

Attachment 4

June 11, 2002

Honorable Chairman and Members of the
Hermosa Beach Planning Commission

Regular Meeting of
June 18, 2002

SUBJECT: APPEAL OF DIRECTOR'S DECISION REGARDING THE GRADE USED
FOR THE HEIGHT MEASUREMENT ON A CONVEX SLOPING LOT.

LOCATION: 702 MARLITA PLACE

APPLICANT: JOHN AND CINDY SMET
2810 TENNYSON PLACE
HERMOSA BEACH, CA 90254

Recommendation

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

1. Interpolate the grade from the corner points only.
2. Interpolate from intermediate points on the top of the slope, as proposed by the applicant.

Background

The subject lot is located at the south end of Marlita Place where it dead-ends as a T-head turn-around. The lot, like others along this block, is fairly flat at the top where it fronts on the street, but slopes down steeply for approximately a third of the lot.

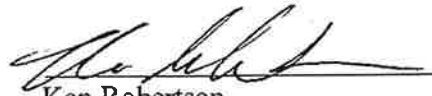
Analysis

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 also allows consideration of other points for lots with "convex" contours. In these situations the grade of a lot may be based on a detailed survey, and points along the property line may be used for grade in addition to the corner points. Pursuant to the definition, with the final determination of the grade referred to the Planning Commission, if required.

For the subject lot, the applicant is requesting consideration as a convex lot, and is proposing alternative points at the top of the bank as the basis for measuring height rather than the southerly corner points. This would allow the building to be two-stories from the front of the lot to the top of the bank on existing grade. A conceptual design of the proposed structure has been prepared based on the applicant's proposal. If a standard corner points interpolation is used instead, the potential for a second story would be eliminated on the back half of the lot, unless the first floor is lowered to a level substantially below existing grade (see exhibit).

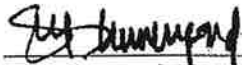
The applicant's request may be reasonable given the existing condition of the slope, as the abrupt change from flat to sloping terrain appears to represent the natural terrain in the area and would be consistent with a height measurement for a similarly situated lot a 712 Marlita Place,

constructed in 1997. In that case, the determination was made to use alternative points along the top of the bank.



Ken Robertson
Associate Planner

CONCUR:



Sol Blumenfeld, Director
Community Development Department

Attachments

1. Exhibit showing alternative height measurement lines.
2. Photos

= 80'

S 30TH

ST. 9

(N.E.C. Tr. No.)

1987

TENNYSON PL.

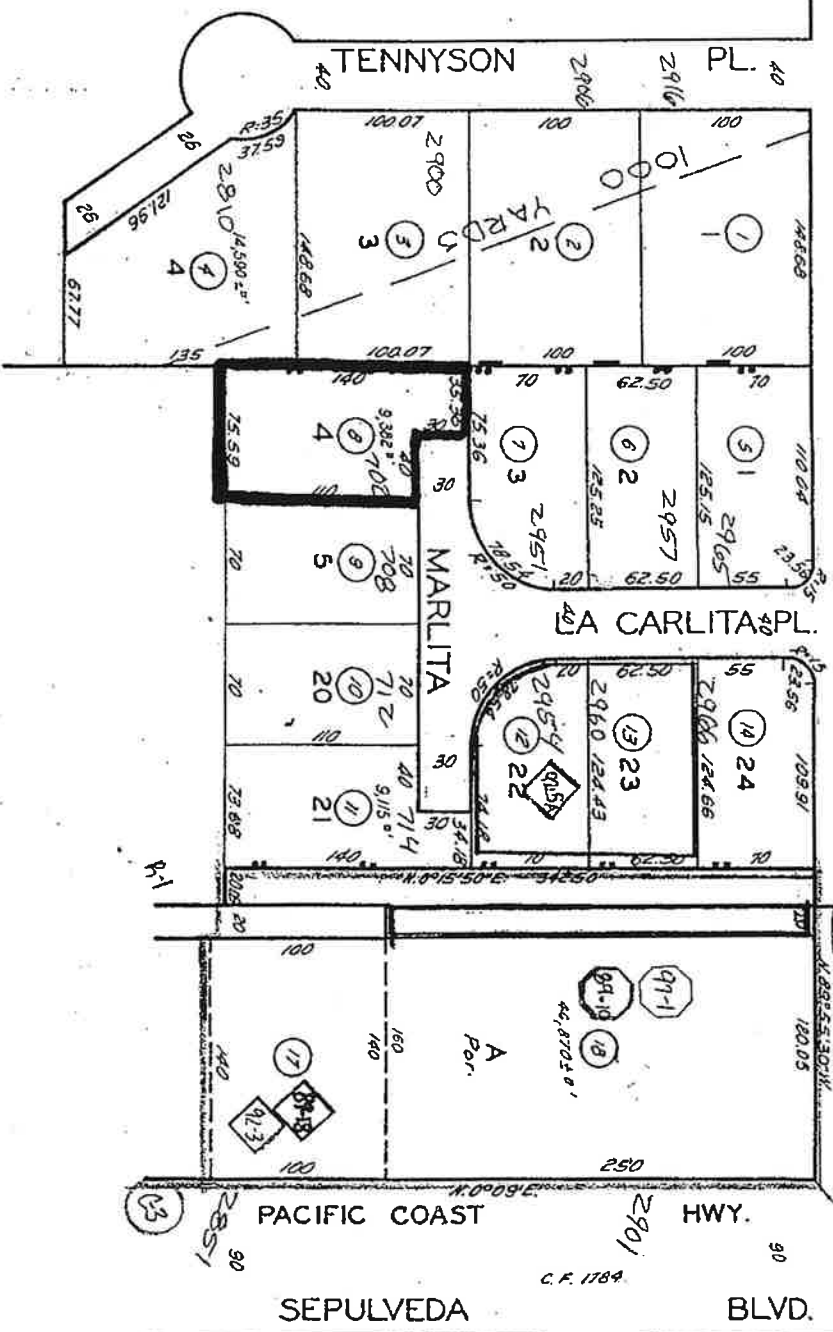
LA CARLITA PL.

