

**CALIFORNIA COASTAL COMMISSION**

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



Filed: September 6, 2007  
 49th Day: October 25, 2007  
 180th Day: March 4, 2008  
 Staff: Gabriel Buhr-LB  
 Staff Report: September 12, 2007  
 Hearing Date: October 10-12, 2007  
 Commission Action:

# W4g

## STAFF REPORT: CONSENT CALENDAR

**APPLICATION NUMBER:** 5-07-286

**APPLICANT:** Jim Leonard

**AGENT:** Elizabeth Srour

**PROJECT LOCATION:** 1084 Monterey Blvd., City of Hermosa Beach (Los Angeles County)

**DESCRIPTION:** Demolition of an existing four unit apartment building and construction of three condominium units contained within two separate two-story buildings each with a roof deck, over a basement level. Each unit will have an attached two car garage. The three units will total 6,858 square feet in combined area and 30 feet in height on a 4,985 square foot, high density zoned lot.

|                      |                          |
|----------------------|--------------------------|
| Lot Area             | 4,985 square feet        |
| Building Coverage    | 3,234 square feet        |
| Pavement Coverage    | 718 square feet          |
| Landscape Coverage   | 1033 square feet         |
| Parking Spaces       | 9                        |
| Zoning               | R-3                      |
| Planning Designation | High Density Residential |
| Ht above final grade | 30 feet                  |

### SUMMARY OF STAFF RECOMMENDATION:

The applicant is proposing demolition of an existing four-unit apartment building and construction of a new three-unit condominium complex contained within two separate structures. The major issues with this development are potential impacts associated with a reduction of affordable housing units within the coastal zone.

Commission staff is recommending **APPROVAL** of the proposed project with **Three (3) Special Conditions** regarding: **1)** conformance with the submitted drainage and run-off control plan; **2)** compliance with construction-related best management practices (BMPs); **3)** additional approvals for any future development.

**SUBSTANTIVE FILE DOCUMENTS:** City of Hermosa Beach Municipal Code.

**LOCAL APPROVALS RECEIVED:** City of Hermosa Beach Approval-in-Concept dated July 11, 2007.

## **LIST OF EXHIBITS**

1. Location Map
  2. Assessor's Parcel Map
  3. Site Plan
  4. Elevations
  5. Drainage Plan
- 

## **STAFF RECOMMENDATION:**

Staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application:

**MOTION:** *I move that the Commission approve 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 permits included on the consent calendar. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

## **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. Drainage and Run-Off Control Plan

- A. The applicant shall conform to the drainage and run-off control plan received on August 24, 2007 showing roof drainage and runoff from all impervious areas directed to vegetated/landscaped areas wherever possible.
- B. 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 (<http://www.CNPS.org/>), the California Invasive Plant Council (<http://www.cal-ipc.org/>), 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.
- C. 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.

**2. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris**

The permittee shall comply with the following construction-related requirements:

- A. No construction materials, debris, or waste shall be placed or stored where it may enter the storm drain system leading to the Pacific Ocean;
- B. Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of the project;
- C. Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and a pre-construction meeting to review procedural and BMP guidelines;
- D. Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. Debris shall be disposed of outside the coastal zone, as proposed by the applicant.

**3. Future Development**

- A. This permit is only for the development described in coastal development permit No. 5-07-286. Pursuant to Title 14 California Code of Regulations section 13250(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(b) shall not apply to the development governed by the coastal development permit No. 5-07-286. Accordingly, any future improvements to the structure authorized by this permit, shall require an amendment to Permit No. 5-07-286 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

**IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

**A. Project Description and Location**

The subject site is located at 1084 Monterey Boulevard, within the City of Hermosa Beach, Los Angeles County (Exhibit #1). The site is a relatively level lot located 1,000 feet inland of the approximately 350-foot wide sandy beach that exists in Hermosa Beach. The nearest vertical public access to this beach is available to pedestrians at the western end of 11<sup>th</sup> Street. The 4,985 square foot lot is located on the corner of Monterey Blvd and 11<sup>th</sup> Street (Exhibit #2). The proposed project is located within an existing urban residential area, located directly inland from the Hermosa Beach Pier. Surrounding development is variable, consisting of single family residences, small condominiums and larger apartment buildings.

