (2) imposing the 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 entire parcel or parcels governed by this permit. 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 this 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 site of the proposed project is located at 20 2nd Street, within the City of Hermosa Beach, Los Angeles County (see Exhibit #1). This site is located on the west side of Hermosa Avenue at the corner of 2nd Street and is adjacent to other commercial uses along Hermosa Avenue, approximately ¾ mile north of the Hermosa Beach Pier and approximately 200 feet from the beach. The site currently contains a one-story building formerly used as a restaurant with no parking. Vertical public access to this beach is available to pedestrians at the western terminus of 2nd Street, which borders the project site to the north (see Exhibit #2).

The applicant is proposing to demolish an existing commercial building and construct a 3-story, 30-foot high, 3,680 square-foot mixed use building with an 874 square-foot commercial unit on the first floor and a 2,806 square-foot residential unit on the second and third floors on a 2,500 square-foot lot (see Exhibits #2 and #3). Parking is provided for the residence within a 447 square-foot, two-car garage accessed off the alley with a parallel guest parking space in front of the garage. Parking for the commercial space is provided in an open garage at the ground floor with access off of 2nd Street and the alley. The parking is sufficient for general commercial but not for a use that would necessitate greater parking requirements, such as a restaurant, café and medical or dental clinics. Therefore Special Condition 1 requires a permit for any change in intensity of use.

The City has reviewed the proposed project and found it consistent with local zoning requirements, as evidenced by their Approval-In-Concept, dated March 7, 2006. The proposed project conforms to the proposed LUP development standards for mixed-use development in the C-1 zone (Neighborhood Commercial). No setback requirements apply to buildings in the C-1 zone, unless the property abuts residentially zoned property, which this project does not. The project complies with the 30-foot height limit of the C-1 zone. Pursuant to the mixed-use development standards, the residential portion of the project is required to comply with the R-3 development standards. The residential portion of the project is consistent with the density, height and open space requirements of the R-3 zone and the project complies with the required 5-foot front yard setback, 3-foot side yard setbacks and one-foot rear yard setback on the residential levels.

The applicant is proposing water quality improvements as part of the proposed project, consisting of rooftop and surface drainage directed to permeable areas wherever possible. Any vegetated landscaped areas located on site shall only consist of native plants or non-native drought tolerant plants, which are non-invasive.

The placement of vegetation that is considered to be invasive, which could supplant native vegetation is not allowed under the terms of the special conditions of this permit. Invasive plants have the potential to overcome native plants and spread quickly. Invasive plants are generally those identified by the California Invasive Plant Council (<http://www.caleppc.org/>) and California Native Plant Society (www.CNPS.org) in their publications.

Furthermore, any plants in the landscaping plan should be drought tolerant to minimize the use of water. The term drought tolerant is equivalent to the terms 'low water use' and 'ultra low water use' as defined and used by "A Guide to Estimating Irrigation Water Needs of Landscape Plantings in

California" prepared by University of California Cooperative Extension and the California Department of Water Resources dated August 2000 available at <http://www.owue.water.ca.gov/landscape/pubs/pubs.cfm>.

B. DEVELOPMENT

The development is located within an existing developed area and is compatible with the character and scale of the surrounding area. However, the proposed project raises concerns that future development of the project site potentially may result in a development which is not consistent with the Chapter 3 policies of the Coastal Act. To assure that future development is consistent with the Chapter 3 policies of the Coastal Act, the Commission finds that a future improvements special condition be imposed. As conditioned the development conforms with the Chapter 3 policies of the Coastal Act.

C. PUBLIC ACCESS

The proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

D. WATER QUALITY

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

E. 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 Special Conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the Property. Thus, as conditioned, this permit ensures that any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land in connection with the authorized development, including the risks of the development and/or hazards to which the site is subject, and the Commission's immunity from liability.

F. LOCAL COASTAL PROGRAM

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in

conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3.

