



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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Long Beach, CA 90802

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March 15, 2018

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption CE-17-327, deny an appeal by Braden Phillips, representing the Peninsula Beach Preservation Group, and Jean Egan, and uphold the Zoning Administrator's decision to approve a Local Coastal Development Permit (LCDP17-021) for the construction of a new three-story, 3,810-square-foot, single-family dwelling with a swimming pool and spa and a Standards Variance (SV17-006) allowing an attached 432-square-foot tandem two-car garage, instead of an attached side-by-side two-car garage, located at 5719 E. Seaside Walk within the Two-Family Residential Intensified Development (R-2-I) Zone. (District 3)

APPLICANT: Mark Wheeler
325 Roycroft Avenue
Long Beach, CA 90814
Application 1711-28

DISCUSSION

On January 22, 2018, the Zoning Administrator held a public hearing, heard testimony, and approved a Local Coastal Development Permit and Standards Variance allowing the construction of a new 3,810-square-foot, three-story, single-family dwelling with a swimming pool and spa with a Standards Variance allowing an attached 432-square-foot tandem two-car garage, instead of an attached side-by-side two-car garage. The subject site is located in the Peninsula neighborhood, fronting the beach side on Seaside Walk between 57th Place and 58th Place. The site is currently developed with a 2,656-square foot, two-story, single-family home with a third-story roof deck and a tandem two-car garage. The lot is 2,337 square feet, and zoned R-2-I (Two-Family Residential Intensified Development) (Exhibit A – Location Map).

The site was originally developed with a single-family home and one-car garage in 1927. City records show a bedroom and bathroom were later added in 1948. In 1985, the residence was again altered with a first- and second-floor addition and received a Standards Variance to construct a bathroom addition 3 feet (instead of 8 feet) from the rear property line, and to replace an existing single-car garage with a tandem garage. The proposed project will demolish the existing home and attached tandem garage.

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The proposed dwelling consists of three bedrooms, four and a half bathrooms, beach room, living room, dining room, kitchen and a tandem two-car garage. A swimming pool and spa is proposed in the southeast area of the lot. The new dwelling removes the need of the previous variance to allow construction 3 feet instead of 8 feet from the rear property line. The new structure will provide a 9-foot setback from the rear property line. (Exhibit B – Plans).

The lots on Seaside Walk range from under 50 feet to over 100 feet in depth, and 30 feet to over 70 feet in width. There is no vehicle access from Seaside Walk, therefore, depending on the lot location, access is taken from a side street, alley, or for landlocked lots by an easement agreement with another property. The subject site is approximately 30 feet wide and 78 feet deep, landlocked, and does not have direct vehicle access from a street or alley. The lot has an easement with the property located to the rear of the site that provides approximately 11 feet 6 inches of width for vehicle access. This access point is provided at the northwest corner of the lot. In order to meet the required parking configuration for a single-family dwelling, two side-by-side parking spaces would need to be provided. A typical two-car garage is approximately 20 feet wide and 20 feet deep. Because the 11-foot-6-inch-wide frontage for vehicle access is not wide enough for a 20-foot-wide garage, the applicant is requesting to retain the tandem two-car parking configuration that currently exists on the site. The proposed two-car tandem garage will be 12 feet wide and 36 feet deep with two standard size parking spaces provided in a tandem arrangement (Exhibit C – Photos).

The City recognizes that certain properties, due to their unique size, shape, location or other physical condition, cannot be developed in strict accord with the Zoning Regulations. A Standards Variance shall grant relief from specific development standards of the Zoning Regulations. Required findings establish guidelines and procedures for the granting of relief from certain provisions in specific situations. To approve a Standards Variance, the Zoning Administrator must find that (1) the site or the improvements on the site are physically unique when compared to other sites in the same location; 2) the unique situation causes the applicant to experience hardship that deprives the applicant of a substantial right to use of the property as other properties in the same zone are used and will not constitute a grant of special privilege inconsistent with the limitations imposed on similarly zoned properties or inconsistent with the purpose of zoning regulations; 3) the variance will no cause substantial adverse effects upon the community; and 4) in the Coastal Zone, the variance will carry out the Local Coastal Program and will not interfere with access to or along the coast.

