

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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**Th6b**

Filed: December 18, 2006
49th Day: February 5, 2007
180th Day: June 16, 2007
Staff: Gabriel Buhr-LB
Staff Report: April 16, 2007
Hearing Date: May 9-11, 2007
Commission Action:

STAFF REPORT: REGULAR CALENDAR**APPLICATION NUMBER:** 5-06-478**APPLICANT:** Hermosa Office Condo Partners**AGENT:** Elizabeth Srour**PROJECT LOCATION:** 1429 Hermosa Avenue, City of Hermosa Beach, Los Angeles County

DESCRIPTION: Demolition of an existing hamburger restaurant and donut shop and construction of a three-story (over subterranean parking structure), 30-foot high, 18,496 square foot mixed use commercial condominium complex with 34 on-site parking spaces on a 11,516 square foot, C-2 zoned lot.

Lot Area	11,516 square feet
Building Coverage	6,490 square feet
Pavement Coverage	4,591 square feet
Landscape Coverage	435 square feet
Parking Spaces	34
Zoning	C-2 (Restricted Commercial)
Plan Designation	Commercial Recreation
Ht above existing grade	30 feet

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission **APPROVE** a coastal development permit for the proposed development with six (6) special conditions addressing: 1) submittal of a final parking plan; 2) submittal of a revised landscaping plan; 3) storage of construction materials and mechanized equipment and removal of construction debris; 4) conformance with submitted drainage and runoff control plan; 5) future development; and 6) a deed restriction against the property, referencing all of the Special Conditions contained in this staff report.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Hermosa Beach Land Use Plan, certified 4/21/82.
2. Amendment to City of Hermosa Beach Land Use Plan (HRM-MAJ-2-03).
3. City of Hermosa Beach Approval in Concept, 12/14/06.
4. City of Hermosa Beach City Council Resolution No. 06-30.
5. Traffic and Parking Analysis prepared by Linscott, Law & Greenspan, September 2006.
6. Coastal Development Permit No's. 5-06-341 and 5-05-162.

LIST OF EXHIBITS

1. Location Map
 2. Assessor's Parcel Map
 3. Site Plan
 4. Elevations
 5. Building Sections
 6. Landscape Plan
 7. Parking Plan
-

STAFF RECOMMENDATION:

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

MOTION: *I move that the Commission approve Coastal Development Permit No. 5-06-478 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:

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. Parking Plan

A minimum of 34 parking spaces shall be provided and maintained on the site to serve the approved 18,496 square-foot mixed use commercial condominium complex. The hours of operation for the ground floor restaurant will be limited to 5:00pm - midnight on weekdays, and to 7:00am - midnight on weekends and holidays. Any proposed change in the number of parking spaces, square footage of the ground floor commercial development, or change in use shall be submitted to the Executive Director. No such change shall occur without a Commission amendment to this permit unless the Executive Director determines that no amendment is legally necessary, pursuant to the requirements of the Coastal Act and the California Code of Regulations. All available parking shall be shared among and equally available to all of the patrons, employees, and other users of the buildings, and no parking spaces shall be assigned for exclusive use by any owner, occupant or tenant.

Prior to issuance of the coastal development permit, the applicant shall submit evidence that it has purchased seven in lieu parking fees (\$28,900 each) in a program administered by the City of Hermosa Beach City Council and the Downtown Business Area Enhancement District Commission, or its successor agency. The applicant shall provide evidence, for review and approval of the Executive Director, that this fund can only disburse money for the purpose of construction of new public parking spaces.

2. Revised Landscaping Plan

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, in a form and content acceptable to the Executive Director, two (2) sets of a finalized landscaping plan prepared by an appropriately licensed professional that satisfies the following requirements:
- (1) The plan shall demonstrate that:
 - a. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be identified from time to time by the State of California shall be utilized on the property. 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. Any existing landscaping within the limits of the proposed project that doesn't meet the above requirements in this paragraph and those requirements listed in subsection b below shall be removed;
 - b. All plants employed on the site shall be drought tolerant, (low water use) plants identified by U. C. Davis and/or the Water Resources Board;
 - c. All planting will be completed within 60 days after completion of construction;
 - d. All vegetation shall be maintained in good growing condition throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscaping plan.
 - (2) The plan shall include, at a minimum, the following components:
 - a. A map showing the type, size, and location of all plant materials that will be on the developed site, the irrigation system, topography of the developed site, and all other landscape features;
 - b. A schedule for installation of plants.
- B. The permittee shall undertake development in accordance with the approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

3. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris

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

- Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of construction-related materials, and to contain sediment or contaminants associated with construction activity, shall be implemented prior to the on-set of such activity;
- No construction materials, debris, or waste shall be placed or stored where it may enter a storm drain
- All trash and debris shall be disposed in the proper trash or recycling receptacle at the end of every construction day.
- Construction debris and sediment shall be properly contained and secured on site with BMPs, to prevent the unintended transport of sediment and other debris into coastal waters by wind, rain or tracking. All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil;
- Construction debris and sediment shall be removed from construction areas as necessary to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. All debris and trash shall be disposed of in the proper trash and recycling receptacles at the end of each construction day;
- The discharge of any hazardous materials into any receiving waters shall be prohibited;
- A pre-construction meeting shall be held for all personnel to review procedural and BMP/GHP guidelines;
- All BMPs shall be maintained in a functional condition throughout the duration of the project.
- Debris shall be disposed at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

4. Drainage and Run-Off Control Plan

- A. The applicant shall conform to the drainage and run-off control plan received on December 18, 2006 detailing that roof drainage and runoff from all impervious areas will be directed to landscaped areas and permeable paving to allow for natural percolation where possible, while remaining runoff will be directed to a sump and clarifier system before being discharged to the City's storm drain system.
- B. The permittee shall undertake development in accordance with the final plan. Any proposed changes to the final plan shall be reported to the Executive Director. No changes to the final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

