

January 21, 2003

**Honorable Mayor Members of the
Hermosa Beach City Council**

**Regular Meeting of
January 28, 2003**

SUBJECT: RECONSIDERATION OF GENERAL PLAN AMENDMENT FROM
GENERAL COMMERCIAL TO MEDIUM DENSITY RESIDENTIAL AND
ZONE CHANGE FROM C-3 (GENERAL COMMERCIAL) TO R-2 (TWO-
FAMILY RESIDENTIAL)

GENERAL PLAN AMENDMENT 02-2
ZONE CHANGE 02-2

LOCATION: 726 10th STREET

APPLICANT: JOHN ROBERT AND GLORIA KOLESAR, 714 10TH STREET
HERMOSA BEACH, CA 90254

Planning Commission Recommendation:

To deny the requested General Plan Amendment and Zone Change by adoption of the attached resolution.

Background:

The Planning Commission, at their meeting of December 4, 2002 voted 3:1 to deny the requested Zone Change and General Plan Amendment.

SITE INFORMATION

GENERAL PLAN:	General Commercial (MD - Residential Proposed)
ZONING:	C-3 (R-2 proposed)
LOT SIZE:	4,860 Square Feet
EXISTING USE:	Single Family Residence

The subject property is currently developed with a single-family residence, constructed in the 1920's and is located on the south side of Tenth Street immediately west of the commercial development that fronts on Pacific Coast Highway (currently a Mobil service station). The lot is located at a depth of 155 to 200 feet from Pacific Coast Highway. A barrier at Tenth Street creates a dead-end from both the easterly and westerly directions directly in front of the subject property. The barrier is curbed, planted. (Please see attached site photo). The C-3 zoning for the site does not allow a residential use, and the existing nonconforming use is limited to a maximum 50% expansion pursuant to the Nonconforming Ordinance.

The 200 foot commercial depth for 10th Street west of P.C.H. dates back to the 1956-zoning map. The older zoning and land use maps prior to 1956 show the commercial depth at 110 feet. The property directly to the south behind the subject lot is zoned R-2 and developed residentially. The property across 10th Street is zoned C-3 inconsistent with its General Plan designation of Medium Density Residential, and is currently used for a residential trailer park. The properties to the west is zoned residential and developed residentially. (See the attached aerial photo and General Plan and Zoning Maps).

Analysis

The applicant is requesting to redesignate and rezone the property to MD Residential and R-3 which allows residential use of the lot for either single-family use or a 2-unit condominium project. Approving this change precludes future expansion of the Pacific Coast Highway fronting commercial property to the west by incorporating this lot. Recent direction from the City Council on the issue of commercial depths along Pacific Coast Highway has been to maintain commercial depths and not allow encroachment of residential uses. The City Council has previously recognized that land assembly to increase commercial lot depth may encourage higher quality commercial projects or add commercial parking to improve existing commercial activity. The development of the subject parcel as an independent commercial project is improbable, since it is located at the dead-end terminus of 10th Street adjacent to a traffic barrier. It may be possible, however, to relocate the barrier somewhat for development of a commercial use.

An analysis of the financial benefit to the City generated by redevelopment of the property with new condominium residential uses indicates substantial increase in tax revenue for the property from \$67 to \$2,840 per year. ¹

The applicant argues that the subject property is unique given that the street barrier sits directly in front of the property making commercial development difficult. The property owner has inquired with Exxon/Mobil to see if they had interest in expanding their service station property to the west, and at this time they have expressed no interest (Please see the attached letter). Given that opportunities for commercial use of this property at this time are limited, the applicant argues that continued commercial zoning is not the best use for the neighborhood. Further, the depth of the commercial zone is greater at the south side of 10th than the adjacent block to the south and other streets between 8th and 10th Streets. The trailer park use across the street is also residential, and although it is also zoned C-3 at this depth from P.C.H. this zoning is inconsistent with the General Plan designation of Medium Density Residential. Finally, given that the zoning in this section of the P.C.H. corridor is C-3 rather than S.P.A. like other sections, the property is limited to a 50% expansion allowed under the Nonconforming Ordinance. (The commercial S.P.A. 7 or S.P.A. 8 contain special provisions for commercial lots fronting on side streets with nonconforming residential uses, that allows new residential uses at the same density as the existing use.). Please refer to the applicant's letter for further elaboration of these arguments.

