

# **BLUE FOLDER ITEM**

*Blue folder items are additional back up material to administrative reports and/or public comments received after the printing and distribution of the agenda packet for receive and file.*

## **CITY COUNCIL MEETING FEBRUARY 17, 2026**

- L.1 PUBLIC HEARING FOR CONSIDERATION OF AN APPEAL OF A DENIAL BY THE PLANNING COMMISSION OF AN EXEMPTION DECLARATION, CONCESSIONS REQUESTED UNDER STATE DENSITY BONUS LAW, AND A COASTAL DEVELOPMENT PERMIT, TO PERMIT THE CONSTRUCTION OF A MIXED-USE RESIDENTIAL CONDOMINIUM PROJECT WITH 49 UNITS, 5 OF WHICH ARE AFFORDABLE TO VERY LOW INCOME AND 3 OF WHICH ARE AFFORDABLE TO MODERATE-INCOME HOUSEHOLDS, 4 STORIES AND 45 FEET IN HEIGHT, WITH 17,000 SQUARE FEET OF COMMERCIAL USES ON THE GROUND FLOOR, AND 2 FLOORS OF SUBTERRANEAN PARKING WITH 129 PARKING SPACES AND SPACE FOR AN ADDITIONAL 14 VALET PARKING SPACES, LOCATED ON FIVE PARCELS (7508012013, 7508012012, 7508012011, 7508012010, 7508012009) WITHIN A COMMERCIAL ZONE (C-2) AT 401-417 S. PACIFIC COAST HIGHWAY

PROPERTY OWNER: Redondo Seaside Living, LLC

APPLICANT: Redondo Seaside Living, LLC

LOCATION: 401 - 417 S. Pacific Coast Highway

CASE NO: 2025-0074

### PROCEDURES:

1. Open the public hearing and take testimony;
2. Close the public hearing and deliberate;
3. Adopt the attached resolution by title only, waiving further reading.

ADOPT BY TITLE ONLY RESOLUTION CC-2602-010 OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH ADOPTING A CEQA EXEMPTION DECLARATION AND GRANTING THE APPEAL OF THE PLANNING COMMISSION'S DENIAL, THEREBY APPROVING THE REQUEST FOR A COASTAL DEVELOPMENT PERMIT PURSUANT TO GOVERNMENT CODE § 65912.124(E) BASED UPON A DETERMINATION THAT THE PROJECT -- CONSTRUCTION OF A MIXED-USE RESIDENTIAL CONDOMINIUM PROJECT WITH 49 UNITS, 5 OF WHICH ARE AFFORDABLE TO VERY LOW INCOME & 3 OF WHICH ARE AFFORDABLE TO MODERATE-INCOME HOUSEHOLDS, 4 STORIES AND 45 FEET IN HEIGHT, WITH 17,000 SQUARE FEET OF COMMERCIAL USES ON THE GROUND

FLOOR, AND 2 FLOORS OF SUBTERRANEAN PARKING WITH 129 PARKING SPACES AND SPACE FOR AN ADDITIONAL 14 VALET PARKING SPACES, LOCATED ON FIVE PARCELS (7508012013, 7508012012, 7508012011, 7508012010, 7508012009) WITHIN A COMMERCIAL ZONE (C-2) AT 401-417 S. PACIFIC COAST HIGHWAY (CASE NO. 2025-0074) -- IS "CONSISTENT WITH ALL OBJECTIVE STANDARDS" IN THE CERTIFIED LCP WITH THE APPLICATION OF ALLOWABLE CONCESSIONS AND WAIVERS PERMITTED BY AND HEREBY APPROVED UNDER STATE DENSITY BONUS LAW

CONTACT: MARC WIENER, COMMUNITY DEVELOPMENT DIRECTOR

- **PUBLIC COMMUNICATION**



February 17, 2026

**VIA EMAIL**

Mayor & City Council  
City of Redondo Beach  
415 Diamond St.

Redondo Beach, CA 90277

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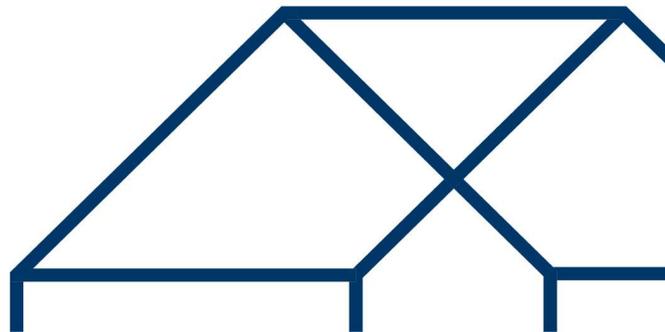
RE: Case No. 2025-0074 (401-417 S. Pacific Coast Highway)  
*February 17, 2026 City Council Meeting, Agenda Item L.1.*

To the Mayor & City Council:

Californians for Homeownership is a 501(c)(3) organization devoted to using legal tools to address California's housing crisis. We are writing regarding the project at issue in Case No. 2025-0074, the disapproval of which has been appealed to you. The City's approval of this project is governed by the Housing Accountability Act, Government Code Section 65589.5. For the purposes of Government Code Section 65589.5(k)(2), this letter constitutes our written comments on the project.

As the applicant and the state Department of Housing and Community Development (HCD) have explained in detail, you are legally required to grant the appeal and approve the coastal development permit for the project. The relevant correspondence is attached with this letter.

When a locality rejects a housing development project without complying with state law, the action may be challenged in court in a writ under Code of Civil Procedure Section 1094.5. Gov. Code § 65589.5(m). The law provides a private right of action to non-profit organizations like Californians for Homeownership. Gov. Code § 65589.5(k). A locality that is sued to enforce Section 65589.5 must prepare the administrative record itself, at its own expense, within 30 days after service of the petition. Gov. Code § 65589.5(m)(1). And if an enforcement lawsuit brought by a non-profit organization is successful, the locality must pay the organization's attorneys' fees. Gov. Code § 65589.5(k)(2). In certain cases, the court will also impose fines that start at \$10,000 per proposed housing unit. Gov. Code § 65589.5(k)(1)(B). If a locality has previously been notified by the Attorney General or HCD that an action or inaction would violate a housing reform law, a court must impose at least the minimum fine amount, and if it is a repeating violation, the fine will be multiplied by five. Gov. Code § 65914.2.



