



# Item No. 17

January 21, 2009

Appeal of Planning Commission Denial of  
General Plan Amendment

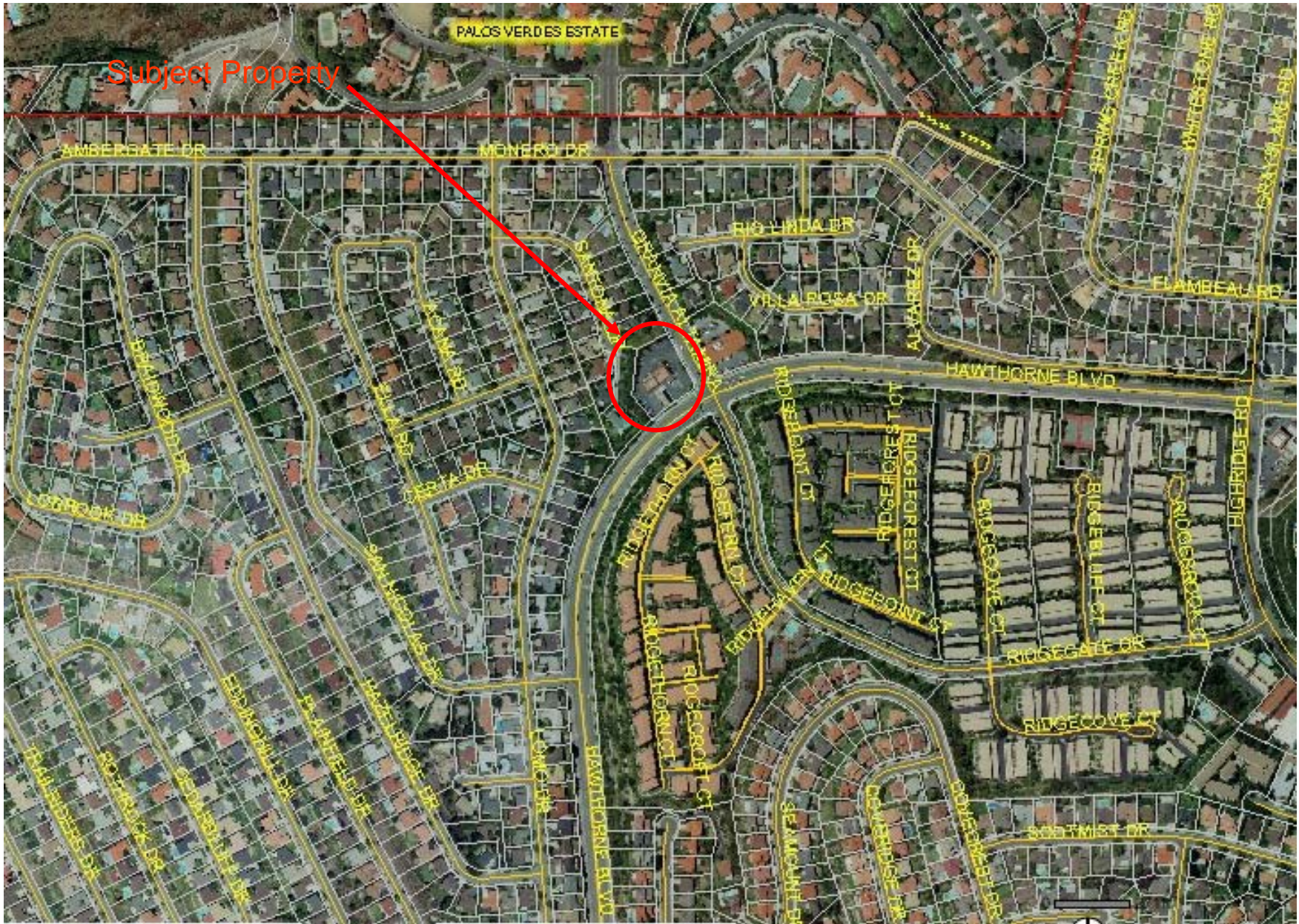
&

Zone Change

(Planning Case No. ZON2008-00091)