PACIFIC COAST HWY.

SEPULVEDA

BLVD.

KEATS ST.



TRACT NO. 11587

TRACT NO. 15243

M. B. 208-39

M. B. 379-10-11

TRACT NO. 1594

CODE 4340

M. B. 22-16

FOR PREV. ASSMT. SEE: 359-33 & 37

~~pole; and commented on the ever-changing technology and the decreasing size of these facilities creating difficulty in determining where these facilities can be lawfully installed..~~

~~Commissioner Tucker noted his preference that these facilities be limited in a certain zone.~~

~~Vice-Chair Pizer briefly commented on the poor cell phone coverage in Hermosa Beach.~~

b. Appeal of Director's decision regarding height calculation at 702 Marlita Place.

Director Blumenfeld explained the justification for using the convex slope as the basis for calculating the building height on this property; advised that the code allows the calculation of height from the corner point elevations based upon taking into consideration significant variations in grade; and it also allows for a detailed examination of the lot with a survey at 2-foot intervals, which may demonstrate that there is a convex slope. He further explained that a convex slope allows the City to use an alternate point for measuring height. Highlighting the attached survey, Director Blumenfeld stated that there is a sloping grade at the rear portion of the lot and the breakpoint of the slope -- reflects the fact that there is a convex form to the lot.

Director Blumenfeld stated that the surrounding area is relatively flat; explained that anything that gets built on this lot with two stories will tend to have some view obstruction to some of those properties; and that without this method of calculating with the convex slope, it is almost impossible to build two complete stories on that lot without significantly depressing a portion of the building. He highlighted staff's recommendation for the Planning Commission to consider the alternate methods and take into consideration that this is a convex slope; and pointed out that an adjacent property was also considered on this same basis.

Director Blumenfeld noted for Vice-Chair Perrotti that staff believes the survey justifies that this is a convex slope.

Larry Peha, 67 14th Street, Hermosa Beach, project architect, explained that this lot is relatively flat for 123 feet, that it then drops a little over 10 feet for the last 17 feet, which means that the majority of the lot is basically flat except for the last portion, thus dragging the height limit down. He stated that it is not uncommon to use this method for calculations; and pointed out that just two doors down, there is virtually an identical project to what is being proposed this evening. He added that if the applicant were required to use the property corner points for calculation, it would require a tremendous amount of grading to put a two-story structure on this property; and expressed his belief that an approval of this request would be consistent with what has occurred on this street in the past.

MOTION by Commissioner Tucker, seconded by Commissioner Kersenboom, to permit the applicant to use the convex slope methodology. Motion carried as follows:

AYES:	Hoffman, Kersenboom, Pizer, Tucker, Chairman Perrotti
NOES:	None
ABSTAIN:	None
ABSENT:	None

c. Rotation of Chairman and Vice-Chairman (July 2, 2002 to March 3, 2003)

~~Director Blumenfeld briefly commented on the Planning Commission's request to annually~~