

August 9, 2005

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

**Regular Meeting of
August 16, 2005**

SUBJECT: APPEAL OF DIRECTOR'S DECISION REGARDING THE GRADE USED FOR
HEIGHT MEASUREMENT - 620 GOULD AVENUE

Recommendation

To direct staff as deemed appropriate by minute order, from the following alternatives:

1. Determine the property to be a regularly sloping lot and interpolate the grade from the corner points; or
2. Determine that the south retaining wall at the southwesterly corner point represents unaltered grade and interpolate the grade from the top of wall elevation; or
3. Determine that unaltered grade is at the top of the south retaining wall for the southwesterly corner point elevation and at the top of east retaining wall for the southeasterly corner point; or
4. Determine that unaltered grade is at the top of the south retaining wall for the southwesterly corner point elevation and ½ the difference between the subject lot and the adjacent elevation of the lot to the east for the southeasterly corner point elevation.

Background

The subject lot is located on the south side of Gould Avenue near the bottom of the hill that slopes up slightly from Ardmore Avenue for approximately 622 feet (on the south side) before rising steeply up towards Pacific Coast Highway. The lot is zoned R-1 with a height limit of 25-feet, and can be developed with one dwelling unit. The lot is not convex and has a regular slope as indicated in the attached profile map. The property owner is requesting an alternative datum for measuring building height.

Analysis

Pursuant to the definition of building height, as set forth in Section 17.04.040 of the Zoning Ordinance, and the method of determining building height, as set forth in Section 17.46.015, the grade used for the height measurements is based on the surveyed elevations points at the property corners. The method for determining building height, however, also allows consideration of other points for lots where there is significant variation in elevations between adjacent grades at corner points, the point of measurement shall be established based on the elevation at the nearest public improvement or an alternative point within 3 horizontal feet which, based on supporting evidence, represents existing unaltered grade. In cases where the datum for height measurement is disputed, the final determination of the grade may be referred to the Planning Commission. The evidence available to staff for evaluating the applicant's request includes a property survey, adjacent street profile maps and photos of site conditions.

The lots south of Gould Avenue are unusual in that there is a large right-of-way creating a property line that is 20 feet from the edge of the street. Unlike the properties to the east of the subject property which are higher up the hill on Gould Avenue and have more drastic grade changes, the slope drops gradually down from the curb line to the front property line of the subject property with an elevation change of less than 2 feet and without retaining walls within the right-of-way. Based on this condition, staff believes that the existing northerly corner points of the subject property represent unaltered grade. Therefore there does not appear to be a significant cut condition along this segment of Gould Avenue that would affect the "natural grade" of the lot as defined under Section 17.46.015 of the Code. (Please see attached photos).

In contrast to Gould Avenue, Ardmore Avenue which is the closest street located to the west of the subject lot, has been cut approximately 2'-0" in the area closest to the property. This is clearly shown on the attached street profile map. The street cut contributes to the lower grade of the adjoining lots and affects the corner point elevations of the subject lot. The southerly datum reflects the cut condition of the street to the west (Ardmore Avenue). Based on the information shown on the street profile map for Ardmore Avenue (Profile Map #2478), if the surveyed elevation along Ardmore Avenue was extended from the finished street elevation back to the subject lot it would extend well above the existing southerly corner point elevations. There is also a low retaining wall along the southerly property line of the subject lot. The wall height reduces from west to east reflecting elevation changes in the retained grade between the lots. Staff believes that since Ardmore Avenue was cut, the lot adjacent the street was similarly cut affecting the overall elevation of the southerly corner point elevations. There are significant variations in grade resulting from the cut and graded conditions of the street and site that should be considered in determining unaltered grade at the southerly corner points of the property. Therefore, staff believes that grade may be taken for the southeasterly and southwesterly corner point elevation at the top of the south retaining wall consistent with Section 17.04 of the Zone Code.

The applicant is requesting an alternative point at the top of a retaining wall that runs along the east of the property and believes that his property conditions are similar to the property at 636 Gould Avenue, located four lots to the east, where a top of wall elevation was used to calculate building height. In that case, the conditions of the street cut were greater on both Ardmore Avenue (3 feet) and Gould Avenue (11 feet) in the vicinity of the lot and there was a greater difference in elevation between the lots (8 feet rather than 5 feet).

Staff supports the use of the top of south retaining wall elevation for the southerly corner points given the existing condition of the lot and surrounding terrain. The Commission may also want to consider the owner's argument that the lot to the east is five feet higher at the corner point and that this elevation should be considered relative to establishing the datum for the southeasterly corner point of the subject property since similar consideration was given to a lot further to the east along the same street. The Commission has the authority to take an elevation within 3 horizontal feet or split the difference between the two elevations if it represents unaltered grade at the corner point or simply use the top of the east retaining wall. (Please see attached survey). If the top of wall datum are not used for the proposed project, a roof deck and two significant architectural turret elements must be lowered or eliminated as part of a proposed remodeling project for a home.

CONCUR:

Scott Lunceford
Associate Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

1. Property Survey
2. Property Profile
3. Location Map
4. Annotated Portion of Street Profile Map #2478
5. Photos



620 Gould Avenue – view of retaining wall at southwest property corner



620 Gould Avenue – view of rear property line looking east



Gould Avenue – view looking east from bottom of hill near Ardmore Avenue. Note how street rakes steeply at mid block.



Ardmore Avenue – view looking south from the rear of the subject property. Note retaining walls.



636 Gould Avenue – front view of property showing steep grade change from the street