



Legislation Text

File #: 05-2622, **Version:** 1

Recommendation to receive supporting documentation into the record, conclude the hearing, overrule the appeal of Ruben Padilla, appellant, and sustain the decision of the Planning Commission to deny a two-unit Tentative Parcel Map at 3829 Maine Avenue. (Case No. 0412-03) (District 7)

On February 3 , 2005 , the Planning Commission denied Tentative Parcel Map 62368 to divide one lot into two lots for the purpose of constructing a new single-family home (Attachment 1). The purpose of the subdivision is to create two lots from one existing lot. One letter and one phone call were received in opposition , and at the Planning Commission hearing one person spoke in opposition and two spoke in favor of the project. After consideration , Commissioner Sramek made a motion to deny the project and Commissioner Gentile seconded the motion. The motion passed 4-3. Since that time , eight additional letters have been received in opposition (Attachment 2). The applicant filed an appeal on February 11 , 2005 (Attachment 3). The applicant is requesting that City Council overturn the decision of the Planning Commission and approve the parcel map so that the lot can be divided in two and a new home be constructed on the newly created parcel. This application involves the division of one lot into two lots in the Wrigley Heights neighborhood. The subject site is located south of Baker Street between Golden Avenue and Ambeco Road , approximately 100 feet south of the Pacific Avenue exit ramp for the 405 Freeway. The lot is a 13 700-square foot through lot (a lot having frontage on two streets) developed with a single-family home and detached two-car garage. The applicant is proposing to divide the existing lot, which has frontage on both Maine Avenue and Baker Street, approximately in half to create two independent lots. The existing home and garage that front on Maine Avenue will become one lot and the northern portion of the lot will become a second lot that will front onto Baker Street.

Staff is not able to make positive findings for approval of the proposed Tentative Tract Map. The proposed subdivision is inconsistent with the development pattern of the neighborhood by creating a lot that fronts onto Baker Street and which is isolated from the existing neighborhood. If approved, the subject home would be the only house that fronts onto Baker Street. This design could comprise general public safety and neighborhood aesthetics. Also, the property located on the north side of Baker Street was recently purchased by the City of Long Beach with a grant from the Los Angeles County Park Bond fund for park development. Therefore, there is no opportunity for any other homes to be constructed fronting on Baker Street. The proposed subdivision will also create a uniquely shaped lot with six sides that will likely need the approval of a Standards Variance for development. In addition, if this request is approved, there is one other through lot in the Wrigley Heights neighborhood with a lot size of 12,000 square feet that could also be divided. The approval of this request may set a precedent for future subdivisions.

In accordance with the Guidelines for Implementation of the California

Environmental Quality Act, Categorical Exemption (CE 04-246) was issued January 24,2005.

Assistant City Attorney Michael J. Mais reviewed this report on April 6,2005.

The Long Beach Municipal Code requires that an appeal of the Planning Commission's decision be heard within 60 days of filing of the appeal, or by April 3, 2005. However, the applicant was unable to attend a hearing within the 60-day period and has submitted a letter to the City to waive his right to a hearing within the required time frame (Attachment 4).
A 14-day public notice of the hearing is required.

None.

Approve recommendation.

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MORTON STUHLBARG, CHAIR
CITY PLANNING COMMISSION
SUZANNE M. FRICK
DIRECTOR OF PLANNING AND BUILDING