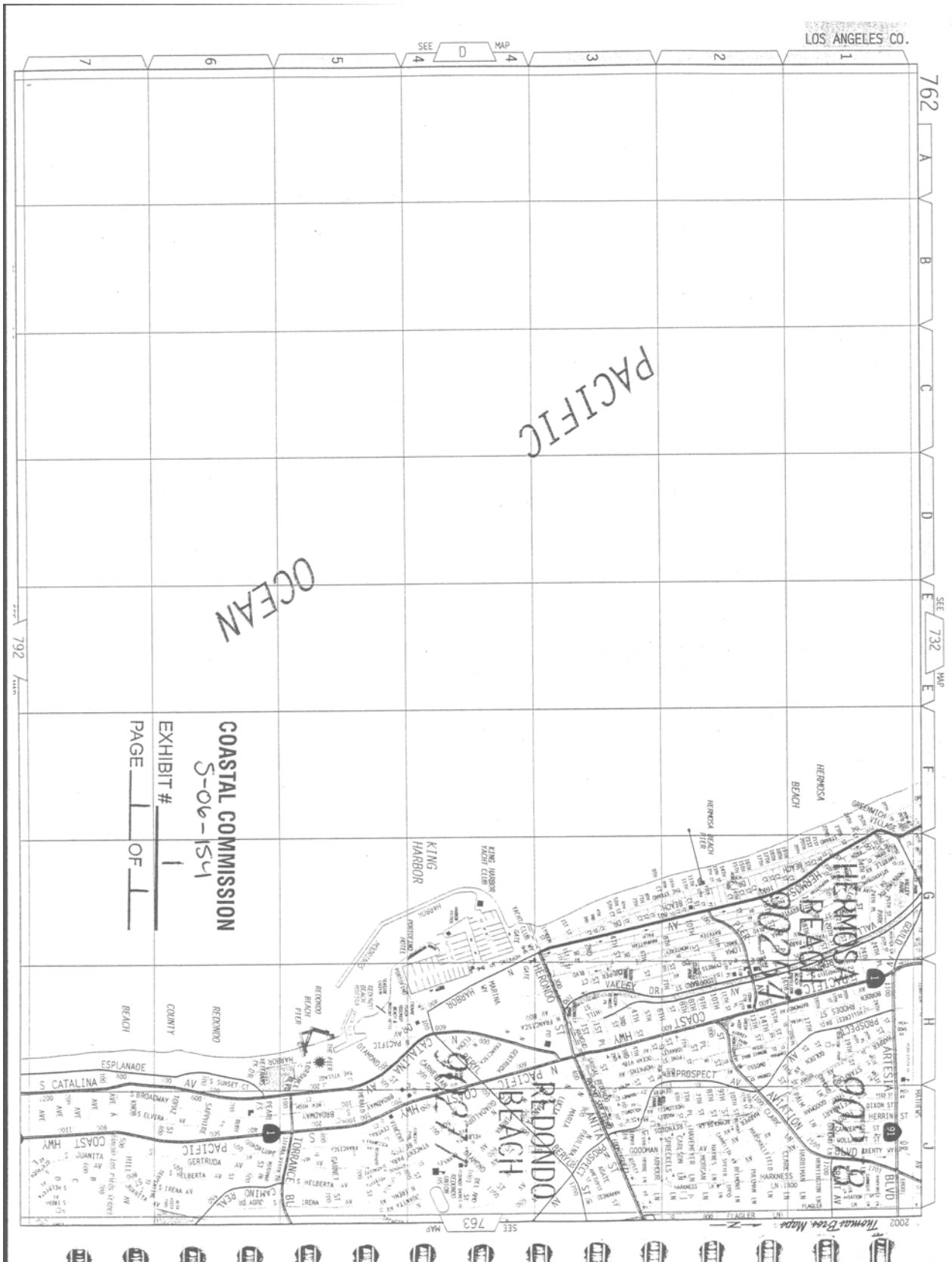
The Commission conditionally certified the City of Hermosa Beach Land Use Plan on August 19, 1981. The Land Use Plan (LUP) was effectively certified with suggested modifications on April 21, 1982. The modifications were accepted and the LUP is certified. The City submitted a final draft of its zoning and implementation ordinances (LIP) and a revision to their LUP in 2000. The amendment and Implementation ordinance was scheduled for public hearing and Commission action at the October 8, 2001 meeting, but the City withdrew. Therefore, these have not been certified and the standard of review for development in Hermosa Beach is still the Coastal Act.