5. **Future Development**

This permit is only for the development described in coastal development permit No. 5-06-478. Pursuant to Title 14 California Code of Regulations section 13253(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. 5-06-478. Accordingly, any future improvements to the structure authorized by this permit, including but not limited to changes in square footage of the ground floor restaurant and snack shop use, number of on-site parking spaces, hours of restaurant operation, and repair and maintenance identified as requiring a permit in Public Resources section 30610(d) and Title 14 California Code of Regulations sections 13252(a)-(b), shall require an amendment to Permit No. 5-06-478 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

6. **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 subject site is located at 1429 Hermosa Avenue, within the City of Hermosa Beach, Los Angeles County (Exhibit #1). The 11,516 square foot lot is located on the southwest corner of the intersection of Hermosa Avenue and 15th Street, approximately 500 feet from the beach, and is within the downtown district of Hermosa Beach. The site is directly adjacent to commercial uses along its northern and southern borders, and a multi-family residential use borders the western edge of the property.

The proposed project includes demolition of all existing improvements located within the subject site, which include an existing hamburger restaurant and a donut shop with surface parking for 18 vehicles. The applicant proposes to construct a three-story (over basement parking structure), 30-foot high, 18,496 square-foot multi use commercial condominium development. The proposed project would include 33 office condominium units situated on the second and third floors of the

building, with a quality restaurant and a snack shop/coffee house located on the first floor. The ground floor would also host an office lobby, locker room and storage facilities for the building. The office condominiums comprise 13,161 square feet (73% of project), the restaurant 3,448 square feet (19% of project) and the snack shop 1,495 square feet (8% of project). The proposed parking component would consist of a 9,922 square foot subterranean parking structure that would provide 27 parking spaces. Grading to accommodate the basement parking will consist of 3,400 cubic yards of cut. An additional 7 parking spaces would be located on the ground level and be accessible via 15th Court. The site is zoned C-2 (Restricted Commercial), and the Land Use Plan designation is Commercial Recreation.

B. Development

Section 30222 of the Coastal Act states:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30250 of the Coastal Act states:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The proposed three-story commercial and professional office use is compatible with the character and scale of surrounding development located within the downtown district of Hermosa Beach and presents itself as a transition between the surrounding residential components and the more active downtown center located a few blocks to the south. The City's public parking structure that contains 261 public parking spaces is located two blocks south of the subject site. The Commission recently approved a 14,580 square-foot mixed-use commercial condominium building complex containing a mix of office and retail units and 38 on-site parking spaces at 338 and 400 Pier Avenue (CDP No. 5-06-341) and an 18,648 square-foot commercial condominium building

complex containing 54 office units and 56 on-site parking spaces at 200 Pier Avenue (CDP No. 5-05-162).

In most areas, the Commission has approved “business commercial” uses as long as there is evidence that there is adequate visitor serving commercial uses in the area and the business commercial use is restricted to the upper floors. In this case, the development includes both a quality restaurant and snack shop component that would serve visitors to the beach area, and replace the hamburger restaurant and donut shop currently present on the site. The business commercial use is also restricted to the upper floors.

The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area, and has been designed to assure structural integrity. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30222, 30250 and 30251 of the Coastal Act.

C. Public Access

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30252(4) of the Coastal Act states:

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.

In the South Bay, the cities of Manhattan Beach, Hermosa Beach and Redondo Beach provide limited on-street parking and limited public transportation options. The downtown beach pier area in Hermosa Beach is a major visitor destination for recreational purposes. The amount of public access to the beach is, in practice, therefore largely limited by the amount of on-street parking. For this reason, the Commission has generally required that development in near-beach areas provide all of its parking on-site, rather than reducing parking requirements by the presumed number of on-street parking spaces available.

Based on the current parking standard in the LUP (based on LUP Amendment # HRM-MAJ-2-03), which requires 3 spaces per 1,000 square feet of office or retail space in the downtown area, and requires 10 spaces per 1,000 square feet of restaurant space, the proposed development requires 77 parking spaces. The parking calculation is based on gross aggregate floor space for the office use and assumes the use of the retail parking requirement for the snack shop as a food store use. The applicant is proposing a supply of 27 parking spaces available in a subterranean parking structure, and an additional 7 accessible parking spots located adjacent to the building on the ground floor level for a project total of 34 provided parking spaces.

This aggregate calculation doesn't take into account the peak parking requirements and hourly variation in parking demand of each individual use in a mixed-use project. To mitigate for the

discrepancy between the parking required compared to that provided on site, the applicant proposed a shared parking plan, which allows the City's Planning Commission to allow for a reduction in the number of spaces required. A shared parking plan is relevant to the proposed project because the peak use times for the office uses and the restaurant use operating under restricted hours do not overlap. The applicant submitted a revised parking analysis to the City prepared by Linscott, Law and Greenspan. To further mitigate the parking shortage, and to ensure that the shared parking demand plan is feasible, the applicant proposes to restrict hours of operation for the restaurant to 5:00pm – midnight on weekdays and from 7:00am – midnight on weekends and holidays. The Commission considers factors such as the peak hours of the proposed uses sharing the same parking facilities. The Commission's standard of review is Chapter 3 of the Coastal Act.

According to the parking analysis, the highest shared parking demand from the combination of uses occurs weekdays at 10:00am and again at 2:00pm and is projected at 41 spaces. The peak on the weekends occurs at 8:00pm and is projected at 37 spaces. The shared parking analysis assumes a "worst-case" that all customers will drive to the site, and does not consider the potential that a percentage of patrons will arrive at the building on bicycle or on foot in conjunction with other trips to the downtown and having parked elsewhere.

During the peak weekday periods, especially in the summer season, local, on-street parking may be limited, and during peak weekend periods throughout the year on-street parking can be scarce. The City of Hermosa Beach's downtown parking structure is located two blocks south of the subject site. As a part of the provided parking analysis, an accumulation survey was conducted (August 2006) to evaluate the amount of public parking available within the structure throughout the day and evening periods. This study demonstrated that surplus public parking was available at the downtown parking structure well in excess of the deficit the proposed project would create during both weekday and weekend peak periods.

