



CITY OF BEVERLY HILLS STAFF REPORT

Meeting Date: December 18, 2007

To: Honorable Mayor & City Council

From: Donna Jerex, Senior Planner *DJ*

Subject: Consideration of General Plan Amendment to re-zone two properties located on the 100 block of South Carson Road

Attachments:

1. Comment letter from Lisa Wolfe
2. General Plan Topic Committee Recommendation (Excerpt)

INTRODUCTION

This report provides background and requests direction from the City Council regarding whether or not the Council wishes to pursue a General Plan Amendment to re-zone two single-family parcels located in the 100 South block of Carson.

The City Council approved a mixed-use project at 8600 Wilshire Boulevard last month. This project included 3 commercially-zoned lots and one single-family residential lot. There are two single-family lots abutting the project. The owners of these two R-1 properties have requested that the Council consider re-zoning their lots to a higher density to be more consistent and compatible with the approved mixed-use project.

DISCUSSION

Background

In October 2007 the City Council approved a mixed-use development located at 8600 Wilshire Boulevard. The project consists of four lots with the following zoning information:

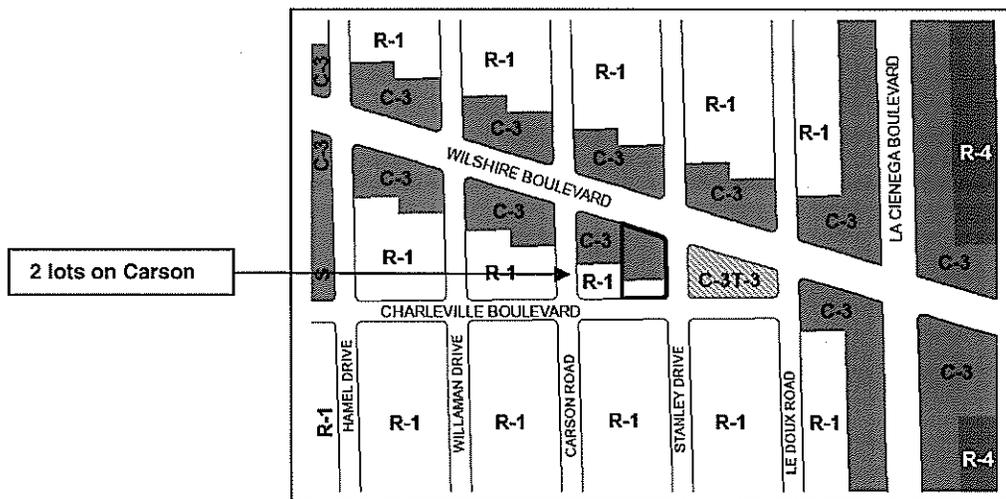
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| GENERAL INFORMATION | |
|--------------------------|---|
| Zoning Districts | 3 lots fronting on Wilshire: C-3 (commercial – three stories/45-foot height) 1 lot at corner of Stanley & Charleville: R-1 (single-family residential) |
| Site Area/Number of Lots | 25,920 square feet / 4 Lots |
| Site Dimensions | Lot Frontage: Approximately 155 feet Lot Depth: Varies; approximately 125 feet |

The project includes:

- A maximum of 26 residential condominium units
- 6,383 square feet of ground-floor commercial space
- Up to 97 parking spaces located in a multi-level subterranean garage
- Access to the project site would be from Stanley Drive
- Loading facilities would be located on the site off of, and accessed from Stanley Drive

The graphic below highlights the area of the project and shows the two R-1 zoned lots directly to the west of the project site.



Analysis

The 8600 Wilshire project was approved with three townhomes along the R-1 parcel at the corner of Charleville Boulevard and Stanley Drive. A condition was included that required a 30-foot setback between the townhome closest to the R-1 parcel located at 128 Carson Road abutting the project (the southeast corner of Charleville and Carson).

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Concerns were expressed at the public hearings that the City had never re-zoned an R-1 lot to a higher density and that the approval of the mixed-use project would create a precedent for "upzoning" other single-family properties in the City. Neighbors felt that a "domino effect" could be created by allowing R-1 parcels in this area to be rezoned to a higher density.