The project site is located within the City's Coastal Zone, more specifically within Area E – Naples and Alamitos Peninsula Communities – of the Local Coastal Program. All developments located within the Coastal Zone are required to obtain a Local Coastal Permit subject to Section 21.25.903 – Local Coastal Development Permits (LCDP). LCDP's are reviewed and approved by the Zoning Administrator during a public hearing. To approve a LCDP, the Zoning Administrator must find that (1) the proposed development conforms to the certified Local Coastal Program including but not limited to all requirements for replacement of low and moderate-income housing; and (2) the

proposed development conforms to the public access and recreation policies of Chapter 3 of the Coastal Act.

The Zoning Administrator conducted a public hearing on January 22, 2018. Three telephone calls and three letters of opposition were received prior to the Zoning Administrator hearing. In general, these concerns were related to the parking variance request and opposition to allowing a tandem parking configuration in the Peninsula neighborhood. In addition, concerns were raised about the location of the construction staging. (Exhibit D – Letters of Opposition). After receiving the staff presentation and public testimony at the hearing, the Zoning Administrator evaluated the proposal, noting that the new project removes an existing 0-foot setback and adds a 9-foot setback improving circulation in the rear alley area. In addition, the new project brings the existing 3-foot rear setback into conformance with the Code and eliminates an existing variance for this setback (instead of not less than 8 feet). The Zoning Administrator also noted the proposed variance is for the same configuration as the previously-granted variance. The lot shape and size has not changed since the granting of the original variance, resulting in the same amount of vehicle access. The proposed project will rectify other nonconforming setbacks and provide a rear setback where there currently is not one. The Zoning Administrator concluded that the project met the required findings for a Standards Variance for a tandem two-car garage, and required findings for the Local Coastal Development Permit, and approved the request with conditions. (Exhibit E – Zoning Administrator Hearing Minutes).

On January 29, 2018, Mr. Braden Phillips filed a third-party appeal within the 10-day appeal period. Mr. Phillips, representing the Peninsula Beach Preservation Group, indicated in his appeal that no hardship exists to allow a new residence to be built with tandem parking instead of a side-by-side two-car garage. On January 31, 2018, Jean Egan filed a third-party appeal. Ms. Egan indicated in her appeal that the tandem garage variance request should be denied because it caused parking on the street, burdened neighbors due to insufficient room for staging new construction, and required trespassing on adjacent neighboring property (Exhibit F – Appeals).

Conditions of Approval have been included with the project (Exhibit G – Conditions of Approval). Staff has prepared positive findings (Exhibit H – Findings) and recommends that the Planning Commission deny the appeal and approve the Local Coastal Development Permit for the proposed single-family dwelling and the Standards Variance for the tandem two-car garage subject to conditions of approval.

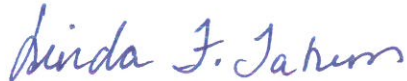
PUBLIC HEARING NOTICE

A total of 425 Public Hearing notices were distributed on February 27, 2018, in accordance with the provision of the Zoning Ordinance. No comments have been received as of the preparation of this report.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act, Categorical Exemption (CE 17-327) was issued for the proposed project (Exhibit I - Categorical Exemption).

Respectfully submitted,



LINDA F. TATUM, AICP
PLANNING BUREAU MANAGER



TOM MODICA
INTERIM DIRECTOR OF DEVELOPMENT SERVICES

TM:LFT:CT:ag

Attachments:

- Exhibit A – Location Map
- Exhibit B – Plans
- Exhibit C – Photos
- Exhibit D – Letters of Opposition
- Exhibit E – Zoning Administrator Hearing Minutes
- Exhibit F – Appeals
- Exhibit G – Conditions of Approval
- Exhibit H – Findings
- Exhibit I – Categorical Exemption