To mitigate for the parking deficit of seven parking spaces present during peak weekday periods, the applicant has agreed to purchase in-lieu fees from the City at an amount of \$28,900 per space for a total of \$202,300. The City's 1982 certified LUP allows the City to require in-lieu fees only if sufficient parking within the downtown area exists to accommodate the parking demands of new development. An amendment to this in-lieu parking policy was approved by the Commission in December 2003, that required a threshold limit of 100 spaces be placed on the in-lieu fee program, and that a fund be required for collected fees for the sole purpose of construction of new parking spaces to enhance public access opportunities in the downtown area. At present a total of 45 spaces have been bought as a part of the in-lieu fee program.

In order not to interfere with beach parking, the Commission has imposed **Special Condition #1**, which requires the applicant to provide and maintain a minimum of 34 on-site parking spaces for the proposed development and requires an amendment to this permit for any change in the number of parking spaces, square footage of the ground floor commercial use or change in use of the proposed building complex. It also requires that the parking will not be assigned and will be available to all building employees and users of 1429 Hermosa Avenue in order to ensure maximum parking efficiency during peak and non-peak occupancy periods. In other permits where the Commission has examined proposals for shared parking, such as the St. Joseph's Center in Venice Beach and several projects in Long Beach, studies supporting shared parking have shown that the total demand for spaces in the building complex can be reduced if there are no assigned parking spaces (other than required ADA parking).

Furthermore, to ensure the effectiveness of the shared parking plan, **Special Condition #1** requires that the hours of operation for the restaurant be restricted to weekdays from 5:00pm to midnight, and on weekends and holidays from 7:00am to midnight.

The Commission also imposes **Special Condition #5**, which limits the uses and development for the proposed project and requires an amendment to this permit or a new coastal development permit for any changes to the development, including, but not limited to the hours of operation, land use, or intensification of use.

As conditioned, the proposed development will not have any new adverse impacts on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 and 30252(4) of the Coastal Act.

D. Water Quality

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 waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. Due to this, the Commission has imposed **Special Condition #3**, which requires the applicant to comply with construction-related requirements related to storage of construction materials, mechanized equipment and removal of construction debris, and **Special Condition #4**, which requires the applicant to conform to the submitted drainage and pollution runoff control plan that includes the direction of run-off to a sump and clarifier system prior to being discharged into the public storm drain system.

Other sources of polluted runoff could include runoff from the large amount of impervious surface in the proposed project and over-watering, which sometimes occurs from installation of landscaping with a high water demand. Plants with a high-water demand are typically not well-suited to the Mediterranean climate of southern California, and therefore often require intense fertilization and application of pesticides/herbicides as a maintenance regime, in addition to regular irrigation. Thus, this type of landscaping can add pollutants to both dry weather and stormwater runoff. Therefore, the use of drought tolerant plants or low-maintenance landscaping is a preferred alternative.

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 and is available for review at <http://www.owue.water.ca.gov/landscape/pubs/pubs.cfm>. The applicant has submitted a landscaping plan. Commission staff reviewed the submitted landscaping plan for drought tolerant vegetation and determined that the majority of the proposed plants are drought tolerant.

Invasive plants can invade an area and displace native plants, impeding restoration and preservation efforts. Seed dispersal can occur via water transport and drainage, wind, and via avian and mammalian species. Invasive plants are generally those identified by the California Invasive Plant Council (<http://www.cal-ipc.org>) and California Native Plant Society (www.CNPS.org) in their publications. Commission staff reviewed the submitted landscaping plan and determined that the plan does contain three invasive species of low to moderate concern, *Euphorbias sp.* (various spurge species), *Phoenix canariensis* (Canary Island Date Palm), and *Schinus molle* (Peruvian peppertree).

Therefore the Commission has imposed **Special Condition #2** requiring the applicant to submit a revised landscaping plan for the review and approval of the Executive Director. The plan requires the applicant to plant non-invasive, drought tolerant vegetation on the site. Non-invasive, drought tolerant plants are used because they require little to no watering once they are established (1-3 years), they have deep root systems that tend to stabilize the soil, and are spreading plants that tend to minimize erosion impacts of rain and water run-off.

As conditioned, the Commission finds that the proposed development 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 **Special Condition #6**, which requires 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

Section 30604 (a) of the Coastal Act states:

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).

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.

The certified Land Use Plan for the City of Hermosa Beach designates the proposed project area as Commercial Recreation, and lists acceptable uses within this designation as, “bowling alleys, motels, theaters, entertainment establishments, night clubs, shops and similar businesses.” The Commercial Recreation designation applies to the first block of development between 14th and 15th Street and west of Hermosa Avenue. Present non residential land uses within this LUP designation include: restaurants, retail shops, a hair salon, a small surf rental shop, an architect and design office, a small hotel and Noble Park which is an area of open space adjacent to the Strand. The majority of development within the area is residential consisting of apartments, condominiums and single family dwellings, and do not comply with the LUP designation. The proposed project would replace existing visitor serving uses of a donut shop and hamburger restaurant with a quality restaurant and snack shop, and limit office uses to the upper floors of the building. Although the office and restaurant uses are not described in the Commercial Recreation description, the restaurant and snack shop are visitor serving uses and will serve the beach-going public, and in this circumstance, where the predominant land uses within the LUP designated area do not provide any public resource (residential), the proposed project development is permissible.

