

July 9, 2003

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

**Regular Meeting of
July 15, 2003**

SUBJECT: GENERAL PLAN AMENDMENT 03-2
ZONE CHANGE 03-2
PARKING PLAN 03-2

APPLICANT: VERIZON CALIFORNIA
102 PACIFIC COAST HIGHWAY

REQUEST: GENERAL PLAN AMENDMENT FROM COMMERCIAL CORRIDOR TO HIGH
DENSITY RESIDENTIAL AND ZONE CHANGE FROM COMMERCIAL SPA-7
TO R-P RESIDENTIAL PROFESSIONAL OR R-3 MULTI-FAMILY
RESIDENTIAL FOR THE SURPLUS PARKING LOTS LOCATED ON FIRST
STREET

GENERAL PLAN AMENDMENT FROM COMMERCIAL CORRIDOR TO LOW
DENSITY RESIDENTIAL AND ZONE CHANGE FROM COMMERCIAL SPA-7
TO R-1 SINGLE FAMILY RESIDENTIAL FOR THE SURPLUS PARKING LOTS
LOCATED ON 2ND STREET

PARKING PLAN TO REDUCE AVAILABLE PARKING FOR THE VERIZON
SWITCHING FACILITY

Recommendation:

Direct staff as deemed appropriate from the following alternatives:

1. Recommend approval of the requested General Plan Amendments and Zone Changes by adoption of the attached alternative Resolution of approval, and approve the Parking Plan subject to conditions as contained in the attached Parking Plan Resolution.
2. Deny the requested General Plan Amendments, Zone Change, and Parking Plan. (Staff will prepare a resolution of denial for August 19, 2003 Commission meeting).

Background:

SITE INFORMATION

GENERAL PLAN:	Commercial Corridor
ZONING:	SPA-7
VERIZON SITE TOTAL AREA:	80,000 square feet
PORTION PROPOSED TO BE REZONED:	1 st Street: 20,208 square feet 2 nd Street: 6,800 square feet
EXISTING USE:	Switching Facility and Parking
BUILDING AREA:	56,600 Square Feet
EXISTING PARKING:	131 Spaces
PROPOSED PARKING TO REMAIN:	48 Spaces

The subject properties proposed for the General Plan Amendment and Zone Changes are located east of the Verizon Facility Structure which fronts on Pacific Coast Highway. The properties are currently improved as parking lots and are accessed exclusively from First and Second Streets.

The properties along First Street to the east, south and southwest of the subject property are zoned R-P (Residential Professional) and developed with multiple family residential projects. The properties along Second Street to the east and north of the subject property are zoned R-1 and developed with primarily single-family projects, and two nonconforming single-family homes are located to the west of the site on property zoned SPA-7.

The Staff Environmental Review Committee, at their meeting of May 8, 2003, recommended an environmental negative declaration for the proposed General Plan Amendment/Zone Change, based on the initial study, which is attached.

Analysis

GENERAL PLAN AMENDMENT / ZONE CHANGES

First Street Properties: The redesignation and rezoning request involves three parcels (identified as surplus parcels 1, 2 and 3 and legal parcels 39, 40, and 41). These lots are currently being used by the Land Rover dealership to store new vehicles as approved by a Parking Plan granted in November 1991. The properties became commercially designated as a result of the "Multi-Use Corridor" study in 1989. The City Council extended the depth of the commercially zoned property along First Street from 300 to 500 feet. Prior to that time, all parcels east of the Multi-Use Corridor (300' deep from P.C.H.) were designated High Density Residential and zoned R-P consistent with the other properties on First Street east of the Multi-Use Corridor boundary. The purpose of the changes in 1989 were to clarify a patchwork of existing zoning, and to clearly define the commercial/residential boundary to reflect the existing commercial use, and if possible to provide for potential commercial expansion of the P.C.H. fronting property. At that time the parking lots now being identified as "surplus" were still necessary for a much more intensively used GTE exchange building, and represented potential commercial expansion should the use have changed to another commercial use.

