

Planning Commission Regular Meeting | March 17, 2026

Agenda Item	Name	Comment	Position	Status	Attachment URL
LOCATION: 333 26TH STREET - 26-CDD-034	Brandon Straus	This is the Appellant's Submittal for Planning Commission Review	Against	Approved	https://pub-hermosabeach.escribemeetings.com/FileStream.aspx?DocumentId=55681
LOCATION: 333 26TH STREET - 26-CDD-034	Brandon Straus	This is Appellant's Slide Presentation for the Appeal Hearing	Against	Approved	https://pub-hermosabeach.escribemeetings.com/FileStream.aspx?DocumentId=55682
LOCATION: 725 5TH STREET - 26-CDD-027	tonyhiggins	<p>i just dont understand why these antennas cant be placed on a tall pole or several tall poles on the sidewalk adjacent to PCH or on a tall pole in the center of one of several nearby commercial parking lots even if it costs more.</p> <p>Did verizon fully explore options to reduce the potential health risks to nearby residents or the significant property losses associated with having an antenna so close to a residential property line or a childs bedroom?</p> <p>i doubt it.</p> <p>The city should fully investigate whether other options were considered and if not why.</p> <p>Energy decreases at the square of the distance so there appear to be options to substantially reduce resident risk & impact.</p> <p>but alternatives were largely ignored without explanation a when the city allowed verizon to put in the cell tower building on top of the cleaners at 27th & Manhattan Ave 4 years ago; so i wouldn't get my hopes up. It was a rubberstamp hearing. The city will make at least 40k annually in fees paid from verizon on this site.</p> <p>see url https://share.google/aimode/0Kab8l2lFcVi3f44l</p> <p>still wishing you luck</p>	Against	Approved	

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<p>LOCATION: 725 5TH STREET - 26-CDD-027</p>	<p>Georgia Tesla</p>	<p>My husband, Enrique Vassallo, and I live on the same block as the proposed cell towers at 725 5th Street. We strongly oppose the proposed location of the towers on our block. Proposed health risks caused by living near these antennas include emission of electromagnetic radiation, increased cancer risk, headaches, sleep issues, genetic damage, changes to reproductive system, memory deficits and impacts on the nervous system. There are also increased fire risks. Better alternative locations exist such as in some non residential area where there is a greater concentration of businesses rather than residences. Maybe somewhere on Pier Avenue. There will be obstruction of views and eye sore resulting in reduced property value. Please find an alternative, less residential location for the towers.</p> <p>Georgia Tesla and Enrique Vassallo 649 5th Street</p>	<p>Against</p>	<p>Approved</p>	
<p>LOCATION: 725 5TH STREET - 26-CDD-027</p>	<p>Ira Ellman</p>	<p>I am against projects that can affect residents' quality of life or property value. Although many of the federal and other statutes seem to favor installation, #6 does not hold up. Based on the map in the staff report, this site is next door to a residence and adjacent to others. Note #6 below: 6. Preference shall be given to sites which are not located along primary street frontage, front yard areas or adjacent to residential uses.</p>	<p>Against</p>	<p>Approved</p>	

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March 11, 2026

Stephen Izant, Chair and Members
City of Hermosa Beach Planning Commission
City of Hermosa Beach
1315 Valley Drive
Hermosa Beach, CA 90254

Re: Appeal of Director Determination for 333 26th Street

Dear Chair Izant and Members of the Planning Commission,

This is an appeal of the Director's Determination dated January 28, 2026, that the survey of 333 26th Street does not demonstrate a convex slope under the Hermosa Beach Municipal Code (HBMC). We request that the Planning Commission review the site survey and the results of the geotechnical report for the site and determine that 333 26th Street has a natural convex slope, and the grade of the lot is the grade shown on the survey, reduced for the depth of fill soil.

HBMC Section 17.04.040 states: "For lots with convex contours (where the ground level arches upward along a property line), the 'grade' of a lot may be based on a detailed topographical survey along the property line with spot elevations called out at a minimum of two (2) foot intervals." In conjunction with determining whether "the ground level arches upward along a property line," the City reviews a geotechnical report for a lot to determine the extent to which any potential convex slope is due to fill soil.