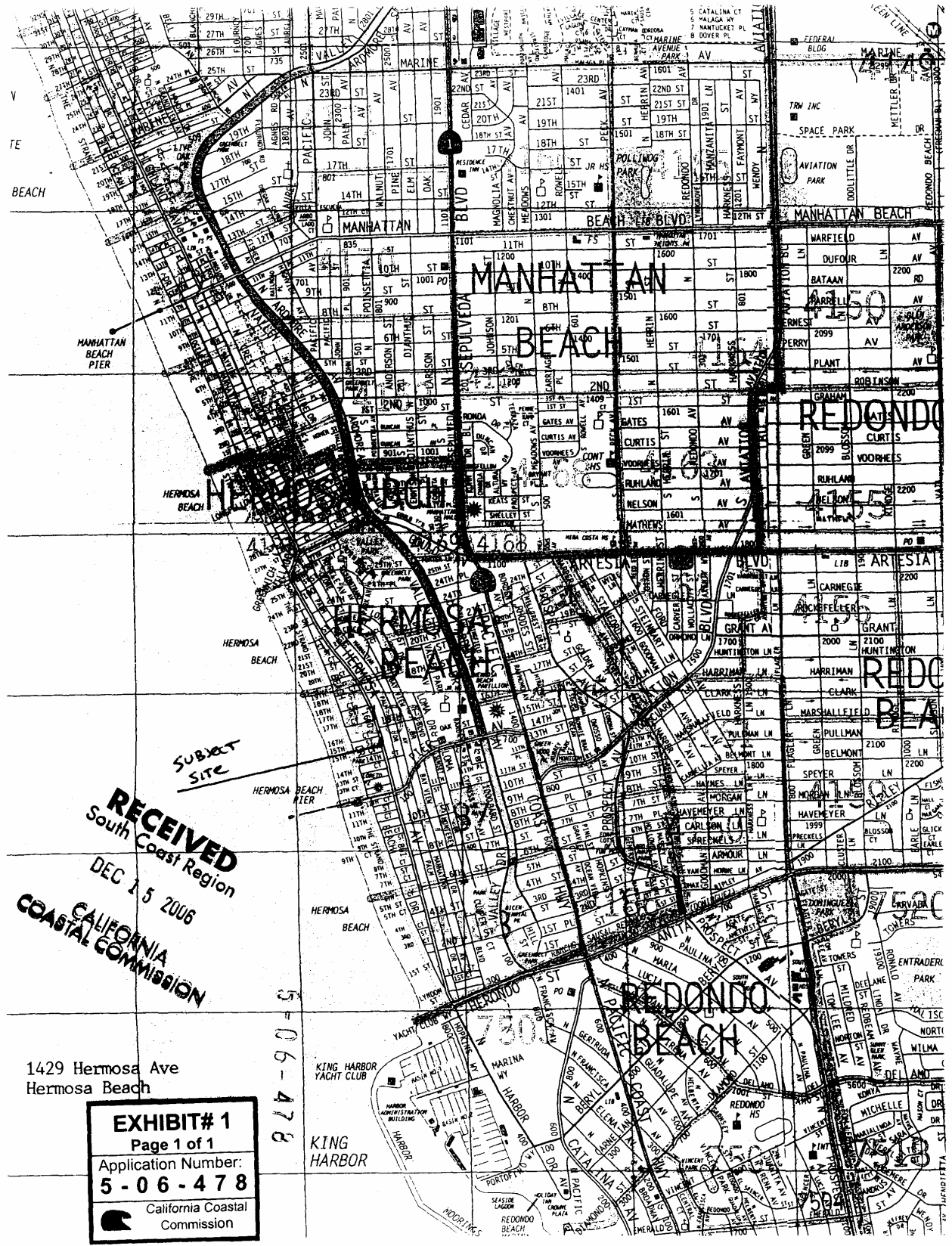
After initial certification, the Commission processed two amendments that allowed mixed commercial uses in downtown and reduced parking standards to reflect the high number of downtown restaurants and the number of public parking lots. In this first amendment, the City assumed that visitors would patronize more than one downtown business in an evening or on a Saturday afternoon. Therefore, the downtown parking district allows some reduced parking reflecting the presence of downtown parking lots operated by the City of Hermosa Beach. After the initial amendment the Commission certified a second amendment that again altered parking standards, and, reflecting the weekend evening traffic jams the City had experienced, encouraged offices and other non-restaurant uses on the periphery of downtown. The City determined that enough area has been identified for visitor serving uses and decided to encourage business use as well as visitor serving uses in the downtown. The Commission supported this decision due to the high numbers of existing visitor serving uses in the Hermosa Beach downtown area. The proposed project meets the basic zoning requirements of the C-2 zone (Restricted Commercial) and the Commercial Recreation designation of the certified LUP.

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 (CEQA)

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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DEC 15 2006
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COASTAL COMMISSION

1429 Hermosa Ave
Hermosa Beach

EXHIBIT# 1
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Application Number:
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Commission

