

August 11, 2003

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

**Regular Meeting of
August 19, 2003**

SUBJECT: GENERAL PLAN AMENDMENT 03-3
ZONE CHANGE 03-3
CONDOMINIUM 03-7
PRECISE DEVELOPMENT PLAN 03-8
VESTING TENTATIVE TRACT MAP #060067

APPLICANT: ANDREW FISHER
725 FIFTH STREET

REQUEST: GENERAL PLAN AMENDMENT FROM COMMERCIAL CORRIDOR TO
MEDIUM DENSITY RESIDENTIAL AND ZONE CHANGE FROM
COMMERCIAL SPA-7 TO R-2 TWO-FAMILY RESIDENTIAL AND THE
DEVELOPMENT OF A NINE-UNIT CONDOMINIUM PROJECT

Recommendation:

Direct staff as deemed appropriate from the following alternatives:

1. Deny the requested General Plan Amendment, Zone Change, and Condominium project by adopting the attached Resolution.
2. Recommend approval of the requested General Plan Amendments and Zone Change, and continue the hearing on the development plan for the residential condominium project. (Staff will prepare resolutions of approval for the next Commission meeting).

Background:

SITE INFORMATION

GENERAL PLAN:	Commercial Corridor
ZONING:	SPA-7
DEPTH FROM P.C.H.:	140 to 290 Feet
EXISTING USE:	Commercial
UNITS ALLOWED IF R-2 ZONE:	9
NUMBER OF UNITS PROPOSED:	9
PROPOSED SQUARE FOOTAGE:	1,166 to 1,591 Square Feet each
ENVIRONMENTAL DETERMINATION:	Negative Declaration Recommended (Initial Study on file)

The subject property is located on the north side of Fifth Street, and contains no connection to or frontage P.C.H. and is currently fully developed with commercial uses. The property abuts property to the east and north that also is designated Commercial and zoned SPA-7, and contains commercial uses. Abutting property to the west and across Fifth Street to the south are designated Medium Density Residential and zoned R-2.

The Staff Environmental Review Committee, at their meeting of July 10, 2003,



725 Fifth Street

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P.C. RESOLUTION 03-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, TO DENY A GENERAL PLAN AMENDMENT FROM COMMERCIAL CORRIDOR (CC) TO MEDIUM DENSITY RESIDENTIAL AND A ZONE CHANGE FROM SPECIFIC PLAN AREA 7 (S.P.A. 7) TO TWO-FAMILY RESIDENTIAL (R-2) FOR THE PROPERTY LOCATED AT 725 FIFTH AND LEGALLY DESCRIBED AS THE WEST 150 FEET OF A PORTION OF LOT 24, BLOCK 78, SECOND ADDITION TO HERMOSA BEACH

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

Section 1. An application was filed by Andrew Fisher owner of property at 725 Fifth Street seeking to amend the General Plan Map and the Zoning Map for the subject property.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the application for a General Plan Amendment and Zone Change on August 19, 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 property is designated Commercial Corridor on the General Plan Map, and S.P.A. 7 (Commercial Specific Plan Area) on the official City Zoning Map as a result of the Multi-Use Corridor study in 1989. The S.P.A. 7 zoning for the site allows continued commercial use of the property, or an assembly of this property with the P.C.H. fronting commercial property, and does not allow residential use.

2. The requested change will reduce the depth of the commercial designated property, as measured from P.C.H. westward, from 290 feet to 140 feet, and replace the commercial designations on the subject property to allow residential development for up to nine units consistent with the Medium Density Residential classification of the General Plan and the R-2 Zoning district in the Zoning Ordinance.

3. The property at 725 Fifth Street currently is used for commercial purposes containing motor vehicle repair shops and an office.

4. The adjacent property to the north is designated on the General Plan and Zoning Maps for commercial purposes to a depth of 290 feet, and to the south across Fifth street to a depth of 130 feet.

5. Surrounding abutting property to the north and east is designated Commercial Corridor on the General Plan Map and Zoned R-2, and is currently developed with automotive related commercial uses. mix of single and multi-family uses.

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

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1. The proposed amendment to the General Plan Map to reduce the depth of the Commercial Corridor designation from 290 to 140 feet, is not in the best interest of the City with respect to long-term land use and development of the Pacific Coast Highway Commercial Corridor.