There are a number of issues to consider in deciding whether or not re-zoning for this property is appropriate. Some of these issues include:

- The City is currently updating its General Plan. Recommendations for allowing higher densities in certain areas of the City and areas for mixed-use have been developed over the past several years but have not yet been formalized.
- This project is a good "candidate" for review during the General Plan process to determine whether it is appropriate for higher density, as well as the level of higher density (e.g., duplex, two residential units, or more than two residential units, etc.)
- This request is not for a mixed-use project, but rather to allow a higher density for these two single-family parcels. This would allow the parcels to be redeveloped in the future with two or more residences on each lot.

As the above graphic shows, this block is unique in that it contains a mix of single family and commercial parcels. Two of the commercial parcels and the single family parcel within the project's boundaries have been vacant and undeveloped for more than 30 years.

The site was discussed by the General Plan Residential-Commercial Interface Topic Committee back in 2004, and the Committee recommended that this block be developed as a whole. An excerpt from their final report completed in 2004 is provided under Attachment 2 as background information. Please note that their recommendation contemplated development of the entire block as a whole.

Options for Re-zoning

There are a few options the Council can consider to re-zone this property. One would be to consider it along with the General Plan Update currently underway; and another would be to initiate a zone change by motion of the Council. These options are discussed below.

1. Stand Alone Re-Zoning:

If the Council wishes to initiate re-zoning of this property, it may do so by motion pursuant to Beverly Hills Municipal Code Section 10-3-3901 which states: Boundaries of the zones established by this chapter, or the classification of property uses therein, may be amended, reclassified, and altered whenever the public necessity, convenience, and general welfare require. Such changes may be initiated by:

- The verified petition of the owners of property proposed to be so changed or reclassified;
- Motion of the council; or
- Motion of the planning commission.

If this option is chosen, the cost to complete the process would be a minimum \$80,000 in fees, and potentially much higher if additional issues arise during the process of the evaluation.

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2. General Plan Update:

This is staff's recommendation. These two lots can be analyzed along with other areas in the City that will be considered for higher density residential development. The City's current residential zoning districts range from R-1 (single family) to R-4 (multi-family). The General Plan white papers contemplate adding zoning that would allow for duplexes or something in between R-1 and R-4. The City also currently has an R-3 zoning designation, however, there is no R-2 zoning. Duplex or R-2 zoning could be appropriate for these lots.

Looking at these parcels in the context of the General Plan Update would represent a more holistic approach to planning. A joint session with the Planning Commission and City Council is anticipated to discuss issues general plan issues in January, and this would be an appropriate issue to raise at that time.

Conducting the analysis with the General Plan would also be appropriate because California cities are limited to enacting four general plan amendment cycles per year. For the year 2008, the City already is contemplating amendments four amendments: 9900 Wilshire; the Beverly Hilton Revitalization Plan; the Entertainment Business District; and the General Plan. The review of these lots could be included with the amendment for the General Plan and therefore not be delayed or potentially create delays for other projects already under review by the City.

PUBLIC COMMENT

As this item is to be reviewed at a study session rather than public hearing, no official notice was mailed or published. However, as this matter is of great concern and interest to the neighboring residents, a courtesy notice of today's meeting was mailed to residents within 500 feet of the 8600 Wilshire property boundaries. Staff received a written comment from Lisa Wolfe which is included under Attachment A.

FISCAL IMPACT

If a stand along rezoning effort is undertaken rather than rather than grouping this request with the General Plan Update, costs to implement the Zone Change and General Plan Amendment would depend on the level of environmental analysis required. Generally speaking, minimum costs for legal fees, applications and noticing requirements would be in the range of \$80,000. If further environmental analysis is required, the cost could go up substantially. If this rezoning is analyzed as part of the General Plan Update, there are no additional costs to the General Plan project and therefore no costs to the residents.

RECOMMENDATION

Staff recommends that the City Council provide staff with direction to specifically address the potential for re-zoning these two parcels along with the General Plan Update currently underway.

Vincent P. Bertoni, AICP

Approved By 

Attachment 1

Comment Letter from Lisa Wolfe

Donna Jerex

From: Lisa Wolfe
Sent: Tuesday, December 04, 2007 6:44 PM
To: Donna Jerex
Subject: FW: Carson rezoning

3 December 2007

Dear Ms. Jerex,

Understandably, the residents on South Carson Road backing the 8600 Wilshire development are concerned about their property value.