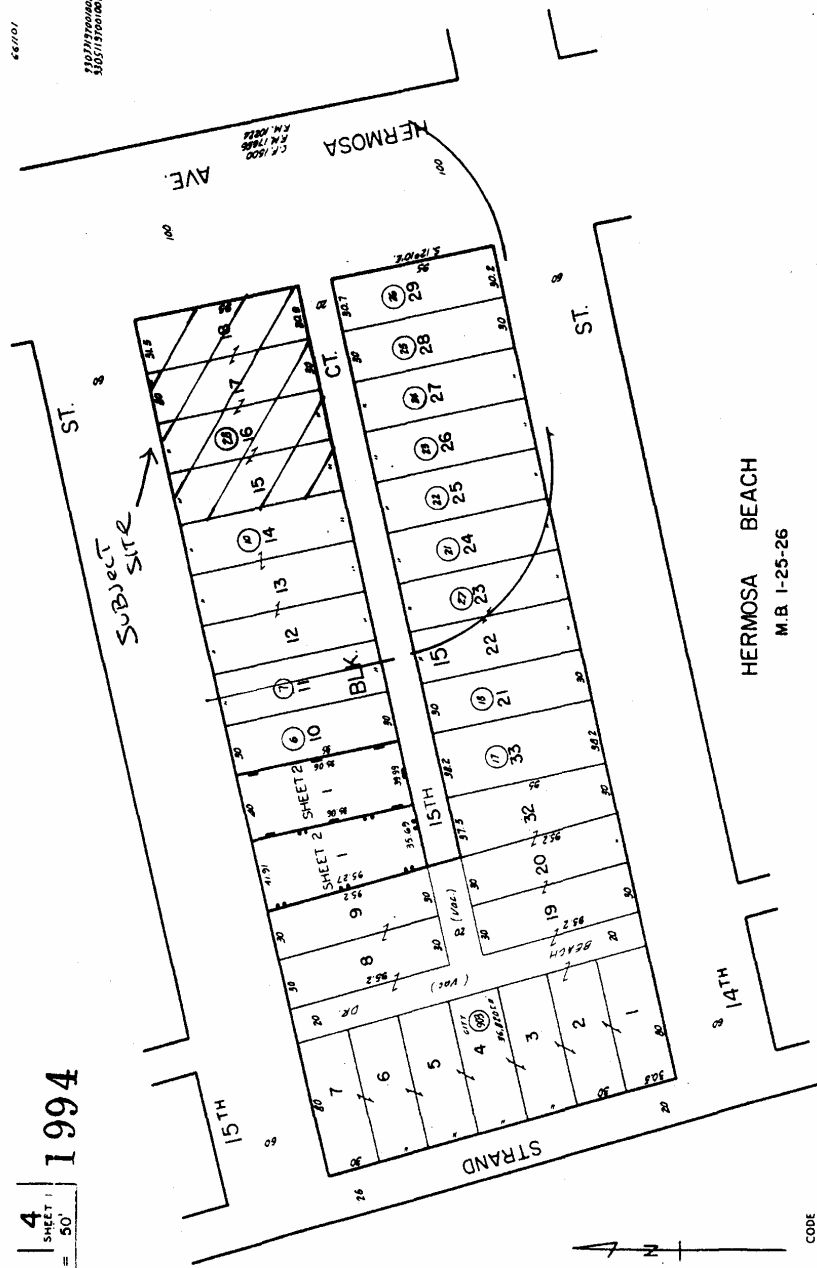
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 7/20/2006
 7/10/2006
 6/27/2006
 6/13/2006
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4183 SHEET 4
 SCALE 1" = 50'
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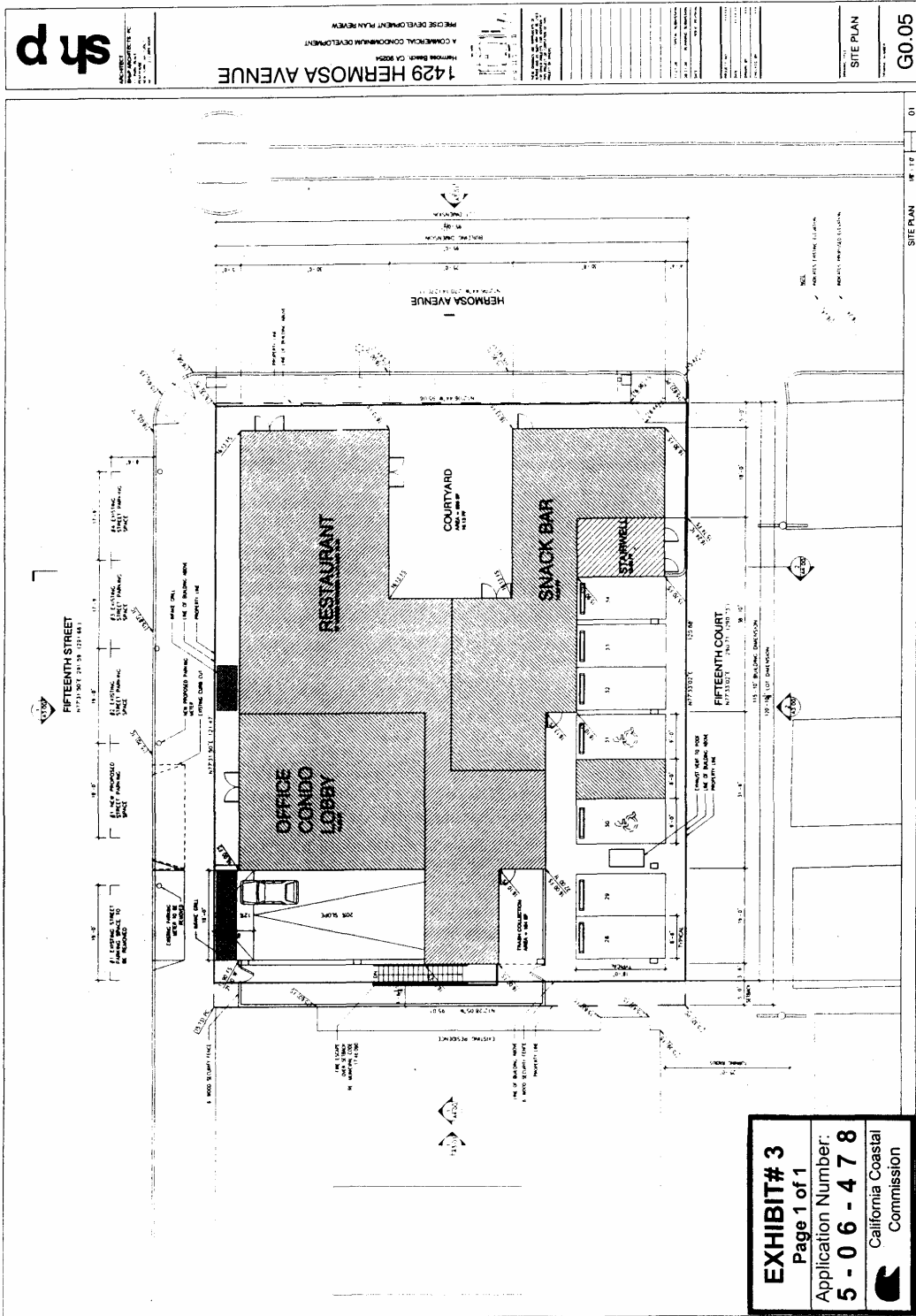
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 CONDOMINIUM
 PARCEL MAP
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FOR PREV. ASSMT. SEE: 159-10

CODE
 4340

ASSESSOR'S MAP
 COUNTY OF LOS ANGELES, CALIF.