2. The General Plan Map accurately depicts the appropriate commercial depth for long-term land use and development of the Pacific Coast Highway corridor at this segment of the corridor and is at a consistent depth for the block between 5th and 6th Street.

3. Reducing the potential depth for commercial development would preclude the opportunity for new commercial activity or the continuation or expansion of existing commercial activity along the subject segment of the P.C.H., and will reduce the already limited opportunities for new and/or expanded commercial uses to locate along Pacific Coast Highway within the boundaries of Hermosa Beach.

Section 6. Based on the foregoing findings, the Planning Commission hereby denies the requested General Plan Amendment.

Section 7. By virtue of the denial of the proposed General Plan Amendment, it would be contrary to State Law to approve the Zone Change because such a change it would render the Zoning designation inconsistent with the General Plan designation. Therefore, the Zone Change is hereby denied.

Section 8. By virtue of the denial of the General Plan Amendment and Zone Change it would be contrary to the Municipal Code to approve the proposed 9-unit residential condominium project as the current zoning does not permit residential uses. Therefore the Conditional Use Permit, Precise Development Plan, and Vesting Tentative Tract Map for a 9-unit condominium is hereby denied.

VOTE: AYES:
 NOES:
 ABSENT:
 ABSTAIN:

CERTIFICATION

I hereby certify the foregoing Resolution P.C. 02- 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 August 19, 2003

Peter Hoffman, Chairman

Sol Blumenfeld, Secretary

Date

zcr725-5th denial

recommended an environmental negative declaration for the proposed General Plan Amendment/Zone Change, and the development plan based on the initial study, and traffic impact analysis prepared by Linscott, Law and Greenspan which demonstrates that residential use will have a substantially lower traffic generation than the existing uses, and 3 other alternative commercial land uses¹.

Analysis

GENERAL PLAN AMENDMENT / ZONE CHANGES

The subject property is currently occupied by four businesses including two motor vehicle repair shops, an auto upholstery shop and an office. The General Plan was changed from Multi-Use Corridor to Commercial Corridor, and the zoning changed from C-3 to S.P.A. 7 as a result of the "Multi-Use Corridor" study in 1989. The depth for commercial development from P.C.H. essentially stayed the same at 290 feet. Motor vehicle related business and a retail flower shop occupy the remaining property on the block between 5th and 6th Streets, which surround the subject property to the north and east, and which also contains frontage on P.C.H.

The applicant is proposing to limit the Commercial General Plan and Zoning map designations to a depth of 140 feet from P.C.H. and change the subject property to Medium Density Residential and R-2. While this would be more consistent with the property to the south across 5th Street which has a commercial depth of 130 feet, the property would then become inconsistent with abutting property to the north which shares this same block. (see attached zoning map)

Approving these changes would preclude future use of the property for commercial purposes, and limit the potential expansion of the Pacific Coast Highway fronting commercial property. 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 does not fit in with the intent of encouraging new commercial development along P.C.H. because of existing ownership divisions, and economic and neighborhood compatibility considerations. To support this argument the applicant has provided a traffic generation analysis and a supplemental fiscal analysis that estimates the existing and potential tax revenue associated with this property. The traffic analysis demonstrates the lesser traffic impacts residential uses may have as compared to commercial uses, and the fiscal analysis demonstrates the potential fiscal advantage to the city in terms of tax revenue of the proposed residential use as compared to the existing commercial use. Further, it shows that even a successful commercial redevelopment of the site would provide no greater fiscal revenue than the residential uses because of the property tax gains.

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.

RESIDENTIAL CONDOMINIUM PROJECT

The applicant has provided project plans to clearly show the Commission their intended residential development should the General Plan Amendment and Zone Change be approved. They have also submitted the plans for approval should the Commission rule favorably upon the GPA and Zone Change.

If the Commission does not support the General Plan Amendment and Zone Change there is no reason to consider the condominium project and the applicant must appeal the decision². If the applicant, on appeal, obtains approval from the City Council on the General Plan Amendment and Zone Change, the Commission can review the merits of the residential project at that time. Therefore, staff is providing the following analysis of the residential project for the benefit of the Commission only if it recommends approval of the GPA and Zone Change to R-2.

