

July 20, 2006

Honorable Mayor and Members of
the Hermosa Beach City Council

Regular Meeting of
July 25, 2006

**APPEAL OF PLANNING COMMISSION DECISION, ON JANUARY 17, 2006,
NOT TO MERGE THE PROPERTY AT 726 PROSPECT AVENUE,
COMPRISED OF TWO LOTS, INTO ONE PARCEL**

PLEASE NOTE:

1. **THIS ITEM IS CONTINUED FROM THE CITY COUNCIL MEETING OF MAY 23, 2006.**
2. **BOTH THE APPLICATION AND THE APPEAL HAVE BEEN WITHDRAWN**

Recommendation:

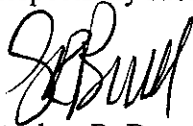
That the City Council acknowledge receipt of an email from the applicants withdrawing their application and letter from the appellant withdrawing their appeal. These actions make the Planning Commission action in January 17, 2006 moot.

Background:

Staff has worked with both the property owner and the appellant to propose a new plan that would more closely reflect the neighborhood development pattern. A lot line adjustment was approved by the Planning Commission on July 18, 2006 that results in three lots instead of four. A copy of the Planning Commission staff report is attached. As a result of these actions, there is no need to conduct the Public Hearing.

As an aside, the lot merger issue will be on the City Council agenda for your August 8, 2006 meeting. Those interested in this issue should plan on attending.

Respectfully submitted,



Stephen R. Burrell
City Manager

July 19, 2006

RECEIVED

JUL 20 2006

Per.....

Ms. Elaine Doerfling
City Clerk
City of Hermosa Beach
Civic Center, 1315 Valley Dr.
Hermosa Beach, CA 90254-3885

SUBJECT: CITY COUNCIL APPEAL OF THE JANUARY 17, 2006 PLANNING COMMISSION HEARING L-10 DECISION TO RELEASE THE TWO LOTS AT 726 PROSPECT AVENUE FROM THE LOT MERGER REQUIREMENT, THEREBY ALLOWING THE DEVELOPMENT OF TWO SEPARATE PARCELS BY CHUCK HEIDMAN

Dear Ms. Doerfling:

Having spoken with a majority of the petitioners for the merger of 726 Prospect Avenue over the last couple of weeks regarding the impact of staff's recommendation "to adjust the lot lines of the property at 726 Prospect and 1120 8th Street into three parcels fronting on 8th Street" as subsequently approved by the Planning Commission during it's regular meeting of July 18, 2006, our consensus is that it is a win-win compromise for both the residents of our city and the developer of 726 Prospect Avenue. For our neighborhood, it means:

- The potential elimination of one existing curb cut in lieu of adding yet another on Prospect Avenue
- An increase in lot width of approximately 10 feet over the originally proposed width of 25 feet
- The absolute elimination of a two-unit development at 1120 8th Street under the existing P.U.D.

For the developer, it means more potential profit due to the higher selling prices that these homes will surely bring as a result of fronting on 8th Street instead of a busy thoroughfare as initially submitted.

Although at this point it is probably safe to say that we all regret the approval of the development currently under construction at 838 Prospect Avenue, at least, in the case of 726 Prospect Avenue, the deficiencies in the current lot merger ordinance have been exposed and both staff and elected officials have committed to resolving them in the best interest of our residents as opposed to developers.

Along this line, we ask that the you, as city council members, realize that, contrary to some of the letters that were recently published in local newspapers by writers with an obvious personal or financial bias in this case, not one of the over 300 signers of both petitions for lot merger had any interest at all in this property beyond preserving our current quality of life by not allowing the development of more homes in the same amount of space – exactly as originally intended by the lot merger ordinance itself. Nothing more, and nothing less. This was truly a volunteer effort mounted by concerned residents without legal representation.