28103 Hawthorne Blvd.  
(current Valero Gas Station)





Subject Property

PALOS VERDES ESTATE

AMBERGATE DR

MONERO DR

BIG LINDA DR

VILLA ROSA DR

HAWTHORNE BLVD

FLAMBEAU RD

LOGRASK DR

CARITA DR

RIDGEPOINT CT

ADOLFO DR

RIDGEFOREST CT

RIDGEBELL CT

RIDGEBROOK CT

HIGHRIDGE RD

RIDGEPOINT CT

RIDGEVIEW CT

RIDGEPOINT CT

RIDGEFOREST CT

RIDGECOURT CT

RIDGEGATE DR

RIDGECOVE CT

HAWTHORNE BLVD

RIDGEFOREST CT

RIDGEVIEW CT

RIDGEVIEW CT

RIDGEVIEW CT

RIDGEVIEW CT

RIDGEVIEW CT

RIDGEVIEW CT

RIDGEVIEW CT

SOUTHWEST DR

ROBERTSON DR

ROBERTSON DR

ROBERTSON DR

ROBERTSON DR

ROBERTSON DR

ROBERTSON DR

LOWMEYER

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

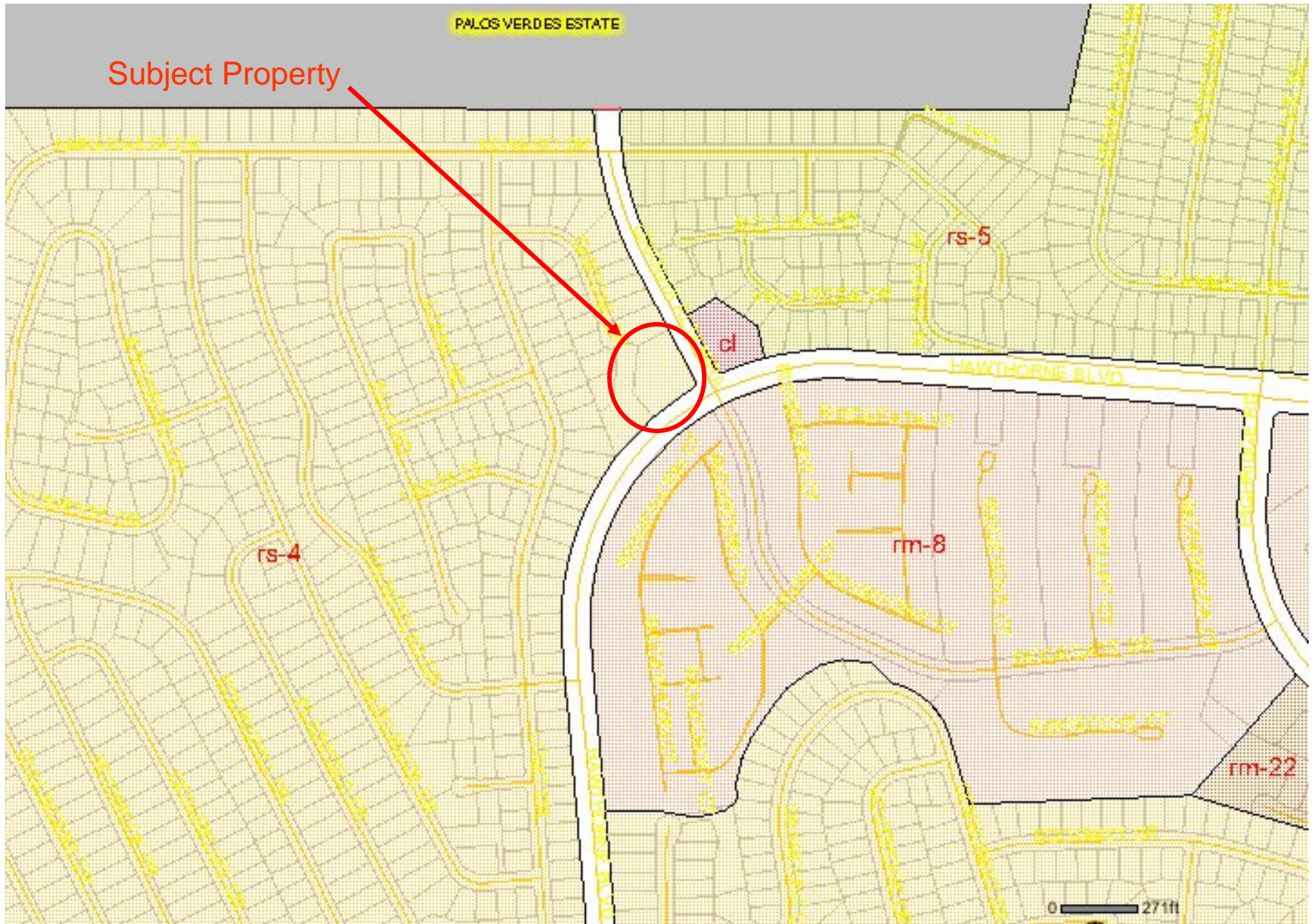
EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