The applicant is proposing demolition of an existing four-unit apartment building with a bootleg garage unit and construction of a new 6,858 square-foot, 30 foot-high, three-unit condominium project comprised of two separate buildings. Each building will have two-stories with a roof deck over basement level. On-site parking for the proposed condominium project will be provided by an attached two-car garage for each condominium unit and one additional open guest parking space for each condominium unit resulting in a total of nine on-site parking spaces. Vehicular access will be provided from Monterey Blvd. for the two front units and from Sunset Dr. for the rear unit (Exhibits #3 & #4). The applicant proposes to construct the condominiums and guest parking spaces on a 4,985 square-foot, R-3 zoned lot in Hermosa Beach.

The existing structure is a four-unit apartment building that is in non-compliance with local ordinances for number of different reasons including lot size and parking. The Certified LUP for the City of Hermosa Beach designates the subject site as High Density Residential with a minimum lot area per dwelling unit of 1,320 square feet/dwelling unit. As designated, the current four-unit apartment building would require a minimum lot size of 5,280 square feet to meet the applicable density standards, and would need to provide ten on-site parking spaces. If the bootleg garage unit is included in the density calculations then the required lot size would need to be 6,600 square feet with thirteen on-site parking spaces. The subject site contains a lot size of 4,985 square feet and currently only provides parking for seven vehicles. The existing on-site structures are in a state of disrepair and require replacement of plumbing and electrical systems, driveways, and suffer from mold, water and termite damage.

Nevertheless, multi-family rental units are potential affordable housing resources. The City of Hermosa Beach fulfills its affordable housing requirements, as detailed in the City's Housing Element, through the maintenance of two mobile home parks located within the City limits but outside of the Coastal Zone. The apartments on the subject site are not considered affordable housing by the City of Hermosa Beach, and in the view of the City, for a number of reasons including the number of units, this project doesn't trigger Mello Act requirements.

The City has reviewed the proposed project and found it consistent with local zoning requirements, as evidenced by their Approval-In-Concept, dated July 11, 2007. The proposed project conforms to the proposed LUP 30-foot height limit for R-3 zoned, high density residential, and conforms to the setback limits for front, rear and side yards. The required front yard setback is equal to at least 5 feet and the rear yard setback is no less than 3 feet. The required side yard setback is 10 percent of lot width and no greater than 5 feet. For the residence, the applicant proposes a 5 foot front yard setback (lot depth is approximately 100 feet), a 3 foot rear yard setback and a 5 foot side yard setback (lot width is approximately 50 feet). No grading is proposed as a part of the project.

The applicant is proposing water quality improvements as part of the proposed project, consisting of rooftop and surface drainage directed to landscaped and permeable areas (Exhibit #5). 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 should not be allowed. 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.cal-ipc.org/>) and California Native Plant Society (<http://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. Community Character/Visual Quality**

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 Chapter 3 policies of the Coastal Act.

**C. Public Access/Parking**

As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed 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, porous catch basins with an attached sump pump, 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. 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