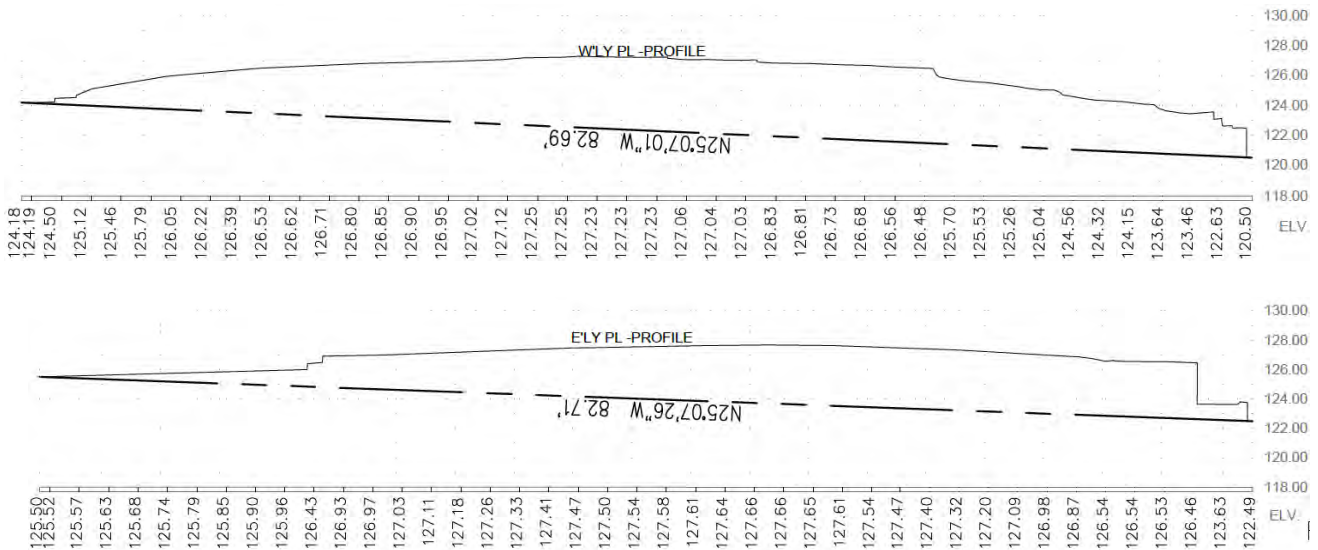
On November 12, 2025, the Appellant submitted an application to the City for a convex slope determination, which included: 1) a detailed topographical survey along the property line with spot elevations at 2-foot intervals; 2) a geotechnical report showing the depth of fill soil at seven locations on the site; 3) an analysis of these documents supporting a finding of convex slope; and 4) a sketch of the house proposed for the site. The locations of the seven boring sites (double the usual number) were chosen at the direction of City Staff.

Based on the analysis submitted, we requested that the elevations on the easterly and westerly property lines depicted on the topographical survey -- less 0.5' to account for fill -- be used to determine the height limit for the subject lot.

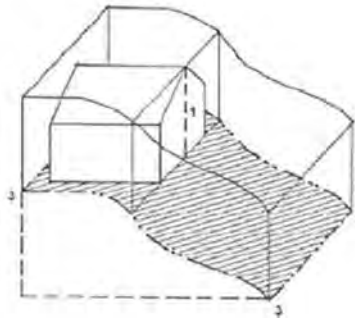
The Director denied the convex lot finding based on two grounds: 1) the survey does not show "an arch or rise along a property line"; and 2) the proposed redevelopment of the property would alter the existing grade conditions, eliminating the mid-lot slope. For the foregoing reasons, we request this appeal be granted.

1) The survey does show that the ground arches upward along a property line.

The survey of 333 26th Street shows a classic convex sloped lot. The grade of the lot is a literal arch above the interpolated (straight-line) grade that rises along the property line in each direction until reaching the highest point of convexity.



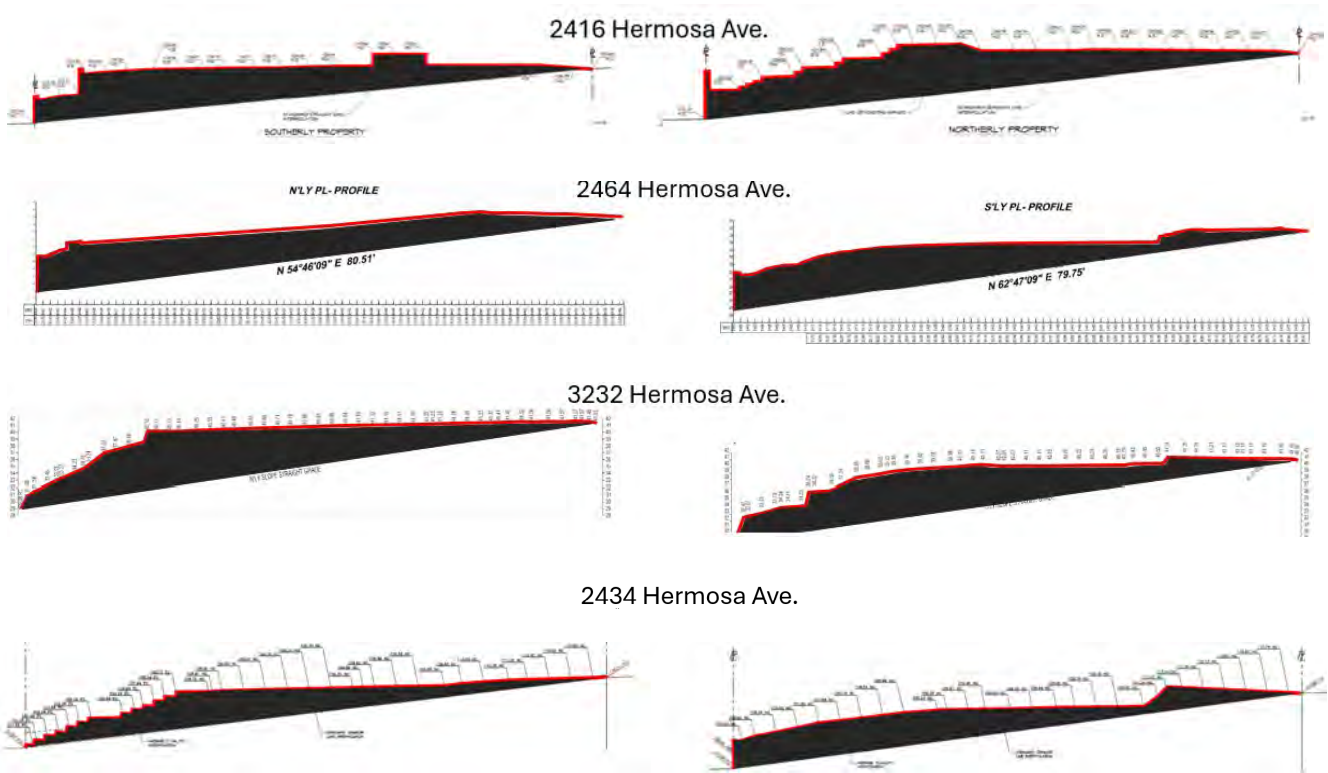
The Director appears to have concluded that 333 26th Street is not convex, because it does not resemble the following diagram in the City’s handout on convex lots.