EDJACIAL DR

Subject Property



City of RPV Zoning Map

# GPA/ZC Review Criteria

- There are no specific “findings”, which provides greater latitude to the decision-making body (i.e., Planning Commission and/or City Council) when reviewing such requested changes.
- Development Code Section 17.68.030.C, “any person having an interest in land may file an application with the city council for a change of zone...upon submission to the director of an initiation application petition to the city council...the city council shall review the petition to determine if the requested amendment and/or change is necessary or desirable”.

# Planning Commission Decision

- Adopted PC Resolution No. 2008-38
  - *The proposed change in the General Plan Land Use Designation is not warranted since there is already a commercial property across the street that serves the immediate area.*
  - *Additional commercial properties at the intersection will increase the amount of traffic; whereas allowing for the eventual residential use of the property will decrease the traffic generated from the subject property.*
  - *The proposed change in the General Plan Land Use Designation is not warranted to maintain the economic diversity of the City.*
  - *The change would accommodate a pharmacy/convenience store, which are uses that are found within the City and in the adjacent cities that are in close proximity.*

# Issues Raised in Appeal

- “Commission’s decision was arbitrary and capricious and should be overturned because the denial was based on the fact that a commercial property exists across from the Property.”
- “...the adjacent site, which is similarly situated, obtained approval of a General Plan Amendment to commercial and a zone change to Commercial Limited...[and]...the Sharifis’ request for equal treatment under the City’s zoning ordinance was denied on an inappropriate finding.”

# Appellant's Request of CC

- Overturn the Planning Commission's denial and approve a GPA/ZC for the Valero site, thereby changing the land use and zoning of the property from Residential to Commercial.

# Staff Recommends upholding the Planning Commission's Denial

- For the reasons contained in PC Resolution No. 2008-38:
  - *The proposed change in the General Plan Land Use Designation is not warranted since there is already a commercial property across the street that serves the immediate area.*
  - *Additional commercial properties at the intersection will increase the amount of traffic; whereas allowing for the eventual residential use of the property will decrease the traffic generated from the subject property.*
  - *The proposed change in the General Plan Land Use Designation is not warranted to maintain the economic diversity of the City.*
  - *The change would accommodate a pharmacy/convenience store, which are uses that are found within the City and in the adjacent cities that are in close proximity.*
- The continual use of the property for commercial activity results in higher traffic than that produced by a residential use.
- Although the parcel was developed with a service station, the idea behind a Residential zoning designation is that if the use were abandoned, the property be developed in accordance with the underlying zoning.
- Allowing for the eventual residential use of the property will decrease the traffic generated from the subject property.
- Allowing for a greater range of commercial uses will result in additional traffic generated from the subject property and a continual amount of traffic than that generated by a residential development