In closing, we would like to recognize Commissioner Ron Pizer's original vote against not merging these lots in January of this year, as well as the efforts of City Manager Steve Burrell, Community Development Director Sol Blumenfeld, and Senior Planner Ken Robertson for their respective roles in addressing this issue to the apparent satisfaction of all parties involved. In looking back now over the past seven months of this, at times, arduous process, we are encouraged that our voices were, in fact, finally heard, and that, as a result, together we've made a positive difference in the quality of life in Hermosa Beach. As such, based upon the Planning Commission's decision as previously referenced herein, we do hereby withdraw our appeal to the City Council in this matter.

Sincerely,


Gregor E. Eberhardt


Doris O. Eberhardt

1126 8th St.
Hermosa Beach, CA 90254-4313

gee
cc Petition Signers

Sol Blumenfeld

From: Heidman, Chuck [Chuck.Heidman@cshs.org]
Sent: Thursday, July 20, 2006 8:33 AM
To: Sol Blumenfeld
Subject: RE: Withdrawal of Lot Merger Appeal

Morning Sol;

As per our conversation yesterday, this email is to advise you that we Lien Tran and myself Charles Heidman want to withdraw our Appeal of the lot merger for 726 Prospect. We agree with the compromise made between the City, neighborhood residences and ourselves. This agreement was later ratified by the Planning Commission at the July 18, 2006 meeting. The agreement was to essentially adjust the lot lines between 726 Prospect and 1120 8th Street to make up three 35 foot lots addressed on 8th Street as per our prior written correspondence.

Regards;
Charles Heidman

-----Original Message-----

From: Sol Blumenfeld [mailto:sblumenfeld@hermosabch.org]
Sent: Wednesday, July 19, 2006 4:31 PM
To: Heidman, Chuck
Cc: Steve Burrell
Subject: Withdrawl of Lot Merger Appeal

Mr. Heidman

Per our conversation please e-mail your letter to me indicating your intent to withdraw your Planning Commission lot merger appeal.

Thanks,
Sol Blumenfeld
Director Community Development
City of Hermosa Beach

IMPORTANT WARNING: This message is intended for the use of the person or entity to which it is addressed and may contain information that is privileged and confidential, the disclosure of which is governed by applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this information is STRICTLY PROHIBITED.

If you have received this message in error, please notify us immediately by calling (310) 423-6428 and destroy the related message. Thank You for your cooperation.

July 11, 2006

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

**Regular Meeting of
July 18, 2006**

SUBJECT: LOT LINE ADJUSTMENT – 06-1, CHARLES HEIDMAN, APPLICANT

PURPOSE: TO ADJUST THE LOT LINES OF THE PROPERTY AT 726 PROSPECT AND
1120 8TH STREET INTO THREE PARCELS FRONTING ON 8TH STREET

Recommendation

To approve the proposed lot line adjustments by minute order.

Background

The subject property is comprised of two properties with 50-feet of frontage on Prospect Avenue. The property at 726 Prospect Avenue is currently developed with a single-family home and a garage apartment, and the property at 1120 8th Street with a single-family home.

The property at 726 Prospect Avenue, is comprised of two 25-foot wide lots from the original subdivision (lots 3 & 4, Block 140 Redondo Villa Tract). The two existing lots at 726 Prospect were the subject of a lot merger hearing held by the Commission on January 17, 2006 meeting, at which, the Planning Commission voted 3:1 not to merge the two existing 25-foot wide lots. A neighbor has appealed the decision to the City Council, which considered the matter on May 23, 2006, and voted to continue the meeting until July 25, 2006. Following this hearing the owner considered other options to reconfigure his properties and revised plans to create three lots fronting on 8th Street that vary from 35 feet to 53 feet in width and from 3,544 square feet to 4, 453 square feet in area. The proposed lots are larger and much closer to current development standards of 40 feet in width and 4,000 square feet in area. The appellant reviewed the revised plan and supports the proposed changes. (Please See Attachment No. 1).