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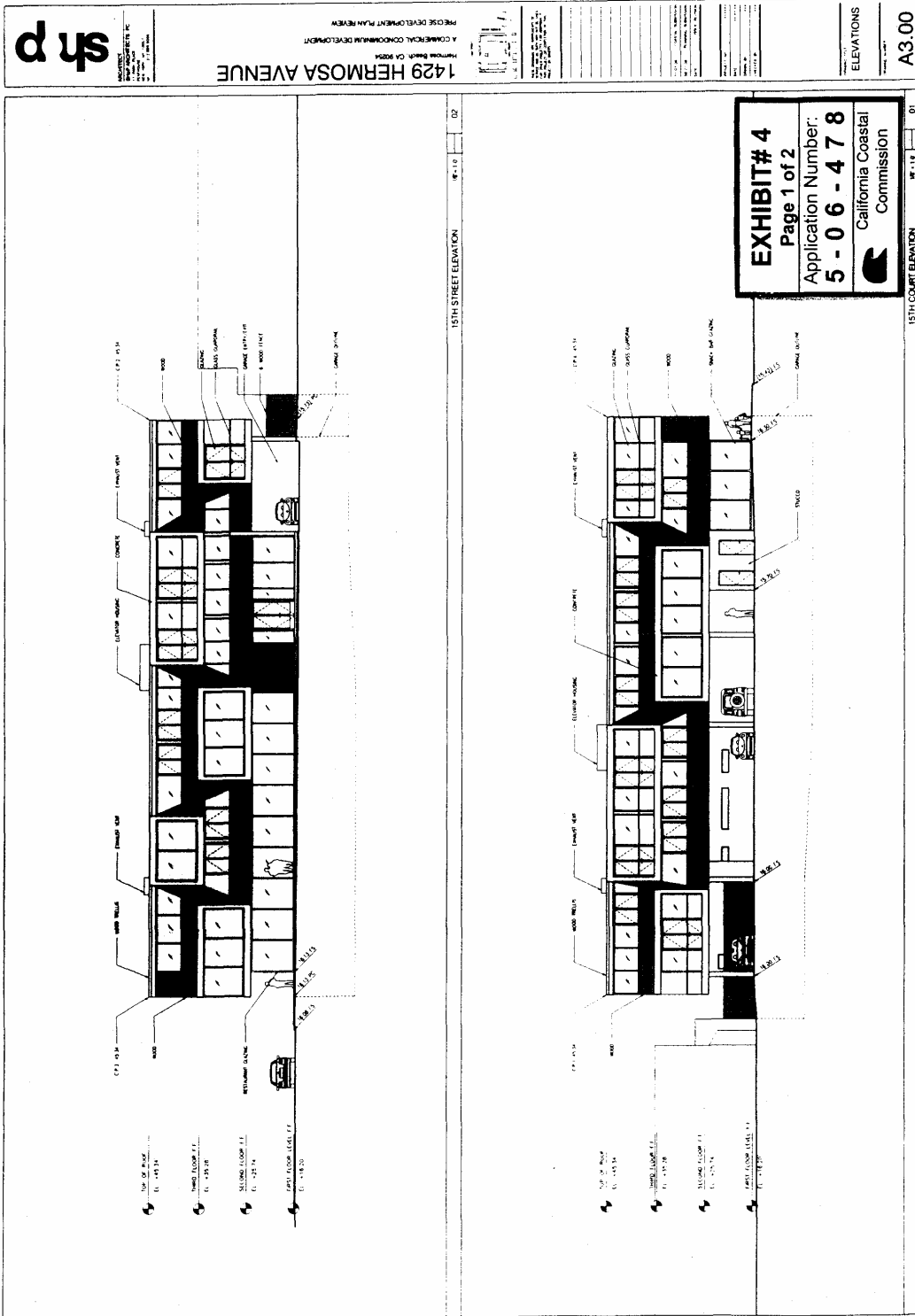