PRECISE DEVELOPMENT PLAN / CONDITIONAL USE PERMIT – IF R-2 ZONE

The proposed project consists of nine units, detached into three separate clusters of containing four, three, and two attached units. One driveway will be provided on Fifth Street to provide vehicle access to all the units along a common “motor court”. The buildings each contain two stories above a basement, and five of the units contain roof decks. The units range in size from 1,166 to 1,590 square feet and contain 2 or 3 bedrooms. The buildings are designed in a Contemporary style of architecture.

Each unit contains a two-car garage with access via the common motor court to Fifth Street. Guest parking is provided along the common driveway adjacent to the garages. No on street parking will be lost, as the new curb cut on Fifth Street will replace two existing curb cuts.

The project is generally designed to comply with the R-2 requirements of the Zoning Ordinance, however, the plans fall short in providing adequate open space. Lot coverage calculates to be 40%, to comply with the maximum of 65% and all required yards are provided. The prevailing setback along the north side of Fifth Street is 10-feet, and the project provides 7' for building A and 8' for building C. The plans show sufficient common open space area to comply with the requirement for projects containing five or more units, as 900 square feet is provided in a landscaped garden area in the rear of the property. The plans are deficient, however, in providing the minimum of 300 square feet of open space per unit, and at least 100 accessible to primary living areas, as the deck for the unit C floor plan, is more than 50% covered by the floor above. Sufficient open space is supplied for each unit and for the total project. A substantial portion of the required private open space for each unit is provided directly accessible to second story living areas (100 square feet) with the balance of open space provided on roof decks. A common courtyard area containing 1,295 square feet is provided to comply with the requirement for an additional 100 square feet of “common recreation” area per unit for projects of 5 or more units. The required yards include side yards of 7.5 feet (1 ½ times the required side yard for row units fronting on a side yard). The minimum 5 feet is provided and the yards average well over 7.5 feet, consistent with past Planning Commission policy to allow averaging of side yards to meet the special requirement for row units.

The Zoning Ordinance describes the required common open space area or facility as areas that may include “play areas, pool, spa, recreation room, gym, garden and similar amenities for the common use of all owners.” The rear yard garden, at best, could be described as passive recreation area, and may be sufficient to comply with the intent of the Zoning Ordinance,” although in the past the Commission has preferred areas that contain amenities such as a gazebo or picnic area.

The structures are proposed to comply with the 30-foot height limit, as measured from existing corner point elevations and existing grade, but the plans do not provide the necessary detail on the roof plan to verify compliance with the height limit.

Sufficient and substantial landscaping is proposed, as shown with the conceptual landscape information provided on the site plan. The plan does not include details as to species or box sizes, however, as required. The plans also do not contain sufficient information with respect to storage space, fences and walls, and site finished grades for staff to make an informed recommendation on the project.

Each building has a different architectural appearance, but the individual units within the buildings are uniformly designed which may not be consistent with past Commission direction to require differentiation between units. Further the front setbacks of 7-feet and 8-feet are not consistent with the prevailing 10-foot setback on Fifth Street.

In summary, the condominium project plans are sufficient to demonstrate the applicant's intent for developing this property should the zoning be changed, and show an attractive and well designed project that could be adjusted to comply with R-2 zoning requirements and typical design requirements of the Commission. Staff would recommend that if the Commission is inclined to approve the Zone Change that it continue the hearing on the development plans for the applicant to address the items noted above.

Ken Robertson
Senior Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Resolution
2. Maps (Location, General Plan, Zoning)
3. Aerial Photo and site photos
4. Applicant's letter and analysis (traffic study, fiscal analysis)
5. Zoning Analysis/Height calculation
6. Correspondence

¹ Trip Generation Analysis prepared by Linscott, Law and Greenspan dated June 9, 2003. Table 2 provides the traffic generation comparison between the existing use, the proposed residential use, and alternative commercial uses; specialty retail; fast food restaurant; sit-down restaurant.

² Pursuant to Section 17.66.090 The Planning Commission's decision is final when denying a zone change unless the applicant files an appeal to the City Council. This process is also consistent with State Law as set forth in Section 65856 of the Government Code.