

LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS
Application No. 1711-28 (LCDP 17-021)
Address: 5719 East Seaside Walk
January 22, 2018

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

The project site is located within the Peninsula neighborhood fronting the beach side on Seaside Walk between 57th and 58th Place. The project site falls within Area E – Naples and Alamitos Peninsula Communities – of the Local Coastal Program. This portion of Area E consists primarily of single-family homes and duplexes with heights ranging from one to three stories. The site is currently developed with a 2,656-square-foot, two-story, single-family home with an existing third-story roof deck and a tandem two-car garage. The property is zoned R-2-I (Two-Family Residential, Intensified Development).

The proposed project consists of the construction of a new 3,810-square-foot, three-story, single-family residence with a tandem two-car garage. The existing parcel is 2,337 square feet. The proposed residence consists of three bedrooms, four and a half baths, family room, living/dining and kitchen areas. The residence will also feature a covered patio space and swimming pool on the first level, and an open and covered balcony on the second floor. The new residence has been designed to meet all the required development standards of the R-2-I zoning district with the exception of the proposed tandem garage instead of a side-by-side garage.

The specific Local Coastal Program provision of low and moderate-income housing replacement would not apply to this development proposal, as the proposed improvements would occur on a privately-owned parcel that is currently developed with a single-family dwelling.

THE PROPOSED DEVELOPMENT CONFORMS TO THE PUBLIC ACCESS AND RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT. THIS SECOND FINDING APPLIES ONLY TO DEVELOPMENT LOCATED SEAWARD OF THE NEAREST PUBLIC HIGHWAY TO THE SHORELINE.

Chapter 3 of the Coastal Act concerns the public's right to use beach and water resources for recreational purposes. The chapter provides the basis for State and local government beach access requirements with a stated objective of prohibiting development projects that restrict public access to the beach and/or water resources.

The proposed project located within the Peninsula community, fronting the beach side on Seaside Walk between 57th and 58th Place, will not restrict access to coastal or recreational amenities. The proposed residence will replace an existing residence. The proposed development would occur entirely upon a privately-owned parcel of land and will pose no obstruction to coastal or recreational access. During construction, conditions of approval are in place to ensure public access to Seaside Walk and the coast is maintained.

STANDARDS VARIANCE FINDINGS
Application No. 1711-28 (SV 17-006)
Address: 5719 East Seaside Walk
Date: January 22, 2018

Pursuant to Section 21.25.306 of the Zoning Ordinance, the following findings must be analyzed, made and adopted before any action is taken to approve or deny the subject permit and must be incorporated into the record of the proceedings relating to such approval or denial:

1. THE SITE OR THE IMPROVEMENTS ON THE SITE ARE PHYSICALLY UNIQUE WHEN COMPARED TO OTHER SITES IN THE SAME ZONE.

The subject site is located in the R-2-I (Two-family, intensified development) zone. This district recognizes existing subdivision and use patterns and allows an intensity of development appropriate only in areas within immediate proximity to public open space, such as found in waterfront communities. The site is located in the Peninsula neighborhood which offers shoreline access between Alamitos Bay to the north and the Pacific Ocean to the south. 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 located midblock fronting Seaside Walk between 57th and 58th Place. The property is 2,337 square feet in size, approximately 30 feet wide and 78 feet deep. 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 applicant is requesting to demolish the existing residence and build a new 3,810-square-foot, single-family dwelling that will meet all R-2-I development standards with the exception of a tandem garage. The variance request is to allow a tandem two-car garage instead of a side-by-side, two-car garage. Municipal Code Section 21.21.233 does not permit the tandem parking configuration for required parking, except in specific cases of valet parking or low income housing.

The new construction will meet the rear yard setback standards. The new garage will be setback 9 feet from the rear property line. Upon survey of other properties along Seaside Walk, there are properties that have no off-street parking, some have one to two garage spaces, and some multi-family dwellings have open and garage spaces. Access to landlocked parcels is provided with driveway easements from the adjacent street, and from easements off the rear north/south

alley that runs parallel to the side street. This site is physically unique in that it has limited access of 11'6" width for ingress and egress located at the northwest corner of the lot. Directly west of the access point, a grade difference with an existing concrete curb currently prevents an angled approach to the site. The adjacent property to the rear of the site is built to the property line, so the ingress/egress to the site can only be taken parallel to the north/south alley.

2. ***THE UNIQUE SITUATION CAUSES THE APPLICANT TO EXPERIENCE HARDSHIP THAT DEPRIVES THE APPLICANT OF A SUBSTANTIAL RIGHT TO USE 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 THE ZONING REGULATIONS.***

The size of the lot is 30 feet wide and 78 feet deep. The site is landlocked with the only vehicle access taken from an easement from another lot located at the rear of the property. The property has limited physical access for a vehicle with only a 11-foot-6-inch-wide approach off the rear alley located at the northwest corner of the lot. The majority of the landlocked lots on Seaside Walk take vehicle access from the adjacent side street, or have an easement from an adjacent property that is greater than 11 feet 6 inches wide. This existing condition creates a hardship for the property owner to provide a garage with a side-by-side configuration. The location and size of the vehicle ingress and egress makes this situation unique compared to other properties located in the R-2-I zone. Granting of this variance will not grant a special privilege as it will provide two off-street parking spaces using the best feasible layout for this property in a manner that essentially matches the current situation.

3. ***THE VARIANCE WILL NOT CAUSE SUBSTANTIAL ADVERSE EFFECTS UPON THE COMMUNITY; AND***

The conditions of approval for the proposed project will ensure that the variance will not cause substantial adverse effects on the community. A condition requiring a Construction Staging Plan is included to help minimize impacts during the construction phase. The tandem garage will provide two off-street parking spaces for a site that has limited access.

4. ***IN THE COASTAL ZONE, THE VARIANCE WILL CARRY OUT THE LOCAL COASTAL PROGRAM AND WILL NOT INTERFERE WITH THE PHYSICAL, VISUAL AND PSYCHOLOGICAL ASPECTS OF ACCESS TO OR ALONG THE COAST.***

The variance will not interfere with the physical, visual and psychological aspects of access to or along the coast. The proposed project will occur on private property and will not impede coastal access. During construction, conditions of approval are in place to ensure public access to Seaside Walk and the coast is maintained. The variance will provide for two off-street parking spaces in tandem configuration, which is suited for this site with its limited vehicle access, and will not change or decrease any existing access to the coast. The variance will not create any additional hindrances to coastal access.