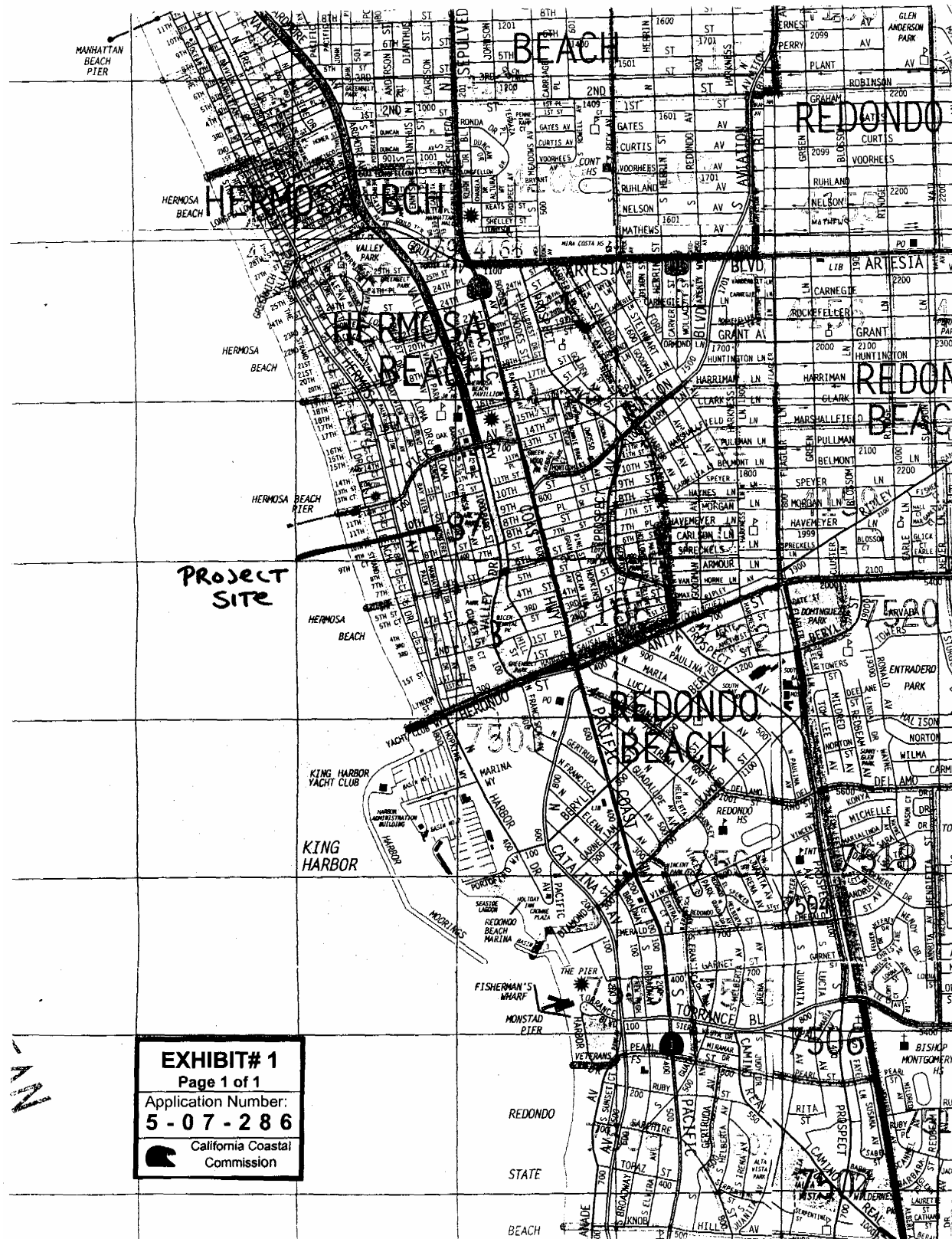
amendment and Implementation ordinance was scheduled for public hearing and Commission action at the October 8, 2001 meeting, but the City withdrew. Therefore, these have not been certified and the standard of review for development in Hermosa Beach is still the Coastal Act.

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.

**F. California Environmental Quality Act**

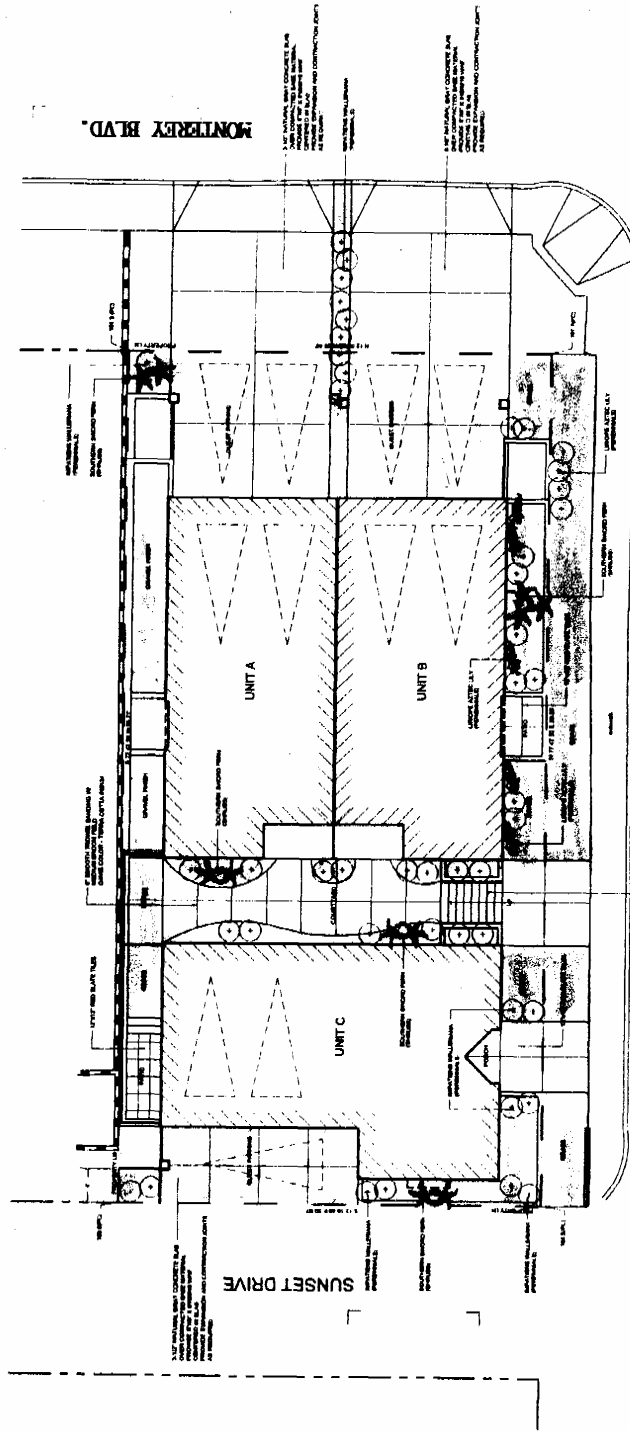
Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality 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 which would substantially lessen any significant adverse effect which the activity may have on the environment.


