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CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

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Long Beach, CA 90802

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May 19, 2016

CHAIR AND PLANNING COMMISSIONERS
City of Long Beach
California

RECOMMENDATION:

Accept Categorical Exemption 15-033 and deny the appeal of the Zoning Administrator's decision to approve a Local Coastal Development Permit to demolish Marine Stadium Restroom 8N, located at 5605 Boathouse Lane. (District 3)

APPELLENT: Laurence Goodhue
PO Box 14464
Long Beach, CA 90803

APPLICANT: Eric Lopez
Tidelands Capital Improvement Division
City of Long Beach
333 West Ocean Boulevard
Long Beach, CA 90802
(Application No. 1503-04)

DISCUSSION

On February 3, 2015, the City's Tidelands Capital Improvement Division submitted an application for a Local Coastal Development Permit (LCDP) to demolish Marine Stadium Restroom 8N (Restroom 8N) and replace the building footprint with turf to match the existing landscaping. Restroom 8N is in a state of disrepair and has not consistently been operational for over twenty years. Located in the City's permit jurisdiction of the Coastal Zone, the demolition of Restroom 8N requires a LCDP (Exhibit A – Location Map). During the fourteen-day public notice and comment period for the LCDP, the issue of the McGrath-Macco Boundary Settlement and Exchange Agreement (McGrath-Macco Agreement) and the appropriate approval process was raised by a local resident, Laurence Goodhue. Mr. Goodhue asserted that the McGrath-Macco Agreement precludes the City from demolishing Restroom 8N without State approval.

At the public hearing on April 13, 2015, the Zoning Administrator continued this item to a date uncertain to allow staff time to evaluate procedural questions related to the McGrath-Macco Agreement. Subsequently, staff reviewed the McGrath-Macco Agreement, Marine

Stadium Master Plan and related previous case files; and determined that the Zoning Administrator has the authority, subject to appeal, to issue a LCDP to demolish Restroom 8N.

On March 28, 2016, the Zoning Administrator held a public hearing and approved with conditions a LCDP to demolish the restroom and replace the building footprint with landscaping for public use (Exhibit B -- Conditions). At the public hearing, Mr. Goodhue expressed his opposition to the project. Other residents indicated the unused restroom is a source of nuisance activity that results in numerous police calls for service and supported the proposed demolition (Exhibit C -- Public Comment Letter and Exhibit D -- Police Department Call for Service Report). The Zoning Administrator determined that the demolition of Restroom 8N is consistent with the certified Local Coastal Program (LCP) and conforms to the recreation and visitor serving facilities section in Chapter 3 of the Coastal Act (Exhibit E -- Findings). The removal of Restroom 8N will not impact the usage and quality of Marine Stadium for active and passive recreational activities because of the proximity of other public restrooms (Exhibit F -- Restroom Proximity Map). Restroom 8N is isolated in an area of Marine Stadium flanked by long, narrow surface parking lots and dry boat storage. The existing functional restrooms in Marine Stadium are located near recreational activity nodes at Marina Vista Park, the sandy beach located on the southwest end of Marine Stadium, and the Peter Archer Rowing Center. Moreover, the Zoning Administrator found that the removal of Restroom 8N will increase the amount of public scenic views and open space.

On March 28, 2016, Laurence Goodhue appealed the Zoning Administrator's decision to the Planning Commission (Exhibit G -- Application for Appeal). The appellant asserts two arguments: 1) the McGrath-Macco Agreement precludes the City from demolishing Restroom 8N without State approval; and 2) the structure should be preserved and converted to storage for rowing-related equipment.

McGrath-Macco Agreement

A short historical context is necessary to address the McGrath-Macco Agreement claims made by the appellant. Prior to the dredging and filling for the Marine Stadium for the 1932 Olympics, Alamitos Bay was an estuary for the San Gabriel River. As a result of the uncertainty of survey monuments used in government land surveys in 1857 and 1886 for the Rancho Los Alamitos land grant, the boundary for privately held land in Alamitos Bay was ill-defined.