In fact the subject site *does* resemble this diagram, but with the convexity elongated towards the middle of the lot rather than confined to the rear. The Director even acknowledges that there is a “mid-lot slope” at 333 26th Street when she notes that the “the mid-lot slope” will be altered by grading. Nothing in the code states that a convex slope can occur only at the rear of a lot, and none of the Planning Commission’s prior convex slope findings have reflected this idea. For instance, one street over, the Planning Commission found the following lot to be convex. This lot has points of convexity in the front and the middle.



Below are examples of other lots determined to be convex, none of which look like the diagram relied upon by the Director, and all of which have points of convexity in various locations along the property lines.



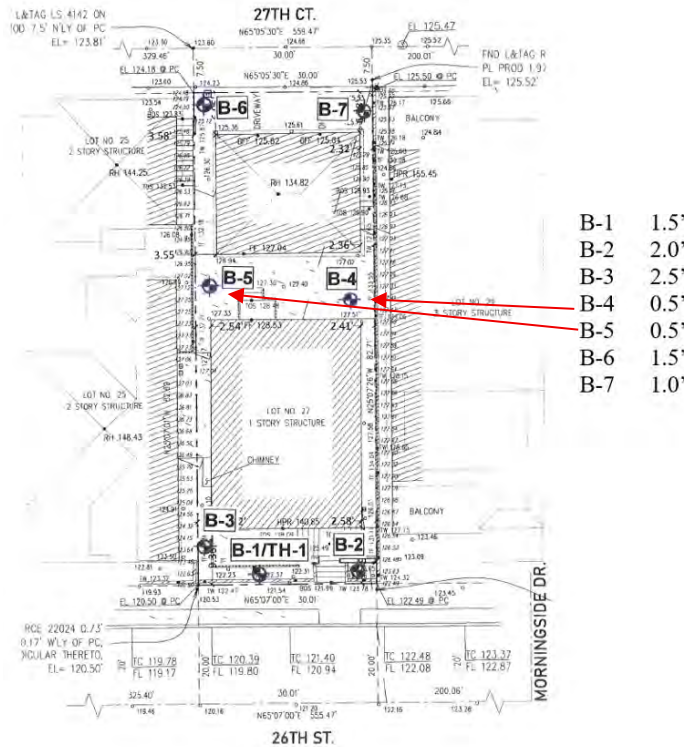
We are not arguing that the Planning Commission is bound to find the subject lot to be convex based solely on its past decisions. We are arguing, however, that the same analysis should apply to the subject site as was applied in all past cases; Namely, that convexity is determined by the slope of elevations along the entire property, not solely at the rear of the lot, and not only when it matches the sample diagram relied upon by the Director.

2. The proposed development of a lot does not determine its convexity.

The Director’s other basis for decision is that the lot will more closely reflect a flat or concave lot after it is graded. This circular reasoning is true for every convex lot. If the condition of the lot *post-grading* were a factor in determining whether a lot is convex, no lot would be convex, because any lot can be graded flat. For this reason, the way a lot *could be* graded has never been a factor in a convex lot determination. To accept the Director’s reasoning is to read the convex slope provision out of the code.

Discount of Fill Soil

A geotechnical engineering investigation for the site indicates the extent to which the elevation of the existing grade is due to fill soil. In a report dated October 30, 2025, NorCal Engineering presented data from seven boring holes on the site, labeled B-1 through B-7 on the diagram below, showing the following levels of fill at each boring site.



At the boring sites nearest the highest points of convexity, B-4 and B-5, the report indicates 0.5' of fill soil. Based on the relatively uniform rate of rise towards the points of convexity, we believe it is reasonable to conclude that a fill layer of 0.5' or less spans the entire convex portion of the lot. Accordingly we ask that you find that the elevations on the easterly and westerly property lines depicted on the topographical survey -- less 0.5' to account for fill -- may be used to determine the height limit for the subject lot.