In recent years, there have been a number of successful lawsuits to enforce these rules:

- *San Francisco Bay Area Renters Federation v. Berkeley City Council*, Alameda County Superior Court Case No. RG16834448, was the final in a series of cases relating to Berkeley's denial of an application to build three single family homes and its pretextual denial of a demolition permit to enable the project. The Court ordered the city to approve the project and to pay \$44,000 in attorneys' fees.
- In *40 Main Street Offices v. City of Los Altos*, Santa Clara County Superior Court Consolidated Case Nos. 19CV349845 & 19CV350422, the court determined that the Los Altos violated the Housing Accountability Act, among other state housing laws, by failing to identify objective land use criteria to justify denying a mixed-use residential and commercial project. The City was ultimately forced to pay approximately \$1 million in delay compensation and attorneys' fees in the case.
- In *Californians for Homeownership v. City of Huntington Beach*, Orange County Superior Court Case No. 30-2019-01107760-CU-WM-CJC, a case brought by our organization, the court ruled that Huntington Beach violated the Housing Accountability Act when it rejected a 48-unit condominium project based on vague concerns about health and safety, including traffic concerns similar to those raised by comments on the project you are considering. Following the decision, the City agreed to pay \$600,000 in attorneys' fees to our organization and two other plaintiffs.
- In *Yes in My Back Yard v. City of Los Angeles*, Los Angeles County Superior Court Case No. 24STCP00524, the court ruled that the City's finding that an application was incomplete constituted a disapproval under the Housing Accountability Act. The City was ordered to pay over \$90,000 in attorneys' fees.
- In *Janet Jha v. City of Los Angeles* and the related case, *Yes In My BackYard, et al. v. City of Los Angeles*, Los Angeles Superior Court Case Nos. 23STCP03499 and 21STCP03883, the court ruled that Los Angeles violated the Housing Accountability Act and the Permit Streamlining Act by erroneously declaring a project incomplete and failing to recognize the protection of the "Builder's Remedy." The City ultimately paid over \$200,000 in attorneys' fees.

We urge you to grant the appeal and approve the project. If you do not, litigation will likely ensue.

Sincerely,



Matthew Gelfand

PRIOR  
CORRESPONDENCE



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**VIA HAND DELIVERY**

December 22, 2025

City of Redondo Beach  
Attn: City Clerk  
415 Diamond Street  
Redondo Beach, CA 90277

**Re: Appeal to City Council of December 18, 2025 Planning Commission Action on Case No. 2025-0074, Relating to 401-417 South Pacific Coast Highway (APNs 7508012013, 7508012012, 7508012011, 7508012010, 7508012009)**

Dear City Clerk:

We represent Wal2Wal Inc. and Redondo Seaside Living (together, “the Applicant”) in connection with the above referenced project. This letter specifies the grounds for the Applicant’s appeal of the December 18, 2025 action by the Planning Commission memorialized in Resolution No. 2025-12-PCR-13 (the “Resolution”).<sup>1</sup> The adoption of the Resolution was a blatant violation of state housing laws that will subject the City to significant liability, should it not be overturned on appeal.

The Applicant appeals the entirety of the Planning Commission’s action on December 18, 2025, including, without limitation:

- Denial of a concession to decrease the required commercial parking from 68 spaces to 44 spaces;
- Denial of a deviation from “overlap (shared) parking requirements”;

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<sup>1</sup> The Resolution is entitled, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DENYING A REQUEST FOR A CONCESSION UNDER STATE DENSITY BONUS LAW RELATED TO REDUCED COMMERCIAL PARKING, AND THEREFORE, DENYING THE REQUEST FOR A COASTAL DEVELOPMENT PERMIT PURSUANT TO GOVERNMENT CODE § 65912.124(e) FOR A MIXED-USE RESIDENTIAL CONDOMINIUM PROJECT WITH 49 UNITS, 5 OF WHICH WOULD BE AFFORDABLE TO VERY LOW INCOME & 3 OF WHICH WOULD BE AFFORDABLE TO MODERATE-INCOME HOUSEHOLDS, 4 STORIES AND 45 FEET IN HEIGHT, WITH 17,000 SQUARE FEET OF COMMERCIAL USES ON THE GROUND FLOOR, AND 2 FLOORS OF SUBTERRANEAN PARKING WITH 105 PARKING SPACES, LOCATED ON FIVE PARCELS (7508012013, 7508012012, 7508012011, 7508012010, 7508012009) WITHIN A COMMERCIAL ZONE (C-2) AT 401-417 S. PACIFIC COAST HIGHWAY (CASE NO. 2025-0074).” At the time of drafting this Appeal, Applicant has not been provided a final, signed copy of the Resolution. Applicant reserves its right to file additional grounds for appeal based on a final Resolution.

- A determination that the Project is inconsistent with the Local Coastal Program and denial of the requested Coastal Development Permit (CDP) for the construction of a 49-unit multi-family mixed-use residential development project at 401-417 S. Pacific Coast Highway; and
- A determination that the City's action is statutorily exempt from assessment under Pub. Res. Code § 21080(b)(5) and Cal. Code Regs, Title 14, § 15270(a).

State law (Gov. Code § 65912.120 *et seq.* ["AB 2011/2243"]) requires the City to ministerially approve the Project. The City appears to have acted on the Resolution pursuant to the processes for approval of a Coastal Development Permit pursuant to Redondo Beach Municipal Code (RBMC) § 10-5.2218, meaning that it is subject to appeal within 10 days of the decision. This would typically mean that the appeal is due on December 28, 2025. However, City Hall will be closed starting on December 23, 2025 and reopening January 2, 2026. Though the Applicant is submitting its appeal and paying the fee on December 22, 2025, pursuant to 10.5-2222(b), this appeal is not actually due until January 2, 2026. As such, the Applicant reserves the right to supplement the grounds for this appeal until 5:00 pm on January 2, 2026.<sup>2</sup>

To the extent that this is an appeal pursuant to 10-5.2222<sup>3</sup>, this letter provides the basis for challenging the findings and determination of the Planning Commission, including, but not limited to, why its erroneous determination that the Project is inconsistent with the Local Coastal Program and state law are improper.

### 1. The City Violated AB 2011/2243

The City's violated AB 2011/2243 by denying the incentives and denying the CDP. AB 2011/2243 overtly allows development of housing development projects in the Coastal Zone, even if those projects seek deviations from an adopted local coastal program ("LCP") through the grant of incentives. The City violated the law by ignoring these provisions, effectively doing an end run around the statutory language.

Gov. Code § 65912.124(f)(1) states that an project shall be eligible for a "density bonus, incentives or concessions, waiver or reductions of development standards, and parking ratios pursuant to Section 65915..." Gov. Code § 65912.124(e) notes that the City "shall approve a coastal development permit if it determines **that the development is consistent with all objective standards** of the local government's certified local coastal program." (Emphasis added.) Consistency is analyzed **after the density bonus, incentives and waivers are considered**. Specifically, Gov. Code § 65912.124(f)(4) states that the "receipt of any density bonus, concession, incentive, waiver or reduction of development standards, and parking ratios to which the applicant is entitled under Section 65915 **shall not constitute**

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<sup>2</sup> Applicant also reserves its right to submit additional information supporting its grounds for this Appeal prior to the City Council hearing, including its right to respond to any staff reports, public comments, or other information.

<sup>3</sup> This appeal is also properly brought under RBMC § 10-5.2107 (denial of affordable housing benefit in the Coastal Zone), RBMC § 10-5.2502 (denial of application for design review in the Coastal Zone), RBMC § 10-5.2506 (denial of application for conditional use permit in the Coastal Zone), and RBMC § 10-1.906 (denial of application for a tentative map).