Analysis

A lot line adjustment is a procedure established in the Subdivision Map Act to allow alterations to lot lines between two or more adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created. In reviewing a request for a lot line adjustment, the approving agency is limited in its review to conformity to building and zoning ordinances and can only impose conditions as they relate to applicable zoning and building codes, and relocation of existing utilities, infrastructure or easements. Neither a subdivision map nor parcel map is required for such adjustments. (Gov. Code 66412 (d))

Since the subject properties at 726 Prospect and 1120 8th Street are adjacent and held under the same ownership, it creates an opportunity to reconfigure the entire combined property in a more efficient manner than is possible with the current configuration. The owner has worked with the City and the appellant and developed an alternative plan as a compromise solution, which creates three 35-foot wide lots on 8th Street. Each lot contains 35-feet of frontage on 8th Street, and is at least 3,500 square feet. While these lots are not consistent with current standards, (40-foot width, 4,000 square feet in area) the reconfiguration reduces the total potential lots from 4 to 3, and brings them closer to today's standards while not increasing existing nonconforming conditions.

The adjacent property to the north at 1120 8th Street, also originally comprised of two 25-foot lots (lots 1 & 2 Redondo Villa Tract), was approved for Planned Unit Development (P.U.D.) in 1978 for two dwelling units. The two-unit development was never constructed. Based on the parcel map No. 10794 approved by the City and recorded in 1978, the Assessor's map currently shows this property as containing three parcels, one for each unit that was part of the proposed P.U.D, and one parcel containing the common area.

Staff believes the proposed reconfiguration is a logical realignment of the parcels, and will allow the owner to develop three single-family homes compatible with the character of the neighborhood, and in accordance with R-1 development standards. The orientation of the lots towards 8th Street rather than Prospect Avenue, also allows for the development of single-family homes with safer access and results in a more attractive frontage along 8th Street.

In summary, the owner has decided to reconfigure his property so that it is closer to current area and width development standards. Although the matter is still under appeal to City Council, the appellant is in agreement with the proposed changes and indicates that he will withdraw his appeal subject to approval of the lot line adjustment.

Ken Robertson
Senior Planner

Sol Blumenfeld, Director
Community Development Department

Attachments

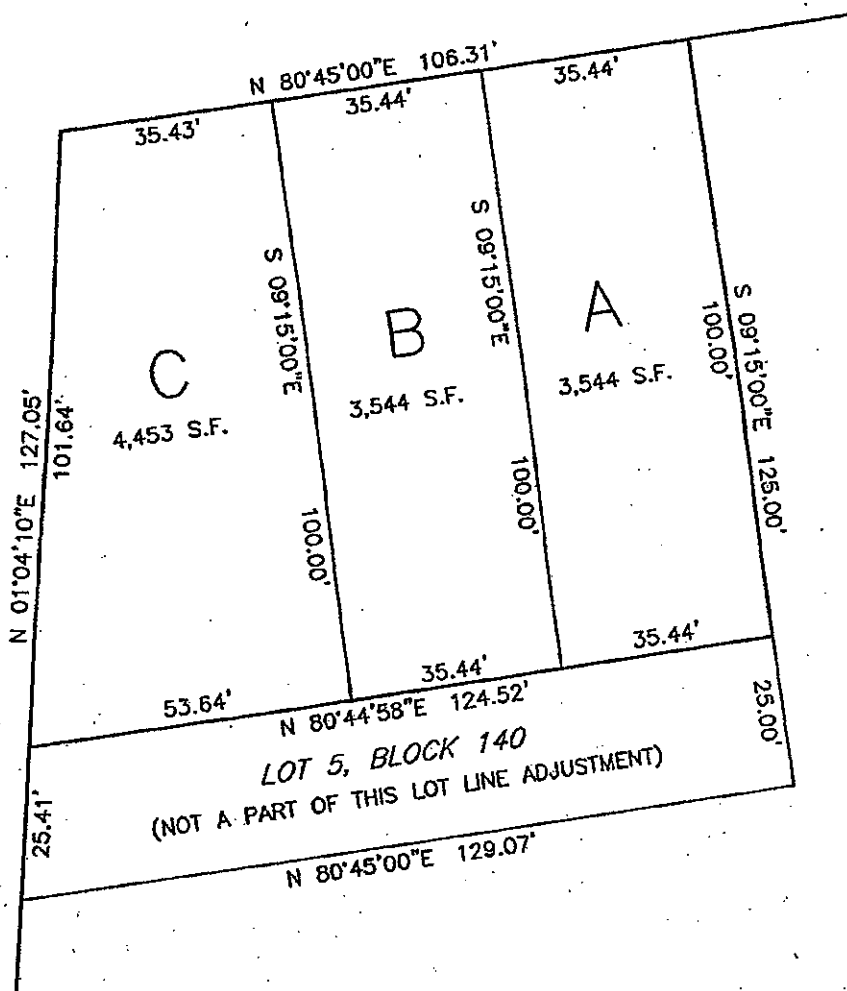
1. Property survey with adjusted lot lines
2. Certificate of Compliance