Sincerely

Brandon Straus

Brandon Straus

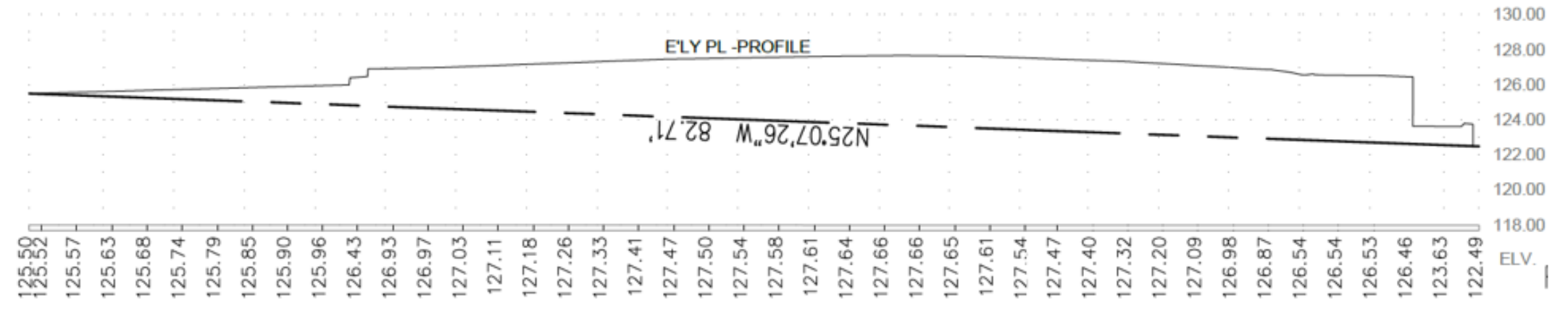
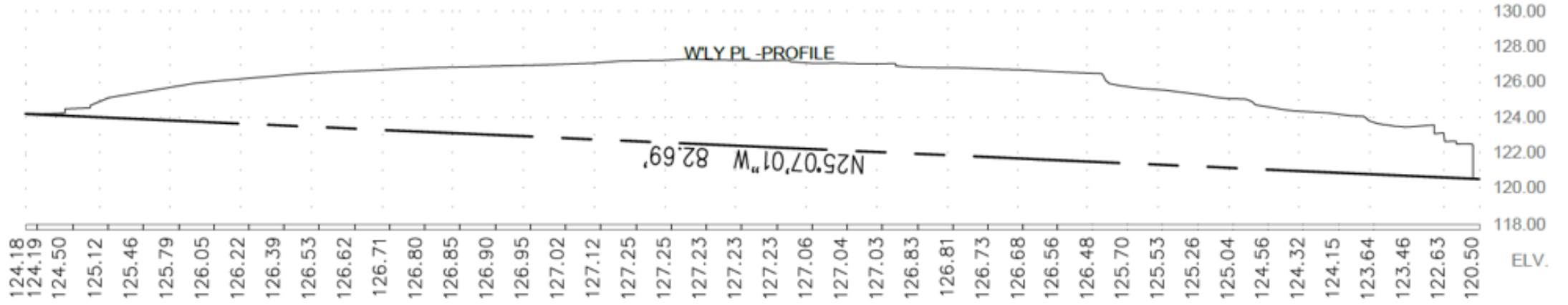
Applicant's Representative

