

LOCAL COASTAL DEVELOPMENT PERMIT FINDINGS
Application No. 1711-28 (LCDP 17-021)
Address: 5719 East Seaside Walk
April 19, 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 3 bedrooms, 4 ½ baths, family room, living/dining and kitchen areas. The residence will also feature covered patio space and a 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. In order for a development to conform to the certified Local Coastal Program, the development must be consistent with the adopted Zoning Regulations, or receive a Standards Variance. The request for the Standards Variance for the tandem garage configuration has not been approved by the Planning Commission, therefore, the development does not conform to the certified Local Coastal Program. [CT1]

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, as designed, has not been approved, and therefore, will not affect coastal access.

STANDARDS VARIANCE FINDINGS
Application No. 1711-28 (SV 17-006)
Address: 5719 East Seaside Walk
Date: April 19, 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 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.

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 properties have open and garage spaces.

There are landlocked lots of similar size located in the R-2-I zone that provide side-by-side garages. Access to these lots occur from easements from adjacent properties. This subject site has an easement of 11 feet and 6 inches wide at the northwest corner of the lot. The 2,337-square-foot size of the lot is also not unique in the R-2-I zone. The district recognizes the proximity of open space in the coastal community, and allows development with an increase of intensity.

The site could allow a side-by-side garage configuration if the proposed dwelling was designed in another configuration.

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, which is not unique in the R-2-I zone. The site is landlocked with the vehicle access taken from an easement from another lot located at the rear of the property. The property has physical access for a vehicle with an 11-foot-6-inch-wide approach off the rear alley located at the northwest corner of the lot. This existing condition in the R-2-I zone does not create a unique hardship for the property owner to provide a two-car side-by-side garage. Other properties in the R-2-I zone have setbacks from the rear property line in order to provide the minimum turning radius for a side-by-side garage. The applicant would not experience a hardship if the site met all the standards of the R-2-I zone.

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

The project is located in a parking-impacted coastal area. The variance requests a tandem parking configuration instead of a side-by-side parking configuration. Although both configurations provide for two off-street parking spaces, the lack of individual access to the tandem parking could adversely affect the community if both parking spaces are not used or available for use.

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 project is proposed to occur on private property and will not impede coastal access. The variance will not create any hindrances to coastal access as it will provide two off-street parking spaces.