The applicant is proposing to return a portion of parking lot to High Density Residential and R-P zoning (or alternatively R-3 zoning) and therefore, to establish the depth of commercial zoning at 380 feet rather than 500 feet. The applicant believes this is a logical new boundary at the eastern edge of the primary parking lot for the Verizon parking facility given the reduced usage of the facility. The properties could be rezoned to R-P (Residential Professional) allowing either multi-family uses or offices, or to R-3 (Multi-Family Residential), which would limit development options to residential uses only.¹ Staff is recommending the R-3 zone for consideration, for consistency with the High Density Residential designation. In either case, the residential density allowed would equate to 33 units per acre, or up to 15 units for the three parcels. This would result in a density that is consistent with surrounding residential densities in the R-P zone along First Street, and compatible with the development pattern of the area to the south and west.

Second Street properties: The redesignation and rezoning request involves two parcels (identified as surplus parcels 4 and 5, and legal parcels 40 and 41), which are currently improved for parking, but have no current use. These properties were also the subject of the Multi-Use Corridor study in 1989, and were changed to Commercial Corridor and Specific Plan Area 7. Previously, the lots were zoned R-P and C-3 as part of the patchwork of zoning that existing prior to that time, and the lots containing nonconforming residential uses to the west were zoned R-1. The Commercial Corridor depth was therefore established at 340 feet at that time, including rezoning the existing houses, to clean up the existing patchwork zoning, and to create a

logical depth for commercial depth consistent with the parking lot and the goals of the Multi-Use Corridor study.

The applicant is proposing to make both these parcels Low Density Residential and R-1 to be consistent with the designations and land uses along Second Street. This would reduce the commercial depth as measured from P.C.H. from 340 to 260 feet.

Approving these changes would preclude significant expansion of the Pacific Coast Highway fronting commercial property eastward up the slope along First Street, and remove potential parking to supply such expansion from Second Street. This potential expansion is improbable in any short-term scenario, given the current use of the property and the substantial costs associated with relocating the infrastructure. However, the longer term potential for new commercial development is still possible, when considering possible technological changes and the potential for obsolescence of the existing Verizon infrastructure. Clearly, the loss of 80 feet of commercial depth on 2nd Street and 120 feet on First Street reduces the utility of the property for commercial development. The City Council has generally supported maintaining the commercial depths along P. C.H. but most recently supported the rezoning and redesignation of a parcel located on Tenth Street west of P.C.H.

The applicant argues that this property is unique, however, and does not fit in with the intent of encouraging new commercial development along P.C.H. The current use is a public utility containing substantial switching and computer telecommunications equipment and is the central location for all underground Verizon cabling, conduit and network facilities for the dissemination of telecommunication traffic. According to the applicant, the facility has been designed, constructed and maintained under the premise that it will remain for an extremely long-term time horizon, and movement of the facility is simply not viable, thereby precluding the possibility of any future commercial project that would front on P.C.H. This leaves only the rear portion of the facility available for commercial development. Development of a commercial use with access only on the residential streets does not seem desirable, and is not consistent with the provisions of the S.P.A. 7 zone, which limit commercial development to properties fronting on P.C.H.

PARKING PLAN

A Parking Plan is necessary to reduce the parking requirements and of the Verizon structure, and thereby make the land available for other uses. The applicant argues that the facility is largely automated, containing computer telecommunication switching and routing equipment, and a portion is vacant with no intent to be used for any other purpose, the parking requirements for a commercial use no longer apply and should be reduced. In effect, the applicant is requesting a reduction from the existing 131 parking spaces available for the building to the 48 available in the primary lot.²

Section 17.44.210, Parking Plans allows for Planning Commission consideration of less than required parking based on various factors, including the unique features of the proposed use. In this case, the applicant requests consideration based on the uniqueness of the largely automated facility, making most of the parking unnecessary. This Section also states that a covenant with the city a party thereto, may be required to limiting the use of the property and/or designate the method by which the required parking will be provided. In this case, if the Commission supports

the proposed redesignations, staff recommends requiring a covenant limiting the use of the building as a telecommunications switching facility containing automated equipment, and that use of any space currently vacant must contain the same attributes or remain vacant. Its possible that a portion of some the vacant space could be occupied, with the 48 spaces providing parking, however, since Verizon has no current plans for such use, it would require them coming back and amending the Parking Plan so the Commission could evaluate any such use.