In summary, there are unusual circumstances connected to the property relative to the location of the barrier and dead-end condition of the street that merit consideration for the proposed zoning and General Plan redesignation. The property has little utility today for other than for a small single-family dwelling held to the limitations of the Nonconforming Ordinance and there is no current interest in assembling the property for commercial development. Additionally, there are obvious property tax benefits to the City with the proposed rezoning and General Plan redesignation, which must be considered against the long-term benefit in preserving the commercial depth of the City's main commercial corridor.

Ken Robertson
Associate Planner

Concur:

Sol Blumenfeld, Director
Community Development Department

Stephen R. Burrell,
City Manager

Attachments

1. Resolution
2. Planning Commission minutes
3. Maps (Location, General Plan, Zoning)
4. Aerial Photo and site photos
5. Applicant's letter and analysis

¹ The City's portion of the property tax revenue for the subject property is currently \$67.25 per year, 0.2029% of its assessed valuation of \$33,165. If redeveloped with a two-unit condominium selling for \$700,000 per unit, the assessed value would increase to \$1,400,000 and the City's property tax revenue would be \$2,840 (\$1,400,000 X 0.2029%), an increase of \$2,773 per year.

RESOLUTION 02-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, SUSTAINING THE PLANNING COMMISSION DENIAL OF A REQUEST FOR GENERAL PLAN AMENDMENT FROM GENERAL COMMERCIAL (GC) TO MEDIUM DENSITY RESIDENTIAL AND A ZONE CHANGE FROM GENERAL COMMERCIAL (C-3) TO TWO-FAMILY RESIDENTIAL (R-2) FOR THE PROPERTY LOCATED AT 726 TENTH STREET AND LEGALLY DESCRIBED AS LOT 10, TRACT 223, HERMOSA BEACH TRACT

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

Section 1. An application was filed by John Robert and Gloria Kolesar owners of property at 726 10th 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 December 4, 2002, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission, and based on that evidence and findings as contained in P.C. Resolution, the Planning Commission denied the application.

Section 3. The City Council conducted a duly noticed public hearing to reconsider and review the decision of the Planning Commission on the application for a General Plan Amendment and Zone Change on January 28, 2003, at which testimony and evidence, both written and oral, and the record of decision of the Planning Commission, was presented to and considered by the City Council.

Section 4. Based on evidence received at the public hearing and the record of decision of the Planning Commission, the City Council makes the following factual findings:

1. The property contains a single-family dwelling and is designated General Commercial on the General Plan Map, and General Commercial (C-3) on the official City Zoning Map. The C-3 zoning for the site allows local commercial uses only. The existing nonconforming residential use on the property is limited to a 50% expansion pursuant to Chapter 17.52 of the Zoning Ordinance regarding nonconforming uses.

2. The requested change will reduce the depth of the commercial designated property, as measured from Pacific Coast Highway westward, from 200 to 155 feet, and replace the commercial designations on the subject property to allow residential development for up to two 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 726 10th Street has been in continuing use for residential purposes since the 1920's.

4. Properties to the south and west are designated Medium Density Residential on the General Plan and zoned R-2, which allows residential development up to a density of 25 units per acre, and is currently developed with a mix of single and multi-family uses. Across Tenth Street to the north, the property is designated Medium Density Residential on the General Plan, with an inconsistent zoning designation of C-3. It is currently developed with a residential trailer park. Adjacent property to the east

1 along Pacific Coast Highway has the same designations as the subject property, and is currently developed
2 with a service station.

3 Section 5. Based on the foregoing factual findings, the City Council makes the following findings
4 pertaining to the General Plan Amendment and Zone Change:

5 1. The proposed amendment to the General Plan Map to reduce the depth of the General
6 Commercial designation by excluding 726 Tenth Street, from 155 feet to 200 feet, is not in the best
7 interest of the City with respect to long-term land use and development along the Pacific Coast Highway
8 commercial corridor.

9 2. The General Plan Map accurately depicts the appropriate depth for commercial
10 development and long-term land use and development of this area.

11 3. Reducing the potential depth for commercial development would preclude the opportunity for
12 new commercial activity or the expansion of existing commercial development along the subject segment
13 of Pacific Coast Highway.

14 Section 6 Based on the foregoing findings, the City Council hereby denies the request to
15 amend the Land Use Map of the General Plan.

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

20 PASSED, APPROVED and ADOPTED this day of ,2003

21 _____
22 PRESIDENT of the City Council and MAYOR of the City of Hermosa Beach, California

23 ATTEST: APPROVED AS TO FORM:

24 _____
25 CITY CLERK

26 _____
27 CITY ATTORNEY