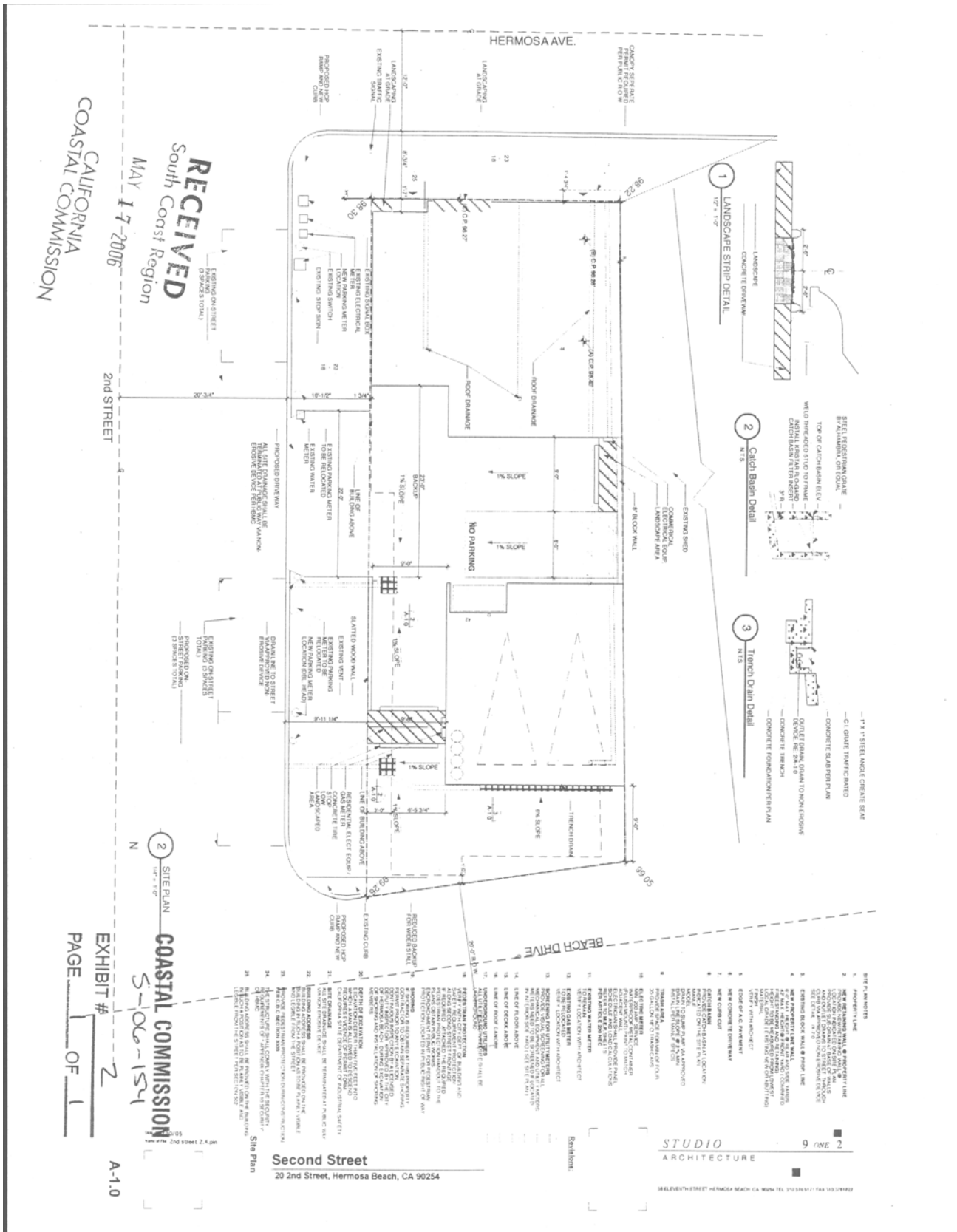
As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