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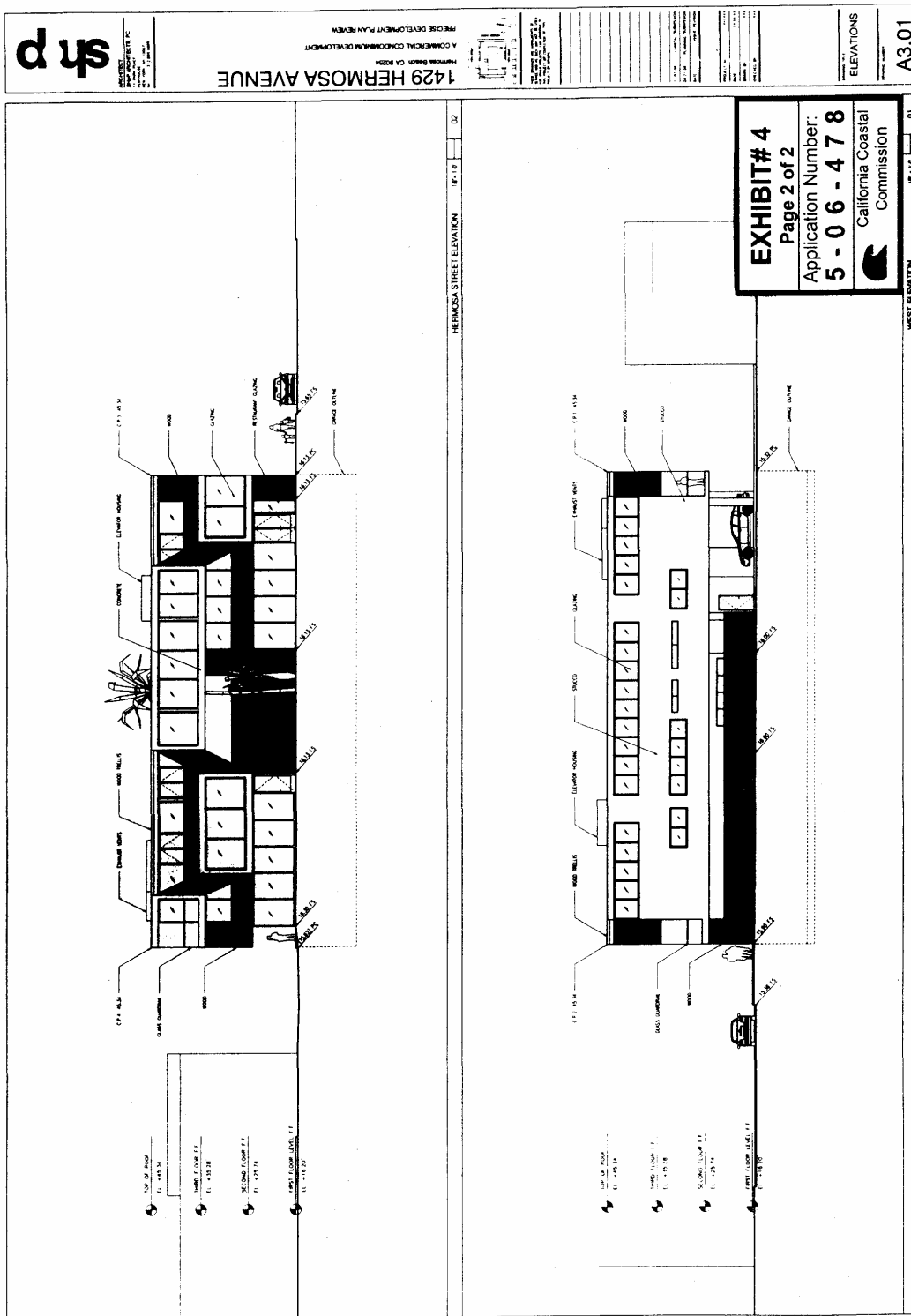
1429 HERMOSA AVENUE
 A COMMERCIAL CONDOMINIUM DEVELOPMENT
 HERMOSA BEACH, CA 90254
 PRELIMINARY DEVELOPMENT PLAN REVIEW