HBMC Section 17.04.040

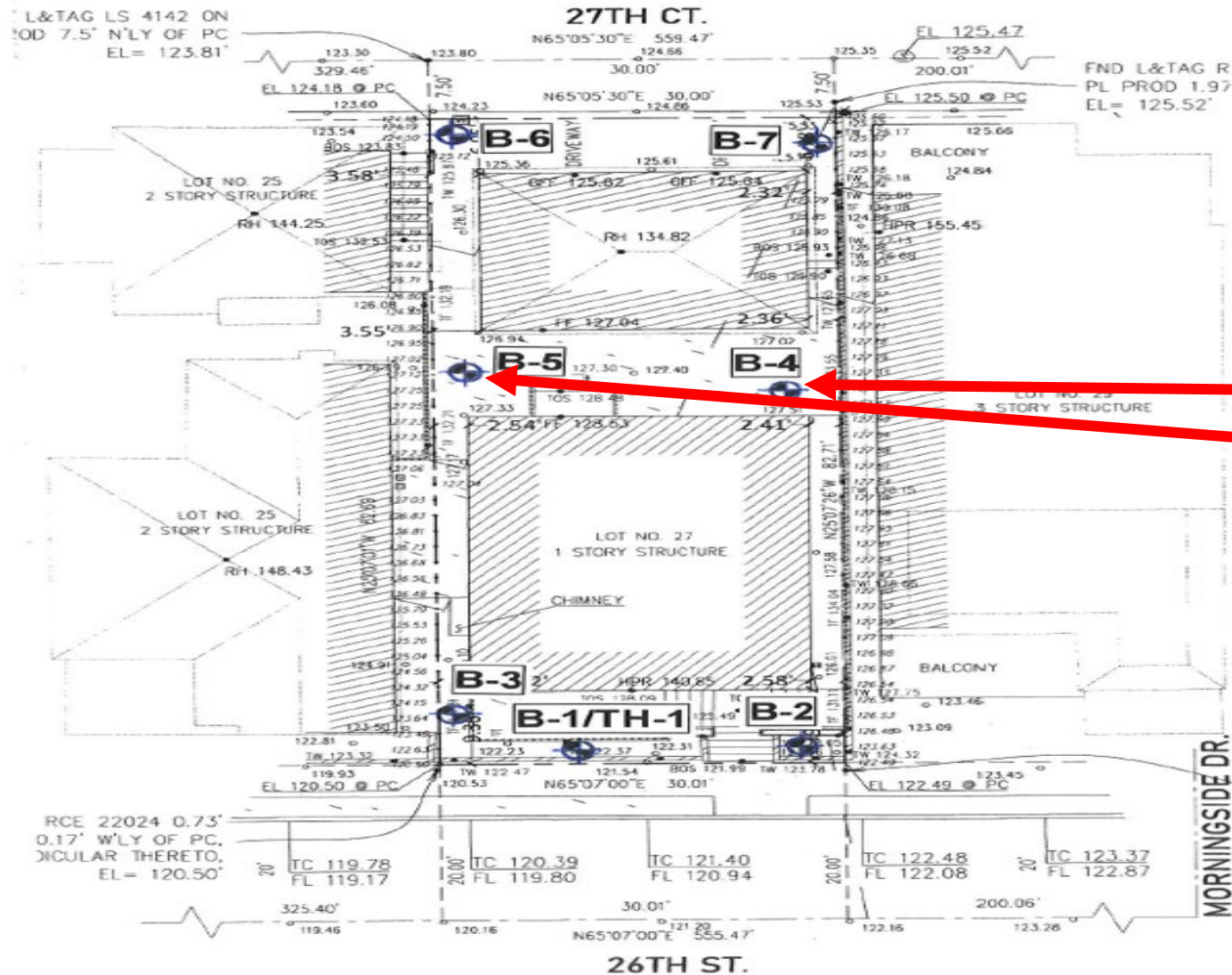
For lots with convex contours (where the ground level arches upward along a property line), the "grade" of a lot may be based on a detailed topographical survey along the property line with spot elevations called out at a minimum of two (2) foot intervals.

333 26th St. Topographical Survey

A Classic Convex Arch Slope Along Property Line



333 26th St. Soils Report



Depth of Fill Soil

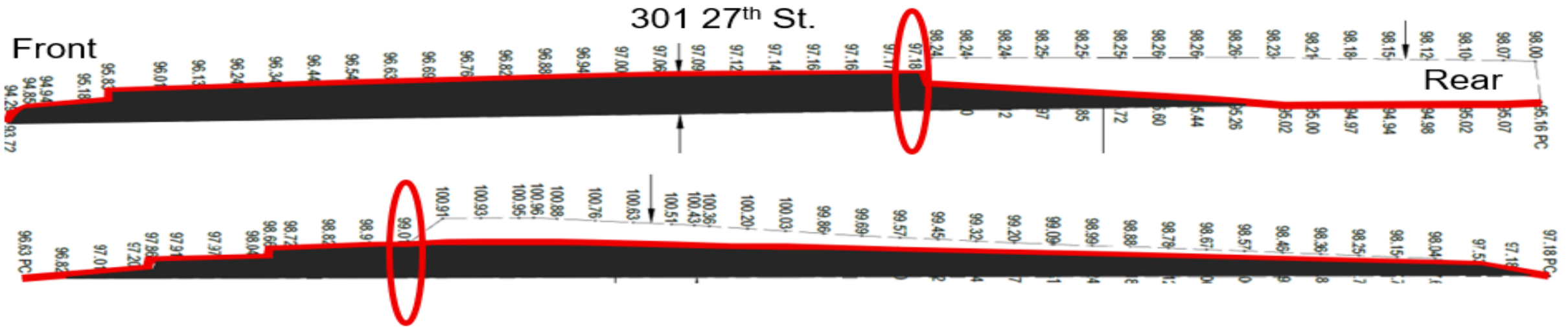
B-1	1.5'
B-2	2.0'
B-3	2.5'
B-4	0.5'
B-5	0.5'
B-6	1.5'
B-7	1.0'