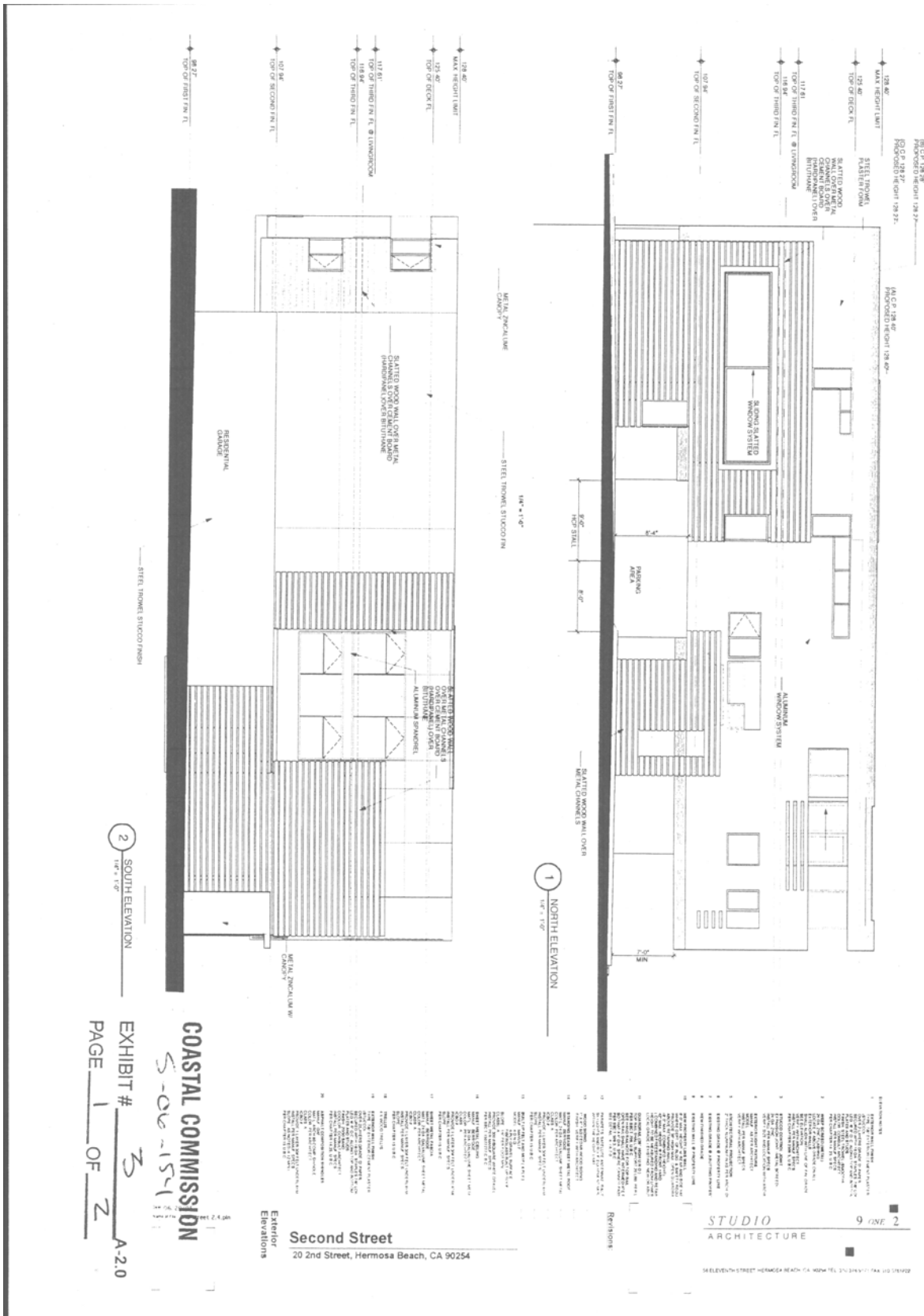
G. CALIFORNIA ENVIRONMENTAL QUALITY ACT

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

5-06-154 (Jersey Hills, LLC & Patrick Killen)
Staff Report – Consent Calendar
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1 NORTH ELEVATION
 1/8" = 1'-0"