SITE PLAN
 G0.05

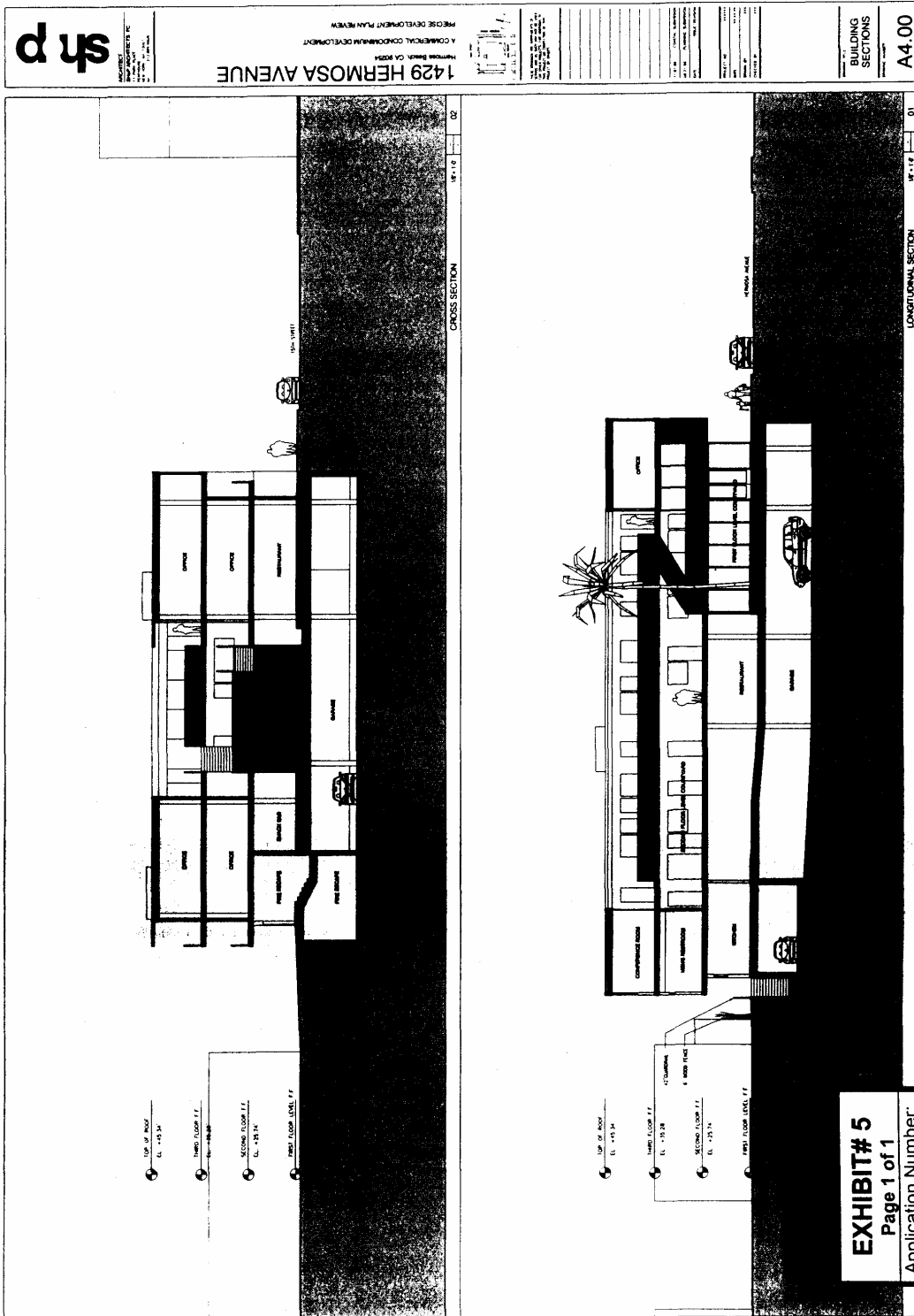
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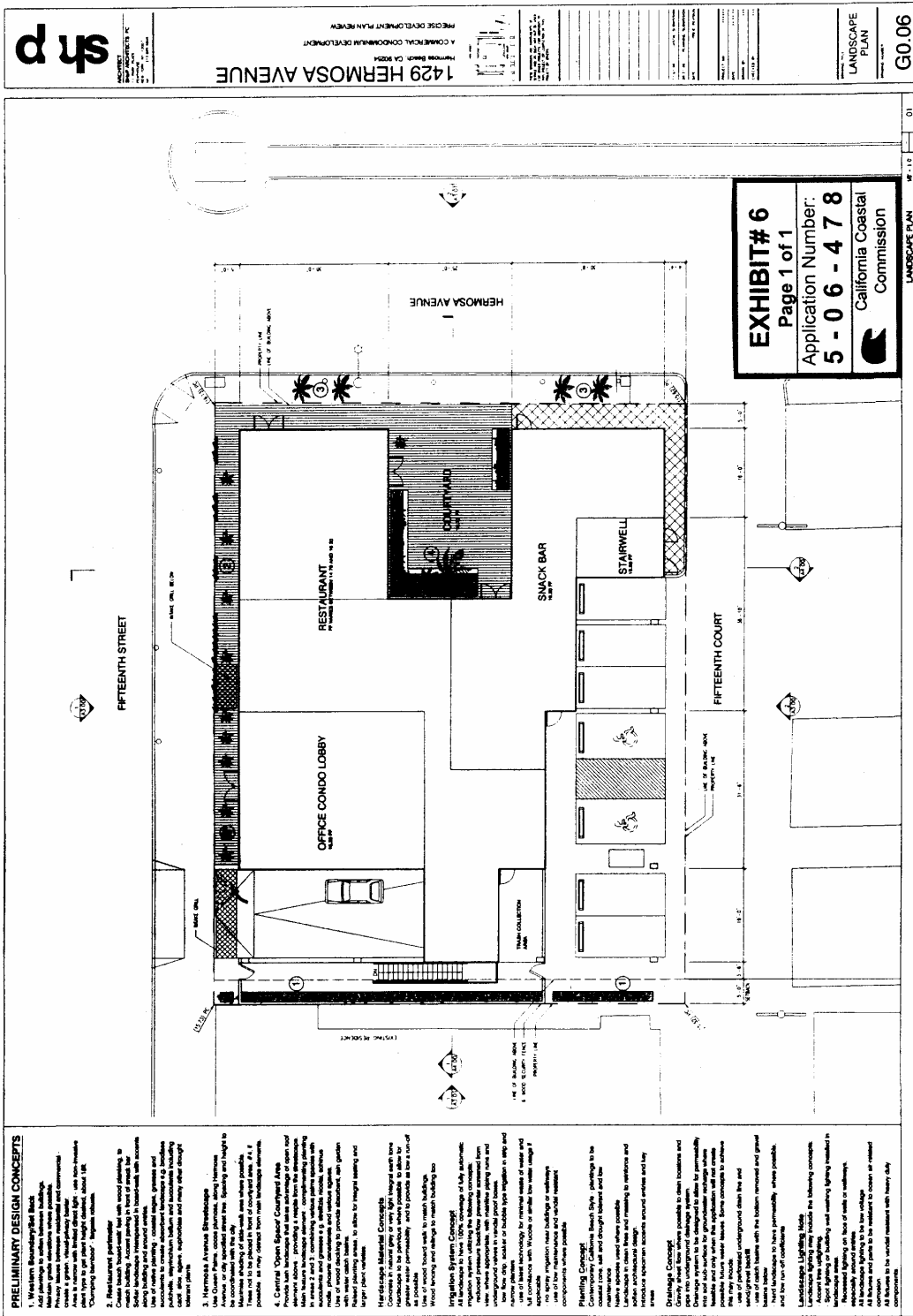
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EXHIBIT# 5
 Page 1 of 1
 Application Number:
5 - 0 6 - 4 7 8
 California Coastal
 Commission



PRELIMINARY DESIGN CONCEPTS

1. **Western Boundary/1st Block**
 The building footprint is located on the western boundary of the block. The building footprint is located on the western boundary of the block. The building footprint is located on the western boundary of the block.
2. **Restaurant parking**
 Create a small "backyard" lot with wood parking, to be used for restaurant parking. The building footprint is located on the western boundary of the block.
3. **Hermosa Avenue Streetlights**
 Use Custom Form, custom pole, along Hermosa Avenue. The building footprint is located on the western boundary of the block.
4. **Central "Open Space" Courtyard Area**
 Provide a central courtyard area with a mix of open and covered space. The building footprint is located on the western boundary of the block.
5. **Interior Courtyard**
 Provide a central courtyard area with a mix of open and covered space. The building footprint is located on the western boundary of the block.
6. **Interior Courtyard**
 Provide a central courtyard area with a mix of open and covered space. The building footprint is located on the western boundary of the block.
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20. **Interior Courtyard**
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 1429 HERMOSA AVENUE
 PRELIMINARY LANDSCAPE PLAN
 HERMOSA BEACH, CA 90254
 LANDSCAPE PLAN
 GO.06

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