**a basis to find the project inconsistent with the local coastal program.”** (Emphasis added). In other words, use of the State Density Bonus Law – either by taking advantage of the parking standard in that law or by use of an incentive or waiver to reduce the required parking – means that the Project would be consistent with the City’s LCP. The Resolution ignores this language, finding that the Project violates the LCP because it provides 44 parking spaces instead of 68 parking spaces. This finding violates the law.

As discussed below, the City tries to make an end run around the statute by claiming that the denial of the Project is based on an inconsistency with state law. However, AB 2243 amended AB 2011 and overtly allows projects to deviate from LCP requirements in the Coastal Zone. Because the Project is consistent with the LCP, it is also consistent with the Coastal Act. The City’s attempt to subvert the statute by characterizing the finding as being a State Density Bonus finding and ignoring AB 2011/2243 is contrary to the very purpose of AB 2243 and is in error.

Indeed, the City’s denial of the commercial parking incentive completely eviscerates the purpose of AB 2243, which extended use of AB 2011 to the Coastal Zone and clarified that only the LCP objective standards apply (not the Coastal Act standards). To allow the City to use the Coastal Act to supersede AB 2243 would result in AB 2243 having no meaning. It is circular reasoning and means an applicant could never request a density bonus incentive or waiver (though expressly permitted) for fear of violating the Coastal Act.

The City also violated AB 2011/2243 by effectively subjecting the Project to a discretionary review by the Planning Commission. Gov. Code § 65912.120 states that a “housing development **shall** be a use by right and that [it] **shall** be subject to a streamlined ministerial review pursuant to Section 65912.124” if the project meets the qualifying criteria. (Emphasis added.) The City admits that the Project meets the qualifying criteria. The fact that the CDP is needed does not convert the CDP to a discretionary process nor mean that a hearing should have been held. “A ministerial duty is an obligation to perform a specific act in a manner prescribed by law whenever a given state of facts exists, without regard to any personal judgment as to the propriety of the act.” (*People v. Picklesimer* (2010) 48 Cal. 4th 330, 340.) The Planning Commission did far more than analyze whether the Project met the objective standards; it imposed non-objective standards relating to coastal access, public safety, pedestrian access, and vehicular conflicts (none of which have objective standards) to deny the Project<sup>4</sup>. These actions violated the law.

## **2. Denial of the Incentives Violated the State Density Bonus Law (Gov. Code §65915)**

### **a. The Resolution Lacks Substantial Evidence to Deny the Incentive for Reduction of Commercial Parking**

The Planning Commission erred when it denied the incentives as a means to deny the CDP. Section 3 of the Resolution lacks evidence, much less substantial evidence, supporting denial of the concession to reduce commercial parking from 68 spaces to 44 spaces. The denial in the Resolution is premised on two grounds: that it would be contrary to state law and that it would result in a “specific adverse impact upon public health and safety.” Neither finding is supported by substantial evidence. Section 3 of the Resolution merely states that it would “decrease access to the Coast for the general

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<sup>4</sup> When available, a hearing transcript will demonstrate this point.

public and be contrary to state law.” That bare finding is not based on any facts in the record; it is based on pure speculation from the Planning Commission, which speculation does not rise to the level of substantial evidence. Therefore, the City’s denial of the commercial parking incentive violates the requirements of Gov. Code § 65915(d)(1).

Moreover, the Planning Commission’s discussion made it clear that the basis for denial of the commercial parking incentive was also based on a perceived lack of parking study or additional information about parking. Pursuant to Gov. Code (a)(3)(D)(III), had the City wanted additional information on any incentive, it was obligated to request that information when the City deemed the application complete on November 4, 2025. As such, it cannot use a perceived lack of information on the overlap parking requirement as a grounds for denial.

In fact, the Project enhances access to the coast by providing 49 units within the Coastal Zone (the Site is currently vacant). Importantly, the Project includes 5 very low-income units and 3 moderate income units. According to Zillow, the average home price in zip code 90277 (where the Site is located) is over \$1.6 million, far out of reach for low- and moderate-income families. Thus, the Project will increase equitable access for households who might otherwise not be able to live in the Coastal Zone.

Section 3 of the Resolution also states that the commercial parking reduction would “result in a significant impact to public safety based on the impact of the project on safe ingress and egress for emergency vehicles from Fire Station No. 1” and that the Project would “result in pedestrian and vehicular traffic conflicts as a result of the configuration of the driveway on Pearl Street.” Again, these bare conclusions are based on pure speculation and lack any support, thereby violating the requirements of Gov. Code § 65915(d)(1).

Moreover, Section 3 does not identify a “specific adverse impact” within the meaning of Gov. Code § 65589.5(d)(2), which defines that term as a “significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.” The City did not identify any standard, policy or condition (much less an objective one) when it made its finding. Instead, it relied on baseless, lay opinion from Planning Commissioners about their perceptions, which opinions do not satisfy the exacting standard of the law.

b. The Resolution Lacks Proper Findings Related to the Overlap Parking Requirement

Section 4 of the Resolution fails to comply with Gov. Code § 65915(d)(1) with respect to the overlap parking requirement. In Section 4, the City found that the overlap parking concession does not result in actual and identifiable cost reductions to provide for affordable housing costs. As “evidence”, Section 4 claims that the “applicant has not provided any evidence indicating that the study would result in cost reductions related to the provision of affordable housing.” However, it is the City’s burden, not the applicant’s burden, to provide substantial evidence related to cost reductions. Specifically, 65915(d)(1) states that the city shall grant a requested concession, unless it makes a written finding based on substantial evidence, that the concession would not result in cost reductions to provide for affordable housing costs. The City violated the law when it reversed the burden of proof (i.e. asking the

Applicant to prove the cost reduction). Moreover, pursuant to Gov. Code (a)(3)(D)(III), had the City wanted additional information on any incentive, it was obligated to request that information when the City deemed the application complete on November 4, 2025. As such, it cannot use a perceived lack of information on the overlap parking requirement as a grounds for denial.

The incentive would allow the Project to implement its own shared parking plan that is supported by operational controls, smart-parking technologies, and time-of-day management—provides adequate commercial and residential parking while significantly reducing unnecessary parking construction. By implementing its own shared parking plan, the Project would avoid the need to build additional parking spaces in a deeper parking garage, which garage would significantly increase the cost of the Project. That would result in increased costs for the affordable housing units. Indeed, the study itself, would involve expenditure of money that could otherwise be used for affordable housing costs. The requested incentive therefore reduces actual and identifiable costs, and supports the feasibility of the affordable housing component.

The manner in which the City framed this incentive (which was not requested to or agreed to by the Applicant) is also improper. The parking utilization study is supposed to be a condition of approval for the Project, not a predicate for approval. (See RBMC § 10-5.1706(d).)

