

May 14, 2003

**Honorable Chairman and Members of the
Hermosa Beach Planning Commission**

**Regular Meeting of
May 20, 2003**

SUBJECT: HEIGHT EXCEPTION 03-1

LOCATION: 321 Monterey Avenue

APPLICANT: Dennis Nivens

REQUEST: A HEIGHT EXCEPTION TO 35 FEET, ABOVE THE STANDARD
MAXIMUM OF 30 FEET, IN ORDER TO ALLOW A NEW SINGLE
FAMILY DWELLING

Recommendation:

Direct staff as deemed appropriate (see alternative actions at end of this report).

Background:

PROJECT INFORMATION

GENERAL PLAN: High Density Residential

ZONING: R-3

LOT SIZE: 1500 Square Feet

EXISTING USE: 2 Dwelling Units

PROPOSED SQUARE FOOTAGE: 1914 sq.ft. living area (3261 sq.ft with deck and
garage)

ENVIRONMENTAL DETERMINATION: Categorically Exempt, Pursuant to the California
Environmental Quality Act Guidelines, Section 15303,
Class 3(a): New Construction of Single Family
Residences and 15305, Class 5: Minor Changes in
Land Use Limitations, because the application is for an
exception to building height limitations in order to allow
construction of a single family residence.

Analysis:

The proposed project consists of a height exception to allow a new single family dwelling above the standard maximum height of 30 feet. The submitted plans show a proposed height of 3.4 feet above the required 30 feet, for a height of 33.4 feet (at critical point “CP2” for the front pitched roof portion) based on the architect’s height calculation. This is below the 35 feet requested. Staff cannot verify the whether the architect’s height calculation is precisely accurate, and thus cannot confirm whether the building is less than 35 feet at the critical points, as the roof plan and the survey information are incomplete and do not show precise property corner elevations. The new dwelling would replace the existing two-unit building on the site.

Pursuant to Section 17.16.020 of the Zoning Ordinance the Planning Commission may approve projects over the maximum of 30 feet, but not exceeding 35 feet if all the following criteria are met:

1. *An extension above the height limit is necessary to take advantage of a scenic view over surrounding structures which are already constructed above thirty (30) feet in height. Said structures already in excess of thirty (30) feet would otherwise significantly obstruct the proposed project's view potential;*
2. *The proposed development is located between, and adjacent to, two or more contiguous lots with buildings constructed in excess of the thirty (30) foot height limit;*
3. *The structural extension above thirty (30) feet will not adversely impact the available views, and access to sunlight and air of adjacent and surrounding properties;*
4. *If all the above conditions are satisfied, the following design features of the portion of the building above thirty (30) feet shall also be considered by the planning commission to determine if an exception should be granted.*
 - a. *The style and pitch of the roof,*
 - b. *The mass and bulk of the proposed structure above thirty (30) feet (in order to minimize bulk of the upper floor),*
 - c. *The architectural appearance, as exhibited by the type, style, and shape of the structure and the proposed exterior materials.*

Information has been submitted by the applicant which describes how the project satisfies the above criteria, including photos of the property and nearby properties. A presentation of these items will be made at the public hearing by the applicant.

Staff offers the following comments regarding the above criteria:

1. Need for Height Increase to Capture Scenic Views – Notes on the plan state that this height increase will provide views to the south, west and north which would not be

available if the 30-foot height limit were adhered to. However, from a site visit and review of the photo rendering of the new building and the adjacent buildings (on the front sheet of the submitted plans), it appears that views through the windows on the north and south sides of the new building would be blocked even with the height exception because of the closeness and bulk of the adjacent buildings. Therefore, the issue relates primarily to views to the west, over the building in back at 324 Bayview. These views would be seen from the top floor through the windows to the dining room and kitchen and from the rooftop deck. Because of this view orientation, in order to afford the desired views the height exception should be necessary only for the rear half of the new residence. The top floor's front pitched-roof portion should not need to extend above the 30-foot height limit in order to take advantage of the scenic views described in this criterion.

2. Height of Adjacent Buildings – The adjacent buildings exceed the 30-foot limit, extending up to 35 and 40 feet. Therefore, this criterion is met.
3. Impact on Available Views from Surrounding Properties – The apartment building across the street, at 306 Fourth Street, presently has a “corridor” view of the water over the existing two-story building on the site. This view will be obstructed by any new building up to 30 feet, which could be built “by right” without a height exception. However, the obstruction will be marginally greater if the proposed height exception is granted. Therefore, it is subject to the judgment of the Commission whether this criterion is satisfied.
4. Design Considerations – The front elevation of the building is an attractive design, with a textured stucco finish, front entry, bay windows on the second floor and a deck and pitched roof on the third floor. Also, because of the deck inset in front and the slope of the pitched roof, the building mass of the third floor, where the height exception is requested, is reduced from that of the first two floors.

The preceding analysis provides both evidence for and against the proposed height exception. In favor of the exception:

1. Some increase over the height limit, at least for the rear half of the residence, may be needed to capture scenic views of the water from the top floor and the roof deck.
2. Adjacent existing buildings are above the 30-foot height limit.
3. The proposed design provides good variation when viewed from the street, with reduced building mass on the top floor.

Considerations against the exception include:

1. The exception is needed only for the rear half of the building in order to afford views of the water. The height exception for the front half of the building would only serve to accommodate the pitched roof and high vaulted open beam ceiling for the living room.
2. Except for some nearby buildings, most of the buildings on the block do not extend above the height limit. Therefore, approval of the exception will tend to perpetuate overheight buildings in residential areas and extend the precedent for height exceptions.
3. The height exception will marginally increase the blockage of views of the water from residences across the street.

In view of the above considerations, the following alternative actions are available:

1. Approve the height exception as submitted.
2. Approve a height exception to allow the roof deck to extend to a height of 33 feet at its critical point (“CP1” on the plans), but deny the exception for the remainder of the building, i.e. the front portion with the pitched roof.
3. Deny the height exception in its entirety.

Dependant on the alternative action selected, an appropriate resolution will be drafted for adoption at the next Commission meeting.

Sol Blumenfeld, Director
Community Development Department

Attachments:

1. Location Map
2. Proposed plans
3. Correspondence:
 - a. In support of height exception from Ronald Blond of 324 Bayview (adjacent building to rear of subject property).
 - b. In opposition to height exception from Andrew and Leanne Clifton of 244 Monterey Blvd.