The City's Precedent for Convex Slope Determination (CSD) Analysis

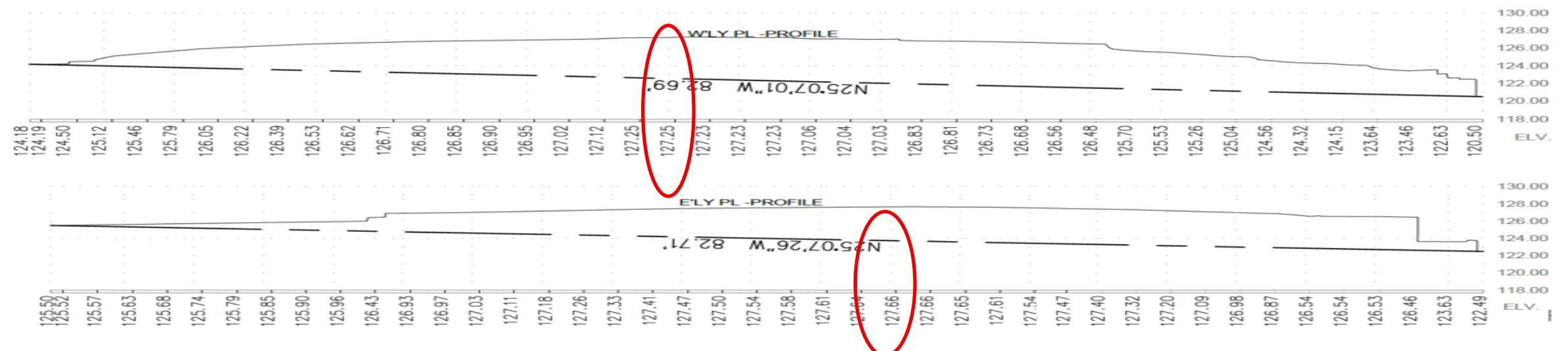
- Based on these 2 documents, the Appellant requested:
 - the City find that convex slope did exist on this lot, and
 - elevations on the property lines be used as the grade of the lot, less .5' to account for the fill soil
- This two-step analysis has been the basis for convex lot determinations for **at least 15 years**

Consistent Convex Arch Slope with 301 27th to 333 26th

301 27th has smaller grade of ~2 feet compared to 333 26th with ~5 feet

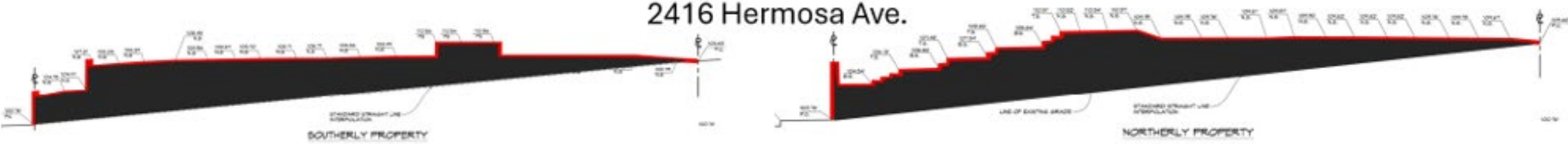


333 26th St.



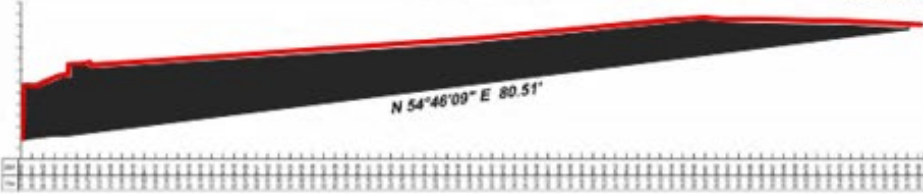
Additional CSD Lot Examples

2416 Hermosa Ave.



NLY PL - PROFILE

2464 Hermosa Ave.



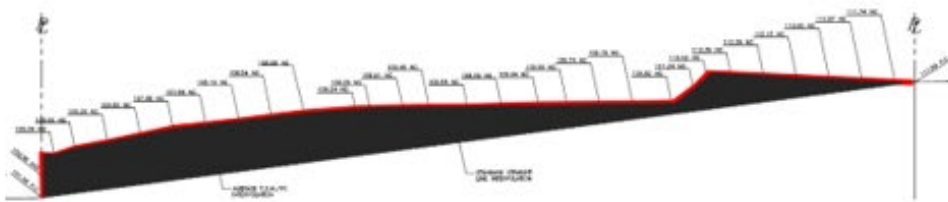
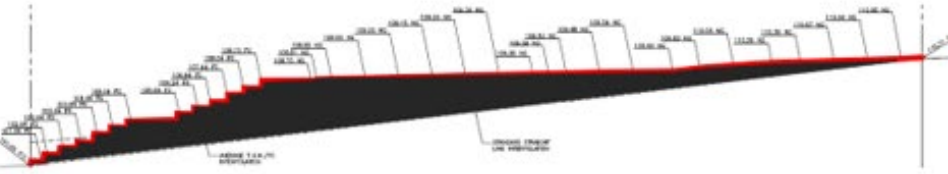
S'LY PL - PROFILE