### **3. The City Violated the Housing Accountability Act (Gov. Code § 65589.5 [“HAA”])**

The Resolution constitutes an unlawful denial of the Project as defined by Gov. Code § 65589.5(h)(6) because the Planning Commission voted to deny the CDP based on denial of the incentives, and the CDP is one of the entitlements necessary for issuance of a building permit. The City violated the HAA in multiple respects:

- The City’s denial of the Project is a disapproval of a “housing development for very low, low-, or moderate-income households”<sup>5</sup> because the Project includes five units of very low-income housing and three units of moderate-income housing. Denial of the Project will prevent these low- and moderate-income units from being built at the Property. Yet, in denying the Project, the City did not make any of the requisite findings in Gov. Code § 65589.5(d), or, to the extent the Resolution was an attempt to make a subsection (d) finding, none of the findings were based on the preponderance of the evidence in the record. This was a violation of the HAA.
- With regard to Gov. Code § 65589.5(d)(2), as discussed above, the City failed to make a finding, based on the preponderance of the evidence, that the Project would have a specific, adverse impact on public health and safety, and that there is no feasible method to satisfactorily mitigate or avoid the impact without rendering the

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<sup>5</sup> Pursuant to 65589.5(h)(3)(A) “‘Housing for very low, low-, or moderate-income households’ means housing for lower income households, mixed income households, or moderate income households.” (3)(C) further states that the definition of “housing for mixed-income households” includes projects in which at least 10 percent of the total units are dedicated to very low-income households. Here, 15% of the total units are dedicated to very low-income households.

development unaffordable to low- and moderate-income households or rendering the development financially infeasible.

- With regard to Gov. Code § 65589.5(d)(3), the City did not make findings based on a preponderance of the evidence demonstrating that the denial was required to comply with a specific state law and that there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households. Indeed, the City made NO findings related to feasibility.
- Furthermore, the City cannot make the finding in Gov. Code § 65589.5(d)(5). The City deemed the application for the Project complete on November 5, 2025, as noted in the City's own staff report. However, pursuant to *New Commune DTLA LLC v. City of Redondo Beach* (Case No. B336042) as of that date, the City did not have a compliant housing element. Indeed, because the City did not have a compliant housing element, the Project was not required to comply with any objective standards, thereby making the City's denial violative of the HAA.
- The City's denial of the Project also violates Gov. Code § 65589.5(f)(1) because the City is ignoring the deviation in commercial parking to be granted through the density bonus incentive. The HAA only allows the City to impose objective standards on the Project<sup>6</sup>; however, such objective standards must take into account incentives, waivers, and reduction of development standards and parking ratios pursuant to the State Density Bonus Law (Gov. Code § 65915). As discussed in further detail above, the City improperly denied the reduction of commercial parking incentive. That reduction, itself, makes the project consistent with the objective parking standards. Denial on the basis that the Project does not contain 68 commercial parking spaces, therefore, is unlawful.
- Similarly, the City violated Gov. Code § 65589.5(j)(1). The Project complies with the objective standards related to commercial parking<sup>7</sup>, as modified by the density bonus incentive for reduced parking. Yet, in denying the Project, the City did not make the requisite findings set forth in that section that require finding that the project would have a "specific, adverse impact upon public health or safety" and that there was no feasible method to satisfactorily mitigate or avoid the impact other than disapproval.
- In the alternative, the City violated the HAA by failing to make the findings in (d)(6). Specifically, the City failed to make findings that the project is not a builder's remedy project within the meaning of Gov. Code 65589.5(h)(11). In fact, the Project does qualify as a builder's remedy project because it provides five very-low income units and three moderate income units, the City did have not a compliant housing element as of October 10, 2025, and the Project density is 64 du/acre, which is less than three times

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<sup>6</sup> Though, as discussed herein, because of the City's non-compliance with State Housing Law, the City cannot impose even these objective standards.

<sup>7</sup> Though, as discussed herein, because of the City's non-compliance with State Housing Law, the City cannot impose even these objective standards.

City of Redondo Beach  
December 22, 2025  
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the density permitted by state law (namely, the density permitted by AB 2011) (30 du x 3 = 90 du/acre). Therefore, the City erred in denying the Project.

We request that the City hold a public hearing on this appeal. For all of the reasons set forth herein, we respectfully request that the City Council grant this appeal.

Sincerely,

*Elisa Paster*

Elisa Paster  
Managing Partner  
of RAND PASTER & NELSON, LLP

Cc: Marc Wiener, AICP, Community Development Director  
Sean Scully, Planning Manager  
Steve Giang, Senior Planner



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**VIA EMAIL**

February 11, 2026

City of Redondo Beach  
Attn: City Clerk, [Eleanor.Manzano@redondo.org](mailto:Eleanor.Manzano@redondo.org)  
415 Diamond Street  
Redondo Beach, CA 90277

**Re: Supplemental Letter: Appeal to City Council of December 18, 2025 Planning Commission Action on Case No. 2025-0074, Relating to 401-417 South Pacific Coast Highway (APNs 7508012013, 7508012012, 7508012011, 7508012010, 7508012009)**

Dear City Clerk:

We represent Wal2Wal Inc. and Redondo Seaside Living (together, “the Applicant”) in connection with the above referenced project. This letter supplements our appeal dated December 22, 2025 (“Appeal”). As discussed therein, Resolution No. 2025-12-PCR-13 (the “Resolution”) was a blatant violation of state housing laws that will subject the City to significant liability, should it not be overturned on appeal. For all of the reasons set forth herein, we respectfully request that the City grant the Appeal.

**The City Relies on the Project for its Draft Revised Housing Element**

As a preliminary matter, we note that the Project is now included in the City’s proposed redlines to its Housing Element. Specifically, it is included in the section entitled, “Recent Housing Projects in Redondo Beach That Address Housing Shortage.” This section includes a list of projects that demonstrate how the City is going to meet its RHNA numbers pursuant to Govt. Code § 65583.2. The redlines are proposed in response to the Court’s ruling of the *New Commune* case in which the Court held that the City’s overlay zoning district was not sufficient to satisfy the City’s RHNA allocation. In other words, the City is now proposing to use the units in Project to satisfy its RHNA in lieu of the units that were in the overlay zone areas. It would be antithetical to deny the Project if the City is relying on it to satisfy state housing law and the Court’s ruling. We sincerely hope that the inclusion of the Project in the redline is demonstrative of the City’s intentions to comply with state housing laws, including granting the appeal to allow the Project to move forward.

## Project Modifications

The Applicant is proposing an updated Project design to address some of the issues raised by the Planning Commission.<sup>1</sup> These modifications set forth in Exhibit A include:

- Expansion of the two level parking garage to increase the number of parking spaces from 105 to 129 total parking spaces, consisting of 61 parking spaces for residential uses and 68 parking spaces for commercial uses. This number of spaces aligns with the amount of required parking for the Project, such that the Applicant is no longer requesting a incentive/concession to reduce the amount of commercial parking spaces from 68 to 44 nor to allow overlap parking in a manner that deviates from the Redondo Beach Municipal Code (RBMC). The Applicant is able to achieve the required parking through use of tandem and compact parking spaces and reduction of the private storage areas, which are included in the waiver request.
- Modification of the driveway slope to accommodate a grade of 5% for the first 20 feet from the edge of the property line to increase visibility for pedestrians and drivers.
- Addition of secure bike parking on the ground level for bicycles, including cargo bikes.
- Increased the valet queuing space to accommodate at least 14 cars.
- Addition of bike racks on Pear Street and Pacific Coast Highway.
- Addition of "KEEP CLEAR" pavement markings at the Project access driveway.