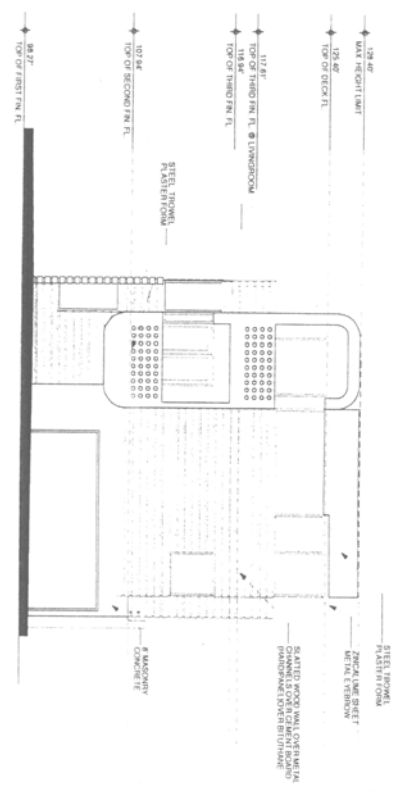
2 SOUTH ELEVATION
 1/8" = 1'-0"

COASTAL COMMISSION
 EXHIBIT # 3
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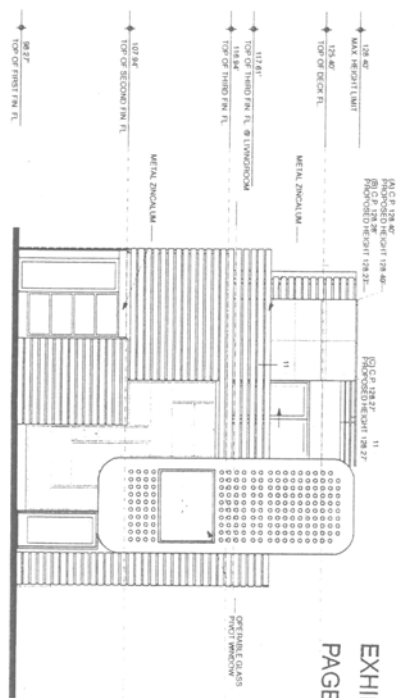
Revisions

1	DATE: 05/15/14	DESCRIPTION: INITIAL DESIGN
2	DATE: 05/22/14	DESCRIPTION: REVISIONS TO WINDOW PLACEMENT
3	DATE: 06/05/14	DESCRIPTION: REVISIONS TO MATERIAL FINISHES
4	DATE: 06/12/14	DESCRIPTION: REVISIONS TO ROOFLINE
5	DATE: 06/19/14	DESCRIPTION: REVISIONS TO EXTERIOR WALLS
6	DATE: 06/26/14	DESCRIPTION: REVISIONS TO DOOR PLACEMENT
7	DATE: 07/03/14	DESCRIPTION: REVISIONS TO SIGNAGE
8	DATE: 07/10/14	DESCRIPTION: REVISIONS TO LIGHTING
9	DATE: 07/17/14	DESCRIPTION: REVISIONS TO LANDSCAPE
10	DATE: 07/24/14	DESCRIPTION: REVISIONS TO FINISHES
11	DATE: 08/01/14	DESCRIPTION: REVISIONS TO MATERIALS
12	DATE: 08/08/14	DESCRIPTION: REVISIONS TO WINDOW SIZES
13	DATE: 08/15/14	DESCRIPTION: REVISIONS TO DOOR SIZES
14	DATE: 08/22/14	DESCRIPTION: REVISIONS TO SIGNAGE
15	DATE: 08/29/14	DESCRIPTION: REVISIONS TO LIGHTING
16	DATE: 09/05/14	DESCRIPTION: REVISIONS TO LANDSCAPE
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100	DATE: 04/16/16	DESCRIPTION: REVISIONS TO LANDSCAPE

STUDIO ARCHITECTURE
 9 ONE 2
 SEVENTEEN STREET, HERMOSA BEACH, CA 90254 TEL: 949.261.1111 FAX: 949.261.1112



2 WEST ELEVATION
 1/4" = 1'-0"



1 EAST ELEVATION
 1/4" = 1'-0"

COASTAL COMMISSION
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 EXHIBIT # 3
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