In the 1960s, in order to bring clarity and resolution to the title and land boundary problems that existed in the Alamitos Bay Area, the California State Lands Commission – in cooperation with the City of Long Beach, the McGrath Trust (owner of the lands in the subject area), Macco Reality Company (Lessee of McGrath lands) and Security Pacific National Bank (Trustee of the McGrath Trust) – authorized the execution of the McGrath-Macco Agreement.

The McGrath-Macco Agreement dealt with the undeveloped lands, which lay immediately north of and abut Marine Stadium, which were formed for the most part by filling while dredging Marine Stadium. There are four main aspects to the McGrath-Macco Agreement. First, the boundaries between State lands and McGrath lands were settled and fixed according to a 1966 State survey. Second, five acres of state lands were exchanged for 8.5 acres of certain McGrath lands which abut either water or existing public trust facilities. Third, City tideland trust funds must be used to construct the new park and marina facilities. Fourth, a right-of-way was granted to the Los Angeles County Flood Control District. In short, the McGrath-Macco Agreement is an arrangement where a portion of State Tidelands were given up for private residential development, while the site abutting Los Cerritos Channel was granted in trust to the City of Long Beach under the condition that it be improved for public recreation and coastal access.

The Department of Parks, Recreation and Marine prepared the Marine Stadium Master Plan (Master Plan) to fulfill its obligations to develop a 8.5 acre park and marina abutting the Los Cerritos Channel. The Master Plan proposed three new parks: End Beach Park, Fieldstone Park and Costa del Sol Park. Community outreach for the Master Plan generated lengthy public comments on the appropriate park amenities and features including the merits of a restroom within Fieldstone Park. The final plans resulted in the proposed restroom relocated from the Fieldstone Park to an existing structure (10N) that housed an ancillary locker room for the Peter Archer Rowing Center.

On November 17, 1992, the City Council approved the Site Plan Review and Local Coastal Development Permit for the Marine Stadium Master Plan (Exhibit H -- Notice of Action Case No 9206-15). Since the Fieldstone Park is a condition of the McGrath-Macco Agreement with the State, on February 25, 1993, the State Lands Commission approved the park plan and authorization for the expenditure of Tidelands funds on the proposed park development (Exhibit I -- State Lands Commission Meeting Minutes). At the January 1997 California Coastal Commission public hearing, the California Coastal Commission approved the Coastal Development Permit 5-96-197 for the water portions of the park site (Exhibit J -- California Coastal Commission staff report).

The McGrath-Macco Agreement and related Master Plan is silent on the existing facilities of Marine Stadium including Restroom 8N. The State Lands Commission has determined that the demolition of Restroom 8N does not violate the McGrath-Macco Agreement (Exhibit K -- California State Lands Commission letter dated November 5, 2015).

Storage for Rowing-related Equipment

The Department of Parks, Recreation and Marine (PRM) is the client department for the demolition of Restroom 8N and has determined that Restroom 8N is not needed for storage. PRM has identified structure 10N and the Marine Stadium maintenance building as the appropriate and sufficient locations for the storing rowing-related equipment.

PUBLIC HEARING NOTICE

In accordance with the provisions of the City's Municipal Code, public hearing notices were distributed on April 14, 2016. At the time of preparation of this report, only the appellant had provided additional comments (Exhibit L – Appellant Comment Letters)

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act, a Categorical Exemption (CE-15-033) was issued (Exhibit M -- Categorical Exemption 15-033).

Respectfully submitted,



LINDA F. TATUM, AICP
PLANNING BUREAU MANAGER



AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

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AJB:LT:CK:IB

Attachment:

- Exhibit A – Location Map
- Exhibit B – Conditions
- Exhibit C – Public Comment Letter
- Exhibit D – Police Department Call for Service Report
- Exhibit E – Findings
- Exhibit F – Restroom Proximity Map
- Exhibit G – Application for Appeal
- Exhibit H – Notice of Action Case No 9206-15
- Exhibit I – State Lands Commission Meeting Minutes
- Exhibit J – California Coastal Commission staff report
- Exhibit K – California State Lands Commission letter dated November 5, 2015
- Exhibit L – Appellant Comment Letters
- Exhibit M – Categorical Exemption 15-033



Subject Property:
5668 Boathouse Ln
Application No. 1503-04
Council District 3
Zoning Code : P

Exhibit A