As a result of these changes, the modified list of incentives/concessions and waivers is as follows (underlined language is new, ~~strikethrough~~ is deleted language):

### *Incentives/ Concessions*

1. Increase FAR for mixed-use projects (commercial and residential) from 1.5 to 2.58 (RBMC § 10-5.915(a)(2));
2. ~~Decrease in required commercial parking from 68 to 44 (RBMC § 10-5.1706(a)(1))~~
3. ~~Incentive to RBMC 10-5.1706(d)(2) to allow for a shared parking program that differs from the requirements of the city's overlap (shared) parking requirements.~~

### *Waivers*

1. Increase in number of stories from 3 to 4 (RBMC § 10-5.915(e)(2)).

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<sup>1</sup> Although a modified design is proposed, we do not concede that the Planning Commission's denial was in any way compliant with the law for all of the reasons set forth in the Appeal.

2. Allow stairwell and elevator penthouse projections up to 15' - 7" above the permitted 45' height limit (RBMC § 10-5.1522(b)).
3. Reduce street side yard setback (Pearl Street) for a corner/reverse corner lot from 10'-0" to 6'-0". (RBMC § 10-5.915(f)(2)(a)).
4. Reduce setback along property lines abutting residential uses (starting at 2<sup>nd</sup> floor and above) from 7'-0" x floor number to same setbacks as ground floor for all floors (Govt Code § 65912.123(d)(3)(A)(ii)).
5. Reduce setback along property lines abutting non-residential uses from 15'-0" to 10'-0" (Govt Code § 65912.123(d)(3)(B)).
6. Waiver to RBMC § 10-5.1514(b) to reduce the required private storage space to 49, 400 cubic foot lockers to 49, 300 cubic foot lockers (a total of 14,700 cubic feet.)
7. Waiver to allow (12) tandem parking spaces for commercial and residential use.
8. Waiver to allow (6) compact parking spaces for residential use.
9. Wavier to allow use of valet parking at the discretion of Applicant.

### **Justification for Incentive**

The Project Site's existing FAR limitation of 1.5:1 would permit a total floor area of 49,941 sf across the Project Site. The Project proposes a total of approximately 85,422 sf of building area, equal to a FAR of 2.58:1. Accordingly, the applicant is requesting an incentive for an increase in floor area to a maximum of 85,422 sf (2.58:1 FAR) in lieu of 49,941 square feet. This increase permits the Project to expand the building envelope and provide additional building floor area, reducing the proportion of the cost of the affordable units and further enabling the provision of residential units. Increasing the FAR reduces the overall land, which is a fixed cost. By spreading out that cost over additional units (here, an increase of 22 units), the applicant is able to spread out that cost to accommodate the affordable units. Accordingly, the requested FAR increase provides an actual and identifiable cost reduction both per square foot and per unit, and because these cost reductions result from allocating shared, fixed costs across more units, these cost savings apply across the full unit mix, including the affordable units and supporting their inclusion in the project.

There is no substantial evidence in the record that the proposed incentives will have a specific adverse impact upon public health and safety or the physical environment, or any real property that is listed in the California Register of Historical Resources. A "specific adverse impact" is defined as "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete." As discussed fully in the Appeal, the Planning Commission did not identify any specific adverse impact, nor any objective, identifiable written health of safety standard, policy or condition to justify its denial. Neither the existing structure nor any immediately adjacent structures are listed on the City, state, or federal register as a historic resource. There is no substantial evidence that

the proposed Project, and thus the requested incentive, will have a specific adverse impact on the physical environment, on public health and safety or the physical environment, or on any Historical Resource.

### **Justification for Waivers**

Attached as Exhibit A are diagrams that show that the Project would be physically precluded if the waiver is not granted. These diagrams supplement the information previously submitted to the City, incorporated here. In summary:

- Waiver 1 (increase in stories): RBMC § 10-5.915(e)(2) limits the number of stories to three stories. The Project proposes 4 stories within the overall main building height limit of 45 feet. As Exhibit B demonstrates, imposing a three-story limit would preclude construction of 16 units and 20,650 sf. Accordingly, the requested waiver is necessary because without the increase in the number of stories, the Project would be physically precluded from being constructed as proposed.
- Waiver 2 (stair and elevator projection): RBMC § 10-5.1522(b) restricts the height limit to 45 feet. The Project proposes stairwell and elevator penthouse projections up to 15 feet and 7 inches above the height limit. As demonstrated by Exhibit B, limiting projections above the height limit would preclude elevator and stairwell access to the roof. The Fire Department requires the occupiable roof level to be accessible by stair and the accessibility laws. The waiver is required due to the inability to lower the minimum overrun height for the elevator shaft and stair tower. Lowering the height would result in physically precluding access to the rooftop. Accordingly, the requested waiver is necessary because without the increase in height the Project would be physically precluded from being constructed as proposed.
- Waivers 3, 4 and 5 (setbacks): The Project seeks a waiver from RBMC § 10-5.915(F)(2)(A) to reduce the side yard setback – street side (Pearl Street) from 10 feet to 6 feet. As shown in Exhibit B, if this setback reduction was not granted, the Project could not be built as proposed because of the loss of bedrooms in three of the units. This would preclude development of the Project as proposed. Similarly, the Project seeks a waiver to deviate from the setbacks along the rear and side yards from 7'-0" x floor number to same setbacks as ground floor for all floors (Govt Code § 65912.123(d)(3)(A)(ii)). As shown in Exhibit B, if this setback reduction was not granted, it would preclude the development of 13 units and adjacent private open space, which would reduce the density. This would preclude development of the Project as proposed. Finally, the Project seeks to reduce the setback along property lines abutting non-residential uses from 15'-0" to 10'-0" (Govt Code § 65912.123(d)(3)(A)(ii)). As shown in Exhibit B, if this setback reduction was not granted, it would preclude the development of 480 sf of common open space, building circulation and 103 sf of private open space. This would preclude development of the Project as proposed. Accordingly, the requested waiver is necessary because without modified setback the Project would be physically precluded from being constructed as proposed.