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.









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| <b>EXHIBIT# 3</b>   |
| Page 1 of 1   |
| Application Number:<br><b>5-07-286</b>  |
|  California Coastal Commission |

11TH STREET

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

1084 MONTEREY BLVD., HERMOSA BEACH  
SITE PLAN

**JOYCE  
 FLOOD  
 +  
 ASSOCIATI  
 architects**

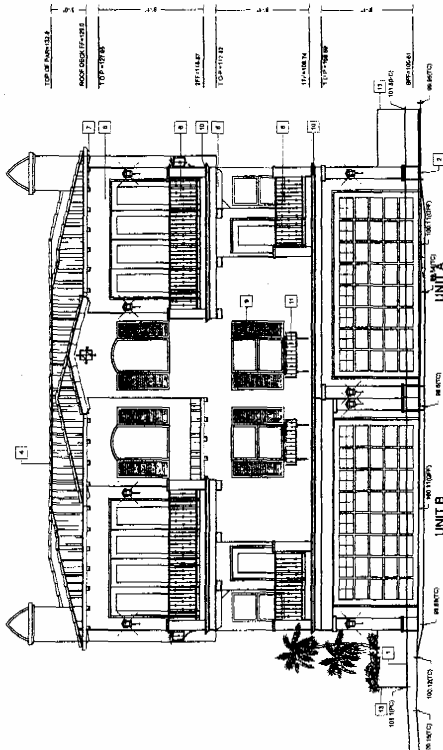
1000 Market Street, Suite 100  
 San Francisco, CA 94102  
 Tel: 415.774.1111  
 Fax: 415.774.1112  
 www.joyceflood.com

**THREE UNIT  
 TOWNHOMES**

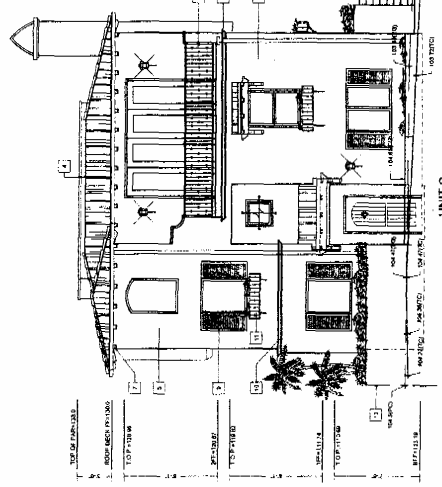
Design: Legaris  
 Title: Architect  
 1000 Market Street, Suite 100  
 San Francisco, CA 94102  
 Tel: 415.774.1111  
 Fax: 415.774.1112  
 www.joyceflood.com

- LEGEND:**
- PC PROPERTY OWNER RELATION
  - MB MAIN BUILDING
  - SB SIDE BUILDING
  - TC TOP OF CURB (IF APPLICABLE)
  - RF ROOF FINISH
  - RFV ROOF VENT
  - RFVH ROOF VENT HEAD
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  - RFVH2 ROOF VENT HEAD 2
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**EXHIBIT# 4**  
 Page 1 of 1  
 Application Number:  
**5 - 0 7 - 2 8 6**  
 California Coastal  
 Commission