Conclusion:

The Planning Commission must weigh the benefits of rezoning and redesignating commercially zoned property along the commercial corridor, against the disbenefits of losing some of the relatively small amount of commercial property in the City. Approximately 14% of the City is zoned commercial and less than 6% of that land is located along the City's commercial corridors. Reducing the depth of commercial lots renders the remainder of a site less usable for quality commercial and tends to have collateral effects on abutting properties since it becomes harder to provide the kinds of environmental mitigation for a project (increased setbacks, landscaping, etc.) that larger sites afford. However, this property has some unique conditions that may warrant special consideration. Also the request to approve less than required parking for the Verizon property, may be reasonable in that it is a low intensity use, so long as the City can by covenant restrict use of the property to the existing or a similar use.

Ken Robertson
Senior Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Proposed Resolutions
2. Maps (Location, General Plan, Zoning)
3. Aerial Photo and site photos
4. Applicant's letter and analysis
5. Initial Study Check-list
6. Correspondence

¹ A rezone to R-P would allow the same residential use as R-3, but would also allow professional offices. Given that the character of the surroundings is residential, staff is recommending R-3 in the attached Resolution for consistency with the High Density Residential General Plan designation. The R-P designations throughout the City are recommended to be changed to R-3 to achieve the same consistency in the current Land Use Element of the General Plan, and this is an issue that can be addressed with the proposed review of the Land Use Element with respect to all R-P zoned areas.

² Even with the 131 parking spaces, the building is currently nonconforming to parking, as it contains 56,600 square feet which would require 226 parking spaces based on a requirement of 1 space per 250 square feet (56,600/250=226). The applicant indicates the first floor, containing the automated equipment and support systems contains 37,300 square feet, and second floor contains 19,300 square feet. The second floor space was previously office space and is currently vacant, and Verizon has no current plans to use it.

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P.C. RESOLUTION 03-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A PARKING PLAN TO ALLOW THE VERIZON SWITCHING FACILITY TO REDUCE AVAILABLE PARKING TO 48 SPACES, SUBJECT TO A RESTRICTION ON THE USE OF THE BUILDING, AT 102 PACIFIC COAST HIGHWAY

Section 1. An application was filed by Verizon California seeking approval to allow a reduction of required parking, based on the uniqueness of the automated telecommunications switching facility, in order to sell off “surplus” parking lots located east of the facility along First Street and Second Street, requiring a Parking Plan pursuant to Section 17.44.210.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for Parking Plan on July 15, 2003, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission.

Section 3. Based on evidence received at the public hearing, the Planning Commission makes the following factual findings:

1. The Verizon switching facility building contains 56,600 square feet, and is largely occupied by automated telecommunications switching equipment and support systems, and vacant, significantly reducing the need for parking.
2. The existing parking available is 131 spaces, and the applicant proposes reducing the available parking to 48 spaces, which is significantly more than enough to satisfy their current and anticipated needs for 6 employees and any guests or vendors that may come to the site.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following finding pertaining to the application for the Parking Plan:

1. Pursuant to Section 17.44.210 the Planning Commission finds that reducing the parking requirement for the existing building is appropriate since the building’s only use is for a switching facility containing computer systems, switching and monitoring systems in panel or rack arrays, backup power systems, with no other intended use for either the areas currently used for this equipment and/or for the vacant portions of the building.
2. The applicant is willing to record a covenant to exclusively limit the use of all portions of the building to a telecommunication switching facility containing automated equipment with no administrative or office functions other than the limited support necessary. Any change in use will require amendment to this Parking Plan and consideration and review by the Planning Commission.
3. The 48 parking spaces proposed to be retained are more than adequate to support the current and long-term use of the switching facility.

1 4. The Planning Commission concurs with the Staff Environmental Review Committee's
2 recommendation, based on their Environmental Assessment/Initial Study that this project will result in a
3 less than significant impact on the environment, and therefore qualifies for a Negative Declaration.