- Waiver 6 (storage): The Project seeks to reduce the required private storage space required by RBMC § 10-5.1514(b) from 49, 400 cubic foot lockers to 49, 300 cubic foot lockers (a total of 12,838 cubic feet.) As demonstrated by Exhibit B, imposing the storage requirement would result in the loss of eight parking spaces. Accordingly, the requested waiver is necessary because without the reduction in storage space the Project would be physically precluded from being constructed as proposed.
- Waiver 7 (tandem parking): The Project seeks to use 10 tandem parking spaces for commercial and residential uses. As demonstrated in Exhibit B, prohibiting tandem parking would reduce the number of parking spaces proposed by the Project by 10 parking spaces, which would preclude development of the Project as proposed. Accordingly, the requested waiver is necessary because without the tandem parking the Project would be physically precluded from being constructed as proposed.
- Waiver 8 (compact parking): The Project seeks to allow 13 compact parking spaces for residential use. As demonstrated in Exhibit B, prohibiting parking spaces would reduce the number of parking spaces proposed by the Project by 13 spaces, which would preclude development of the Project as proposed. Accordingly, the requested waiver is necessary because without the tandem parking the Project would be physically precluded from being constructed as proposed.
- Waiver 9 (valet parking): The Project seeks to allow valet parking, as needed, to accommodate the tandem parking spaces. For the residential uses, tandem parking spaces will be assigned to a single unit, such that valet parking is not permitted. For the commercial uses, the Applicant, proposes to offer valet parking as needed. The Project proposes 14 valet queuing spaces for valet. Without the option for valet, the Project could be precluded for using tandem spaces for commercial uses. Accordingly, use of the valet is needed for development of the Project as proposed.

### **Rebuttal of Resolution**

The Appeal discusses in detail the reasons that the Planning Commission's decision was in error, including because it did not identify any specific adverse impact, nor any objective, identifiable written health or safety standard, policy or condition to justify its denial. That, alone, is enough to grant the Appeal. Even so (and though the burden of proof is on the City, attached as Exhibit C hereto is a Focused Local Transportation Assessment ("EPD Report") prepared by expert EPD Solutions which rebuts the baseless allegations in the Resolution. The EPD report includes the following analysis:

- Calculation of the Project's trip generation.
- Determination of whether a detailed level of service (LOS) analysis is required.
- Focused safety and circulation assessment of the Project driveway and the nearby signalized intersection of Pacific Coast Highway and Pearl Street.

- Evaluation of 95th-percentile queuing at the intersection of Pacific Coast Highway and Pearl Street.
- Safety assessment based on crash data obtained from the *University of California, Berkeley Transportation Injury Mapping System (TIMS)*.
- Shared parking analysis based on the Institute of Transportation Engineers (ITE) *Parking Generation Manual, 6th Edition*.

The EPD Study provides substantial evidence that there would be no specific adverse impact related to traffic, pedestrian safety, circulation, or access issues. Relying on adopted standards, including the City's own Transportation Impact Study Guidelines for Land Use Plans and Projects (May 2021), the EPD Study concludes:

- The Project's estimated weekday peak hour trip generation (approximately 17 weekday AM peak-hour trips and 20 weekday PM peak-hour trips) does not meet the City's threshold requiring preparation of a full Local Transportation Assessment. Accordingly, a detailed level of service analysis is not required. This means that the number of trips generated is so low that it would not have any specific adverse impacts.
- The Project access is expected to operate acceptably with respect to circulation, queuing, and safety. The queuing analysis indicates that forecasted queue lengths at the intersection of Pacific Coast Highway and Pearl Street correspond to fewer than four vehicles under both Existing Conditions and Existing Plus Project Conditions, with Project-generated traffic resulting in increases of less than one vehicle. In addition, the implementation of "KEEP CLEAR" pavement markings at the Project access driveway would maintain unobstructed ingress and egress for vehicles entering and exiting the site and avoid any potential queue spillback impacts.
- The safety assessment did not identify any notable or recurring collision patterns attributable to the proposed Project access, and the Project's pedestrian circulation design is not expected to create pedestrian safety concerns.
- The Project would reduce the number of driveways on the site from four to one. Currently, there are four driveways on Pacific Coast Highway, which have the potential to create pedestrian/vehicular conflicts. The Project will eliminate all of the driveways on Pacific Coast Highway, thereby eliminating that potential conflict. The Project will add a singular point of access of Pearl Street, which will have a 5% grade for at least 20 feet from Pearl Street, thereby eliminating any potential pedestrian and vehicular conflicts.
- The Project would not result in impacts to emergency vehicle operations along Pacific Coast Highway or Pearl Street, because Project is forecast to generate a relatively small number of vehicle trips (approximately 17 weekday AM peak hour trips and 20 weekday PM peak hour trips) and would result in minimal changes to

intersection queuing conditions. As such, Project-related traffic is not expected to impede emergency vehicle operations along Pacific Coast Highway or Pearl Street. In emergency situations, motorists are required to yield the right-of-way to responding emergency vehicles.

The EPD Study, therefore, directly rebuts the Planning Commission's unsubstantiated findings regarding a hypothetical specific adverse impacts.

Further, although the Project has been modified (as discussed above) to accommodate 129 parking spaces, even if that were not the case, the EPD Report demonstrates that an on-site parking supply of 105 spaces would have been sufficient to accommodate parking demand under both weekday and weekend conditions based on Institute of Transportation Engineers (ITE) Parking Generation data. As a result, the Project would not generate spillover parking on adjacent public streets or affect coastal access with respect to parking. The 129 parking spaces now proposed also would not create spillover parking impacts, in direct contravention of the Planning Commission's unsubstantiated findings.

The Applicant has worked hard to modify the Project to address potential concerns raised by the Planning Commission, even though it is not required to do so by law. This demonstrates the Applicant's good faith and its commitment to being a good community member. For all of the reasons set forth herein, we respectfully request that the City Council grant the Appeal.

Sincerely,

*Elisa Paster*

Elisa Paster  
Managing Partner  
of RAND PASTER & NELSON, LLP

Cc:

Mike Witzansky, City Manager  
Marc Wiener, AICP, Community Development Director  
Sean Scully, Planning Manager  
Steve Giang, Senior Planner

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

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February 13, 2026

Marc Wiener, Community Development Director  
City of Redondo Beach  
415 Diamond Street  
Redondo Beach, CA 90277

Dear Marc Wiener:

**RE: City of Redondo Beach – 401 South Pacific Coast Highway – Letter of  
Technical Assistance and Notice of Potential Violation**

This letter provides the City of Redondo Beach (City) with technical assistance regarding the Affordable Housing and High Road Jobs Act (AB 2011),<sup>1</sup> State Density Bonus Law (SDBL),<sup>2</sup> and the Housing Accountability Act (HAA)<sup>3</sup> regarding a mixed-use development located at 401 South Pacific Coast Highway (Project). On December 18, 2025, the Planning Commission voted to deny the Coastal Development Permit (CDP), constituting a denial of the Project. The applicant appealed that denial to the City Council, which will hear the appeal on February 17, 2026. The California Department of Housing and Community Development (HCD) is writing to support the approval of the Project by the City Council and hereby notifies the City that denial of the Project is inconsistent with state housing law.

### **Background**

HCD understands the Project is located on the west side of South Pacific Coast Highway between Pearl Street and Ruby Street and consists of 49 dwelling units, including five very low-income units and three moderate-income units and 17,000 square feet of commercial space. The Project has a General Plan and zoning designation of Commercial (C-2) and is located within the non-appealable area of the Coastal Zone, and the City has an adopted and certified Local Coastal Program (LCP). The Project includes a request for a streamlined ministerial approval process pursuant to AB 2011 and seeks to use the SDBL.

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<sup>1</sup> Gov. Code, §§ 65912.100 – 65912.140.

<sup>2</sup> Gov. Code, § 65915.

