



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

March 3, 2011

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Deny the Appeal from Larry Goodhue and uphold the Zoning Administrator's decision to approve a Local Coastal Development Permit to remove and replace an existing electrical switchboard and feeders that service restrooms and lighting in Marina Vista Park located at 5350 Colorado Street in PD-1, sub-area 32. (District 3)

APPLICANT:

City of Long Beach
Department of Parks, Recreation and Marine
2760 N. Studebaker Road
Long Beach, CA 90815
(Application No. 1009-14)

DISCUSSION

The project consists of the replacement of an existing electrical switchboard and feeders that service restrooms and lighting in Marina Vista Park. The installation of new equipment will be provided within a 513-square-foot addition to the existing enclosure. The existing electronic switchboard is located on the south side of Marina Vista Park, approximately 50 feet northwest of the intersection of Eliot Street and Boathouse Lane (Exhibit A - Location map). The site is located in sub-area 32 of PD-1, the Southeast Area Development and Improvement Plan (SEADIP) and falls within the appealable area of the coastal zone (Exhibit B- SEADIP and Coastal Maps).

A Local Coastal Development Permit (LCDP) is required when development occurs within the coastal zone. All properties in the coastal zone are subject to procedures outlined in Section 21.25.903 of the Long Beach Municipal Code. In the case of City infrastructure improvements, projects with an estimated cost of \$50,000 or more, excluding traffic improvement projects, require a Coastal Permit. The proposed location was reviewed by the Department of Parks, Recreation and Marine and Southern California Edison (SCE). Both agencies determined that the proposed location was the only location available that would allow for a seamless transition from the old to new switchboard, while meeting required distancing separation from existing SCE transformers. Furthermore, according to SCE, any other location, whether inside or outside the park would require the loss of electricity that services Marine Stadium and the Rowing Center for approximately two to three months.

The Zoning Administrator conducted a public hearing on November 8, 2010; during the hearing, one party (Larry Goodhue) spoke in opposition to the project. Mr. Goodhue stated that since the repair is being done to a switchboard that is located within an enclosure that abuts SCE transformers, the switchboard should be located outside the park, in a location that will protect the views of Marine Stadium and allow existing park space to remain unaltered. He also suggested that SCE take on some of the financial burden since their facility is located on City property.

In response to Mr. Goodhue's concern, the Department of Parks, Recreation and Marine analyzed alternate locations and determined that it was not feasible to relocate the facility at this time due to the cost associated with relocating City switchboards and feeders. Since relocating the facility was not feasible and the current facility is in need of repair, staff added a condition that will require replacing the existing screening with wrought iron fencing and landscaping that will allow for a more aesthetic design in keeping with its location in a park. With the added conditions and the placement of the new enclosure area further away from Eliot Street, staff believes this will not further diminish the views, but instead will enhance the look of an enclosure that has existed at the same location for at least 50 years.

After reviewing all related documentation including SEADIP, the Local Coastal Program and engineering plans, the Zoning Administrator found that the replacement and relocation of the switchboard was consistent with the public access and recreation policies of Chapter 3 of the Coastal Act and approved the Local Coastal Development Permit subject to conditions (Exhibit C- Findings & Conditions).

On November 18, 2010, Mr. Goodhue filed an appeal within the 10-day appeal period (Exhibit D–Appeal). According to Section 21.21.504A of the Long Beach Municipal Code, an appeal of the Zoning Administrator's decision should be heard by the Planning Commission within 60 days of the Zoning Administrator's decision. However, at the request of the appellant (Exhibit E- Appellant Request), additional time was granted to allow him time to gather information from SCE and the Department of Parks, Recreation and Marine.

PUBLIC HEARING NOTICE

Public hearing notices were distributed on February 15, 2011, as required by the Long Beach Municipal Code and no responses have been received as of the date of this report.

ENVIRONMENTAL REVIEW

In accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), a Categorical Exemption (CE 10-083) was issued for the proposed project (Exhibit F – Categorical Exemption).



Exhibit A

Subject Property:
5350 Colorado St
Application No. 1009-14
Council District 3
Zoning Code : PD-1 (Subarea 32)



LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS**5350 Colorado Street****App. No. 1009-14****Date: March 3, 2011**

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

The project consists of the replacement of existing electrical switchboard and feeders that service restrooms and lighting in Marina Vista Park. Installation of new equipment will be provided within a 513-square foot addition to the existing enclosure. The addition is required to allow continued operation of restroom and park lighting, while allowing the required separation from Southern California Edison transformers. Relocation of the entire structure was an option; however due to the cost, it would cause a financial burden on the City. Thus the replacement is being proposed. The proposed development is consistent with the local coastal programs and will not be visible from the nearest public right of way with proposed screening.

2. THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT.

The project is consistent with the public access and recreation policies of Chapter 3 of the Coastal Act since the project is only a replacement of existing electrical switchboard and feeders to existing restrooms in Marina Vista Park. Public access will not be affected by this proposal. Therefore, the project conforms to the public access and recreation policies of Chapter 3 of the Coastal Act.

**LOCAL COASTAL DEVELOPMENT PERMIT
CONDITIONS OF APPROVAL
APP. NO. 1009-14
Date: March 3, 2011**

1. The approved Local Coastal Development Permit is to allow the replacement of an electrical switchboard and feeders that service restrooms and lighting in Marina Vista Park. The replaced switchboard will be relocated approximately 10-feet north of the existing switchboard within a new wrought iron fence enclosure.
2. This permit and all development rights hereunder shall terminate one year from the effective date of this permit unless construction is commenced or a time extension is granted, based on a written request approved by the Zoning Administrator, submitted prior to the expiration of the one year period as provided in Section 21.21.406 of the Long Beach Municipal Code.

Special Conditions of Approval

3. The existing and new fence enclosure surrounding the switchboard and feeders shall be modified to the satisfaction of the Director of Development Services. Southern California Edison and the Building Bureau shall determine the minimum height and permeability required for the new fence enclosure.
4. Landscaping shall be added to the exterior of the new fencing, to the satisfaction of the Director of Development Services.

Standard Conditions of Approval

5. This permit shall be invalid if the owner(s) and/or applicant(s) have failed to return written acknowledgment of their acceptance of the conditions of approval on the *Conditions of Approval Acknowledgment Form* supplied by the Planning Bureau. This acknowledgment must be submitted within 30 days from the effective date of approval (final action date or, if in the appealable area of the Coastal Zone, 21 days after the local final action date). Prior to the issuance of a building permit, the applicant shall submit a revised set of plans reflecting all of the design changes set forth in the conditions of approval to the satisfaction of the Zoning Administrator.
6. If, for any reason, there is a violation of any of the conditions of this permit or if the use/operation is found to be detrimental to the surrounding community, including public health, safety or general welfare, environmental quality or quality of life, such shall cause the City to initiate revocation and termination procedures of all rights granted herewith.

7. All conditions of approval must be printed verbatim on all plans submitted for plan review to Long Beach Development Services. These conditions must be printed on the site plan or a subsequent reference page.
8. The Director of Long Beach Development Services is authorized to make minor modifications to the approved design plans or to any of the conditions of approval if such modifications shall not significantly change/alter the approved design/project. Any major modifications shall be reviewed by the Zoning Administrator or Planning Commission, respectively.
9. Site development, including landscaping, shall conform to the approved plans on file with Long Beach Development Services. At least one set of approved plans containing Planning, Building, Fire, and, if applicable, Redevelopment and Health Department stamps shall be maintained at the job site, at all times for reference purposes during construction and final inspection.
10. All landscaped areas must be maintained in a neat and healthy condition. Any dying or dead plants materials must be replaced with the minimum size and height plant(s) required by Chapter 21.42 (Landscaping) of the Zoning Regulations. At the discretion of City officials, a yearly inspection shall be conducted to verify that all irrigation systems are working properly and that the landscaping is in good healthy condition. The property owner shall reimburse the City for the inspection cost as per the special building inspection specifications established by the City Council.
11. The property shall be developed and maintained in a neat, quiet, and orderly condition and operated in a manner so as not to be detrimental to adjacent properties and occupants. This shall encompass the maintenance of exterior facades of the building, designated parking areas serving the use, fences and the perimeter of the site (including all public parkways).
12. All structures shall conform to the Long Beach Building Code requirements. Notwithstanding this subject permit, all other required permits from the Building Bureau must be secured.
13. Separate building permits shall be required for fences, retaining walls, flagpoles, and pole mounted yard lighting foundations.
14. The applicant shall file a separate plan check submittal to the Long Beach Fire Department for their review and approval prior to the issuance of a building permit.
15. Demolition, site preparation, and construction activities are limited to the following (except for the pouring of concrete which may occur as needed):

- a. Weekdays and federal holidays: 7:00 a.m. to 7:00 p.m.;
 - b. Saturday: 9:00 a.m. - 6:00 p.m.; and
 - c. Sundays: not allowed
16. The applicant shall defend, indemnify, and hold harmless the City of Long Beach, its agents, officers, and employees from any claim, action, or proceeding against the City of Long Beach or its agents, officers, or employees brought to attack, set aside, void, or annul an approval of the City of Long Beach, its advisory agencies, commissions, or legislative body concerning this project. The City of Long Beach will promptly notify the applicant of any such claim, action, or proceeding against the City of Long Beach and will cooperate fully in the defense. If the City of Long Beach fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Long Beach.