4 Section 5. Based on the foregoing, the Planning Commission hereby approves the Parking
5 Plan subject to the following **Conditions of Approval:**

- 6 **1. The proposed use of the building shall be consistent with submitted plans and**
7 **consistent with the description of the intended use as submitted by the applicant,**
8 **limited to use as an automated telecommunications switching facility containing**
9 **computer systems, switching and monitoring systems in panel or rack arrays,**
10 **backup power systems, and containing no administrative or support offices.**
- 11 **2. Prior to any sale of the surplus parking lots, or approval for the development of**
12 **said lots which will reduce the available supply of parking, a covenant shall be**
13 **recorded, with the City a party thereto and running with the land, guaranteeing the**
14 **building will not be converted to any use other than as described above in condition**
15 **Number 1.**

16 Section 6. This grant shall not be effective for any purposes until the permittee and the owners
17 of the property involved have filed a the office of the Planning Division of the Community Development
18 Department their affidavits stating that they are aware of, and agree to accept, all of the conditions of
19 this grant.

20 The Parking Plan shall be recorded, and proof of recordation shall be submitted to the Community
21 Development Department.

22 Each of the above conditions is separately enforced, and if one of the conditions of approval is found to
23 be invalid by a court of law, all the other conditions shall remain valid and enforceable.

24 Permittee shall defend, indemnify and hold harmless the City, it agents, officers, and employees from any
25 claim, action, or proceeding against the City or its agents, officers, or employee to attack, set aside,
26 void or annul this permit approval, which action is brought within the applicable time period of the State
27 Government Code. The City shall promptly notify the permittee of any claim, action, or proceeding and
28 the City shall cooperate fully in the defense. If the City fails to promptly notify the permittee of any claim,
29 action or proceeding, or if the City fails to cooperate fully in the defense, the permittee shall no
thereafter be responsible to defend, indemnify, or hold harmless the City.

 The permittee shall reimburse the City for any court and attorney's fees which the City may be required
to pay as a result of any claim or action brought against the City because of this grant. Although the
permittee is the real party in interest in an action, the City may, at its sole discretion, participate at its

1 own expense in the defense of the action, but such participation shall not relieve the permittee of any
2 obligation under this condition.

3 The subject property shall be developed, maintained and operated in full compliance with the conditions
4 of this grant and any law, statute, ordinance or other regulation applicable to any development or activity
5 on the subject property. Failure of the permittee to cease any development or activity not in full
6 compliance shall be a violation of these conditions.

7 The Planning Commission may review this Parking Plan and may amend the subject conditions or
8 impose any new conditions if deemed necessary to mitigate detrimental effects on the neighborhood
9 resulting from the subject use.

10 VOTE: AYES:
11 NOES:
12 ABSENT:
13 ABSTAIN:

14 **CERTIFICATION**

15 I hereby certify the foregoing Resolution P.C. 03- is a true and complete record of the action taken by
16 the Planning Commission of the City of Hermosa Beach, California, at their regular meeting of July 15,
17 2003.

18 _____
19 Peter Hoffman, Chairman

20 _____
21 Sol Blumenfeld, Secretary

22 Date 7/15/03_____

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P.C. RESOLUTION 03-

**A RESOLUTION OF THE PLANNING COMMISSION TO
RECOMMEND AMENDMENTS TO THE GENERAL PLAN AND
ZONING MAPS FOR THE PARKING LOTS ABUTTING THE
VERIZON SWITCHING STATION FACILITY LOCATED AT 102
PACIFIC COAST HIGHWAY**

The Planning Commission of the City of Hermosa Beach does hereby resolve and order as follows:

Section 1. An application was filed by Verizon California Incorporated, owners of property at 102 Pacific Coast Highway, seeking to amend the General Plan Map and the Zoning Map for the surplus parking lots located behind and east of the switching facility building fronting on Pacific Coast Highway (P.C.H.).

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for a General Plan Amendment and Zone Change on July 15, 2003, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission.