<sup>3</sup> Gov. Code, § 65589.5.

The staff report for the December 18, 2025 public hearing included a recommendation to approve the Project, including the SDBL concessions and waivers, because the Project was found to be consistent with applicable objective standards except those proposed to be lawfully modified via SDBL concessions and/or waivers. However, the Planning Commission unanimously voted to deny the Project by denying the concession to reduce the commercial parking from 68 spaces to 44 spaces on the basis that consistency with the LCP was necessary to comply with the Coastal Act and that granting the concession would (1) limit access to the coast, (2) create a significant impact to public safety based on impacts to safe ingress and egress for emergency vehicles from a nearby fire station, and (3) create pedestrian and vehicular traffic conflicts as a result of the proposed location and design of the driveway. The Project was appealed on December 22, 2025 and the City Council appeal hearing is tentatively scheduled for February 17, 2026.

### ***Affordable Housing & High Road Jobs Act***

AB 2011 was amended by AB 2243 (Chapter 272, Statutes of 2024), which expanded eligibility for streamlining housing development projects on sites zoned for office, retail, or parking into the Coastal Zone if projects are not located in specified coastal areas.<sup>4</sup>

Additionally, AB 2011 explicitly states that it can be combined with the SDBL: “A housing development proposed pursuant to this article shall be eligible for a density bonus, incentives or concessions, waivers or reductions of development standards, and parking ratios pursuant to Section 65915....”<sup>5</sup> Further, a city “shall approve a coastal development permit if it determines... that the development is consistent with all objective standards of the local government’s certified local coastal program....”<sup>6</sup> Any density bonus, including a concession, and parking ratios to which an applicant is entitled to under the SDBL “shall not constitute a basis to find the project inconsistent with the local coastal program....”<sup>7</sup> Therefore, modification of development standards that are achieved via SDBL concessions or waivers (e.g., parking standards) are, for the purposes of AB 2011, considered consistent with the City’s LCP.

The Planning Commission denied the concession request and, by extension, the CDP, on the basis that a concession to reduce parking would result in a loss of on-street parking, which, the Planning Commission asserted, is inconsistent with the LCP, stating, “Based on the foregoing, the Planning Commission hereby finds that the Project is inconsistent with the Local Coastal Program and thereby denies the requested Coastal Development Permit.”<sup>8</sup> The Legislature was clear that AB 2011 was to be expanded into qualifying coastal areas, and CDPs and SDBL requests for waivers and concessions shall be approved by a local government. Therefore, the Planning Commission’s actions are inconsistent with AB 2011.

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<sup>4</sup> Gov. Code, § 65912.114, subd. (e).

<sup>5</sup> Gov. Code, § 65912.124, subd. (f)(1).

<sup>6</sup> Gov. Code, § 65912.114, subd. (e).

<sup>7</sup> Gov. Code, § 65912.124, subd. (f)(4).

<sup>8</sup> Resolution No. 2025-12-PRC-13, Section 6.

## **AB 712 Enforcement Actions – Fines and Penalties**

HCD informs the City that AB 712 (Chapter 496, Statutes of 2025)<sup>9</sup> went into effect on January 1, 2026. Among other things, the new law will increase penalties that a court may impose on a local government if the local government was advised in writing prior to the commencement of a lawsuit brought by the Attorney General or HCD that the local government's decision, action, or inaction would represent a violation of specified housing laws. This letter serves to inform the City that denial of the Project would violate state housing laws, as specified above.

## **Conclusion**

Under Government Code section 65585, subdivision (j), HCD must notify a local government when that local government takes actions that violate AB 2011 and other laws that HCD enforces and may notify the California Office of Attorney General of these and other violations of state housing laws. HCD will monitor the City Council appeal hearing scheduled for February 17, 2026 to assess actions responsive to the findings in this letter.

HCD appreciates the opportunity to provide technical assistance to ensure proper implementation of the provisions of AB 2011 and other state housing laws over which HCD has enforcement authority. If you have questions or need additional information, please contact Jessica Evans at [Jessica.Evans@hcd.ca.gov](mailto:Jessica.Evans@hcd.ca.gov).

Sincerely,



Melinda Coy  
Housing Accountability Unit Chief

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<sup>9</sup> Gov. Code, § 65914.2.



February 14, 2026

**Redondo Beach City Council**

415 Diamond Street  
Redondo Beach, CA 90277

**RE: Item L.1 – Appeal of the 49-Unit Mixed-Use Project (401-417 PCH) – SUPPORT**

**Dear Mayor Light and Members of the City Council,**

On behalf of South Bay Forward and League of Women Voters of the Beach Cities, we write to strongly urge the City Council to grant the appeal, overturn the Planning Commission's decision, and approve the 49-unit mixed-use project located at Pacific Coast Highway and Pearl Street.

South Bay Forward is a volunteer-run advocacy organization moving the South Bay region forward on housing, transit, and active mobility. We are a local chapter of Abundant Housing LA, a grassroots nonprofit organization working to solve Southern California's housing crisis. Our vision is a South Bay with abundant and affordable housing near good jobs and sustainable transportation. We reiterate comments provided in our [12/18/25 Letter](#) to the Planning Commission on this project.

The League of Women Voters of the Beach Cities (*El Segundo, Hawthorne, Hermosa Beach, Inglewood, Manhattan Beach, Redondo Beach*) is the local arm of the 106-year-old national non-partisan political organization that encourages informed and active participation in government at all levels. We support equal opportunity in housing, as well as measures to provide an increase in the supply of safe, decent and adequate housing for all our residents.

This project represents exactly the type of sustainable, transit-oriented infill development that Redondo Beach needs to address the ongoing housing crisis. More importantly, at this stage of the process, approval is not merely a policy preference. As the California Department of Housing and Community Development (HCD) has noted, it is a legal requirement.

**Objectively Compliant with State Law**

As described in the Administrative Report and reinforced by a notification from HCD, this project is protected by the Housing Accountability Act (HAA) and AB 2011. Because it meets all objective zoning and safety standards, the Planning Commission's - and now Council's - role is effectively ministerial.

The narrow grounds for denial - a "specific, adverse impact" to public health or safety - do not exist here. The Fire Department has stated that it does not foresee any safety concerns. Neighbors' concerns regarding parking studies or traffic congestion do not meet the high legal threshold required to deny housing. Upholding a denial at this stage would ignore staff

recommendations and HCD warnings, exposing the City to significant, unnecessary, costly, and likely losing litigation.

### **Inclusion in the City's Housing Element**

Following the recent invalidation of Redondo Beach's Housing Element by the Court of Appeal, the City is not currently in compliance with state requirements. This specific site at PCH and Pearl is included in the City's revised Housing Element draft.

Approval of the project will demonstrate a good faith effort by the City to fulfill its goals as outlined in the Housing Element and to expand housing opportunities within the city. The City cannot have it both ways: it cannot tell the State that this site will help meet its Regional Housing Needs Allocation (RHNA) while simultaneously voting to block development on that very site. Denying this project would demonstrate bad faith in the eyes of state regulators, risking further invalidation of the Housing Element and inviting "Builder's Remedy" applications that would strip the City of even more local control.