Instead of changing the R1 of R4, the properties should be changed, if at all, to R2. This is more sensible for many reasons. First, the homes are currently next to (immediately north) a duplex. Should these R1 homes become R4, the owners of the duplex might request an R4 change as well. Suddenly, the 8600 project results in a restructure of the entire block and changes the character of the neighborhood entirely. This is not to be taken lightly.

Second, changing to R2 rather than R4 will prevent a major development from going in or having Wilshire Colonial buy the homes and revamp their current project, only to subject our neighborhood to an even larger development. We residents need assurance that the project, already too large for the neighborhood, will not be allowed to grow any larger whether R2 or R4.

Thirdly and most critically, an R2, though not ideal by any means in this area, would at least not destroy the character of the neighborhood. It could serve as a buffer between the R4 behind it and the R1s directly across the street. To make them R4 compromises the homes on the west side of the street, propagating the problem rather than mitigating it.

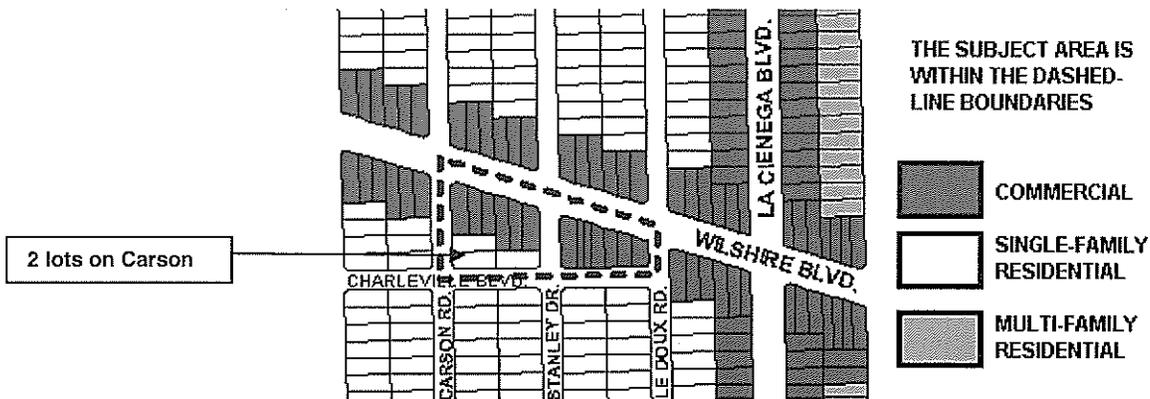
Respectfully submitted,

Lisa Wolfe

Attachment 2

General Plan Topic Committee Recommendation (Excerpt)

General Plan Topic Residential-Commercial Interface Committee Excerpt:



The interface in this immediate area is unique in that there are R-1 properties which share their common side property lines with commercial properties, in addition to R-1 properties across the street from the commercial zone. The particular commercial zone bounded by Wilshire Blvd., Stanley Drive, Charleville Blvd, and Le Doux Road is currently designated as a commercial-transition zone, with only office use as the allowable use with a two-story limit. These provisions were established with the intent for compatible commercial development with the surrounding residential zone. However, under this zoning it has been difficult to develop this site, and a portion of it has remained vacant for a number of years. The block to the west, between Carson Road and Stanley Drive, has also remained partially vacant. Developers have indicated that development on these parcels is economically infeasible because of the current zoning limits and the abrupt interface between the commercial and residential zones.

The Committee considered these issues and made the following recommendation for this particular area:

- Commercial use with residential development, which may include townhouse development, to be compatible and commensurate in scale and density with the surrounding R-1 zone context; commercial uses should be oriented to face Wilshire Boulevard and the residential development should be oriented to face the single-family residential zones to the west and south.

Required resources to implement:

- A land use study of the area by Staff to determine the appropriate scale, height, and density standards of the commercial and residential uses. Also should be studied is the townhouse development concept, and seeking examples in other communities.

Minority Opinions:

- The zoning for this area should remain as is, and changing the zoning would increase spillover parking onto the residential streets, cause traffic congestion, and would negatively impact the property values of the single-family properties in the immediate area.
- Mixed-use development would be an appropriate transitional zoning, with limited density and height, and that it could add value to the surrounding properties.