3232 Hermosa Ave.

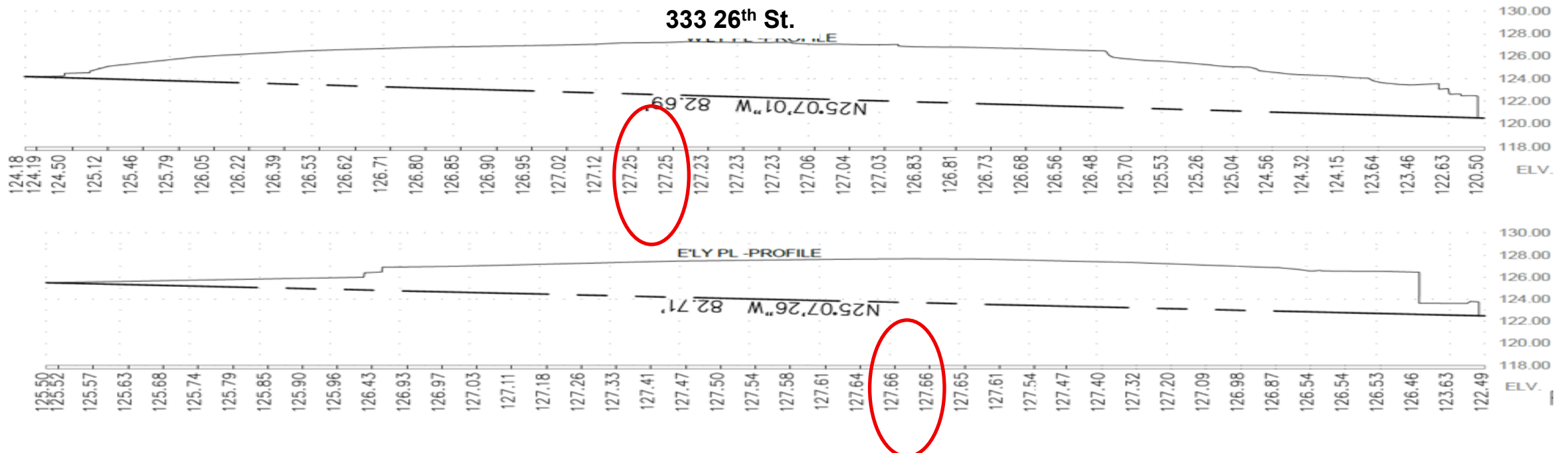


2434 Hermosa Ave.



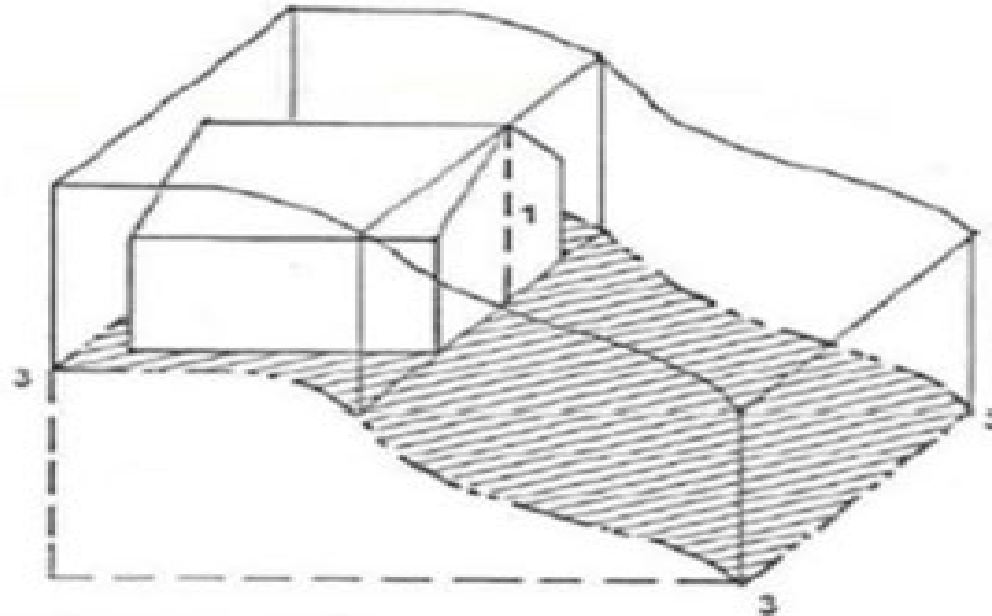
The City Director's Denial of Convex Slope

- Director's denial based on 2 grounds:
 - Lack of "an arch or rise along a property line"
 - Slope would be graded away during construction
- No consideration of the Appellant's soils report