PLANNING COMM. Sec 2

APPEAL OF ITEM #1009-14:5350 Colorado Street, Long Beach, California 90803 (Expansion of fence and the replacement of an electrical switchboard and feeders and lighting in Marina Vista Park)

From: "commonsense-sayssavthefence@fastmail.fm" <cacrewod8@fastmail.fm>
To: derek.burnham@longbeach.gov
Cc: cacrewod8@fastmail.fm
Date: Fri, 12 Nov 2010 11:53 AM

This Coastal resident of Long Beach-herewith appeals the decision rendered by the Hearing Officer on November 8, 2008-which this individual attended. HARD COPY WILL BE SENT VIA USPO THIS DATE,

My position and view is:

1. The information provided by staff to the Hearing Officer was seriously lacking as evidenced by:

- A. No definitive cost figures relative to:
 1. Re location options.
 2. Funding sources.

The public record demonstrates that on no less than three occasions in the past PRM Staff costs estimates relative to proposed projects have been off by as much as eighty percent. IE:

1. Cost of relocation of electrical step down transformers along Boathouse Lane (Staff confirmed at the November 8, 2008 hearing that it had not invited cost estimates from City Light and Power and had not presented copies of any estimates-from any other vendors for public review.)
2. There was a \$50,000 error in cost estimates regarding the expansion of City Pete Archer Rowing Center in terms of what was required by code.
3. City had estimated cost of repairing to operational status the six flag poles on top of the six 500 meter marker in Marine Stadium at \$125,000. The community had it done for under circa (\$3,000.00)-three thousand!!!!!!

B. Proposed highly commendable open channel project which is slated for commencement within the

Though clearly the existing equipment could not have been installed by Thomas Edison himself-the design life (well past Medicare threshold) speaks volumes about total replacement and relocation-with contemplation of future needs of recreational space as well as power sources.

Laurence B. Goodhue 11/12/10

Laurence B. Goodhue
United States Post Office Box 14464
Long Beach
California
90803



{In Archive} : RE:Appeal of Application No.1009-14 5350 Colorado
Street:---Electric Transformer et al-Marina Vista Park

commonsense-sayssavthefence@fastmail.fm to: steven.valdez

12/31/2010 09:56 PM

Cc: trixie.dizon, larry.allison, info

Please respond to commonsense-sayssavthefence

History: This message has been forwarded.

Archive: This message is being viewed in an archive.

This is to follow up on yesterday's telephone call and request for this note requesting more time to gather information regarding yet to be answered questions regarding exactly, who, what, where and how many people are serviced by the above facility.

The president of SCE has been unresponsive to the request for such data--without which no reasoned community of minds could make a determination regarding the above project.

The issues was raised personally to Mayor Foster a few weeks ago at the COE Breakwater ceremony---but alas,, running for State Treasurer is time consuming.

On Monday, I will call the head of the California Public Utilities Commission to see if they can prod SCE. However, my understanding is that its CEO has one foot already of the door (retiring)--thus like Bob Foster---his focus is elsewhere---probably endemic to those with the utility industry!!!

Thank you for your patience and follow through/

Laurence B. Goodhue

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cacrewood8@fastmail.fm



CITY OF LONG BEACH NOTICE OF EXEMPTION

EXHIBIT F

DEPARTMENT OF DEVELOPMENT SERVICES
333 W. OCEAN BLVD., 5TH FLOOR, LONG BEACH, CA 90802
(562) 570-6194 FAX: (562) 570-6068
lbs.longbeach.gov

TO: Office of Planning & Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: Department of Development Services
333 W. Ocean Blvd, 5th Floor
Long Beach, CA 90802

L.A. County Clerk
Environmental Fillings
12400 E. Imperial Hwy. 2nd Floor, Room 2001
Norwalk, CA 90650

Categorical Exemption CE- 10-083

Project Location/Address: 5350 Colorado St.

Project/Activity Description: This project will remove and replace an existing electrical switchboard and feeders that service restrooms and lighting in Marina Vista Park. An 11'-high chain link fence will surround the equipment. Installation of the new equipment will expand the fenced area 515 sq. ft, from 850 sq. ft. to 1,365 sq. ft.

Public Agency Approving Project: City of Long Beach, Los Angeles County, California

Applicant Name: Sharon Gates

Mailing Address: 2760 Studebaker Road, Long Beach CA 90815

Phone Number: 562.570.3124

Applicant Signature: [Signature]

BELOW THIS LINE FOR STAFF USE ONLY

Application Number: 1009-14 Planner's Initials: SV

Required Permits: LCDP

THE ABOVE PROJECT HAS BEEN FOUND TO BE EXEMPT FROM CEQA IN ACCORDANCE WITH STATE GUIDELINES SECTION 15302, Class 2, Replacement/Reconstruction

Statement of support for this finding: Replacement of existing facilities.

Contact Person: Craig Chalfant

Contact Phone: 562-570-6368

Signature: [Signature]

Date: 2/18/11