Section 3. Based on evidence received at the public hearing, the Planning Commission makes the following factual findings:

1. The applicant is requesting General Plan Amendments and Zone Changes for surplus parking lot properties located along First Street and Second Street as follows:

- a) General Plan Amendment from Commercial Corridor to High Density Residential, and Zone Change from S.P.A. 7 to R-3 or R-P for three parcels containing the surplus parking lots located along the north side of First Street, located a distance 380 to 500 feet east of P.C.H. and legally described as lots 39, 40 and 41 Trafton Heights Tract
- b) General Plan Amendment from Commercial Corridor to Low Density Residential and Zone Change from S.P.A. 7 to R-1 Single Family for two parcels containing the surplus parking lot located on the south side of 2nd Street, located a distance 260 to 340 feet east of P.C.H. and legally described as lots 40 and 41 Homer Builds'Place Tract.

2. The SPA-7 zoning for these properties allows commercial uses only, and Section 17.38.300 limits commercial use of the property if connected to a P.C.H. fronting use and therefore would not allow a free-standing new commercial use with access exclusively on the residential side streets.

3. The requested changes will allow residential development for up to fifteen units on the First Street surplus lots, consistent with the High Density Residential category of the General Plan and either the R-P or R-3 zone, and two single family units on the Second street fronting lots consistent with the Low Density Residential category of the General Plan and the R-1 zone.

1 4. The subject properties were redesignated to Commercial Corridor on the General Plan and
2 Commercial S.P.A. 7 on the zoning map in 1989 by the City Council as part of the Multi-Use Corridor
3 study, from prior designations that would have allowed high density residential use of the Frist Street
4 properties and single family use of the Second Street property.

5 Section 4. Based on the foregoing factual findings, the Planning Commission makes the following
6 findings pertaining to the General Plan Amendment and Zone Change:

7 1. The General Plan Amendment and Zone Change will allow the surplus parking lot areas which are
8 limited in their potential for commercial use to be used for a viable use, given that the switching station is
9 not planned or ever likely to be relocated to allow an alternative commercial use. This would recognize
10 that the parking needs of the switching facility have substantially reduced due to automation, and will allow
11 the development of an appropriate residential land use consistent with surrounding properties.

12 2. The subject properties to be redesignated are appropriate for residential use as it is abutted by
13 residential uses to the north, east and south, and located in an area, which is predominantly residential in
14 character. A residential use of the subject properties will be more compatible to surrounding residential
15 uses than a potentially more intensive and intrusive commercial use. The redesignation to High Density
16 Residential on the General Plan Map and R-3 on the Zoning Map will be consistent with designations to
17 the east and south of the subject properties on First Street, and will allow two units on the subject property
18 consistent with surrounding residential development.

19 3. The Planning Commission concurs with the Staff Environmental Review Committee's
20 recommendation, based on their Environmental Assessment/Initial Study that this project will result in a
21 less than significant impact on the environment, and therefore qualifies for a Negative Declaration.

22 Section 5. Based on the foregoing, the Planning Commission hereby recommends that the City
23 Council amend the Land Use Map of the General Plan, and the City's Official Zoning Map as follows:

24 1. Amend the Land Use Map of the General Plan by changing the property described below, and
25 shown on the attached map, from Commercial Corridor to High Density Residential, and amend the
26 Zoning Map by changing the properties, as described below and shown on the attached map, from Specific
27 Plan Area 7 (SPA-7) to Multiple Family Residential (R-3):

28 Lots 39, 40 and 41 Trafton Heights Tract

29 2. Amend the Land Use Map of the General Plan by changing the property described below, and
shown on the attached map, from Commercial Corridor to Low Density Residential, and amend the Zoning
Map by changing the properties, as described below and shown on the attached map, from Specific Plan
Area 7 (SPA-7) to Single-Family Residential (R-1):

Lots 40 and 41 Homer Builders' Place Tract

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VOTE: AYES:
 NOES:
 ABSENT:
 ABSTAIN:

CERTIFICATION

I hereby certify the foregoing Resolution P.C. 03- is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California, at their regular meeting of July 15, 2003

Peter Hoffman, Chairman

Sol Blumenfeld, Secretary

July 15, 2003 Date

zcr102PCHapprov