**WEST ELEVATION (FRONT)**



**NORTH ELEVATION (LEFT SIDE)**

**JOYCE FLOOD + ASSOCIATES architects**  
 1000 Montgomery Blvd.  
 Suite 100  
 San Jose, CA 95128  
 Phone: (408) 298-1111  
 Fax: (408) 298-1112  
 www.joyceflood.com

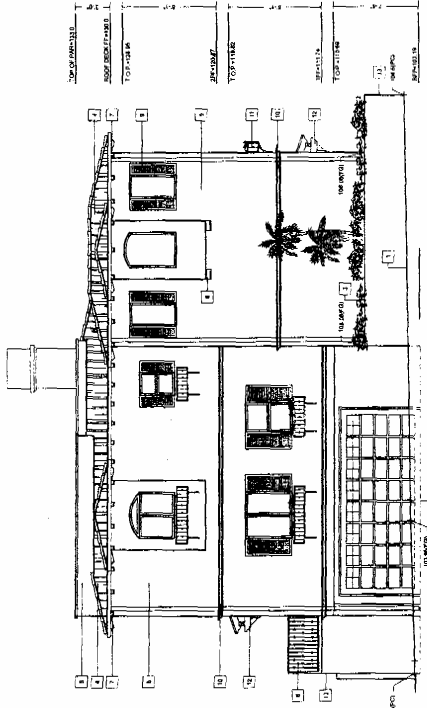
**THREE UNIT TOWNHOME**

Sheet 1 of 3  
 1000 Montgomery Blvd.  
 Hercules, San Jose, CA  
 95128  
 DATE: 05/07/2016  
 DRAWN BY: JF

a.7

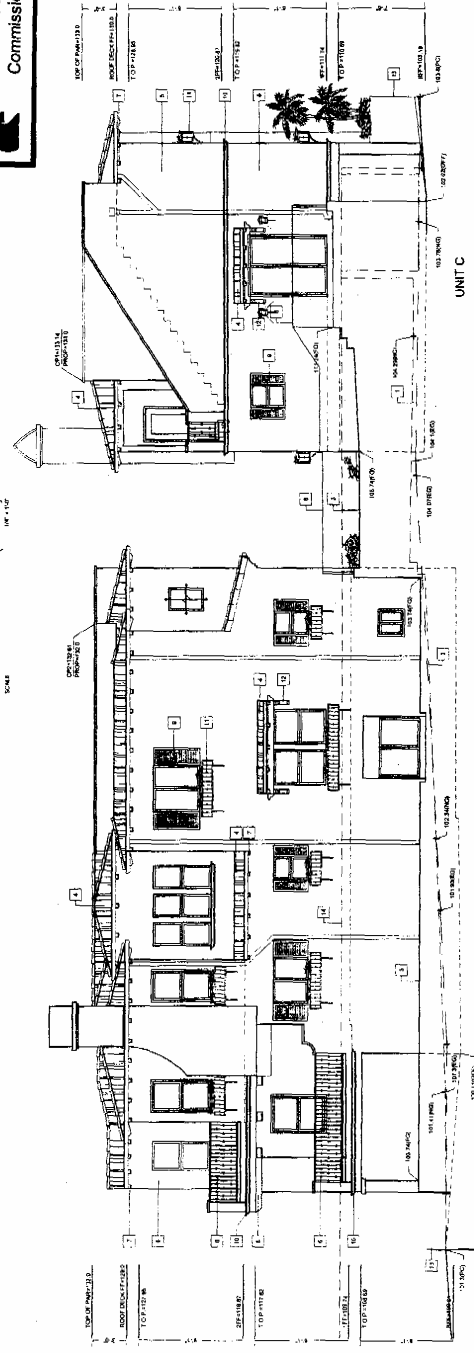
**LEGEND**

PROPERTY CORNER ELEVATION  
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 1E 100' 0" (30.48M)  
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 1Y 100' 0" (30.48M)  
 1Z 100' 0" (30.48M)



UNIT C  
 EAST ELEVATION (REAR)

**EXHIBIT# 4**  
 Page 2 of 2  
 Application Number:  
**5 - 0 7 - 2 8 6**  
 California Coastal Commission



UNIT A  
 UNIT C  
 SOUTH ELEVATION (RIGHT SIDE)