### **Responsiveness to Community Feedback**

We would like to specifically acknowledge the applicant's efforts to address concerns raised by community stakeholders, including those discussed during the December 18 Planning Commission meeting in which our organization also participated as residents and advocates. By voluntarily redesigning the parking garage to accommodate more vehicle queuing, increasing the parking count from 105 to 129 spaces, including pavement markings at the driveway site, and expanding bicycle infrastructure with in-garage and on-street bike racks, the developer has shown a genuine commitment to being a good neighbor. These updates address circulation and safety concerns previously cited by the Commission.

### **A Vision for a More Vibrant, Attainable Redondo Beach**

Beyond legal requirements, Redondo Beach must embrace this project as a model for the City's future. As an infill development located along a key transit corridor and within walking distance of schools, commercial centers, and the Pier, this project places 49 new homes (including 8 deed-restricted affordable units) exactly where they belong.

Redondo Beach is home to a variety of housing types, including missing middle and multifamily housing, but in recent decades has opposed and challenged state housing law, risking a compliant Housing Element, rising housing prices, and attainable options for young families and local workers. By approving this project, the Council has the opportunity to move away from a history of obstruction and instead position Redondo Beach as a leader in innovative, walkable, and mixed-use housing production.

South Bay Forward and LWV Beach Cities are committed to a South Bay that is inclusive, affordable, and attainable for all. We urge you to follow the law, support the City's long-term growth, new housing for diverse and working households, and approve this project.

Sincerely,

**Alex Fineman**, Redondo Beach Resident, South Bay Forward Vice Chair, Redondo Beach Lead  
**Grace Peng**, Redondo Beach Resident, South Bay Forward Partnerships Lead  
**Brianna Egan**, Redondo Beach Resident, South Bay Forward Outgoing Chair  
**Teri Neustaedter**, President, League of Women Voters of the Beach Cities

**From:** [Davis Hunt](#)  
**To:** [James Light](#); [Brad Waller](#); [Chadwick B. Castle](#); [Paige Kaluderovic](#); [Zein Obagi](#); [Scott Behrendt](#); [CityClerk](#)  
**Subject:** City Council Meeting 2/17/2026 Agenda Item L.1  
**Date:** Tuesday, February 17, 2026 10:21:05 AM

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***CAUTION: Email is from an external source; Stop, Look, and Think before opening attachments or links.***

Hello, I am a current resident of District 2 in Redondo Beach, and I am writing in support of Agenda Item L.1. The city is legally required to support this project. HCD has formally warned the city that to uphold the Planning Commission's (illegal) denial would further violate state law. I find it ridiculous that the city's recent revision of its housing element included this plan to satisfy the state and then the city turns around and blocks the development (in violation of state law) for petty, ego-based reasons.

The developer has listened to the planning commission's "concerns" regarding congestion on Pearl and has added parking and valet queuing capacity in response. The site currently has zero parking, the proposed project includes a 129-car garage, 129 is a lot more parking than zero. The project is tied to the city's housing goals and uses a currently unused site. Currently young families struggle to stay or move to Redondo Beach due to limited housing stock and rapidly increasing rents, this project would help address these issues. Additionally, it uses a currently empty site, helping further development in Redondo Beach and helping the city tackle its stated climate goals and efforts to address homelessness. The development would assist local businesses and create and sustain local jobs during the construction process and provide additional jobs once the development is completed. The development would help combat declining RBUSD enrollment and increase the tax revenue for the city. Regardless of the numerous benefits this development would bring, its denial was illegal. It is extremely disappointing to see our planning commission illegally deny a potential development, putting their personal feelings and gripes ahead of their responsibility to the city in a way that puts our city at risk.

--

R. Davis Hunt  
He/Him/His

# YIMBY Law

2261 Market Street STE 10416  
San Francisco, CA 94114  
[hello@yimbylaw.org](mailto:hello@yimbylaw.org)



YIMBY LAW

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February 17, 2026

City Council  
City of Redondo Beach  
415 Diamond St.  
Redondo Beach, CA 90277  
[cityclerk@redondo.org](mailto:cityclerk@redondo.org)

Re: 401-417 Pacific Highway Appeal, File #26-0228

Dear City Councilmembers,

YIMBY Law is a 501(c)(3) nonprofit organization dedicated to increasing housing accessibility and affordability throughout California. YIMBY Law holds cities accountable when they fail to comply with state housing laws. YIMBY Law closely monitors projects such as the one at 401 Pacific Coast Highway to ensure that all relevant state laws are properly applied, including the HAA. Should the City fail to follow these laws, YIMBY Law will not hesitate to file suit to ensure state housing policies are enforced.

When complete, this development will include a mixed-use condominium with 49 units; 5 of those units will be affordable for very low-income households, and 3 to moderate income households. As a mixed-use residential development located on land zoned for commercial use & located on a commercial corridor, this project is entitled to AB 2011 ministerial review. The project also receives protections under SB 330, the Housing Crisis Act, along with incentives and waivers from the State Density Bonus Law. Taken together, these protections entitle it to full approval, including of the coastal development permit. As your staff correctly analyze, the December 18, 2025 decision of the Planning Commission must be overturned. Further, the Coastal Commission and HCD themselves have notified your staff that this is a legally compliant project which Redondo Beach has no authority to deny.

The Commission's denial centered on a Density Bonus reduction of parking requirements. It based its decision on alleged safety issues the parking reduction could cause, and because the applicant had not shown that alternate parking requirements

# YIMBY Law

2261 Market Street STE 10416

San Francisco, CA 94114

[hello@yimbylaw.org](mailto:hello@yimbylaw.org)



YIMBY LAW

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would not result in identifiable cost reduction. Safety impacts have been solved by the project's redesign. The project applicant has added 44 spaces to the project, and added new safety features to improve ease of access and egress. The local Fire Department does not find any safety issues with the development, and finds that it will not inhibit emergency response capabilities. As to the question of actual cost reductions, the law does not require applicants to make any such showings. In fact, DBL states that a local government must make a showing of evidence to deny such waivers:

“The city, county, or city and county shall bear the burden of proof for the denial of a requested concession or incentive.” Gov Code § 65915(d)(4). The December Planning Commission hearing did not contain evidence relating to actual costs, and was therefore unable to deny the concession.

Under California state Density Bonus Law, California Government Code § 65915(e), so long as there are no specific, adverse impacts, upon health, safety, or the physical environment, and there are no feasible methods to satisfactorily mitigate or avoid the specific adverse impacts. The HAA, § 65589.5 (j)(3) specifies that the receipt of a density bonus does not constitute a valid basis on which to find a proposed housing development project is inconsistent, not in compliance, or not in conformity, with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision.

I am signing this letter both in my capacity as the Executive Director of YIMBY Law, and as a resident of California who is affected by the shortage of housing in our state.

Sincerely,

A handwritten signature in black ink that reads "Sonja Trauss". The signature is written in a cursive, flowing style.

Sonja Trauss  
Executive Director  
YIMBY Law