F:/b95/cd/PC/2006/11a726

EXHIBIT "A"

PROSPECT AVENUE

8TH STREET



LEGAL DESCRIPTIONS

EXISTING:

PARCEL A:

PARCELS 1, 2 AND 3, PARCEL MAP NO. 10794, IN THE CITY OF HERMOSA BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS RECORDED IN PARCEL MAP BOOK 102 PAGE 53 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

(THIS PARCEL OF LAND IS ALSO KNOWN AS LOTS 1 AND 2, BLOCK 140, REDONDO VILLA TRACT, IN THE CITY OF HERMOSA BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS RECORDED IN BOOK 10 PAGES 90 AND 91 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY)

PARCEL B:

LOT 3, BLOCK 140, REDONDO VILLA TRACT, IN THE CITY OF HERMOSA BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS RECORDED IN BOOK 10 PAGES 90 AND 91 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL C:

LOT 4, BLOCK 140, REDONDO VILLA TRACT, IN THE CITY OF HERMOSA BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS RECORDED IN BOOK 10 PAGES 90 AND 91 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PROPOSED:

PARCEL A:

PORTIONS OF LOTS 1, 2, 3 AND 4, BLOCK 140, REDONDO VILLA TRACT, IN THE CITY OF HERMOSA BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS RECORDED IN BOOK 10 PAGES 90 AND 91 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; DESCRIBED AS FOLLOWS:

THE EASTERLY 35.44 FEET OF SAID LOTS 1, 2, 3 AND 4 MEASURED PARALLEL TO THE EASTERLY LINE OF SAID LOTS 1, 2, 3 AND 4.

PARCEL B:

PORTIONS OF LOTS 1, 2, 3 AND 4, BLOCK 140, REDONDO VILLA TRACT, IN THE CITY OF HERMOSA BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS RECORDED IN BOOK 10 PAGES 90 AND 91 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; DESCRIBED AS FOLLOWS:

THE WESTERLY 35.44 FEET OF THE EASTERLY 70.88 FEET OF SAID LOTS 1, 2, 3 AND 4 MEASURED PARALLEL TO THE EASTERLY LINE OF SAID LOTS 1, 2, 3 AND 4.

PARCEL C:

LOTS 1, 2, 3 AND 4, BLOCK 140, REDONDO VILLA TRACT, IN THE CITY OF HERMOSA BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS RECORDED IN BOOK 10 PAGES 90 AND 91 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

EXCEPT THE EASTERLY 70.88 FEET OF SAID LOTS 1, 2, 3 AND 4 MEASURED PARALLEL TO THE EASTERLY LINE OF SAID LOTS 1, 2, 3 AND 4.