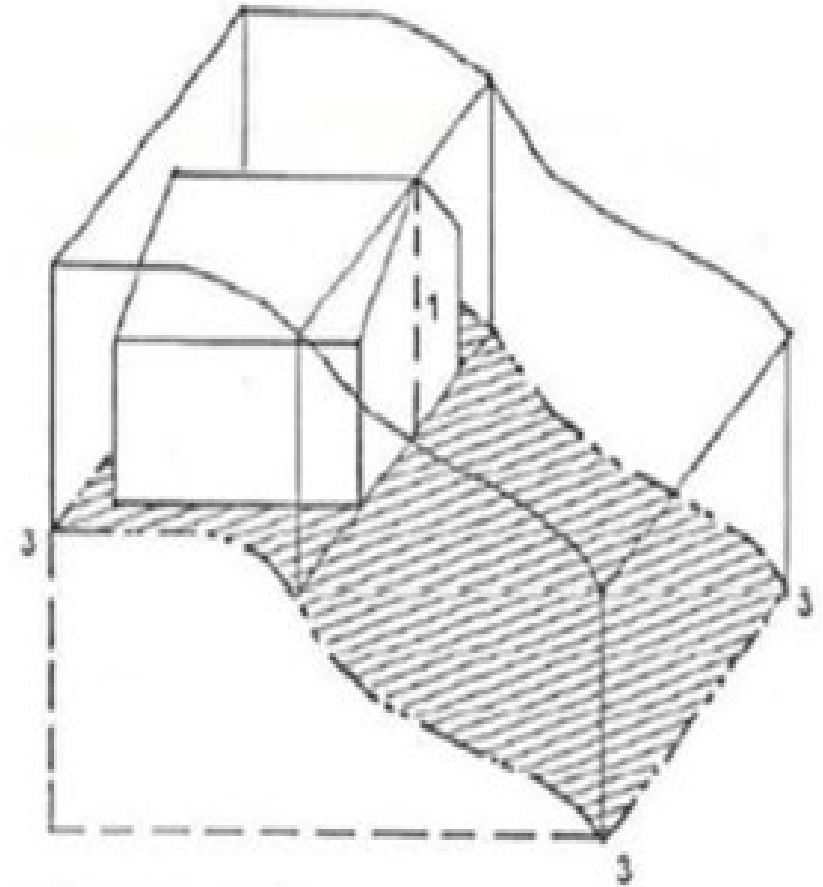
The City Director's Denial of Convex Slope (cont.)

- Director denied because lot does not resemble the below diagram
- The Director/Staff presented *proposed* interpretation in the February Planning Commission meeting used on Appellant's denial, which is intended for *future applicants*

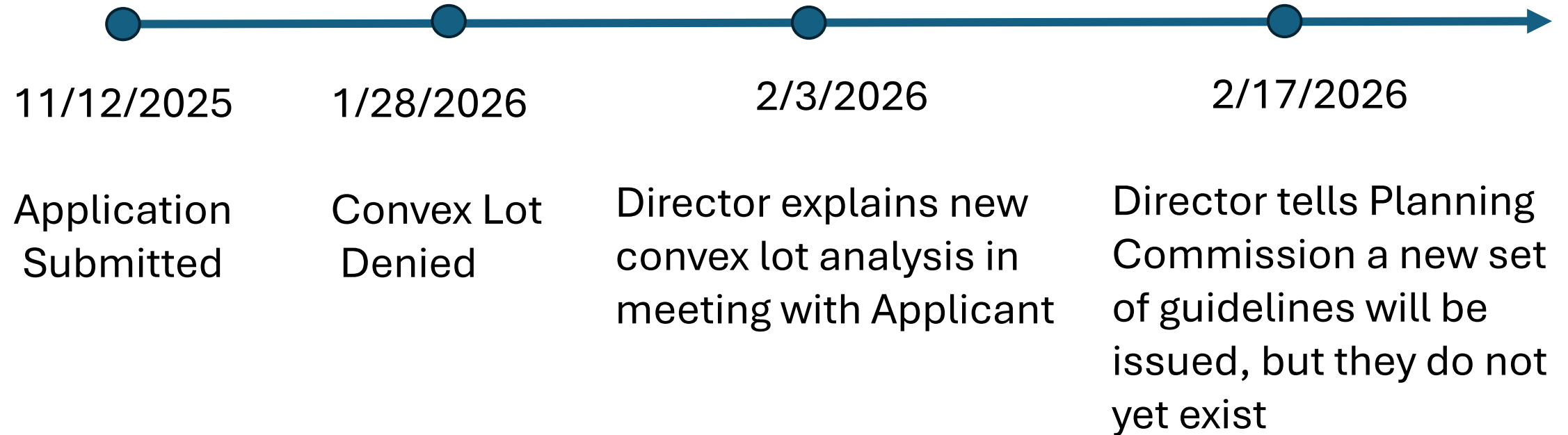


The Basis for Our Appeal

- Code does *not* state a convex slope can occur only at the rear of a lot, like diagram
 - None of the Planning Commission's prior convex slope findings have reflected this idea
- Approved convex lot examples do not look like the diagram relied upon by the Director
 - All have points of convexity in various locations along the property lines
- The Planning Commission found the lot one street over to be convex (as noted on next slide)
 - Lot has high points in the front and the middle, at a lesser grade than 333 26th



Timeline from Application Submittal



Appeal Summary

- Our position: until the City provides new written standards on convex slope determinations, the convexity analysis used in past cases applies
 - by the slope along a property line, not solely at the rear of the lot, and
 - not only when it matches the diagram relied upon by the Director, which is not part of the Code
- Director's denial on the ground that a lot can be graded flat or concave is not consistent with the language or intent of the Code
 - If the lot *post-grading* were a factor in a convex determination, no lot would be convex since any lot can be graded flat
 - Under the Director's approach, the required the topographical survey and soils report would not be needed
- To accept the Director's reasoning is to read the convex slope provision out of the code
- The subject lot clearly meets the convex lot standard under municipal code